

Hicks, Jones of Escambia, Jones of Bradford, Jones of Levy, Judge, McAlpin, McGuire, Mitchell, Orman, Pons, Roberts, Russell, Stanfill, and Wilson—34.

So the joint session was declared adjourned accordingly.

SESSION OF SENATE.

The Senate returned to its Chamber and proceeded with its regular business.

Mr. Dennis moved that the Senate adjourn until to-morrow at 10 o'clock.

On the question of adjournment, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Dennis, Durkee, Hendry, Hill, Howell, Long, McKinnon, Meacham, Osgood, Parlin, Pope, and Sturtevant—14.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Crawford, Fortner, Johnson, Knight, Lykes, McAuley, Oliveros, and Wallace—9.

So the Senate was declared adjourned accordingly.

FRIDAY, FEBRUARY 5, 1875.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

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

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—22.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal.

Mr. Osgood moved that the further reading of the Journal be dispensed with;

Which was agreed to, and the Journal was approved.

Mr. Cottrell offered the following resolution:

*Resolved*, That the President of the Senate appoint a committee of three members, who shall investigate the charges of corruption made against members of this Legislature, in joint assembly, in the speech of the honorable Mr. Hicks, member of the Assembly, from the county of Dade, made in the joint

assembly on Thursday, the 4th of February, 1875; that they are hereby invested with power and authority to send for persons and papers and examine them under oath, and that they report the result of their investigation to the Senate as soon as the investigation with all proper diligence can be made.

Which was received and placed among the orders of the day.

Under a suspension of the rule Mr. Parlin introduced Senate Bill No. 45:

A bill to be entitled An act for the Relief of Samuel B. McLin;

Which was received and placed among the orders of the day.

The resolution of Mr. Cottrell asking the appointment of a committee of three to investigate charges of corruption, &c., was taken up and read.

Mr. Meacham moved to amend by striking out the name of W. W. Hicks.

Mr. McKinnon moved the following as an amendment to the amendment:

Strike out the words "in joint assembly, in the speech of the Hon. Mr. Hicks, member of the Assembly from the county of Dade, made in the joint assembly on Thursday, the 4th of February, 1875."

On the question of the adoption of the amendment to the amendment, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Howell, Johnson, Long, Lykes, McKinnon, Meacham, Osgood, Parlin, Pope, and Sturtevant—11.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, McAuley, Oliveros, and Smith—10.

So the amendment to the amendment was adopted.

Mr. McKinnon moved to amend further by inserting after the word "Legislature" the words "in joint assembly on Thursday, the 4th of February, 1875;"

The question of the adoption of the resolution as amended was then put and determined in the affirmative.

The Committee on Claims made the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 5, 1875. }

*Hon. A. L. McCaskill, President of the Senate:*

SIR: The Committee on Claims, to whom was referred Senate Bill No 14, a bill to be entitled An act for the Relief of Hernando County, have examined the same and recommend that it pass.

Respectfully submitted,

A. J. PARLIN, Chairman.

Which was received and the accompanying bill placed among the orders of the day for a second reading.

The Committee on Engrossed Bills made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 5, 1875. }

*Hon. A. L. Mc Caskill, President of the Senate :*

SIR: The Committee on Engrossed Bills, to whom was referred Senate Bill No. 9, a bill to be entitled An act Declaring Four-mile Creek, in Walton County, Navigable, and joint resolution relating to a republican government in Cuba, have examined the same and do find them correctly engrossed.

Respectfully submitted,

E. T. STURTEVANT, Chairman.  
T. W. LONG,  
M. G. FORTNER.

Which was received and the accompanying bill and resolution placed among the orders of the day for a third reading.

The Committee on Finance and Taxation made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 5, 1875. }

*Hon. A. L. Mc Caskill, President of the Senate :*

SIR: The Committee on Finance and Taxation, to whom was referred Senate Bill No. 19, an act to amend an act entitled An act for the Encouragement of Immigration to this State, and to Encourage the Planting and Raising of Tropical Fruits, beg leave to report that they have examined the same and recommend that it do not pass. It is the opinion of your committee that the law now in force affords ample protection to the fruit-grower.

Respectfully submitted,

J. H. DURKEE, Chairman.  
A. D. MCKINNON,  
J. W. HOWELL,  
JOHN L. CRAWFORD.

Which was received and the accompanying bill placed among the orders of the day for a second reading.

The Committee on Finance and Taxation made the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 5, 1875. }

*Hon. A. L. Mc Caskill, President of the Senate :*

SIR: The Committee on Finance and Taxation, to whom was referred Senate Bill No. 12, an act to amend an act entitled An

act for the Assessment and Collection of Revenue, approved February 17, 1874, beg leave to report that they have examined the same, and recommend that it do not pass. It is the opinion of your committee that such an act would delay the collection of revenue without affording relief to the tax-payer.

Respectfully submitted,

J. H. DURKEE, Chairman.  
A. D. MCKINNON,  
J. W. HOWELL,  
G. C. BRANTLEY,  
JOHN L. CRAWFORD.

Which was received and the accompanying bill placed among the orders of the day for a second reading.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 5, 1875.

*Hon. A. L. McCaskill, President of the Senate:*

SIR: The Committee on Finance and Taxation, to whom was referred Senate Bill No. 35, a bill to be entitled An act to Suspend Sales of Property for Non-payment of Taxes until the First Day of June, 1875, beg leave to report that they have examined the same, and recommend that it do not pass. It is the opinion of your committee that the proposed change would not relieve the tax-payer of any burden, but would force him to the payment of taxes at a season of the year when money can with difficulty be raised.

Respectfully submitted,

J. H. DURKEE, Chairman.  
A. D. MCKINNON,  
J. W. HOWELL,  
G. C. BRANTLEY,  
JOHN L. CRAWFORD.

Which was received and the accompanying bill placed among the orders of the day for a second reading.

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

SENATE CHAMBER,  
TALLAHASSEE, Fla., February 5, 1875.

*Hon. A. L. McCaskill, President of the Senate:*

SIR: The Committee on City and County Organizations, to whom was referred Assembly Bill No. 35, an act to amend section four of An act Allowing the Voters of the Several Counties in this State to Locate their Respective County Sites, ap-

proved February 27, 1872, beg leave to report the same back to the Senate, and recommend its passage.

All of which is respectfully submitted,

B. F. OLIVEROS,  
Chairman City and County Organizations.

Which was received and the accompanying bill placed among the orders of the day for a second reading.

#### ORDERS OF THE DAY.

Senate Bill No. 45:

A bill entitled An act for the Relief of Samuel B. McLin,  
Was taken up, read the first time by its title, and referred to the Committee on Claims.

Assembly Bill No. 67:

A bill to be entitled An act Regulating the Sale of Railroad Tickets,

Was taken up, read first time by its title, and referred to the Committee on Railroads and Telegraphs.

Senate Bill No. 14:

A bill to be entitled An act for the Relief of Hernando County,

Was taken up on its second reading.

Mr. Dennis moved that the bill be recommitted.

Mr. Dennis withdrew his motion to recommit.

Pending further action on the bill, the following message was received from the Assembly:

ASSEMBLY HALL,  
TALLAHASSEE, Fla., February 5, 1875. }

*Hon. A. L. McCaskill, President pro tem. of the Senate:*

SIR: I am directed by the Assembly to correct a communication of the Clerk of the Assembly, dated February 4, so far as it relates to Senate Bill No. 21, the Assembly having passed said bill with accompanying amendment.

Very respectfully,

H. S. HARMON,  
Clerk Assembly.

So Senate Bill No. 14 was declared read a second time and ordered to be engrossed for its third reading to-morrow.

Senate Bill No. 19:

A bill to be entitled an act to amend an act entitled An act for the Encouragement of Immigration to this State, and to Encourage the Planting and Raising of Tropical Fruits,

Was taken up on its second reading.

Mr. Johnson moved that the bill be indefinitely postponed;

Which was agreed to, and the bill was indefinitely postponed.

## Senate Bill No. 35 :

A bill to be entitled An act to Suspend Sales of Property for Non-payment of Taxes until the First Day of June, 1875,  
Was taken up on its second reading.

Mr. Meacham moved that the bill be indefinitely postponed ;  
Which was agreed to, and the bill was indefinitely postponed.

## Senate Bill No. 12 :

A bill to be entitled an act to amend an act entitled An act for the Assessment and Collection of Revenue, approved February 17, 1874,

Was taken up on its second reading.

Mr. McKinnon moved that the bill be indefinitely postponed ;  
Which was agreed to, and the bill was indefinitely postponed.

## Assembly Bill No. 35 :

A bill to be entitled an act to amend An act to Allow the Voters of the Several Counties of the State to Locate their Respective County Sites, approved February 27, 1872,

Was taken up, read a second time, and was ordered to be placed among the orders of the day for a third reading to-morrow.

Mr. Johnson moved that the consideration of the special order for 11 o'clock to-day be postponed until the same hour to-morrow ;

Which was agreed to.

## Senate Bill No. 9 :

A bill to be entitled An act Declaring Four-mile Creek, in Walton County, Navigable,

Was taken up and read the third time.

On the question, Shall the bill pass ?

The roll was called with the following result :

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—24.

Those voting in the negative were—None.

So the bill passed, title as stated.

Senate joint resolution relative to republican government in Cuba, was taken up and read the third time.

On the question of the adoption of the resolution the roll was called with the following result :

Those voting in the affirmative were—

Messrs. Cottrell, Dennis, Fortner, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Osgood, Parlin, Pope, and Wallace—16.

Those voting in the negative were—  
Messrs. Brantley, Crawford, Durkee, Hendry, Oliveros, and  
Sturtevant—6.

So the joint resolution was adopted.

Senate Bill No. 21 :

A bill to be entitled An act to More Particularly Define the  
Boundary Line of St. Johns County,

Was reported back from the Assembly with an amendment.

The amendment was read.

Mr. Oliveros moved that the amendment be concurred in.

On the question of concurrence the roll was called with the  
following result :

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis,  
Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long,  
Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Par-  
lin, Pope, Sturtevant, and Wallace—23.

Those voting in the negative were—None.

So the amendment was concurred in.

The amendments to the Constitution were taken up.

ARTICLE VII.,

which reads as follows—

Sections seven and eight of Article sixteen of the Constitu-  
tion are hereby abrogated.

Was taken up and read.

On the question of the adoption of the Article,

The roll was called with the following result :

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis,  
Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight,  
Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood,  
Parlin, Pope, Smith, and Sturtevant—22.

Those voting in the negative were—

Mr. Long—1.

Two-thirds of the members of the Senate having voted in  
the affirmative, the Article was declared adopted.

ARTICLE VIII.,

which reads as follows—

Section twenty-four of Article sixteen of the Constitution is  
hereby amended so as to read as follows :

SECTION 24. The property of all corporations, whether here-  
tofore or hereafter incorporated, shall be subject to taxation,  
unless such property be held and used exclusively for religious,  
educational, or charitable purposes.

Was taken up and read.

On the question of the adoption of the Article,  
The roll was called with the following result :

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—22.

Those voting in the negative were—None.

Two-thirds of the members of the Senate having voted in the affirmative, the Article was declared adopted.

ARTICLE IX.,

which reads as follows—

Section twenty-two of Article five of the Constitution shall read as follows :

SECTION 22. The Governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriation disapproved shall be void unless repassed according to the rules and limitations prescribed for the passage of other bills over the Executive veto.

Was taken up and read.

On the question of the adoption of the Article, the roll was called with the following result :

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, Meacham, Oliveros, Osgood, Parlin, Pope, and Sturtevant—21.

Those voting in the negative were—

Messrs. McKinnon and Smith—2.

Two-thirds of the members of the Senate having voted in the affirmative, the Article was declared adopted.

ARTICLE X.,

which reads as follows—

Section fourteen of Article five of the Constitution is hereby amended so as to read as follows :

SECTION 14. A Lieutenant-Governor shall be elected at the same time and places and in the same manner as the Governor, whose term of office and eligibility shall also be the same. He shall be the President of the Senate, but shall only have a casting vote therein. In the case of the impeachment of the Governor or his removal from office, death, inability to discharge his official duties, or resignation, the power and duties of the office

shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease. In the case of the impeachment of the Lieutenant-Governor or his removal from office, death, inability to discharge his official duties, or resignation, the power and duties of the office shall devolve upon the President *pro tem.* of the Senate.

In case a vacancy shall occur both in the offices of Governor and Lieutenant-Governor, the Legislature shall at its next session order an election to fill such vacancies. But the Governor shall not, without the consent of the Legislature, be out of the State in time of war.

Section fifteen of Article five of the Constitution is hereby abrogated.

Was taken up and read.

On the question of the adoption of the Article, the roll was called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—21.

Those voting in the negative were—None.

Two-thirds of the members of the Senate having voted in the affirmative, the Article was declared adopted.

#### ARTICLE XI,

which reads as follows—

Section sixteen of Article five of the Constitution is hereby amended so as to read as follows:

SECTION 16. The Governor may at any time require the opinion of the Justices of the Supreme Court as to the interpretation of any portion of this Constitution upon any question affecting his executive powers and duties, and the justices shall render such opinion in writing.

On the question of the adoption of the Article, the roll was called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—22.

Those voting in the negative were—None.

Two-thirds of the members of the Senate having voted in the affirmative, the Article was declared adopted.

Mr. Long moved that the Senate go into Executive session: Which was agreed to.

## EXECUTIVE SESSION.

The doors being opened Mr. Durkee moved that the Senate take a recess until two minutes before 12 o'clock;

Which was agreed to, and the Senate was declared adjourned until two minutes before 12 o'clock.

## TWO MINUTES OF TWELVE.

The Senate resumed its session.

The hour of 12 having arrived the Senate proceeded to the Assembly Hall to meet the Assembly in joint session.

## JOINT SESSION.

The Legislature met in joint session according to adjournment.

The President *pro tem.* of the Senate occupying the chair.

The President *pro tem.* of the Senate ordered the Secretary to call the roll of the Senate.

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

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—23.

The President *pro tem.* of the Senate ordered the Chief Clerk to call the roll of the Assembly.

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

Mr. Speaker, Messrs. Armstrong, Avery, Bass, Berry, Browne, Bryan, Carter, Chadwick, Coleman, Corley, Dennis, Duncan, Ferrell, Fisher, Frisbee, Gass, Gillis, Grant, Harris, Hagan, Hicks, Hill, Jackson, Jones of Bradford, Jones of Levy, Judge, Lee, Livingston, Martin, McAlpin, McGuire, Mitchell, Morehead, Montgomery, Nixon, Orman, Petty, Pons, Proctor, Purman, Roberts, Russell, Small, Stanfill, Sutton, Tilghman, Thompson, Tucker, Washington, Wilson, and Witherspoon—52.

A quorum present.

The President *pro tem.* of the Senate ordered the Secretary to read that portion of the Senate Journal of yesterday which related to the ballot for United States Senator.

The Journal was read, corrected, and approved.

The President *pro tem.* of the Senate declared as the next business in order the election of a United States Senator to fill the vacancy to be occasioned by the expiration of the term of the Hon. Abijah Gilbert on the 4th of March.

The roll of the general assembly was then called with the following result :

*For C. W. Jones*—Messrs. McCaskill, Brantley, Fortner, McAuley, McKinnon, Smith, Hannah, Berry, Bryan, Carter, Corley, Duncan, Gillis, Hicks, Jones of Bradford, Jones of Levy, Judge, McAlpin, McGuire, Mitchell, Orman, Roberts, and Wilson—23.

*For J. W. Price*—Messrs. Dennis, Durkee, Hill, and Howell—4.

*For H. H. Hoeg*—Messrs. Johnson, Oliveros, Armstrong, Frisbee, Harris, Russell, Stanfill, Tilghman, Thompson, and Witherspoon—19.

*For C. E. Dyke, Sr.*—Mr. Crawford—1.

*For J. L. Crawford*—Messrs. Cottrell and Knight—2.

*For S. B. McLin*—Messrs. Meacham, Chadwick, Martin, Petty, Purman, and Tucker—6.

*For William Curry*—Messrs. Hendry and Brown—2.

*For Samuel Walker*—Messrs. Long, Osgood, Avery, Coleman, Gass, Proctor, Small, and Washington—8.

*For Horatio Bisbee, Jr.*—Messrs. Parlin, Sturtevant, Grant, Lee, and Nixon—5.

*For J. T. Magbee*—Messrs. Pope and Dennis of Jackson—2.

*For James D. Westcott, Jr.*—Messrs. Wallace, Fisher, Livingston, and Morehead—4.

*For blank*—Messrs. Lykes, Bass, Jones of Escambia, and Sutton—4.

*For J. A. Henderson*—Mr. Hagan—1.

*For C. H. Smith*—Mr. Hill of La Fayette—1.

*For E. Hopkins*—Mr. Jackson—1.

*For L. G. Dennis*—Mr. Montgomery—1.

*For Mat. Papy*—Mr. Pons—1.

*For J. J. Williams*—Mr. Ferrell—1.

Total number of votes cast, 77.

Highest number of votes cast for any one candidate, 23.

No candidate having received a majority of the votes cast, the President *pro tem.* of the Senate declared there was no election.

Mr. Wallace moved that the joint assembly proceed to another ballot.

Mr. Cottrell moved as an amendment that the joint session do now adjourn.

On the question of adjournment the yeas and nays were called with the following result :

Those voting in the affirmative were—

Messrs. Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Lykes, McAuley, McKinnon, Meacham, Osgood, Parlin, Pope, Smith, Sturtevant, Avery,

Berry, Carter, Chadwick, Coleman, Corley, Dennis, Duncan, Ferrell, Gass, Gillis, Harris, Hagan, Hill, Jackson, Jones of Escambia, Jones of Levy, Livingston, Martin, Montgomery, Nixon, Orman, Petty, Purman, Small, Stanfill, Sutton, Thompson, Tucker, and Washington—48.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Knight, Long, Oliveros, Wallace, Hannah, Armstrong, Bass, Browne, Bryan, Fisher, Frisbee, Grant, Hicks, Jones of Bradford, Judge, Lee, McAlpin, McGuire, Mitchell, Morehead, Pons, Proctor, Roberts, Russell, Tilghman, Wilson, and Witherspoon—29.

So the joint assembly was declared adjourned until 12 o'clock to-morrow.

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SESSION OF SENATE.

The Senate returned to its Chamber and proceeded with its regular business.

The President appointed Messrs. Cottrell, Dennis, and Lykes to act as committee to investigate charges of corruption, in accordance with the resolution of Mr. Cottrell.

Mr. Johnson moved that the Senate adjourn until to-morrow morning at 10 o'clock;

Which was agreed to, and the President declared the Senate adjourned accordingly.

SATURDAY, FEBRUARY 6, 1875.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

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

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Pope, Smith, and Sturtevant—21.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal.

Mr. McKinnon moved that the further reading of the Journal be dispensed with;

Which was agreed to, and the Journal was corrected and approved.

Under a suspension of the rule Mr. Johnson introduced Senate Bill No. 46: