

F. J. Pons, to be Clerk of the Circuit Court, Baker county.
 John R. Herndon, to be County Judge, Baker county.
 N. C. Herndon, to be Sheriff, Baker county.
 Henry J. Stewart, to be County Judge, Hamilton county.
 D. L. Campbell, to be Collector Revenue, Walton county.
 D. H. Thrasher, to be Assessor, Hernando county.
 Henry D. Edwards, to be Collector Revenue, Hernando county.

REMOVALS.

Anthony H. Brownell, County Judge, Holmes county.
 John Neel, from office of Sheriff, Holmes county.
 D. R. Townsend, from office of County Judge, Lafayette county.
 Howell Hawkins, from office of Clerk of Circuit Court, Lafayette county.
 Newton Sapp, from office of Sheriff, Lafayette county.

FRIDAY, January 12, 1877.

The Senate met pursuant to adjournment.
 The hour of 10 o'clock having arrived, Mr. Meacham moved that Mr. Cottrell take the chair;
 Which was agreed to.
 The roll was called, and the following Senators answered to their names:
 Messrs. Barnes, Brantley, Cottrell, Durkee, Hendry, Howell, Johnson, Long, Lykes, McKinnon, McMeekin, Meacham, Orman, Osgood, Patterson, Richard, Wallace and Walls—18.
 A quorum present.
 Prayer by the Chaplain.
 Mr. Richard moved that Mr. Weeks come forward and be qualified;
 Whereupon Mr. Weeks came forward, and was sworn in by Mr. Wallace as Notary Public.
 Mr. Barnes moved that the reading of the journal be dispensed with;
 Which was agreed to.
 The following message from the Assembly was received, which, with the accompanying bill, was placed among the orders of the day:

ASSEMBLY HALL, }
 TALLAHASSEE, FLA., January 12, 1877. }

Hon. NOBLE A. HULL,

President of the Senate:

SIR: I am directed by the Assembly to inform the Senate that the Assembly has passed—

Assembly bill No. 1:

To be entitled an act to amend the 2d, 29th, 35th, 36th, 58th and 8th sections, and repealing the 53d and 54th sections of an act entitled an act relating to proceedings before Justices of the Peace and judgments of Justices' Courts, approved February 7, 1875, and respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FOSYTH BYNUM,

Chief Clerk of the Assembly.

The following committee on the part of the Senate to act with a similar committee on the part of the Assembly, to examine the offices of the Comptroller of Public Accounts, and the State Treasurer, omitted to be furnished to the printer on the 10th, was appointed by the President, viz:

Messrs. Brantley and Howell.

A message from the Governor by the hands of his Private Secretary was received.

Mr. Cottrell moved that a committee of three be appointed to inform the Assembly that Messrs. Cottrell and McKinnon were appointed on the part of the Senate on Joint Enrolling Committee.

The President appointed as the committee Messrs. Cottrell, Johnson and Meacham.

Mr. Wallace offered the following resolution:

Resolved, That the Comptroller be and he is hereby requested to furnish the Senate the names of all defaulting Collectors of Revenue and the amount they are in defalcation, from January 1, 1850, to January, 1870.

Mr. Osgood moved its adoption.

Mr. Brantley moved to lay the resolution on the table;
 Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Hendry, Johnson, Lykes, McKinnon, McMeekin, Orman, Patterson, Richard and Weeks—12.

Nays—Messrs. Hill, Howell, Long, Meacham, Osgood, Wallace and Walls—7.

So the motion to lay on the table was carried.

The committee appointed to inform the Assembly of the

resolution offered by Mr. Cottrell returned, having performed that duty and were discharged.

Mr. Richard offered the following joint resolutions:

JOINT RESOLUTIONS OF THE SENATE AND ASSEMBLY OF
STATE OF FLORIDA.

1. *Resolved*, That it is the pleasure and desire of this Legislature that in view of the great advantages to the State of Florida and to the General Government to be obtained in connection (by dredging) between the Halifax and Indian rivers, of this State, and otherwise improving the channels of said rivers, thereby opening inland and safe navigation, and affording first-class transportation almost the entire length of the Eastern coast of the State, affording a valuable means of improvement in times of peace and in time of war a national defence, therefore, it is, that this Legislature of the State of Florida would petition the Congress of the United States to make such appropriations of funds necessary to accomplish this great work.

2. *Resolved*, That in view of the rapidly increasing commerce on the St. Johns river, in the State of Florida, said river being the only highway for travel and transportation for the thousands of the people of the United States who are compelled to seek the benefits of a mild and genial climate, which can be found south of the frost line in this State, at the head of navigation on the St. Johns river; therefore, in view of the necessities and these benefits, State and National, it is resolved that the Congress of the United States do make an appropriation to dredge out Volusia Bar, at the head of the George, and to make some minor shore improvements at said Bar, thereby permitting the largest steamers to pass to the head of navigation on said river St. Johns.

