

The hour of 11 o'clock having arrived, the President announced that the Senate would now take up the following joint resolution:

WHEREAS, The people of the State of Florida represented in Senate and Assembly did, by joint resolution, approved March 7, 1881, resolve as follows:

"SECTION 1. That it is the determination of this Legislature that it is necessary to cause a revision of the Constitution of the State of Florida; that this determination be entered upon the respective journals of the two houses of this Legislature, with the yeas and nays, and that the same is referred to the Legislature next hereafter to be chosen, and shall be published in at least three newspapers of this State for three months before the time for choosing the next Legislature;" and

Whereas, Said publication as above mentioned aroused comparatively no enthusiasm among the people in favor of a revision of our State Constitution; and

Whereas, From the message of the Honorable Wm. D. Bloxham, Governor of Florida, read in our hearing on yesterday; it appears that our State is rapidly enlarging its facilities for educating its youth, and is increasing in wealth, population and power under the present Constitution:

Resolved, That it is the judgment of the Senate that it is not necessary to call a convention for the purpose of revising the Constitution of the State of Florida.

Mr. Dell moved to lay the motion to adopt the resolution on the table;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Bryson, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Leslie, Mann, Mountien, McKinne, Polhill, Pope, Powers, Roberts, Sharpe, Sheppard, Spear and Swearingen—24.

Nays—Messrs. Allen, Baker, Chandler, Cole, Greeley and Proctor—6.

So the motion was carried.

Mr. McKinne moved to refer the resolution to the Committee on Constitutional Amendments;

Which was agreed to.

Mr. Baker moved that the Senate adjourn to 10 o'clock Monday;

Which was not agreed to.

The following joint resolutions were received from the Assembly:

Resolved, That a committee of three on the part of the Assembly be appointed to act with a similar committee on part

of the Senate to examine the Comptroller's and Treasurer's books, and employ such clerical aid as may be necessary.

[The above joint resolution was adopted and Messrs. Edwards, Whidden and Bryant of Polk were appointed such committee on part of the Assembly.]

Which was read and referred to the Committee on State Affairs.

Senators Baker, Greeley and Cole were excused until Monday.

Mr. Spear moved to adjourn to 10 o'clock to-morrow;

Which was agreed to.

CONFIRMATIONS.

W. H. Sessions, to be Collector of Revenue for Suwannee county.

G. W. Umstead, to be Assessor of Taxes for Suwannee county.

—o

SATURDAY, January 6, 1883.

The Senate met pursuant to adjournment.

The President in the Chair.

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

Messrs. Allen, Bryson, Chandler, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Mann, Mountien, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Spear, Swearingen—26.

A quorum present.

Prayer by Senator Duncan.

Mr. Delano moved to dispense with the reading of the journal;

Which was agreed to.

JOINT RESOLUTIONS.

The following joint resolutions were introduced:

By Mr. Mann:

Be it resolved by the Senate, the Assembly concurring, that a committee of three from the Senate and five from the House be appointed to investigate the Disston land sale by Internal Improvement trustees;

Which was read and referred to Committee on State Affairs.

By Mr. Powers :

Joint Resolution proposing Amendment to Section 18 of Article 5 of the Constitution of the State of Florida.

The people of the State of Florida, represented in Senate and Assembly, do resolve as follows :

SECTION 18. There shall be elected in each County a Clerk of the Circuit Court, who shall be *ex officio* Clerk of the Board of County Commissioners and Auditor, a Sheriff, a Tax Assessor, a Collector of Revenue, a Treasurer, a County Surveyor, a Coroner, a Superintendent of County Schools, and five County Commissioners, whose terms of office shall be two years, and the time of whose election and whose duties shall be prescribed by law ; *provided, however*, that the Legislature shall have the power to provide for the appointment by the Governor of any or all of the officers in any county, whenever in its judgment the public interests will be promoted thereby ; and *provided, further*, that for malfeasance in office, incompetency, neglect of duty, or failure to perform any duty required by him, the Governor may suspend any officer or officers whose election or appointment is provided for in this section, and appoint others in their stead ;

Which was read and referred to Committee on Constitutional Amendments.

By Mr. Crill :

Joint resolution in reference to a Constitutional Convention :

The People of the State of Florida, represented in Senate and Assembly, do resolve as follows, That this Legislature agrees to the necessity for a revision of the entire Constitution of the State of Florida contemplated by a joint resolution of the last Legislature, entitled a concurrent resolution relating to a call of a convention to revise the Constitution, and duly published as required by Section 2, Article 17 of said Constitution ;

Which was read first time and referred to Committee on Constitutional Amendments.

By Mr. Pope :

Resolved, That all resolutions relative to the revision or amendment of the Constitution hereafter introduced, be spread upon the journal ;

Which was read first time and referred to Committee on Constitutional Amendments.

By Mr. Chandler :

WHEREAS, Much dissatisfaction exists as to the present location of the capital,

Resolved, That the Committee on State Affairs be and the same is hereby instructed to take into immediate considera-

tion the advisability of preparing a bill submitting to the votes of the citizens of Florida the question of moving the capitol to a more central location ;

Which was read first time and referred to Committee on State Affairs.

By Mr. Pope :

Joint Resolution proposing amendment to Section 18, Article 5, Constitution of the State of Florida :

The People of the State of Florida, represented in Senate and Assembly, do resolve as follows : Section 18, of Article 5, of the Constitution of the State of Florida, is amended so as to read as follows :

SECTION 18. At the same time and manner in which members of the Legislature are voted for there shall be elected in each county of the State, by the qualified voters thereof, one County Judge, who shall be *ex-officio* County Treasurer ; one Clerk of the Circuit Court, who shall be *ex-officio* Clerk of the Board of County Commissioners ; one Tax Collector and Tax Assessor, one Sheriff, one County Superintendent, one County Surveyor, one County Auctioneer, one Coroner, and five County Commissioners, who shall be *ex-officio* the Board of Public Instruction. They shall be commissioned by the Governor, and shall hold their respective offices for two years from the date of their commissions, and until their successors are elected and commissioned, unless sooner removed. When any person who has been elected to either of the foregoing offices, and he fails to qualify within forty days after the official announcement of his election, or, in case of a vacancy therein from any cause, the Governor may appoint some fit and proper person to fill such vacancy, and the person so appointed shall hold his office until the next general election, and until his successor is elected and commissioned, unless sooner removed. No one is eligible to the office of County Superintendent who has not taught school within six months preceding his election. None of the above-named offices shall be filled by election until the first general election after the ratification of this amendment, and then every two years thereafter ;

Which was read the first time and referred to Committee on Constitutional Amendments.

By Mr. Sharpe :

WHEREAS, Some portions of the present revenue law entitled An act for the assessment and collection of revenue, Chapter 3219, Laws of Florida, are distasteful and objectionable to some, if not all, the different sections of the State, in that it uses the proper term "cash values," and defines it to mean

less than "cash values" in some parts of the State, and more or fictitious values in others, thereby defeating the object of justice and equity in the tax burden; *and whereas*, the owners of real estate in the State are at the mercy of the several Tax Assessors, who have not construed the law alike; *and whereas*, many sections of the law need revision or amendment; therefore, be it

Resolved, That the Committee on Finance and Taxation be instructed to prepare and report a bill upon the subject at as early a day as practicable;

Which was read the first time and referred to Committee on Finance and Taxation.

By Mr. Pope:
Joint Resolution Proposing Amendments to Section 16, Article V., of the Constitution of the State of Florida, relative to Cabinet Officers and their election.

The people of the State of Florida represented in Senate and Assembly do resolve as follows: Section 16 of Article V. of the Constitution of the State of Florida be amended so as to read as follows: SEC. 16. The Governor of the State of Florida shall be assisted by a Cabinet of officers consisting of a Secretary of State, (who shall be *ex-officio* Commissioner of Lands and Immigration) a Comptroller-General, a Treasurer, an Attorney-General, and a Superintendent of Public Instruction. Such officers shall be elected by the qualified voters at the same time the Governor is elected at the first general election after the ratification of this amendment, and every four years thereafter;

Which was read the first time and referred to Committee on Constitutional Amendments.

Also,
Joint resolution proposing the abrogation of Section 7, Article 14, of the Constitution of the State of Florida, relative to educational qualifications for electors:

The People of the State of Florida, represented in Senate and Assembly, do resolve as follows: That Section 7 of Article 14 of the Constitution of the State of Florida is hereby abrogated and annulled;

Which was read the first time and referred to the Committee on Constitutional Amendments.

Also,
Joint resolution proposing amendments to Section 4, Article 16, Constitution of the State of Florida, relative to salary of State officials:

The People of the State of Florida, represented in Senate and Assembly, do resolve as follows: That Section 4 of Ar-

title 16 of the Constitution of the State of Florida is amended to read as follows:

SEC. 4. The salary of the Governor of the State shall be three thousand dollars per annum; that of each Justice of the Supreme Court shall be twenty-five hundred dollars per annum; that of each Judge of the Circuit Court shall be two thousand dollars per annum; that of the Attorney General shall be one thousand dollars per annum; that of the Secretary of State, who shall be *ex-officio* Commissioner of Land and Immigration, shall be two thousand dollars per annum; that of the Treasurer shall be eighteen hundred dollars per annum; that of the Comptroller shall be eighteen hundred dollars per annum; that of the Superintendent of Public Instruction shall be fifteen hundred dollars per annum; that of the Lieutenant-Governor shall be five hundred dollars per annum, and he shall receive the same mileage as members of the Legislature; the pay of members of the Legislature shall be four dollars per day for each day's actual attendance, and in addition thereto ten cents per mile for traveling expenses for each mile from their respective places of residence to the Capital, estimated by the shortest thoroughfare, and the same to return; all other officers of the State shall be paid by fees or by per diem fixed by law;

Which was read the first time and referred to the Committee on Constitutional Amendments.

Mr. Bryson moved that all resolutions referring to constitutional amendments be spread upon the journals of the Senate;

Which was agreed to.

INTRODUCTION OF BILLS.

The following bills were introduced:

By Mr. McKinne:

Senate bill No. 20:

To be entitled an act to create a commission to provide for the regulation of freight and passenger tariffs on railroads and steamboats in this State,

Was read the first time and referred to the Committee on Railroads.

Mr. Cottrell moved that 150 copies of the bill be printed; Which was agreed to.

By Mr. Allen:

Senate bill No. 21:

To be entitled an act to incorporate an institution of learning at Key West, Monroe county, Fla., under the name and style of "The Convent of Mary Immaculate, of Key West, Fla.,"

Was read the first time by its title and referred to the Committee on Corporations.

By Mr. Dell :

Senate bill No. 22 :

To be entitled an act to make larceny after trust delegated a felony,

Was read the first time and referred to the Committee on Judiciary.

By Mr. Landrum :

Senate bill No. 23 :

To be entitled an act to prevent slander and defamation,

Was read the first time and referred to the Committee on Judiciary.

By Mr. Mann :

Senate bill No. 24 :

To be entitled An act to establish a Bureau and Commissioner of Agriculture and Immigration, and to repeal An act entitled An act to establish a Bureau of Immigration for the State of Florida, and to promote the rapid settlement of the State lands, approved March 7, 1879, Chapter 3151, Laws of Florida;

Was read first time and referred to committee on Immigration.

One hundred and fifty copies ordered printed.

By Mr. Pope :

Senate bill No. 25 :

To be entitled An act in relation to insolvent debtors.

Read first time and referred to committee on Judiciary.

By Mr. Fortner :

Senate bill No. 26 :

To be entitled An act for the relief of settlers on State lands.

Read first time and referred to committee on Judiciary.

By Mr. Landrum :

Senate bill No. 27 :

To be entitled An act to carry into effect the 3d section of the 10th article of the Constitution of this State, and for other purposes therein contained.

Read first time and referred to committee on Constitutional Amendments.

Also,

Senate bill No. 28 :

To be entitled An act to change the name of Lydia Wright, and for other purposes.

Read first time and referred to committee on Judiciary.

Also,

Senate bill No 29 :

To be entitled an act to amend section 43, Chapter 56, Criminal Laws, McClellan's Digest, page 365.

Which was read first time and referred to the Judiciary Committee.

Also,

Senate Bill No. 30 :

To be entitled an act to amend section 1, chapter 3273, Laws of Florida, approved February 9, 1881 ;

Which was read first time and referred to Judiciary Committee.

By Mr. McKinne :

Senate Bill No. 31 :

To be entitled an act relating to the crime of larceny ;

Which was read first time and referred to Judiciary Committee.

Also,

Senate Bill No. 32 :

To be entitled an act to require Justices of the Peace to give bonds ;

Which was read first time and referred to Judiciary Committee.

By Mr. Powers :

Senate Bill No. 33 :

To be entitled an act for the more effectual protection of the citizens of this State against wantonness ;

Which was read first time and referred to Judiciary Committee.

By Mr. Mann :

Senate Bill No. 34 :

To be entitled an act fixing the fees and per diem of certain officers ;

Which was read first time and referred to Judiciary Committee.

Mr. Spear moved to reconsider the resolution adopted on yesterday, that 10,000 copies of the Governor's message be printed.

Laid over until Monday.

Mr. Dell called up the following resolution :

Be it resolved by the Senate, the Assembly concurring, That the Legislature do adjourn sine die on the first of February, A. D. 1883,

And moved its adoption.

Mr. Delano moved to lay the motion upon the table.

Upon the yeas and nays being taken, the vote was :

Yeas—Messrs. Chandler, Cottrell, Delano, Fortner, Hatcher, Hendricks, Landrum, Mallory, Powers, Proctor, Roberts, Sharpe, and Swearingen—13.

Nays—Messrs. Allen, Bryson, Cole, Crill, Dell, Duncan,

Hankins, Leslie, Mann, Mountien, McKinne, Polhill, Pope, Sheppard and Spear—15.

The motion to lay on the table was lost.

Mr. Delano moved to postpone the consideration of the resolution until next Saturday.

Mr. Dell moved to lay the motion on the table.

The yeas and nays being called the vote was :

Yeas—Messrs. Allen, Chandler, Cone, Cottrell, Crill, Dell, Leslie, Mann, Mountien, McKinne, Polhill, Pope, Roberts, Sheppard and Spear—15.

Nays—Bryson, Delano, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Mallory, Powers, Proctor, Sharpe and Swearingen—13.

The motion to lay on the table was carried.

Mr. Sharpe moved the following as a substitute for the resolution :

Resolved, That we hurry through with the necessary business and adjourn ;

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Allen, Bryson, Chandler, Cottrell, Crill, Delano, Dell, Fortner, Hankins, Hatcher, Hendricks, Landrum, Mallory, Mann, McKinne, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Spear and Swearingen—23.

Nays—Messrs. Duncan, Leslie, Mountien and Polhill—4.

So the substitute was adopted.

Mr. Dell was allowed to change his vote from no to yea.

The Senate went into Executive Session.

The doors were opened.

Mr. Mann was added to the Committee on Agriculture.

The President appointed Messrs. Roberts and Sharpe on the Committee on Immigration.

Mr. Bryson was added to the Committee on Finance and Taxation.

Mr. Dell moved that the Sergeant-at-Arms be authorized to purchase a desk for himself and curtains for the Senate ;

Which was agreed to.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, Jan. 6, 1883.

HON. L. W. BETHEL.

President of the Senate :

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

Assembly joint resolution for the appointment of a joint committee to take into consideration the public health of this State,

And respectfully ask the concurrence of the Senate therein.

Very Respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the Assembly.

Which was read.

The following joint resolution was received from the Assembly :

Resolved, That a committee of five on part of the Assembly be appointed to consider the matter of public health, and that the Senate be requested to concur by the appointment of a similar committee, and that said joint committee report by bill or otherwise.

Was read and referred to the Committee on State Affairs.

The Committee on State Affairs made the following report :

SENATE CHAMBER, Tallahassee, January 6, 1883.

HON. L. W. BETHEL,

President of the Senate :

SIR—You Committee on State Affairs to whom was referred—

A resolution requiring this Committee to report by bill or otherwise on the expediency or necessity of removing the Capital, &c., after due consideration report—

That we fail to find that there exists such necessity at this time.

Very respectfully,

J. G. SPEER, Chairman.

Messrs. HANKINS,

POLHILL,

DUNCAN,

Committee.

Which was adopted.

Also the following :

SENATE CHAMBER, Tallahassee, January 6, 1883.

HON. L. W. BETHEL,

President of the Senate :

SIR—Your Committee on State Affairs to whom was referred—

Assembly resolution to appoint a Joint Committee to examine into and report upon the condition of the Comptroller's and Treasurer's offices report—

That they have had the same under consideration and recommend its passage under the resolution this day adopted by the Senate as to clerical aid.

Very respectfully,

J. G. SPEER, Chairman.

Which was adopted.

Messrs. Mann, Allen and Swearingen were appointed such committee.

Mr. Spear moved to adjourn until 10 o'clock Monday ;
Which was agreed to.

—o—

MONDAY, January 8, 1883.

The Senate met pursuant to adjournment.

The President in the Chair.

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

Messrs. Allen, Baker, Bryson, Chandler, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Greeley, Hankins, Hatcher, Hendricks, Landrum, Leslie, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Spear, Swearingen—30.

A quorum present.

Prayer by Senator Duncan.

Mr. Polhill moved to dispense with reading of the journal. Senator Cottrell called to the Chair.

INTRODUCTION OF RESOLUTIONS AND MEMORIALS.

The following memorial was introduced by Mr. Greeley :
Memorial relating to the appropriation made by Congress for improvement of the Caloosahatchee River.

WHEREAS, The Atlantic and Gulf Coast Canal and Okeechobee Land Company, under their contract with the Trustees of the Internal Improvement Fund of the State of Florida, have during the past year constructed a canal from the headwaters of the Caloosahatchee River to Lake Okeechobee, twenty-two feet wide and five feet deep, and thereby opened up a great system of inland navigation ; and

Whereas, There was appropriated by the last Congress the sum of five thousand dollars for the improvement of said river ; therefore,

Be it resolved by the Senate, the Assembly concurring, That our Senators and Representatives in Congress be requested to urge the Secretary of War to order that said appropriation be expended at once in removing obstructions to the navigation of said Caloosahatchee river from Fort Thompson to the Gulf of Mexico.

Resolved, That the Secretary of State be requested to send a

copy of the memorial to each of our Senators and Representatives in Congress ;

Which was read and adopted.

The following resolution was introduced by Mr. Mann :

WHEREAS: It is of the greatest importance to the people of this State that they be permitted at the earliest possible day to assemble in Convention for the purpose of framing a new Constitution which will permit the enacting of many needed laws ; therefore,

Be it resolved by the Senate, the Assembly concurring, That we at once provide by law the necessary means for calling said Convention, pass a general Appropriation Bill, after which adjourn sine die. Be it further

Resolved, That the pay of any member of this Legislature shall not exceed four dollars per day and this only for actual attendance ;

Which was read.

INTRODUCTION OF BILLS.

The following bills were introduced :

By Mr. Bryson :

Senate bill No. 35 :

To be entitled Act to repeal Chapter 1986, of the Laws of Florida, approved Feb. 3d, 1874 ;

Which was read first time and referred to the Committee on Judiciary.

By Mr. Leslie :

Senate bill No. 36 :

To be entitled An act for the adoption of a child by Henry R. Benjamin and the making of said child his heir at law ;

Which was read first time and referred to the Committee on Judiciary

By Mr. Mallory :

Senate bill No. 37 :

To be entitled An act to facilitate the transportation of logs and timber by the improvement of streams not navigable, and to compensate the owners of lands for the damage they may sustain by the improvement of such streams by others ;

Which was read first time and referred to the Committee on Judiciary.

Also,

Senate bill No. 38 :

To be entitled An act to correct an error in the name of John E. Lawless on record in the office of the Clerk of the Circuit Court for Escambia county, Florida ;