

WEDNESDAY, FEBRUARY 12, 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, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Potter, Smith, Sturtevant, and Sutton—20.

Prayer by the Chaplain.

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

Mr. Eagan moved that the vote upon which Assembly Joint Resolution to appoint a delegate to the National Agricultural Convention was indefinitely postponed be reconsidered;

Which was agreed to, and the resolution placed among the orders of the day.

Mr. Henderson introduced the following resolution:

Resolved, That the Comptroller is hereby requested to inform the Senate of the amount of State aid in bonds or guarantee which is now outstanding in favor of railroad or other corporations, and to make such recommendation for legislative action in relation to the same as he may think proper;

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

Mr. Smith introduced the following resolution:

Resolved, That the Committee on Public Printing be instructed to report to the Senate to-morrow on Assembly Bill No. 35.

The resolution was withdrawn.

Mr. Billings introduced Senate Bill No. 70:

An act to be entitled An act to Prescribe and Regulate a License Tax for Counties and Incorporated Cities;

Which was placed among the orders of the day.

Mr. Eagan introduced Senate Bill No. 71:

An act entitled An act Taxing Telegraph Lines Operating in this State;

Which was placed among the orders of the day.

Mr. Eagan introduced Senate Bill No. 72:

An act entitled An act to Alter and Amend Chapter 1931 of the Laws of the State of Florida;

Which was placed among the orders of the day.

Mr. Sutton introduced Senate Bill No. 73:

To be entitled An act for the Relief of Allen O'Quinn;

Which was placed among the orders of the day.

Mr. Jenkins introduced Senate Bill No. 74:

An act entitled An act with Reference to *ad interim* Appointments;

Which was placed among the orders of the day.

Mr. Henderson introduced the following resolution:

Resolved, That Assembly Bill No. 52, an act entitled An act to Repeal an act to Simplify and Abridge the Practice, Pleadings, and Proceedings of the Courts of this State, be reported by the Judiciary Committee, and its consideration on its second reading be made the special order at 10½ o'clock to-morrow morning;

Which was adopted.

The following communication was read from the Assembly:

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 11, 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 Memorials Nos. 12, 13, 14, 15, 16, 4, and 17, asking Congress to establish mail-routes as therein named.

Very respectfully,

H. S. HARMON,
Clerk of the Assembly.

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 10, 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—

Senate Bill No. 47:

An act in Relation to Wharfage;

Also:

Senate Bill No. 41:

To Define the Boundaries of Washington county;

Also:

Senate Bill No. 34:

An act to Repeal an act for the Protection of Citizens Against Defaulting Corporations;

Also:

Assembly Bill No. 59:

To Change and Define the County Lines of Brevard, Orange, and other Counties.

Very respectfully,

H. S. HARMON,
Clerk of the Assembly.

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 7, 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 the following memorial: Memorial to Congress for the Establishment of a Mail-route from St. Marks to the city of Apalachicola.

Very respectfully,

H. S. HARMON,
Clerk of the Assembly.

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 11, 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—

Senate Bill No. 17:

For the Relief of Wm. H. Milton.

Senate Bill No. 15:

For the Relief of A. D. Rogero.

Senate Bill No. 24:

To Define the Boundaries of Jackson county.

Senate Bill No. 25:

Repealing Chapter 1831 of the Laws of Florida.

Very Respectfully,

H. S. HARMON,
Clerk of the Assembly.

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 11, 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:

An act for the Relief of Hilliard Jones, Jr.

Assembly Bill No. 79:

Authorizing A. M. Coxé to erect a Dam and Toll-bridge.

Assembly Bill No. 66:

Amendatory to the Criminal Code.

Assembly Bill No. 37:

Relating to the Jurisdiction of County Judges.

Assembly Bill No. 78:

Relating to Oaths before Committees of the Legislature.

Assembly Bill No. 24:

Fixing the Number of Hours for a Day's Work.

Assembly Bill No. 34:

To Punish for Obstructing Railroad Engines and Cars.
Assembly Bill No. 22:
To Prevent the Sale of Intoxicating Liquors to Minors. Very respectfully,

H. S. HARMON

Clerk of the Assembly.

And the accompanying bills and memorials placed among the orders of the day.
The Committee on Railroads and Telegraphs made the following report:

SENATE CHAMBER, FEBRUARY 11, 1873.

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

SIR: Your committee to whom was referred Joint Resolution for the adoption by Congress of a Postal Telegraph System, beg leave to report that they have examined the same and recommend that it pass.

Respectfully,

ROBERT MEACHAM,

Chairman of Committee on Railroads & Telegraph.

D. EAGAN.

And the accompanying joint resolution placed among the orders of the day.

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER, February 12, 1873.

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

SIR: Your committee to whom was referred—
Memorial No. 3, to Postmaster-General;
Memorial No. 11, to Postmaster-General;
Memorial No. 18, to Secretary of the Navy;
Requesting the construction of one or more of the proposed eight new sloops of war at the Pensacola Navy-yard, beg leave to report that they have examined the same and find them correctly engrossed.

Respectfully,

E. T. STURTEVANT,

Chairman Committee on Engrossed Bills.

M. G. FORTNER,

JOHN L. CRAWFORD,

T. W. LONG.

The special committee to whom was referred the claim of ex-Governor Harrison Reed made the following report:

SENATE CHAMBER,

Tallahassee, Fla., February 10, 1873.)

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

SIR: The undersigned joint committee appointed to examine

and adjust the accounts of ex-Governor Harrison Reed, referred to in his last message, beg leave to report that they have performed that duty, and find justly due to Governor Reed the sum of twenty-four thousand (\$24,000) dollars for legitimate and necessary expenditures, principally under the act of the Legislature of August, 1868, which imposed heavy responsibilities for which no adequate means was provided, and rendered necessary by the disorganized and unsettled condition of the state during the first years of his administration. They submit the accompanying bill and unanimously recommend its passage.

Committee on part of the Senate:

L.G. DENNIS, Chairman

A.D. MCKINNON.

Committee on part of Assembly:

W.F. GREEN,

J.W. JOHNSON,

J.C. GASS.

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

Under a suspension of the rules Mr. Potter asked leave to introduce Senate Bill No. 75:

A bill to be entitled An act Prohibiting the selling or Giving Away of Spirituous Liquors on Election Day;

Which was placed among the orders of the day.

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

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

SIR: Your committee to whom was referred Senate Bill No. 22, entitled An act to amend an act to incorporate the Germania Fire Company of Pensacola, respectfully report that they have examined the same and find it correctly engrossed.

E.T. Sturtevant, Chairman.

ORDERS OF THE DAY.

Senate Joint Resolution for the adoption of a Postal Telegraph was read the second time.

Mr. Meacham moved that the rules be waived, and the joint resolution read the third time.

Objections being raised, the roll was called with the following result:

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

Nays—Messrs. Crawford, Fortner, Henderson, Knight, McAuley, McCaskill, McKinnon, Oliveros, and Sutton—9.

So the motion was not agreed to.

Assembly Joint Resolution in relation to appointing a Delegate to the National Agricultural Convention was read the second time.

Mr. Henderson moved that the rules be waived and the resolution read the third time;

Which was agreed to.

Upon the question—Shall the bill pass?

The vote was—

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

Nays—None.

So the resolution was adopted.

Senate Bill No. 22:

A bill entitled An act to amend an act entitled an act to incorporate the Germania Fire Company of Pensacola,

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, Hill, Jenkins, Johnson, Knight, Long, McAuley, McKinnon, Pearce, Pope, Potter, Smith, Sturtevant, and Sutton—19.

Nays—Messrs. Henderson and Oliveros—2.

Senate Bill No. 70:

An act to be entitled an act to Prescribe and Regulate a License Tax for Counties and Incorporated Cities,

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

Mr. Potter moved that the rules be waived, and that all bills on their first reading be read by their titles and referred to their appropriate committees;

Which was unanimously agreed to.

Under the above order the following bills were read the first time by their titles:

Senate Bill No. 71:

An act entitled An act Taxing Telegraph Lines Operating in this State,

And referred to Committee on Finance and Taxation.

Senate Bill No. 72:

An act entitled An act to Alter and Amend Chapter 1931 of the Laws of Florida,

And referred to Committee on Finance and Taxation.