3. *Resolved*, That it is the duty of Congress, in view of the large and rapidly increasing number of steam vessels navigating the various rivers, bays and harbors of this State, and in view of our extensive coast line, and in view of the fact that our State has become the resort of thousands and tens of thousands of people, and that thereby there is increased still increasing liability to danger of life and property; and this petition would ask and ever pray, that Congress amend the Steamboat Law so as to redistrict the State of Florida, thereby giving to Florida one Supervising Inspector of Steamboats, with headquarters at Jacksonville, one Inspector of Steamboats at Jacksonville, and one at Pensacola.

4. *Resolved*, That the Secretary of State be instructed to send copies of said joint resolutions to our Senators and Representatives

at Washington, with request that they urge these several measures as being both wise and necessary.

Mr. Richard moved the reading of the joint resolution asking for improvements on the rivers Halifax and St. Johns, and other matters;

Which was read, and referred to the Committee on Commerce and Navigation.

Assembly bill No. 1:

To be entitled an act to amend the 2d, 29th, 35th, 36th, 58th and 68th sections, and repealing the 53d and 54th sections of an act entitled an act relating to proceedings before Justices of Peace and judgments of Justices courts, approved February 27, 1875,

Which was taken up, and read by its title.

Whereupon Mr. McKinnon moved that all bills from the Assembly be read and referred to the appropriate committees;

Which was agreed to.

Mr. Durkee moved to refer the bill to the Judiciary Committee;

Which was agreed to.

Under a suspension of the rules, Mr. McKinnon made the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., January 12, 1877. }

N. A. HULL,

President of the Senate:

Sir—Your committee, to whom was referred the memorial of John B. Ross of Suwannee county, has considered the same, and from the tax-books on file in the Comptroller's office, we find that said Ross was illegally assessed for the years 1869, 1870, 1871, 1872 and 1873, and recommend the passage of the accompanying bill. Respectfully,

A. D. MCKINNON, Ch'n.
THOMAS W. LONG,
A. B. OSGOOD,
N. J. PATTERSON,
WHITFIELD WALKER.

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

Senate bill No. 6:

To be entitled a bill for the relief of John B. Ross;

Which was read the first time.

Mr. Osgood moved the rules be waived, and the bill read the second time by its title;

Which was agreed to, and the bill ordered to be engrossed.

Mr. Howell asked to be excused from further attendance on Monday morning;

Which was agreed to.

Mr. Cottrell offered the following resolution:

Resolved, That Mr. Weeks be appointed on all committees of which Mr. Ellis was a member in lieu of Mr. Ellis;

Which was adopted.

Mr. Walls offered the following resolution:

Resolved by the Senate, the Assembly concurring, That the President of the Senate and the Speaker of the Assembly are hereby directed to declare their respective houses adjourned at 12 o'clock, M., January 25, without day;

Which was read.

Mr. Wallace moved to lay upon the table.

On which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Ferguson, Hendry, Johnson, McKinnon, McMeekin, Orman, Patterson, Richard, Walker, Wallace, Walls and Weeks—15.

Nays—Messrs. Hill, Long, Lykes, Meacham and Osgood—4.

So the motion was agreed to.

Mr. Barnes offered the following resolution:

Resolved, That the Secretary of State be required to furnish from the records in that office a tabulated statement as taken from the census of 1875, and that he be empowered to employ sufficient clerical force for the same;

Which was read, and on motion adopted.

Mr. Walker introduced Senate bill No. 6:

A bill to provide for the Counting of the Electoral Votes in Florida;

Which was referred to the Committee on Judiciary.

On motion of Mr. Walker, the Senate adjourned.

FOUR O'CLOCK, P. M.

The Senate resumed its session.

The roll being called, the following Senators answered their names:

Messrs. Barnes, Brantley, Cottrell, Ferguson, Hendry, Johnson, Long, Lykes, McMeekin, Orman, Osgood, Patterson, Richard, Wallace, Walls and Weeks—16.

A quorum present.

Mr. Barnes made the following motion:

That the reports of the heads of the different Departments accompanying the Governor's message be printed in pamph-

form with the message, under the direction of the Committee on Public Printing;

Which was adopted.

Mr. Walls moved to postpone Senate bill No. 2, which was made the special order of the day for 4 o'clock.

Mr. Barnes moved to postpone further consideration of the bill until 10 o'clock Monday morning;

Which was agreed to.

Mr. Walls moved to go into committee of the whole on the Governor's message;

Which was agreed to—Mr. Cottrell in the chair.

Mr. Walls moved that the committee rise and report progress.

Which was agreed to.

Mr. Cottrell, chairman of the Committee of the Whole, made the following report:

The Committee of the Whole, to whom was referred the Message of his Excellency the Governor, have had the same under consideration and have come to several resolves on the same, and directed me to report the same to the Senate, and recommend their adoption by the Senate.

J. L. F. COTTRELL,
Chairman.

That so much of the Governor's message as relates to the reception of engraved Comptroller's warrants by Robert H. Gamble, late Comptroller of Public Accounts, to be exchanged by him for warrants and certificates of a date prior to February 18, 1870, and for those issued in payment of the expenses of the session of the Legislature of 1870, be referred to a special committee of three, to be appointed by the President of the Senate, for investigation, with full powers to send for persons and papers, and to report as early as practicable the result of their investigation to this body.

Resolved, That so much of the Governor's message as relates to "Finance and Taxation," "Uniformity of Taxation," "Licenses," "Internal Improvement Fund," and "Lands sold to the State for Taxes," be referred to the Committee on Finance and Taxes.

That so much of the Governor's message as relates to "Census and Apportionment" be referred to the committee appointed on Census and Apportionment, under the Joint Resolution of the Senate and Assembly.

That so much of the Governor's message as relates to the "Penitentiary" be referred to the Committee on the Militia.

That so much of the Governor's message as relates to "Criminal Prosecutions" and "Justices of the Peace" be referred to the Committee on the Judiciary.

That so much of the Governor's message as relates to "Public Schools," "Peabody Fund," "Uniformity of Text Books," and "Agricultural College," be referred to the Committee on Education.

That so much of the Governor's message as relates to "Roads and Road Laws" be referred to the Committee on City and County Organizations.

That so much of the Governor's message as relates to "Election and Registration Laws" be referred to the Committee on Privileges and Elections;

Which report was adopted.

Mr. Wallace offered the following petition of Wm. F. Robertson :

To the Honorable the Senate and Assembly of the State of Florida :

Your petitioner, William F. Robertson, M. D., respectfully represents that in the year 1869 he was appointed by Governor Reed to the office of Lieutenant, Quartermaster, Commissary, &c., of the State Penitentiary ; which office he held till he resigned his commission on the 22d day of August, 1870. That during the time he held said office, the sum of four thousand one hundred and thirty-seven dollars and nine cents (\$4,137.09) was received from A. P. Bauknight and N. H. Haines, contractors on J. P. & M. Railroad from Quincy to Chattahoochee, for labor performed by the Penitentiary convicts on said road ; that he was lawfully entitled to a commission of five per cent. on said amount ; but that he has never received one cent on said account, and that the State is justly indebted to him, at the present time, in the sum of two hundred and six dollars and eighty five cents (\$206.85) for commission on the said sum of \$4,137.09. Your petitioner further respectfully represents, that when he entered on the discharge of his duties there had been no regular Surgeon appointed to the institution ; but that a Contract Surgeon had been employed at a salary of one hundred (\$100) dollars per month to attend to the sick. That on the urgent solicitation of Governor Reed and Adjutant-General Carse, he, in addition to his other duties, which were distinct and separate from those of Surgeon, agreed to act as Acting Surgeon, at the very low and inadequate salary of fifty dollars per month. That he faithfully discharged his said duties as Acting Surgeon from the first day of October, 1869, to the 22d day of August, 1870, at which time he resigned his position of Quartermaster, &c., and was commissioned as full and regular Surgeon, at a salary of eighteen hundred and twenty-five (\$1,825) dollars a year. That he has never been paid one dollar for said services as Acting

Surgeon, and that the State is now justly and equitably indebted to him in the sum of five hundred and thirty-five dollars (\$535.50) and fifty cents for said services. Your petitioner respectfully represents that this claim for services as Acting Surgeon is not only just but meritorious, inasmuch as the State had been paying one hundred dollars a month to a Contract Surgeon, and subsequently paid over one hundred and fifty dollars per month to the full and regular Surgeon. That in the one case your petitioner effected a saving to the State of \$600 a year, and in the other case the sum of \$1,200.

Your petitioner further represents that the State Comptroller refused to allow this claim for services as acting Surgeon, on the very frivolous and technical plea that the officers of the Penitentiary were not allowed by law to do an *outside* business ; but your petitioner respectfully states such was not the true intent and meaning of the law, inasmuch as he was attending to the business of the State in thus attending to the sick prisoners, and was not engaged in any *outside* business whatever. And even admitting for a moment that the attention to the State business *was* an outside operation, within the true intent and meaning of the law, your petitioner contends that he is justly entitled to relief in the premises on account of the great saving to the State between the pay claimed by him and that allowed the contract and regular surgeons for similar services.

Your petitioner would beg leave further to represent that when he was appointed to the position of full surgeon, in August, 1870, his commission was, of course, only *ad interim* ; that when the Legislature assembled in the ensuing winter, a bill was introduced changing the entire organization of the Penitentiary ; that believing such bill would become a law, he did not apply to the Senate for confirmation of his commission, and that his commission, of necessity, expired on the adjournment of the Legislature January 27, 1871 ; that according to the usage and custom in all such cases, he continued to discharge the duties of surgeon till his successor was appointed, which was not until the 1st day of March, 1871, when the new Penitentiary law went into operation enabling the Warden to appoint a physician ; that had not your petitioner discharged such duties during such interval the prisoners would have been without medical attendance, as the old Penitentiary law was still in existence ; that for the said period, viz, from the 26th day of January, 1870, to the 1st day of March, embracing thirty-five days. Your petitioner was entitled to his pay of five dollars per day, as Surgeon ; that he has never received one dollar for such services, and that he does not, at this time, claim any compensation from your honorable

body; that the only reason alleged why his claim was not allowed at the time was, that he was not recommissioned by the Governor, for the short period between the adjournment of the Legislature and the going into operation of the new Prison law, on the 1st of the following March.

Your petitioner, in conclusion, humbly prays for relief, all and singular, in the premises.

WM. F. ROBERTSON, M. D.

IAMONIA, LEON COUNTY, FLA., January 10, 1877.

The State of Florida, to Wm. F. Robertson, M. D., Lieutenant-Quartermaster, Commissary, &c., State Penitentiary:

August 22, 1870—To commission on \$4,137.09, received from Bauknight & Haines, for work of Penitentiary Convicts on J. P. & M. Railroad.....\$206 85

August 22, 1870—To Salary as Acting-Surgeon State Penitentiary, from 1st October, 1869, to date, at \$50 per month.....\$535 50

—

\$742 35

Mr. Ferguson moved that it be referred to the Committee on Claims;

Which was agreed to.

Mr. Meacham moved to go into Executive Session;

Which was agreed to.

The door being opened, Mr. Meacham moved to adjourn until to-morrow morning, 10 o'clock;

Which was agreed to, and the Senate adjourned.

SATURDAY, January 13, 1877.

Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Barnes, Brantley, Cottrell, Durkee, Hendry, Johnson, Long, Lykes, McKinnon, McMeekin, Meacham, Orman, Osgood, Patterson, Richard, Walker, Wallace and Weeks—17.

A quorum present.

Prayer by the Chaplain.

On motion of Mr. Barnes, the reading of yesterday's Journal was dispensed with.

Under a suspension of the rule, Mr. Walls introduced Senate bill No. 7:

To be entitled an act to extend the provisions of the Seminary Funds of the State of Florida to all the children of the State;

Which was received and referred to the Committee on Education, with instructions to print one hundred copies.

The petition of Wm. F. Robertson was taken up, and referred to the Committee on Claims.

Mr. Meacham introduced the following resolution:

Resolved, That the Comptroller of the State be, and is hereby, requested to furnish to the Senate the names of all defaulting tax collectors of revenue, and the amounts they are in defalcation, from January, 1860, to 1877.

Mr. Brantley moved to lay the resolution on the table.

The yeas and nays were called for.

The vote was:

Yeas—Messrs. Barnes, Brantley, Cottrell, Hendry, Johnson, Lykes, McMeekin, Orman, Patterson, Richard, Walker, Walls and Weeks—13.

Nays—Messrs. Ferguson, Long, Meacham, Osgood and Wallace—5.

So the motion to lay upon the table prevailed.

Mr. Walls moved to reconsider;

Upon which the yeas and nays being called for, were as follows:

Yeas—Messrs. Barnes, Brantley, Cottrell, Hendry, Johnson, Lykes, McKinnon, McMeekin, Orman, Patterson, Richard, Walker and Weeks—13.

Nays—Messrs. Hill, Long, Meacham, Osgood, Wallace and Walls—6.

So the motion to reconsider was laid on the table.

Mr. Walls moved that the resolution offered by him on yesterday, relative to the adjournment of the General Assembly on the 25th of January, be reconsidered.

The President ruled the motion out of order.

Mr. Walls then moved that the journal of yesterday be so corrected as to show that he voted in the affirmative as to adjournment.

Mr. Wallace offered the following resolution:

Resolved, That the Secretary of State be requested to report to the Senate all bills passed by the last session of the Legislature, and vetoed by the Governor, and not reported to the Senate at said session.

Mr. Cottrell moved to refer the resolution to the Judiciary Committee;

Which was agreed to.