

Mr. Osgood moved that the Senate adjourn until Monday at 11 o'clock,

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

MONDAY, FEBRUARY 15, 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, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—23.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal.

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

Which was agreed to, and the Journal approved.

Mr. Osgood moved that the special order for to-day at 11 o'clock be postponed until to-morrow at same hour.

Under a suspension of the rule Mr. Wallace introduced Senate Bill No. 68 :

A bill to be entitled An act Authorizing Clerks of Courts and Sheriffs to Practice Law in the Several Counties of this State ;

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

Under a suspension of the rule Mr. Hendry introduced Senate Bill No. 69 :

A bill to be entitled An act to Protect Settlers on the Public Lands in this State ;

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

The Committee on Privileges and Elections made the following report :

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

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

SIR: Pending the investigation of the following preamble and resolution :

WHEREAS, Mr. Sturtevant holds his seat in this Senate as Senator from the Twenty-first District illegally and unjustly ; and whereas, the election returns from Dade and Brevard counties show that a large majority of the votes cast were given for

Mr. Israel M. Stewart as Senator, but by partisan trickery and fraud he has been unlawfully deprived of his seat as such Senator, and that Mr. Sturtevant now occupies the seat without right and without a shadow of title; therefore, be it

Resolved, That we declare the seat now occupied by the said Sturtevant to be vacant, and that Israel M. Stewart, the Senator elect, come forward and be sworn in as Senator from the Twenty-first District.

The official opinion of the Attorney-General as to whether there is any law now in force governing contested election cases in this State, was referred to the Committee on Privileges and Elections, and a thorough investigation and consideration of the same resulted in two reports. The majority report fully sustained the Attorney-General's opinion—that is, that the act referred to in Thompson's Digest is now in force in this State, and the report was adopted by the Senate. The adoption of the majority report, however, does not settle the question as to Mr. E. T. Sturtevant's right and title to a seat in this Senate. *Per contra*: the committee are of the opinion that inasmuch as the returns of Brevard county (one of the counties composing the Twenty-first Senatorial District) has not yet been canvassed and counted by the Board of State Canvassers, his right and title to a seat in this Senate is not touched by the adoption of the majority report. The returns of the Twenty-first Senatorial District must be canvassed and counted by the Board of State Canvassers before "notice" of contest can be legally served. In January, 1873, Mr. Israel M. Stewart petitioned the Senate to canvass and count the returns of Brevard county, and pronounce an enlightened and just judgment thereon; and his petition, by the unanimous consent of the Senate, was referred to the then Committee on Privileges and Elections. No legal or other objection was then raised against Mr. Stewart's petition. Mr. Sturtevant did not then raise the question that "notice" of contest was not given, and the legality of his petition to the Senate for a seat as Senator of the Twenty-first Senatorial District was universally acknowledged. But the committee—kind to Sturtevant, and cruel to Stewart and the people of the Twenty-first Senatorial District—pocketed the petition. In January, 1874, the following resolution was introduced in the Senate:

Resolved, By the Senate of the State of Florida, that Israel M. Stewart, who was duly elected as Senator from the Twenty-first Senatorial District of said State at the last regular election held in that district in the year A. D. 1872, be now sworn in as Senator from the Twenty-first Senatorial District of Florida, and that Mr. Sturtevant is hereby declared as not entitled to a seat on this floor.

