

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

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

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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 ;

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

Also,

Senate Bill No. 39 :

To be entitled An act to incorporate the Citizens' Bank of Pensacola ;

Read first time and referred to the Committee on Corporations.

By Mr. Powers :

Senate Bill No. 40 :

To be entitled An act to incorporate the Artesian Well Company of Florida ;

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

By Mr. Landrum :

Senate bill No. 41 :

To be entitled An act combining the offices of Sheriff and Tax Assessor for the counties therein named ;

Read the first time and referred to the Committee on Judiciary.

Mr. Delano introduced the following concurrent resolution :

Concurrent Resolution relating to the calling of a Convention to revise the Constitution.

WHEREAS, The second Section of the seventeenth Article of the present Constitution of the State of Florida reads as follows, to-wit :

SEC. 2. If at any time the Legislature, by a vote of a majority of all the members elected to each of the two houses, shall deem it necessary to cause a revision of the entire Constitution, such determination shall be entered upon their respective journals with the yeas and nays thereon, and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice, and if in the Legislature next chosen aforesaid, such revision shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to recommend to the electors of the next election to vote for or against a Convention, and if it shall appear that a majority of the electors voting at such election shall have voted in favor of calling a Convention, the Legislature shall, at its next session, provide by law for a Convention to be holden within six months after the passage of such law, and such Convention shall consist of a number of members not less than both branches of the Legislature. In determining what is a majority of the electors voting at such election, reference shall be

had to the highest number of votes cast at such election for the candidates for any office or (on) any question.

AND WHEREAS, In conformity with said second Section of the seventeenth Article of the present Constitution, the Legislature of 1877, and also the Legislature of 1879, submitted the question of a Constitutional Convention to a vote of the people, and the people under said acts of said Legislatures, did vote on said question in 1880 ; and whereas, the Legislature of 1881 desired, in conformity with said second section to submit said question again to a vote of the people, and did adopt and pass a resolution which read as follows, to-wit :

Concurrent resolution relating to the calling of a Convention to revise the Constitution.

WHEREAS, The present Constitution of this State is not in accordance with wishes of the people ; therefore,

*The people of the State of Florida, represented in Senate and Assembly, do 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 thereon, 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 resolution was adopted and passed by a vote of a majority of all the members elected to each of the two houses of said Legislature, and was entered upon their respective journals with the yeas and nays thereon, and was referred to the present Legislature, and was published in at least three newspapers of this State for three months next before the time of choosing the present Legislature, and was approved and signed by the Governor on March 7th, 1881 ;

AND WHEREAS, This Legislature does not desire to defeat the movement set on foot for the calling of a Constitutional Convention in the mode prescribed by the Constitution, which movement was commenced by the Legislature of 1881, and has now progressed successfully for two years, and may, by the adoption of the following resolution, be successfully terminated in less than two years from this time ;

Now, THEREFORE, In conformity with said Second Section of the Seventeenth Article of the present Constitution, be it

*Resolved*, 1st, That said proposed revision of the Constitution, proposed by the Legislature of 1881, is hereby agreed to by a majority of all the members elected to each house of this Legislature.

2d. And in further conformity with the present Constitution of this State this Legislature does recommend to the electors of the next election of members of the Legislature to vote for or against a Convention.

Which was read the first time.

Mr. Delano moved that the resolution be referred to a select committee of five from the Senate and seven from the Assembly.

Mr. McKinne raised a point of order on the resolution.

The Chairman ruled the point of order not well taken.

Mr. Delano moved that the resolution lay upon the table;

Which was agreed to.

The following memorial was read the first time and adopted:

Memorial by Legislature of Florida relating to appropriation of \$5,000 by Congress for improving Caloosahatchie river.

The following resolution was read the first time:

Resolution relating to framing a new Constitution.

Mr. Dell moved that the rules be waived and that the resolution be adopted.

The motion was lost.

Mr. Chandler moved that the resolution be referred to the Committee on Constitutional Amendments;

Which was agreed to.

The President took the chair.

#### REPORTS OF COMMITTEES.

The Committee on Public Lands made the following report:

SENATE CHAMBER, Tallahassee, January 8, 1883.

