

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

EXECUTIVE SESSION.

On Saturday, in Executive session, the Senate confirmed Robert B. Van Valkenburgh to be Associate Justice of the Supreme Court by the following vote:

Those voting for confirmation were—

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

Those voting against confirmation were—None.

REGULAR SESSION.

The doors were opened.

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

Which was agreed to, and the Senate was declared adjourned until to-morrow at 10 o'clock.

THURSDAY, FEBRUARY 11, 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, Howell, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Osgood, Pope, Smith, and Sturtevant—18.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal.

Mr. Knight moved that the further reading of the Journal be suspended;

Which was agreed to, and the Journal approved.

Mr. Hendry introduced the following petition:

TALLAHASSEE, February 11, 1875.

To the Hon. President and Senate of the State of Florida:

The petition of Francis M. Weeks respectfully sheweth unto your honorable body that at the general election held on the 3rd day of November, A. D. 1874, in and for the Fourteenth (14th)

Senatorial District of the State of Florida for one Senator to the Senate of said State, and other officers, your petitioner was lawfully elected by a majority of all the legal votes cast in said Senatorial District, at said election, to the Senate of said State.

Your petitioner further shows to your honorable body that Elisha G. Johnson, the sitting member from said Senatorial District, was not lawfully elected to said Senate, and that the said Elisha G. Johnson illegally holds his seat.

Therefore your petitioner respectfully asks that he be allowed to take his seat as the legally-elected Senator from said district.

F. M. WEEKS.

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

Mr. Hendry introduced the following concurrent resolution :

WHEREAS, There is a remnant of the tribe of Indians known as the Seminole tribe remaining in the southern part of this State; and, whereas, the ravages of the last war waged against this tribe by the United States Government, left them in a destitute and deplorable condition, and has caused intense suffering and privation in this tribe of Indians; and, whereas, we, the representatives of the people of the State of Florida, feel a deep interest in their welfare and future prosperity, and feel that it behooves us, as a Christian and civilized people, to make every exertion to raise and elevate them from their savage, ignorant, and deplorable state, and to make them a useful and happy people, and to do this will require time and considerable expense; and, whereas, the people of this State are already burdened with taxation to meet their actual expenses of State; and, whereas, we believe it to be the duty of the General Government to look well to the interest of this tribe of Indians, and that by taking immediate and timely steps in this important matter may avoid much expense and bloodshed in the future; therefore, be it

Resolved by the Senate of the State of Florida, the Assembly concurring, That we most heartily and respectfully ask that the Congress of the United States of America, in its clemency, do appropriate twenty-five thousand dollars, to be placed in the hands of the Superintendent of Public Instruction of this State, to be especially applied to the educating and civilizing of the Seminole Indians in Florida, said amount to remain in the hands of United States Treasurer, and to be drawn from time to time as the Superintendent of Public Instruction may require said sums; and that his Excellency, the Governor of the State of Florida, be required to communicate this, our resolution, to our Senators and Representatives in Congress, and ask them to use their utmost endeavors to secure this appropriation at the earliest possible day.

Mr. Hendry moved that the rule be waived and the concurrent resolution read;

Which was agreed to, and the resolution was read and referred to the Committee on Indian Affairs.

Mr. Lykes offered the following resolution:

Resolved, That the Attorney-General be requested to render to this Senate his written opinion as to the constitutional right which the Legislature has to change the organization of any county in this State.

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

The resolution offered by Mr. Lykes was taken up and read.

Mr. Osgood moved the adoption of the resolution;

Which was agreed to.

Assembly concurrent resolution relative to adjournment was taken up and read.

Mr. Lykes moved that the further consideration of the resolution be postponed until Saturday.

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

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Knight, Lykes, McAuley, Oliveros, Pope, Smith, Sturtevant, and Wallace—16.

Those voting in the negative were—

Messrs. Dennis, Howell, Johnson, Long, McKinnon, Meacham, Osgood, and Parlin—8.

So the resolution was postponed until Saturday.

The concurrent resolution offered by Mr. Wallace in relation to the issue of certain bonds to the Jacksonville, Pensacola & Mobile Railroad was taken up and read.

Mr. Wallace moved that the resolution be postponed until to-morrow;

Which was agreed to.

Assembly concurrent resolution relative to homesteads was taken up and read.

Mr. Lykes moved that the resolution be adopted;

Which was agreed to.

The memorial of T. W. Long with regard to the establishment of a mail-route from Ocala to Bronson was taken up and read.

Mr. Dennis moved that the memorial be indefinitely postponed.

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

The Committee on Judiciary made the following report:

The Judiciary Committee, to whom was referred a bill to be

entitled An act to Protect the Agricultural Interest of the People of the State of Florida, after due consideration, have directed me to report the same back to the Senate, and proposed an amendment to the same, which they report herewith and recommend its adoption, and when thus amended recommend the passage of the bill.

COTTRELL, Chairman.

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

The Committee on Privileges and Elections made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 11, 1875. }

Hon. A. L. M. Caskill, President of the Senate:

SIR: The committee to whom was referred Senate Bill No. 59, to be entitled an act to amend section five of an act entitled An act to Provide for the Registration of Electors and the Holding of Elections, ask leave to report that the bill in question proposes to repeal only that portion of said section which provides that the sheriff of each county shall cause notice of general elections to be published in a newspaper printed in his county, if there be such paper. As newspapers are leading mediums of information, and the people should be universally informed as to the time of holding elections, the committee recommend that the bill do not pass.

Respectfully,

JOHN L. CRAWFORD, Chairman.
J. H. DURKEE,
FREDERICK HILL,
A. D. MCKINNON,
F. A. HENDRY.

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

The Committee on Claims made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 10, 1875. }

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

SIR: The Committee on Claims, to whom was referred Assembly Bill No. 37, a bill to be entitled An act for the Relief of G. H. Johnson, 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 special committee on mail-routes made the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., February 11, 1875. }

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

SIR : The committee on mail-routes, to whom was referred sundry memorials asking Congress to establish certain mail-routes, have carefully considered the same and have prepared a substitute, and respectfully recommend its adoption in lieu of said memorials. Respectfully submitted,

ALFRED B. OSGOOD, Chairman.

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

Under a suspension of the rule Mr. Dennis introduced Senate Bill No. 62 :

A bill to be entitled An act to Provide for the Publication of the Laws of Florida ;

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

ORDERS OF THE DAY.

Senate Bill No. 62 :

A bill to be entitled An act to Provide for the Publication of the Laws of Florida,

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

Senate Bill No. 15 :

A bill to be entitled An act Relating to Proceedings Before Justices of the Peace and Judgments of Justices' Courts,

Was taken up on its second reading.

Mr. Knight moved that the further consideration of the bill be postponed until to-morrow ;

Which was agreed to.

Senate Bill No. 49 :

A bill to be entitled an act to amend section five of an act entitled An act to Provide for the Registration of Electors and the Holding of Elections,

Was taken up on its second reading.

Mr. Wallace moved that the bill be indefinitely postponed ;

Which was agreed to, and the bill indefinitely postponed.

Substitute for Senate Bill No. 6 :

A bill to be entitled An act for the Protection of the Agricultural Interests of the State of Florida,

Was taken up on its second reading.

The Committee on Judiciary offered the following amendment as a substitute for the bill :

Strike out all of the original bill after the enacting clause and insert the following :

SECTION 1. Whoever shall bargain, sell, deliver, or purchase any cotton, less than one bale, in the night-time, between sunset and sunrise, or shall cause or procure any cotton, less than one bale, to be bargained, sold, delivered, or purchased between sunset and sunrise, or shall within that time accept and receive any such cotton, previously bargained, sold, or purchased by him, or by any person for him, or with intent to purchase the same, shall be deemed guilty of a misdemeanor, and for the first offense shall be punished by a fine not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail at hard labor, under the direction of the county commissioners, not less than three months nor more than twelve months, at the discretion of the court; but this section shall not be construed so as to punish the buying or selling of any small quantity of cotton for the domestic or family use of the person buying or receiving the same.

SEC. 2. Upon conviction of any person for having committed a second or additional offense of the character mentioned in the preceding section, the offender shall be deemed guilty of a felony, and shall be punished by imprisonment in the State prison not exceeding two years, or by fine not exceeding five hundred dollars, or by both fine and imprisonment in the discretion of the court; and a certified copy of the indictment or complaint and of the record of the trial, conviction, and sentence for the former offense and proof of the identity of the person convicted and the person charged with the additional offense, shall be held sufficient evidence of the first conviction, and a pardon of the first offense shall not affect or relieve any person from liability to the punishment prescribed by this section.

SEC. 3. Whoever shall steal any corn or cotton of the property of another, or whoever shall take and carry away any corn or cotton in which others besides himself has an interest as joint owner or mortgagee, with intent to convert the same, or the proceeds of the sale thereof, to his own use without the consent of the other parties interested, whether the same be taken from any building or residence, or otherwise, shall be deemed guilty of larceny, and shall be punished by imprisonment in the State prison not exceeding five years, or by fine not exceeding five hundred dollars, or by both fine and imprisonment at the discretion of the court.

SEC. 4. Whoever commits the crime of larceny by stealing any hound, cattle, hogs, or other farmer's stock, or whoever shall shoot, wound, or kill any such animals with intent to steal the same, shall be punished by imprisonment in the State prison not more than five years, or by fine not more than five hundred dollars, or by both fine and imprisonment.

Which was adopted.

Pending the consideration of the bill the following message was received from the Assembly:

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 10, 1875.

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

SIR: I am directed by the Assembly to inform the Senate that the Assembly has this day adopted Assembly memorial to Congress asking the establishment of a National Garden in Florida, and has also passed Senate Bill No. 9, a bill to be entitled An act Declaring Four-mile Creek, in Walton County, Navigable.

Very respectfully,
H. S. HARMON,
Clerk Assembly.

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

Mr. Meacham moved to strike out section one of Senate Bill No. 6;

Which was not agreed to.

Mr. Meacham 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.

Mr. Meacham offered the following amendment to section one:

Nothing shall be sold in this State between the hours named in the bill.

Mr. Hill offered the following as an amendment to the amendment offered by Mr. Meacham:

Move to amend by striking out the word "bale," so it may read "no cotton in the night-time."

Mr. Osgood moved that the amendment offered by Mr. Hill be adopted.

On the question of adopting the amendment of Mr. Hill, the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Hill, McAuley, Oliveros, Osgood, and Smith—11.

Those voting in the negative were—

Messrs. Dennis, Durkee, Johnson, Knight, Long, Lykes, McKinnon, Meacham, Pope, and Wallace—10.

So the amendment to the amendment was adopted.

Mr. Wallace moved that the further consideration of the bill be postponed until to-morrow.

Mr. Meacham moved to amend by postponing the further consideration of the bill until Saturday.

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

Those voting in the affirmative were—

Messrs. Johnson, Meacham, and Osgood—3.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Pope, Smith, Sturtevant, and Wallace—20.

So the amendment was not adopted.

Mr. Long moved that the bill be indefinitely postponed.

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

Those voting in the affirmative were—

Messrs. Durkee, Johnson, Long, Lykes, and Meacham—5.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Fortner, Hendry, Hill, Howell, Knight, McAuley, McKinnon, Oliveros, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—19.

So the Senate refused to indefinitely postpone the bill.

Mr. Osgood moved that the bill be postponed until half-past 10 o'clock to-morrow, and made the special order for that hour;

Which was agreed to.

Mr. Dennis 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.

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TWO MINUTES TO 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, Dennis, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long,

Lykes, McAuley, McKinnon, Meacham, Oliveros, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—24.

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 Escambia, 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, 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 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, Cottrell, Crawford, Fortner, Hendry, Knight, Lykes, McAuley, McKinnon, Oliveros, Parlin, Smith, Hannah, Berry, Browne, Bryan, Carter, Corley, Duncan, Ferrell, Frisbee, Gillis, Hagan, Hicks, Hill, Jackson, Jones of Bradford, Jones of Levy, Judge, Martin, McAlpin, McGuire, Mitchell, Orman, Pons, Roberts, Russell, Stanfill, Sutton, and Wilson—41.

For Horatio Bisbee, Jr.—Messrs. Dennis of Alachua, Durkee, Hill of Gadsden, Howell, Johnson, Long, Meacham, Osgood, Pope, Sturtevant, Armstrong, Avery, Chadwick, Coleman, Dennis, Grant, Harris, Lee, Livingston, Morehead, Montgomery, Nixon, Petty, Purman, Small, Tilghman, Thompson, Tucker, and Witherspoon—29.

For J. W. Price—Mr. Bass—1.

For James D. Westcott, Jr.—Mr. Fisher—1.

For Jas. T. Magbee—Messrs. Gass and Washington—2.

For Samuel Walker—Messrs. Wallace and Proctor—2.

For blank—Mr. Jones of Escambia—1.

Total number of votes cast, 77.

Highest number of votes cast for any one candidate, 41.

Charles W. Jones having received a majority of the votes.

cast was declared elected 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, 1875.

The President *pro tem.* of the Senate then declared the joint assembly adjourned *sine die*.

SESSION OF THE SENATE.

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

Mr. Osgood moved that the Senate adjourn.

On the question of adjournment a division was called for which showed the matter determined in the negative.

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

Which was agreed to, and the Senate was declared adjourned until 10 o'clock to-morrow.

FRIDAY, FEBRUARY 12, 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, Durkee, Fortner, Hendry, Hill, Howell, 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. Knight moved that the reading of the Journal be suspended;

Which was not agreed to, and the reading of the Journal was continued.

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

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

Mr. Long offered the following concurrent resolution:

Resolved by the Senate, the Assembly concurring, That the Legislature adjourn *sine die* on Monday, February 22, at 12 o'clock M., and that no new business be introduced after the 18th inst.

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