Senate Bill No. 73:

To be entitled An act for the Relief of Allen O'Quinn,

And referred to the Committee on Claims.

Senate Bill No. 74:

An act entitled An act with Reference to Certain *ad interim* Appointments,

And referred to Committee on State Affairs.

Senate Bill No. 75:

A bill to be entitled An act Prohibiting the Selling or Giving away of Spirituous Liquors on Election Day,
And referred to the Judiciary Committee.

Assembly Bill No. 37:

An act entitled an act to Limit the Jurisdiction of County Judges, and for other purposes,

And referred to the Judiciary Committee.

Assembly Bill No. 66:

A bill entitled An act to amend an act entitled an act to Provide for the Punishment of Crime and Proceedings in Criminal Cases,

And referred to Judiciary Committee.

Assembly Bill No. 34:

A bill to be entitled An act to Provide for Obstructions to Railroads, Engines, Cars, &c.,

And referred to Committee on Railroads.

Assembly Bill No. 78:

A bill for An act in Relation to Oaths and Affirmations before the Committees of the Legislature,

And referred to the Judiciary Committee.

Assembly Bill No. 24:

A bill to be entitled An act Fixing the Number of Hours for a Day's Labor,

And referred to the Judiciary Committee.

Assembly Bill No. 79:

A bill to be entitled An act to amend an act to Authorize Augustus M. Coxe to Erect a Dam and Toll-bridge across the Sante Fe River for Milling Purposes; approved February 16, 1870,

And referred to the Committee on City and County Organizations.

Assembly Bill No 52:

An act for the Relief of Hilliard Jones, Jr.,

And referred to the Committee on Appropriations.

Assembly Bill No. 59:

An act to Change and Define the County Lines of Brevard and Orange Counties, and to Permanently Establish the Line of Orange County,

And referred to the Committee on City and County Organizations.

Assembly Bill No. 22:

An act to Prevent the Sale of Intoxicating Liquors to Minors in the State of Florida,

And referred to the Judiciary Committee.

The Memorial to Congress for the Establishment of a Mail-route from St. Marks to Apalachicola,

Was read and adopted.

The Memorial to the Congress of the United States asking for the Establishment of a Mail-route in West Florida,

Was read and adopted.

The Memorial to Congress asking for the Establishment of a Mail-route from Orlando to Okahumkee,

Was read and adopted.

The Memorial to Congress asking for the Establishment of a Mail-route from Orlando to Perryville, Taylor county,

Was read and adopted.

The Memorial to Congress asking for the Establishment of a Mail-route from Eucheeanna to Marshy Bend, in Walton county, Florida,

Was read and adopted.

A Memorial to Congress asking for the Establishment of a Mail-route from Andalusia, Alabama, to Austinville, Santa Rosa County, Fla.,

Was read and adopted.

A Memorial to Congress asking for the Establishment of a Mail-route from Tampa to Mellonville,

Was read and adopted.

A Memorial to Congress asking for the Establishment of a Mail-route from Live Oak to Deadmans Bay.

Was read and adopted.

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

The following Executive nominations were confirmed:

James A. Fortune, to be County Judge of Polk county, vice J. A. Granger, removed.

James Payne, Jr., to be Clerk of the Circuit Court in and for Brevard county.

W. H. Gleason, to be Assessor of Taxes of Dade county.

W. H. Gleason, to be Collector of Revenue of Dade county.

Joseph H. Durkee, to be Sheriff of Duval county, vice W. M. Ledwith, removed.

G. W. Hodge, to be Sheriff of Levy county.

Minor Jones, to be Assessor of Taxes of Brevard county.

Minor Jones, to be Collector of Revenue of Brevard county.

G. W. Hodge, to be Assessor of Taxes of Levy county.

G. S. Leavitt, to be Clerk of the Circuit Court in and for Levy county.

W. H. Gunn, to be Clerk of the Circuit Court in and for Liberty county.

Neil Black, to be Assessor of Taxes of Liberty county, re-appointed.

C. B. Edwards, to be Collector of Revenue of Liberty county.

James M. Youmans, to be Collector of Revenue of Manatee county, re-appointed.

James A. McDavid, to be Assessor of Taxes for Marion county.

James G. Jones, to be Collector of Revenue of Monroe county, re-appointed.

Jno. M. Waas, to be Collector of Revenue of Nassau county, vice Norman Bronson, removed.

Joshua W. Gilbert, to be Assessor of Taxes for St. Johns county, re-appointed.

Lovard B. Lee, to be Collector of Revenue for Sumter county.

Charles V. Hillyer, to be County Judge of Nassau county.

The following nominations were rejected, to wit:

James W. Gaskins, to be Sheriff of Wakulla county.

M. P. Lyons, to be Assessor of Taxes for Hillsborough county.

Daniel Allen, to be Sheriff of St. Johns county.

R. L. Alexander, to be Assessor of Taxes for Wakulla county.

Amos Hargrett, to be Collector of Revenue of Wakulla county.

The doors were opened.

Under a suspension of the rules the Committee on Corporations 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. 65:

A bill to be entitled An act to Incorporate the Jacksonville Publishing Company; and

Also:

Senate Bill No. 69:

To be entitled An act to Incorporate the American, China and Japan Trading Company, beg leave to report that they have examined the same and recommend that they be passed.

Respectfully,

R. L. SMITH,
ARTHUR GINN,
LIBERTY BILLINGS,
ROBERT MEACHAM,
Committee on Corporations.

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

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

SENATE CHAMBER, February 11, 1873.

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

The Committee on Appropriations beg leave to present the claim of Charles Burdoff for compensation for repairs on desks in the Senate Chamber, ordered by the Senate, with the approval of the committee, and recommend its reference to the Joint Committee on Appropriations.

Respectfully,

H. JENKINS, Chairman.

Which was read and the accompanying claim ordered to be placed in the hands of the Joint Committee on Appropriations.

Mr. McCaskill moved that the Sergeant-at-arms be requested to prepare and furnish the Joint Committee on Appropriations an itemized account of the expenses incurred by him for stationery.

Which was agreed to.

Mr. Henderson moved that the Senate take a recess until 4 o'clock this p. m.

Which was agreed to.

FOUR O'CLOCK P. M.

The Senate re-assembled.

The Lieutenant-Governor in the chair.

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

Messrs. Billings, Crawford, Eagan, Fortner, Ginn, Henderson, Hill, Johnson, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Smith, and Sturtevant—17.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 12, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 58, an act entitled An act to Encourage the Establishment of Manufactories in this State: That the rates of taxation, as compared with any of the Northern and Eastern and most of the Southern States is, of itself, a strong inducement for the investment of capital in the mechanical and manufacturing pursuits in this State, added to which the guarantee that the further

administration of public affairs shall be on an economical basis, given by the present administration, and further evidence by the character and action of the legislation of the present session, will be sufficient protection to all capitalists who seek an investment where property shall be protected and the rates of taxation shall never exceed one to two per cent. An arbitrary minimum for exemption from taxation can never be arranged without a fear that the results may be more injurious than beneficial. An investment of \$9,000 with taxes would be unable to compete with a capital of \$10,000 exempt from taxation; beg leave to report that they have examined the same and recommend that the bill do not pass.

Respectfully,

D. EAGAN,
Chairman Committee on Finance and Taxation.

And the accompanying bill was placed among the orders of the day.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 12, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 16, a bill to be entitled An act to Fund the Outstanding Debt of the State, beg leave to report that they have examined the same and offer the accompanying bill as a substitute for the consideration of the Senate.

Respectfully,

D. EAGAN,
Chairman Committee on Finance and Taxation.

And the accompanying bill was placed among the orders of the day.

Mr. Eagan moved that the bill just reported be taken up;

Which was unanimously agreed to, and the bill was taken up and read by sections.

Mr. Eagan moved to amend the first section by striking out the words "one-half" and inserting the words "one-third;" also striking out "500" and inserting "100;" and striking out "one-half" and inserting "two-thirds."

Mr. Meacham moved to amend the first section by adding the words "or State Treasury" at the end of the section;

Which was not agreed to.

Pending the reading of the bill Mr. McCaskill moved that the further reading of the bill be postponed until to-morrow morning at 11:30;

Which was agreed to.

Senate Bill No. 58 :

An act to Encourage Manufactures in this State,
Was read the second time.

Pending the reading of the bill Mr. Jenkins offered as a substitute a bill to be entitled An act to Encourage the Establishment of Manufactures in this State,

Which was read.

Mr. Jenkins moved that the substitute for Senate Bill No. 58 be accepted and ordered printed.

Which was agreed to.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 12, 1873. }

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

Your committee to whom was referred Assembly Bill No. 18, a bill to be entitled An act to amend an act to Require County Treasurers to Keep Accurate Accounts of Public Moneys, and to exhibit their Books and Copies thereof to the Board of County Commissioners and Grand Juries, approved February 17, 1872, beg leave to report that they have examined the same and recommend that it do pass.

D. EAGAN,
Chairman Committee on Finance and Taxation.

Which was read.

On motion of Mr. Henderson the accompanying bill was taken up and read the second time and ordered to be engrossed.

Assembly Bill No. 18:

A bill to be entitled An act to amend an act to Require County Treasurers to keep Accurate Accounts of Public Moneys and to exhibit their Books and Copies thereof to the Board of County Commissioners and to Grand Juries; approved February 17, 1872,

Was read the second time.

Mr. Henderson moved that the rules be waived and the bill read the third time and put upon its passage;

Which was unanimously agreed to.

Upon the question—Shall the bill pass?

The vote was—

Yeas—Messrs. Billings, Crawford, Dennis, Eagan, Fortner, Ginn, Henderson, Hill, Jenkins, Johnson, Knight, Long, McCaskill, McCaskill, McKinnon, Meacham, Oliveros, Pearce, Pope, Potter, Smith, Sturtevant, and Sutton—23.

Nays—None.

Mr. Long moved that the Senate do now adjourn until to-morrow at ten o'clock,

Which was not agreed to.
The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,
TALLAHASSEE, February 12, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 72, An act entitled an act to Alter and Amend Chapter 1931 of the Laws of Florida, beg leave to report that they have examined the same and recommend it pass.

D. EAGAN,
Chairman Committee on Finance and Taxation.

Which was read and, on motion of Mr. Eagan, the accompanying Senate Bill No. 72, An act entitled an act to Alter and Amend Chapter 1931 of the Laws of Florida,

Was read the second time and ordered engrossed.

The Committee on State Affairs made the following report:

SENATE CHAMBER, February 12, 1873.

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

SIR: Your committee to whom was referred Memorial to Congress to amend the Homestead Act, 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.
A. D. MCKINNON,
FREDERICK HILL,
T. W. LONG,
ANGUS MCAULEY.

Which was read, and the accompanying memorial to the Congress of the United States in regard to Homesteads was taken up and, on motion of Mr. Dennis, was indefinitely postponed.

Mr. Dennis moved to take up the bill for relief of Governor Reed, reported by special joint committee.

Senate Bill No. 77:

A bill entitled An act for the Relief of ex-Governor Harrison Reed,

Was taken up and read the first time.

Mr. Dennis moved that the rules be waived and the bill put upon its second reading;

Which was objected to.

The yeas and nays were ordered with the following result:

Yeas—Messrs. Dennis, Hill, Jenkins, Long, McKinnon Meacham, Pearce, and Pope—8.

Nays—Messrs. Billings, Crawford, Eagan, Fortner, Ginn, Henderson, Knight, McAuley, McCaskill, Oliveros, Potter, Smith, Sturtevant, and Sutton—14.

So the motion was lost, and the bill was referred to the Committee on Appropriations.

Senate Bill No. 65:

To be entitled An act to Incorporate the Jacksonville Publishing Company,

Was read the second time and ordered engrossed.

On motion of Mr. Meacham the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, FEBRUARY 13, 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, Eagan, Fortner, Ginn, Hill, Johnson, Long, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pope, Smith, Sturtevant, and Sutton—17.

Prayer by the Chaplain.

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

The Committee on Claims made the following report:

SENATE CHAMBER, February 13, 1873.

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

SIR: Your committee to whom was referred Senate Bill No. 68, An act for the Relief of Elbert Posey, beg leave to report that they have examined the same, and recommend that it be passed.

Respectfully,

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

And the accompanying bill was placed among the orders of the day.

The Committee on Engrossed Bills made the following report: