

Which was agreed to, and the bill was read the third time.  
 Mr. Henderson offered a substitute for the bill :  
 An act Conferring Powers on the Attorney-General to bring  
 Suits, &c.,  
 Substitute was read 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, Jenkins, Long, McAuley, McCaskill,  
 McKinnon, Meacham, Oliveros, Pearce, Pope, Potter, Sturte-  
 vant, and Sutton—20.  
 Nays—None.  
 So the bill passed, title as stated.  
 On motion of Mr. Meacham, the Senate adjourned until 10  
 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 19, 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, Ginn, Henderson,  
 Hill, Jenkins, Knight, Long, McAuley, McCaskill, McKinnon,  
 Meacham, Oliveros, Sturtevant, and Sutton—17.  
 A quorum present.  
 Prayer by the Chaplain.  
 On motion of Mr. Knight the reading of the journal was dis-  
 pensed with and approved.  
 The following communications were received from the Assem-  
 bly :

ASSEMBLY HALL,  
 TALLAHASSEE, Fla., February 18, 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. 85 :  
 A bill to Provide for a Tax on Auctioneers and Real Estate  
 Agents.

Very respectfully,

H. S. HARMON,  
 Clerk of the Assembly.

ASSEMBLY HALL,  
 TALLAHASSEE, Fla., February 18, 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. 63 :  
 To be entitled An act to Incorporate the Mechanics' Firemen  
 Association of the city of Jacksonville.  
 Senate Bill No. 53 :  
 A bill entitled An act Imposing a Tax upon Commissions, and  
 Prescribing the Mode of Payment thereof.  
 Assembly Concurrent Resolution relating to the Indebted-  
 ness of the State.  
 Assembly Concurrent Resolution relating to Cancelled Scrip.  
 Also :  
 A resolution relating to Testimony taken before Committee  
 on Internal Improvement Board.

Very respectfully,

H. S. HARMON,  
 Clerk of the Assembly.

ASSEMBLY HALL,  
 TALLAHASSEE, Fla., February 18, 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. 1 :  
 A bill to be entitled An act to Facilitate the Settlement of  
 Estates of Decedents and Minors.  
 Assembly Bill No. 65 :  
 A bill to amend An act entitled an act to Provide for the  
 Creation of Corporations and to Prescribe their General Powers  
 and Liabilities.  
 Assembly Bill No. 66 :  
 Entitled An act to amend an act to Provide for the Punish-  
 ment of Crime and Proceedings in Criminal Cases.  
 Assembly Bill No. 78 :  
 A bill for An act in Relation to Oaths and Affirmations before  
 Committees of the Legislature.  
 Assembly Bill No. 83 :  
 A bill to be entitled An act Further to Define the Duties of  
 Road Commissioners in the Several Counties of this State.  
 Assembly Bill No. 84 :  
 An act entitled An act to Authorize R. B. Blackwell and  
 Hugh Miller to Practice Law.

Very respectfully,

H. S. HARMON,  
 Clerk of the Assembly.

Which were read, and the accompanying bills placed among the orders of the day, and Senate bill ordered engrossed.

Mr. Jenkins introduced the following resolution:

WHEREAS, A formal declaration has been made by the representatives of the people of Spain in favor of a republican form of government, and the abdication of the King having duly taken place in just obedience to the expressed will of the people; and whereas, this peaceful and orderly revolution in one of the most ancient monarchies of the Old World is calculated to speedily advance the establishment of republican principles and to secure the free and equal rights of republican government to the oppressed and long-suffering people of Cuba, heretofore dependent upon the arbitrary caprice of a despotic power wholly opposed to the recognition of their rights as a civilized community and to their aspirations as a free people; therefore,

*Resolved*, That we, representatives of the people of the State of Florida, hail with delight the announcement that the old landmarks of intolerance and bigotry which have been more firmly rooted in the despotism of Spain than in any other monarchy of Europe, have at last given way to the new light of freedom and equality, and that we earnestly look forward to the time which must now soon occur when the people of Cuba will free themselves from any dependence upon foreign powers and influences, and declare themselves, as of right they ought to be, a free and independent republic among the nations of the world.

*Be it further resolved*, That we deem it to be the bounden duty of the National government to favor by its recognition and power the struggling hopes of the people of Cuba, to the end that republican government may be encouraged among all the peoples of the world.

Upon the question—Shall the resolution be adopted?

The vote was—

Yeas—Messrs. Billings, Dennis, Eagan, Fortner, Henderson, Hill, Jenkins, Long, McAuley, McCaskill, McKinnon, Meacham, Pearce, Pope, Sturtevant, and Sutton—16.

Nays—Messrs. Crawford, Knight, and Oliveros—3.

So the resolution was adopted.

The Committee on Claims made the following report:

SENATE CHAMBER, February 19, 1873.

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

SIR: Your committee to whom was referred Assembly Bill No. 70, entitled a bill to be entitled An act for the Relief of

Alexander B. Hawkins and others, beg leave to report that they have examined the same and recommend that it do pass.

Respectfully,

FREDERICK HILL,  
Chairman Committee on Claims.  
M. A. KNIGHT,  
E. T. STURTEVANT.

The Committee on Judiciary made a verbal report, and asked that Assembly bill, an act entitled An act Providing for Setting Apart a Homestead and Personal Property to be Exempted from Forced Sale Under Process of Law, be considered by the Senate, there not being present a quorum of the Judiciary Committee.

Assembly Bill No. 50:

A bill Providing for the Acknowledgment of Deeds and other Conveyances of Land.

On motion of Mr. Eagan the rules were unanimously waived and the bill read the first time by its title.

On motion of Mr. Eagan the rules were unanimously waived and the bill read the second time.

On motion of Mr. Eagan the rules were unanimously waived, the bill 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, Knight, Long, McAuley, McCaskill, Meacham, Oliveros, Pearce, Pope, Sturtevant, and Sutton—18.

Nays—None.

So the bill passed, title as stated.

Assembly Bill No. 70:

To be entitled An act for the Relief of A. B. Hawkins and others,

Came up, and was read the second time.

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

Objections being raised, the yeas and nays were ordered with the following result:

Yeas—Messrs. Billings, Fortner, Ginn, Henderson, Hill, Jenkins, Knight, Long, McAuley, McKinnon, Meacham, Oliveros, Pearce, Sturtevant, and Sutton—15.

Nays—Messrs. Crawford, Dennis, and Eagan—3.

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

Upon the question—Shall the bill pass?

The vote was—

Yeas—Messrs. Crawford, Dennis, Fortner, Ginn, Henderson,

Hill, Jenkins, Knight, McAuley, McKinnon, Meacham, Oliveros, Pearce, Sturtevant, and Sutton—15.

Nays—Messrs. Eagan, Long, and Pope—3.

So the bill passed, title as stated.

Assembly Bill No. — :

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

Came up, and was read the third time.

On motion of Mr. Oliveros the bill was put back upon its second reading, and on motion of Mr. Dennis the bill was laid upon the table.

The Joint Resolution of the Legislature of the State of Florida providing amendments to the Constitution,

Was called up, and was read the first time.

Mr. Eagan moved that the rules be waived and the resolution referred to the Judiciary Committee, and that they be spread upon the journal ;

Which was agreed to.

**JOINT RESOLUTION** of the Legislature of the State of Florida, Proposing Amendments to the Constitution of the State of Florida.

*Be it resolved by the Senate and Assembly of the State of Florida, That the following amendments to the Constitution of the State of Florida be and the same are hereby proposed and agreed to, viz. :*

**SECTION 1.** That section nineteen of article five of the Constitution of the State of Florida is hereby amended to read as follows: The various officers of the different counties of the State of Florida, to wit: An Assessor and Collector of Revenue, a County Treasurer, a County Surveyor, a Superintendent of Common Schools, and five County Commissioners, shall be severally chosen by a plurality of the votes cast at the biennial election to be held on the first Tuesday after the first Monday in November of every second year after the year one thousand eight hundred and seventy-four.

**SEC. 2.** Such officers shall hold their several offices for the term of two years from the date of their acceptance, and until their successors shall be qualified.

**SEC. 3.** Section nineteen of article six of the Constitution of the State of Florida is hereby amended to read as follows: The Governor shall by and with the consent of the Senate, appoint a State Attorney in each Judicial Circuit, whose duties shall be prescribed by law. He shall hold office for four years from the date of his acceptance, and until his successor shall

be qualified. At the biennial election to be held on the first Tuesday after the first Monday in November of every second year after the year one thousand eight hundred and seventy-four, shall be chosen by a plurality of the votes cast a Sheriff and a Clerk of the Circuit Court in and for each county in the State; and such Clerk of the Circuit Court shall be ex-officio Clerk of the County Court and Ordinary. Their duties shall be prescribed by law.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
TALLAHASSEE, February 19, 1873. }

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

SIR: Your committee to whom was referred—  
Senate Bill No. 53:

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

Also:

Senate Concurrent Resolution No. 6; have examined the same and find them correctly enrolled.

Respectfully,

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

Assembly Bill No. — :

An act to amend An act Providing for Setting Apart a Homestead and Personal Property from Forced Sale, &c.,

Was called up, 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, Long, McAuley, Meacham, Pearce, Pope, Potter, and Sturtevant—15.

Nays—Messrs. Henderson, Knight, McCaskill, McKinnon, Oliveros, and Sutton—6.

So the bill passed, title as stated.

A bill to be entitled An act Concerning Corporations,  
Was called up.

On motion of Mr. McCaskill the rules were unanimously waived, and the bill read the first time by its title.

On motion of Mr. McCaskill the rules were waived and the bill read the second time.

On motion of Mr. McCaskill the rules were unanimously

waived, the bill 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, Jenkins, Knight, McAuley, McCaskill, McKinnon, Meacham, Oliveros, Pope, Potter, and Sturtevant—18.

Nays—None.

So the bill passed, title as stated.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
TALLAHASSEE, February 19, 1873. }

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

SIR: Your committee to whom was referred Senate Bill No. 71, entitled An act Taxing Telegraph Lines Operating in this State, beg leave to report that they have examined the same and find it correctly enrolled.

Respectfully,

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

Mr. Billings introduced the following resolution:

WHEREAS, In a preamble to a resolution introduced into the Senate February 8, 1873, it is intimated that the investigation by a committee of the Senate into the issue of bonds to the South Florida Railroad Company has developed probable fraud in connection with those bonds, and the report of said committee in the Senate journal of February 15 setting forth no facts or any matter indicating fraud on the part of the "South Florida Railroad Company," or that any of the said bonds ever came under the control of the "South Florida Railroad Company," or that the State has suffered loss in the issue or use of said bonds; therefore

*Resolved*, That the "South Florida Railroad Company" is fully exonerated from any imputation of wrong in regard to said bonds.

And, on motion of Mr. Dennis, the resolution was adopted and ordered spread upon the journal.

The following Executive message was received from the Governor:

EXECUTIVE OFFICE,  
TALLAHASSEE, Fla., February 19, 1873. }

SIR: I have this day signed and deposited in the office of the

Secretary of State the following bills originating in the Senate, viz.:

An act in relation to Ferries and Toll-bridges.

An act in relation to the Time of Holding the Courts in the Fourth Judicial Circuit of Florida.

Very respectfully,

O. B. HART, Governor.

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

Mr. Dennis introduced the following resolution:

*Resolved by the Senate, the Assembly concurring*, That the following members of the Legislature, viz.: John A. Henderson and Horatio Jenkins, of the Senate, and E. R. Chadwick, J. L. McKinnon and John Wallace, of the Assembly, are hereby appointed a committee to act in vacation in concert with the Attorney-General, to ascertain from personal inspection, and report to the next regular session of the Legislature. First, The best location for the State Prison. Second, The best mode of employment of the prisoners. Third, The relative advantages of mechanical and agricultural pursuits for the prisoners, and to suggest a system for lessening the expenses of the State Prison. The necessary transportation to be furnished by the Adjutant-General.

Which was not adopted.

The following communication was received from the Assembly:

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 19, 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 the following bills:

Senate Bill No. 80:

An act Conferring Power on the Attorney-General to Bring Suits, &c.

Assembly Memorial Requesting the Construction of Vessels of War at the Pensacola Navy-yard.

Very respectfully,

H. S. HARMON,  
Clerk of the Assembly.

And the accompanying bills were ordered to be enrolled.  
The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
TALLAHASSEE, February 19, 1873. }

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

SIR: Your committee to whom was referred—

Senate Bill No. 21:

Entitled An act to Repeal all Acts Declaring Robinson Spring  
Creek, in Jackson county, Navigable.

Also:

Senate Bill No. 54:

Entitled An act making Mrs. Martha F. Judge and Mrs.  
Joseph H. Rowe Free Dealers; beg leave to report that they  
have examined the same and find them correctly enrolled.

Respectfully,

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

And the accompanying bills were signed by the officers of the  
Senate.

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

EXECUTIVE SESSION.

The following Executive nominations were confirmed:

W. W. Van Ness, to be State Attorney for the Fourth Judi-  
cial Circuit.

John Neil, to be Sheriff of Holmes county.

Anthony H. Brownell, to be County Judge of Holmes county.

William W. Brown, to be Clerk of the Court for Holmes  
county.

Ozias Buddington, to be County Judge of Clay county.

The doors were opened.

The hour of 12 having arrived, the President of the Senate  
announced that the Senate stands adjourned *sine die*.

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A JOURNAL

OF AN

EXTRAORDINARY SESSION

OF THE SENATE,

Begun and held at the Capitol February 20, 1873.

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