

THURSDAY, January 9, 1879.

Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Allen, Barnes, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Jones, Judge, Lee, Leslie, Long, Lykes, McAuley, McClenny, McMeekin, McKinnon, Meacham, Niblack, Orman, Richard, Thompson, Walker of the 6th and Walls—25.

A quorum present.

Prayer by the Chaplain.

The journal was read, corrected and approved.

On motion of Mr. McKinnon, the petition of Mr. Sharpe was ordered to be spread on the journal of to-morrow.

*To the Honorable State Senate, convened on the 7th day of January, 1879:*

Your petitioner would respectfully show unto your honorable body that long before the 6th day of February, 1877, he was a registered voter domiciled and having his place of residence, home and permanent abode in Brevard county, State of Florida. That the counties of Brevard and Dade constituted the Twenty-first Senatorial District of the State of Florida. That early in the year of A. D. 1877 a vacancy occurred in said district by the death of Israel M. Stewart. That His Excellency, George F. Drew, Governor of the State of Florida, duly made his proclamation for a special election in said district, to be held upon the 6th day of February, A. D. 1877, to fill said vacancy. That at said election your petitioner was a candidate, as well as John M. Lee and John P. Varnum, to fill the office of State Senator from said district, and was voted for by the qualified voters of said district, receiving fifty-two duly qualified and legal votes, that being the highest vote cast at said election for any one. That by some means, consisting of some irregularity in the county canvassing board of Brevard county, in said district, the return made of said election was made to declare John M. Lee as receiving the highest vote for State Senator from said county and from said district, while your petitioner avers he did receive the highest vote cast in said district for State Senator. That said irregular and false county return from the county canvassing-board of Brevard county was made to the Secretary of State and the Governor of said State, and was canvassed by the State canvassing-board, resulting in said board giving the certificate for said Senator to

John M. Lee, who now holds the same. Your petitioner avers that he is entitled to said seat, as the Senator duly elected, by receiving the highest vote cast, on February 6th, 1877, for Senator from the said Twenty-first district. He prays that this matter may be inquired into by your honorable body, and that he be seated as the Senator from the said Twenty-first district in your honorable body.

WM. H. SHARPE.

Mr. Niblack offered the following joint resolution:

Joint Resolution in relation to Federal interference in State elections in the State of Florida.

*The people of the State of Florida, represented in Senate and Assembly, do resolve as follows:* That the recent employment of Federal officials, especially Deputy Marshals, appointed in great numbers, for the purpose of supervising and influencing elections held under State laws, meets our emphatic condemnation as subversive of the foundation of popular government and tending towards dangerous centralization of power, and that the Senators and Representatives in Congress from Florida are hereby requested to secure all possible legislative safeguards against its recurrence;

Which was adopted.

Mr. Durkee moved that Mr. Eagan of the 10th District be sworn in;

Which, after objection by Mr. Barnes on the ground that Mr. Eagan holds an important Federal office, was agreed to, and Mr. Eagan presented his certificate and took the oath of office.

Mr. McKinnon moved that rule eight be abolished;

Which motion was agreed to.

Mr. Barnes offered the following resolution:

*Resolved,* That the reporters representing the Press be admitted within the bar of the Senate, and that the President assign to each one admitted a place;

Which was adopted.

Mr. Barnes called attention to various errors in the printed rules of the Senate and referred the Senators to page 19 of the proceedings of the last session for correction.

The Senate adjourned until 4 P. M.

FOUR O'CLOCK, P. M.

The Senate resumed its session.

The President in the chair.

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

Mr. President, Messrs. Durkee, Eagan, French, Genovar,

3s

Hagan, Hatcher, Johnson, Jones of the 8th, Judge, Lee, Lykes, McAuley, McClenny, McMeekin, McKinnon, Meacham, Orman, Richard, Speer, Thompson and Walls—22.

A quorum present.

Mr Lykes presented the petition of John Wallace, and Mr. Richard the petition of S. T. Overstreet, which were referred to Committee on Privileges and Elections.

Under suspension of the rule, Mr. Lykes introduced Senate Bill No. 1, entitled "An Act to supply Deficiencies in the appropriations for the years 1876, 1878 and 1879;"

Which was placed among the orders of the day.

On motion, Mr. Meacham was excused until Monday next.

Mr. Thompson moved that the President of the Senate be authorized to appoint an additional page or messenger;

Which was read, and put upon its passage.

The yeas and nays being called for, the vote was:

Yeas—Messrs. Allen, Durkee, Eagan, Genovar, Hagan, Jones of the 8th, Lee, Lykes, Meacham, Orman and Thompson—11.

Nays—Messrs. French, Hatcher, Johnson, Judge, Leslie, McAuley, McClenny, McMeekin, McKinnon, Richard, Speer and Walls—12.

So the motion was not agreed to.

Mr. Hagan offered the following resolution:

*Resolved*, That the Committee on the Judiciary be instructed to inquire and report whether it is in the power of the Legislature to provide by law for a reduction of the price of State lands;

Which was adopted.

Mr. Walker of the 23d District offered the following resolution:

*The people of the State of Florida, represented in Senate and Assembly, do resolve as follows:* That this Legislature agrees to and admits the necessity for an entire revision of the Constitution of the State of Florida contemplated by a joint resolution of the last Legislature entitled "A Concurrent Resolution relating to the call of a Convention to revise the Constitution," and duly published as required by Section 2, Article 17, of said Constitution.

Mr. Walker of the 6th District moved that the consideration of the resolution be postponed until Saturday at 11 A. M.;

Which was agreed to.

The following message was received from the Assembly:

ASSEMBLY HALL, TALLAHASSEE, January 9, 1879.

Hon. Noble A. Hull, President of the Senate:

SIR: I am directed by the Assembly to inform the Senate that the Assembly has adopted Senate Joint Resolution No. 1,

for the appointment of a joint committee to revise the Fee Bill.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the Assembly.

Mr. McAuley moved to call up the unfinished business of the last Legislature;

Which was agreed to.

On motion, the Senate adjourned until 10 A. M., to-morrow.

FRIDAY, January 10, 1879.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Allen, Barnes, Bryson, Durkee, French, Genovar, Hagan, Hatcher, Johnson, Jones of the 8th, Judge, Lee, Leslie, Long, Lykes, McAuley, McMeekin, McKinnon, Orman, Patterson, Richard, Speer, Thompson, Walker of the 23d and Walls—26.

A quorum present.

Prayer by the Chaplain.

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

Mr. McMeekin moved that the further reading of the journal be dispensed with;

Which was agreed to, and the journal approved.

Mr. Barnes offered the following resolution:

*Resolved*, That so much of the Governor's message as relates to "Lands Sold for Taxes," "Suspension of Taxes," "Uniformity of Taxation," "Licences," and the "State Debt," be referred to the Committee on Finance and Taxation;

That so much thereof as relates to "Common Schools" and "Agricultural College," be referred to the Committee on Education;

That so much thereof as relates to the "Penitentiary," "Asylum" and "Rewards," be referred to the Committee on Appropriations;

That so much thereof as relates to "Lands and Immigration" and "Board of Immigration," be referred to the Committee on Immigration;