Mr. Stewart's legal right to contest having been recognized by Mr. Sturtevant and the entire Senate in 1873, and could not be denied or doubted in 1874, a majority vote of the Senate was Mr. Sturtevant's sheet-anchor of hope, and as a *dernier* resort to save himself he voted for himself; and notwithstanding Mr. Stewart, in the name of his insulted and outraged constituency, vigorously and persistently demanded his right to a seat as Senator of the Twenty-first Senatorial District from January, 1873, down to January, 1875, Mr. Sturtevant now says for the first time that "notice" of contest was not served on him. Inasmuch as Mr. Sturtevant cannot claim protection under the law now in force governing contested election cases in this State, the committee report further: That at the general election held on the fifth day of November, 1872, in the counties of Dade and Brevard, composing the Twenty-first Senatorial District, E. T. Sturtevant was a candidate for the office of State Senator in said district; that he was also Judge of the County Court of Dade county; that there was but one precinct in said county; that Judge Sturtevant was made an inspector at said precinct, and at the close of the election on that day, as inspector, he and two other inspectors solemnly certified under oath that the whole number of votes cast for State Senator in Dade county was thirty, of which Israel M. Stewart received sixteen and E. T. Sturtevant fourteen—majority of two for Mr. Stewart. This statement has not been denied at any time by any person. Subsequently, however, Judge Sturtevant petitioned himself to the clerk of the election, and also of the County Court; and, furthermore, a candidate at said election for the Assembly, these two (E. T. Sturtevant and W. H. Gleason) constituting the *modest* Board of County Commissioners to set aside his own return, under oath as a precinct inspector, and to reject from such return the names of three citizens who had voted for Israel M. Stewart, alleging as a sufficient reason for such rejection that two of them, citizens of foreign birth, were permitted to vote without producing their naturalization papers, and the name of the other did not appear on the registration book. As Judge of the County Court E. T. Sturtevant took the evidence in *ex parte* affidavits, and as one of the Board of County Canvassers sat in judgment on his own case, and deliberately declared his return made under oath to be illegal, rejected the votes of three citizens, and declared himself to have received a majority of the votes cast in Dade county. These returns were on file in the Secretary of State's office, are in the recollection of many Senators who are present, and are testified to by them. The Constitution of Florida, Article III, reads: "The powers of the Government of the State of Florida shall be divided into three departments:

Legislative, Executive, and Judicial; and *no person* properly belonging to one of the departments shall exercise any functions appertaining to either of the others," &c. Now, if Judge Sturtevant properly belonged to the Judicial Department, and if the function of the Legislative Department is to judge of the returns and elections of its members, then, neither as judge nor county canvasser could he make this judgment—that is, rejecting the votes of three citizens and declaring himself to have received a majority of the votes cast in Dade county, nor could the Executive Department make it, nor can any act of a previous Legislature be mandatory to a subsequent Legislature as to the force and effect of evidence, either as *prima facie* or conclusive as to the election of their members; for, as to this, each House is sovereign and absolute, and must prescribe its own rules of proceedings in judging of the qualifications, elections, and returns of its members. The returns of Brevard county show that the whole number of votes cast for State Senator was sixty-nine, of which Israel M. Stewart received thirty-nine, C. B. Magruder seventeen, and James Payne, Sr., thirteen—majority of nine for Mr. Stewart over all the other candidates. Mr. Sturtevant received not a single vote in Brevard county. It is alleged that from accidental or other causes the returns of Brevard county were not received in time for the Board of State Canvassers, and not until after a certificate had been given to Mr. Sturtevant, bottomed on his own certificate of the vote of Dade county, showing a majority of one over Mr. Stewart in said county. The returns of Brevard county were filed with the Board of State Canvassers, and subsequently submitted to a committee of the Senate on Privileges and Elections, are within the recollection of many Senators who are present, and are testified to by them. Also, the committee are in possession of a certified copy of the returns on file in the clerk's office of Brevard county. The facts here stated are known to be true by at least one-half of the Senators present; they are proven unto a demonstration, beyond all question, have not been denied, and are without just ground of objection. The aggregate number of votes cast for State Senator in the Twenty-first Senatorial District, on the fifth day of November, 1872, foots up thus: For Israel M. Stewart, fifty-two; for C. B. Magruder, seventeen; for E. T. Sturtevant, fourteen; and for James Payne, Sr., thirteen—majority of thirty-eight for Stewart over Sturtevant, and of eight over all the other candidates—that is, Magruder, Sturtevant, and Payne.

Your committee present this case as one most extraordinary in its various phases of moral turpitude. A just regard for the rights and privileges of the Senate, a decent respect for public opinion, for the offended law, and the

principles long established for the government of judicial and legislative procedure demands an unqualified censure by every Senator. The statutes of this State, the rules of every court of law, the customs of every country, and our own natural sense of justice between men—all, all forbid that a man shall be a judge in his own case, yet we have here the legislative power of the Senate held for years by a Senator so-called under a decision made by himself on his own certificate, and kept in the Senate by his own vote, without an election by the people, swearing that he is qualified for the office of Senator under the Constitution, and seemingly without hesitation. In conclusion, the committee recommend the adoption of the following resolution:

Resolved by the Senate, That E. T. Sturtevant was not elected as Senator of the Twenty-first Senatorial District, and is not entitled to a seat in this Senate, and that Israel M. Stewart was elected as Senator at the regular election held on the fifth day of November, 1872, and that he be now sworn in as Senator of the Twenty-first Senatorial District.

JOHN L. CRAWFORD, Chairman.
A. D. MCKINNON,
F. A. HENDRY.

Which was received and read.

Mr. Wallace moved to spread the report upon the Journal.

Mr. Wallace withdrew his motion.

Mr. Dennis moved that the report be laid upon the table.

On the motion to lay on the table the yeas and nays were called for with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Durkee, Hill, Howell, Johnson, Long, Osgood, Parlin, Pope, and Sturtevant—10.

Those voting in the negative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, McAuley, McKinnon, Oliveros, Smith, and Wallace—12.

So the Senate refused to lay the report upon the table.

Mr. Smith moved to postpone further consideration of the report and make it the special order for half-past 10 o'clock tomorrow.

On which the yeas and nays were called for with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Knight, McAuley, McKinnon, Meacham, Smith, and Wallace—12.

Those voting in the negative were—

Messrs. Dennis, Durkee, Hill, Howell, Johnson, Long, Osgood, Parlin, Pope, and Sturtevant—10.

So the Senate agreed to postpone the further consideration of the report and make it the special order of the day for 10:30 o'clock to-morrow.

The Committee on Legislative Expenses made the following report:

SENATE CHAMBER, }
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: Your committee on Legislative expenses, to whom was referred Assembly Bill No. 40, ask leave to report that they have examined the same and recommend that it do pass.

Respectfully submitted,

J. W. HOWELL, Chairman.
A. D. MCKINNON,
FREDERICK HILL,
M. A. KNIGHT.

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

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER, }
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: The Committee on Enrolled Bills, to whom was referred—

Senate Bill No. 11:

An act to Authorize Married Women to Convey their Separate Estate and Release Dower by Attorney;

Also:

Senate Bill No. 48:

An act Fixing the Time for Holding the Circuit Court in the Second Judicial Circuit of Florida;

Also:

Senate Concurrent Resolution No. 3, in reference to the National Freedman's Bank; have examined the same and find them correctly enrolled.

Respectfully submitted,

M. A. KNIGHT, Chairman.

Which was received.

The Committee on Judiciary made the following report:

SENATE CHAMBER, }
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: The Committee on Indian Affairs, to whom was referred a bill to be entitled An act to Encourage the Civilization of the Seminole Indians;

Also:

Resolution to Congress upon the same subject; have had the same under consideration and recommend that they do pass.

Respectfully submitted,

M. G. FORTNER, Chairman.

T. W. LONG,

G. C. BRANTLEY.

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

The Committee on Judiciary made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: The Committee on Judiciary, to whom was referred the following bills, have had the same under consideration and instructed me to report the same back to the Senate and recommend their passage, to wit:

A bill to be entitled An act in Relation to Jurors of the Circuit Court;

A bill to be entitled An act to Provide the Manner in which Minors may be Authorized to take Charge of and Manage their own Estates;

A bill to be entitled An act to Authorize and Empower Executors and Administrators to Sell and Convey the Real Estate of their Testator and Intestate;

A bill to be entitled An act Defining Contempts of Court;

They have considered the bill to be entitled An act Empowering Married Women to Make Last Wills and Testaments; and instructed me to report the same back to the Senate with the opinion that it is inexpedient to pass said bill.

Respectfully submitted,

COTTRELL, Chairman.

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

The Committee on Printing made the following report:

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

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

SIR: The Committee on Printing, to whom was referred Senate Bill No. 62, entitled a bill to Provide for the Publication of the Laws of Florida, report that they have carefully examined the same and recommend that it do not pass.

Respectfully submitted,

F. A. HENDRY, Chairman.

J. H. DURKEE,

A. J. PARLIN,

H. T. LYKES.

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

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

SENATE CHAMBER,
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: The Committee on City and County Organizations, to whom was referred Senate Bill No. 67, an act entitled An act Defining the Boundaries of Certain Counties therein mentioned, have had the same under consideration and recommend its passage.

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

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

The special committee to whom was referred Assembly concurrent resolution relative to adjournment, made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: The undersigned special committee, to whom was referred concurrent resolution from the Assembly, have considered the same, and report it back to the Senate and recommend its adoption.

Respectfully submitted,
J. L. F. COTTRELL.

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

Mr. Osgood moved that the resolution be concurred in.

Mr. Dennis moved to lay it on the table.

Mr. Dennis withdrew his motion.

On the question, Shall the concurrent resolution be concurred in? a division was called for which showed the matter determined in the affirmative.

Mr. Johnson moved to reconsider the vote by which the resolution was concurred in, and to lay the consideration on the table.

On which the yeas and nays were called with the following result:

Those voting in the affirmative were—

Mr. President, Messrs. Brantley, Cottrell, Fortner, Hendry, Hill, Howell, Johnson, Long, Lykes, McKinnon, Oliveros, Osgood, Pope, and Sturtevant—15.

Those voting in the negative were—
Messrs. Crawford, Dennis, Durkee, Knight, McAuley, Parlin,
Smith, and Wallace—8.

So the vote was reconsidered and the reconsideration was
laid on the table.

The following messages were received from the Assembly :

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: I am directed to inform the Senate that the Speaker and
Chief Clerk have signed the accompanying enrolled bill, to-wit :
An Act Fixing the Time for Holding the Circuit Courts in the
Fifth Judicial Circuit, and to request the signatures of the
President thereto.

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

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 13, 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 adopted joint resolution relative to the
election of State Printer.

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

ASSEMBLY HALL,
TALLAHASSEE, Fla., February 15, 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 passed the following Senate bills, to-wit :

No. 10. An act to repeal an act entitled An act to Pre-
vent Obstructions to Drains and Waters.

No. 36. A bill to be entitled An act Declaring Homosassa
River Navigable;

Also:

Assembly Bills :

No. 73. A bill to be entitled an act to amend section one
of An act for the Incorporation of Towns and Cities, approved
February 4, 1869 ;

No. 98. A bill to be entitled An act to Prevent the Indis-
criminate use of Fire-arms in Described Localities.

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

Which were received and the accompanying bills and joint resolution placed among the orders of the day.

The President announced the signing of the following enrolled bills:

1. An act Fixing the Times for Holding the Circuit Court in the Second Judicial Circuit of Florida.
2. An act to Authorize Married Women to Convey their Separate Estate and Release Dower by Attorney.
3. Concurrent resolution relative to Freedman's National Savings Bank.
4. An act Fixing the Times for Holding the Circuit Court in the Fifth Judicial Circuit.

ORDERS OF THE DAY.

The motion of Mr. Wallace to reconsider the vote by which G. H. De Leon was elected Engrossing Clerk was taken up.

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

Those voting in the affirmative were—

Messrs. Cottrell, Crawford, Fortner, Hendry, Johnson, Knight, McAuley, Oliveros, Smith, Sturtevant, and Wallace—11.

Those voting in the negative were—

Messrs. Dennis, Durkee, Hill, Howell, McKinnon, Parlin, and Pope—7.

So the vote was reconsidered.

The Private Secretary of the Governor appeared at the bar of the Senate with a communication from his Excellency on Executive business;

Which was received.

Mr. Johnson moved that the Engrossing Committee be authorized to appoint their own Engrossing Clerk for the balance of the session;

Upon which the yeas and nays were called with the following result:

Those voting in the affirmative were—

Messrs. Dennis, Johnson, and Osgood—3.

Those voting in the negative were—

Messrs. Brantley, Cottrell, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Knight, Long, McAuley, McKinnon, Oliveros, Parlin, Pope, Sturtevant, and Wallace—17.

So the motion was not agreed to.

On motion of Mr. Parlin the Senate proceeded to the election of an Engrossing Clerk.

Mr. Long nominated George L. Witherspoon.

Mr. Parlin nominated Mr. T. B. Wells.

The roll was called with the following result:

For T. B. Wells—Mr. President, Messrs. Brantley, Cottrell, Crawford, Dennis, Durkee, Fortner, Hill, Howell, Knight, Lykes, McAuley, McKinnon, Meacham, Osgood, Parlin, Pope, and Wallace—18.

For Mr. Witherspoon—Messrs. Hendry, Johnson, Long, and Sturtevant—4.

Mr. T. B. Wells having received the majority of the votes cast was declared elected Engrossing Clerk of the Senate.

Senate Bill No. 68:

A bill to be entitled An act Authorizing Clerks of Courts and Sheriffs to Practice Law in the Several Counties of this State,

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

Senate Bill No. 69:

A bill to be entitled An act to Protect Settlers on the Public Lands in this State,

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

Mr. Wallace moved that all bills on their first reading be referred to their appropriate committees;

Which was agreed to.

Assembly Bill No. 98:

A bill to be entitled An act to Prevent the Indiscriminate Use of Fire-arms in Described Localities,

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

Assembly Bill No. 73:

A bill to be entitled an act to amend section one of an act entitled An act for the Incorporation of Towns and Cities, approved February 4, 1869,

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

Under a suspension of the rule Mr. Parlin introduced Senate Bill No. 70:

A bill to be entitled An act to Abolish the Office of State Printer, and Provide for Letting the Legislative and General Printing to the Lowest Bidder;

Which was received, read first time by its title, and referred to the Committee on Printing.

Senate Bill No. 62:

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

Was taken up on its second reading.

Mr. Long moved to indefinitely postpone the bill.

On which 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, Johnson, Knight, Long, Lykes, McAuley, Parlin, Sturtevant, and Wallace—15.

Those voting in the negative were—

Messrs. Dennis, Hill, Howell, Oliveros, Osgood, Pope, and Smith—7.

So the bill was indefinitely postponed.

Mr. Parlin gave notice that he would move a reconsideration of the vote.

Senate Bill No. 61:

A bill to be entitled An act to Encourage the Civilization of the Seminole Indians,

Was taken up on its second reading.

Mr. Cottrell offered the following amendment to be inserted at the end of section two:

Provided that not more than five thousand dollars shall be expended under the provisions of this act;

The amendment was adopted.

Mr. Durkee offered the following amendment to section three:

And the Indian shall be produced before the Clerk of the Circuit Court, and show that he can speak and write the English language by actual conversation with him, and by a fair specimen of his handwriting written in the presence of the said clerk.

Which was received.

Mr. Hendry moved to strike out section four;

Which was agreed to.

The bill was ordered to be engrossed for its third reading to-morrow.

On motion the Senate went into Executive session.

EXECUTIVE SESSION.

The Senate, in Executive session, consented to the removal of John Pous, Assessor of Taxes for Escambia county.

The following nominations made by his Excellency the Governor were confirmed:

W. W. Van Ness to be Judge of the First Judicial Circuit.

Royal Putnam to be Assessor of Taxes of Escambia county.

William K. Cessna to be County Judge of Alachua county.

W. H. Belton to be Clerk of the Court of Alachua county.

John W. Raymond to be Assessor of Taxes of Alachua county.

James W. Johnson to be Assessor of Taxes for Jefferson county.

The doors being opened, Mr. Dennis moved that the Senate adjourn until 4 o'clock this evening;

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

FOUR O'CLOCK.

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, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Oliveros, Osgood, Parlin, Pope, Smith, and Sturtevant—21.

A quorum present.

The Senate proceeded with the orders of the day.

Senate Bill No. 67:

A bill to be entitled An act Defining the Boundaries of Certain Counties therein mentioned,

Was taken up, read the second time, and ordered to be engrossed for its third reading to-morrow.

Assembly Bill No. 101:

A bill to be entitled An act in Relation to Jurors in Circuit Courts,

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

Assembly Bill No. 99:

A bill to be entitled An act to Provide the Manner in which Minors may be Authorized to take Charge of and Manage their own Estates,

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

Assembly Bill No. 87:

A bill to be entitled An act to Authorize and Empower Executors and Administrators to Sell and Convey the Real Estate of their Testators and Intestates,

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

Assembly Bill No. 95:

A bill to be entitled An act Defining Contempts of Court,

Was taken up, but not having been signed by the Clerk of the Assembly, it was, on motion of Mr. Lykes, ordered to be returned to the Assembly.

Assembly Bill No. 48:

A bill to be entitled An act to Empower Married Women to Make Last Wills and Testaments,

Was taken up and read a second time.

Mr. Cottrell moved its indefinite postponement;
Which was agreed to, and the bill was indefinitely postponed.

Assembly Bill No. 40:

A bill to be entitled An act to Authorize the Comptroller to Purchase Stationery for the Official Use of the Governor, Members of the Cabinet, and Legislature;

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

Assembly Bill No. 93:

A bill to be entitled An act for the Relief of John Frazier & Co., of Suwannee County, Florida,

Was taken up and read the second time.

Mr. McKinnon moved its indefinite postponement;

Which was agreed to, and the bill indefinitely postponed.

Assembly Bill No. 30:

A bill to be entitled An act to Legalize the Town Government of Tampa, Florida.

Was taken up and read the second time.

The Committee on City and County Organizations recommended that sections three and four be stricken out of the bill;

Which was agreed to, and the bill was placed among the orders of the day for its third reading to-morrow.

Mr. Cottrell moved that the vote by which Assembly Bill No. 101, a bill to be entitled An act in Relation to Jurors of the Circuit Courts, was passed to its third reading, be reconsidered.

The vote was reconsidered, and the bill recommitted to the Committee on Judiciary.

Assembly Bill No. 1:

A bill to be entitled An act to Regulate the Eligibility to Office in the State of Florida,

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, Fortner, Hendry, Knight, McAuley, McKinnon, and Oliveros—10.

Those voting in the negative were—

Messrs. Dennis, Durkee, Hill, Howell, Johnson, Long, Osgood, Parlin, Pope, Smith, Sturtevant, and Wallace—12.

So the bill did not pass.

Mr. Smith gave notice that he would move for a reconsideration of the vote by which the bill was defeated.

Assembly Bill No. 37:

A bill to be entitled An act for the Relief of G. H. Johnson, 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—
Messrs. Brantley, Cottrell, Crawford, Fortner, Hendry, Hill,
Knight, McAuley, McKinnon, Oliveros, Parlin, Pope, Smith,
and Sturtevant—14.

Those voting in the negative were—
Messrs. Howell, Johnson, Long, Osgood, and Wallace—5.
So the bill passed, title as stated.

Assembly Bill No. 16:

A bill to be entitled an act to amend the twenty-third section
of an act entitled An act to Provide for the Incorporation of
Cities and Towns, and to Establish a Uniform System of Mu-
nicipal Government in this State, approved February 4, 1869,

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, Crawford, Fortner, Hendry,
Johnson, Knight, McAuley, McKinnon, and Oliveros—10.

Those voting in the negative were—

Messrs. Cottrell, Dennis, Durkee, Hill, Howell, Long, Osgood,
Parlin, Pope, Smith, Sturtevant, and Wallace—12.

So the bill did not pass.

Assembly Bill No. 38:

A bill to be entitled An act to Amend Section Five of Chap-
ter 1,628 of Laws of Florida, Reducing the Number of Grand
and Petit Jurors,

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, Durkee,
Fortner, Hill, Howell, Johnson, Knight, McAuley, McKinnon,
Pope, Smith, and Wallace—15.

Those voting in the negative were—

Messrs. Dennis, Hendry, Long, Lykes, Oliveros, Osgood, and
Parlin—7.

So the bill passed, title as stated.

The rule being waived, the Committee on Public Lands
made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: The Committee on Public Lands, to whom was referred
Senate Bill No. 43, in Relation to Homesteads, have examined
the same and recommend that it do not pass.

Respectfully submitted,

O. B. OSGOOD, Chairman.

Which was received.

Mr. Osgood moved that the accompanying bill be indefinitely postponed;

Which was agreed to, and the bill indefinitely postponed.

Mr. Hill introduced the petition of George J. Alden;

Which was received and placed among the orders of the day for to-morrow.

Under a suspension of the rule the Committee on Corporations made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 13, 1875. }

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

SIR: The Committee on Corporations, to whom was referred Senate Bill No. 7, entitled an act to repeal an act entitled An act to Provide a General Law for the Incorporation of Railroads and Canals, approved February 19, 1874, beg leave to report they have examined the same and recommend it do not pass.

Respectfully submitted,

L. G. DENNIS, Chairman.

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

Under a suspension of the rule the Committee on Corporations made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 13, 1875. }

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

SIR: Your Committee on Corporations, to whom was referred—

Senate Bill No. 66:

Entitled An act to Provide a General Law Authorizing the Establishment of Ferries;

Also:

Assembly Bill No. 32:

Entitled An act to Incorporate the Co-operative Colonization Bank of Florida; beg leave to report they have examined the same and recommend that they do pass.

Respectfully submitted,

L. G. DENNIS, Chairman.

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

Under a suspension of the rule the Committee on Corporations made the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., February 15, 1875. }

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

SIR: The Committee on Corporations, to whom was referred—

Senate Bill No. 23 :

Entitled An act to Provide for the Incorporation of the Sisters of St. Joseph ;

Also :

An act to Incorporate the St. Augustine Yacht Club ; beg leave to report that they have examined the same and find special legislation unnecessary, as the incorporation of such companies is already provided for by the general laws of the State ; we therefore recommend that they do not pass.

Respectfully submitted,

L. G. DENNIS, Chairman.

F. A. HENDRY,

W. POPE.

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

Senate Bill No. 7 :

A bill to be entitled an act to repeal an act entitled An act to Provide a General Law for the Incorporation of Railroads and Canals, approved February 19, 1874,

Was taken up on its second reading.

Mr. Osgood moved its indefinite postponement ;

Which was agreed to, and the bill indefinitely postponed.

Senate Bill No. 28 :

A bill to be entitled An act to Incorporate the Saint Augustine Yacht Club,

Was taken up on its second reading.

Mr. Osgood moved to indefinitely postpone the bill ;

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

Senate Bill No. 23 :

A bill to be entitled An act to Provide for the Incorporation of the Sisters of St. Joseph,

Was taken up on its second reading.

Mr. Osgood moved its indefinite postponement ;

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

Assembly Bill No. 32 :

A bill to be entitled An act to Incorporate the Co-operative Bank of Florida,

Was taken up on its second reading.

Mr. Osgood moved its indefinite postponement ;

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

Under a suspension of the rule the Committee on Corporations made the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., February 13, 1875. }

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

SIR: The Committee on Corporations, to whom was referred Senate Bill No. 27, entitled An act to Incorporate the Suwannee

River Navigation Company, beg leave to report they have examined the same, and recommend it do not pass.

Respectfully submitted,

L. G. DENNIS, Chairman.

F. A. HENDRY.

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

Senate Bill No. 27:

A bill to be entitled An act to Incorporate the Suwannee River Navigation Improvement Company,

Was taken up and read the second time.

Mr. Osgood moved its indefinite postponement;

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

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

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

TUESDAY, FEBRUARY 16, 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, Crawford, Durkee, Fortner, Hendry, Hill, Howell, Johnson, Knight, Long, Lykes, McAuley, McKinnon, Meacham, Oliveros, Parlin, Pope, and Smith—19.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal.

Under a suspension of the rule Mr. Howell introduced Senate Bill No. 71:

A bill to be entitled An act to Reduce the Pay of Jurors and Witnesses;

Senate concurrent resolution asking Congress for an appropriation to aid in the education and civilization of the Seminole Indians,

Was taken up and read.

On the question, Shall the resolution be adopted?

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, Lykes, McAuley, McKinnon, Meacham, Pope, and Smith—17.