Hon. L. W. BETHEL,

*President of the Senate:*

SIR—Your Committee on Public Lands, to whom was referred—

Assembly joint resolution providing that a committee of three on the part of the Assembly and two on the part of the Senate be appointed to investigate the condition of the Internal Improvement Fund, and report at the earliest practicable moment,

Report that they have examined the same, and recommend that it do pass.

Very respectfully,

J. H. MCKINNE, Chairman.

Which was read and adopted.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER, Tallahassee, January 8, 1883.

Hon. L. W. BETHEL,

*President of the Senate:*

SIR—Your Committee on Finance and Taxation have examined Senate bill No. 1, and recommend that it do pass.

Very respectfully,

E. S. CRILL, Chairman.

Which was read the second time.

Mr. McClellan moved that the rules be waived and the bill read the third time;

Which was agreed to.

Mr. Cottrell moved to reconsider the action of the Senate, and that the bill be put back to its second reading;

Which was agreed to.

Mr. Mallory moved that the bill be made the special order for to-morrow at 12 o'clock;

Which was agreed to.

Mr. Powers, Chairman of the Committee on Public Printing, made the following report:

SENATE CHAMBER, Tallahassee, January 8, 1883.

Hon. L. W. BETHEL,

*President of the Senate:*

SIR—Your Committee on Public Printing, to whom was referred—

Senate bill No. 15, to be entitled an act in relation to official printing,

Hereby report that they have examined the same, and recommend that it do pass.

Very respectfully,

GEO. C. POWERS,

Chairman Committee on Public Printing.

Which was read, the report adopted, and the bill ordered engrossed for its third reading.

Mr. Mallory, Chairman of the Committee on the Judiciary, made the following report:

SENATE CHAMBER, Tallahassee, Fla., January 8, 1883.

Hon. L. W. BETHEL,

*President of the Senate:*

SIR—Your Committee on the Judiciary, to whom was referred—

Senate bill No. 8, to be entitled an act to repeal Chapter 3143, Laws of Florida, being an act entitled an act to amend Sections 1 and 2 of an act entitled an act to regulate the sale of

certain agricultural products in this State, being Chapter 3014 of the Laws of Florida; also,

Senate bill No. 9, to be entitled an act to repeal Chapter 3014, Laws of Florida, being an act entitled an act to regulate the sale of certain agricultural products in this State, approved March 2, 1877; also,

Senate bill No. 10, to be entitled an act to repeal Chapter 3247 of the Laws of Florida, entitled an act relating to landlords' liens, for what and upon what it exists, approved February 22, 1881,

Beg leave to report that they have examined the same, and recommend that they do pass. Very respectfully,

S. R. MALLORY, Chairman.

Which was read and adopted.

Mr. Bryson moved that the rules be waived, the bill read the third time and put upon its passage;

Which was agreed to.

The bill was read the third time.

Upon the passage of the bill the vote was:

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

Nays—None.

The bill was passed.

Senate bill No. 9:

To be entitled An act to repeal Chapter 3014, Laws of Florida, being An act entitled An act to regulate the sale of certain agricultural products in this State, approved March 2d, 1877,

Was read second time.

Mr. Bryson moved that the report of committee be adopted;

Which was agreed to.

Also, that the rules be waived, the bill be read the third time and put upon its passage;

Which was agreed to.

The bill was read the third time.

Upon the passage of the bill, the vote was:

Yeas—Messrs. Allen, Baker, Bryson, Chandler, Cole, Cone, Cottrell, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—29.

Nays—None.

The bill was passed.

Senate bill No. 10:

To be entitled an act to repeal Chapter 3247, Laws of Flor-

ida, entitled an act relating to Landlords liens, for what and upon what it exists, approved February 22, 1881;

Was read the second time.

Report of the committee was adopted.

The rules were waived, the bill was ordered read the third time.

The bill was read the third time.

Mr. Sharpe moved that the action of the Senate be reconsidered, and that the bill lay over until Wednesday at 11 o'clock;

Which was agreed to.

Also,

SENATE CHAMBER, Tallahassee, January 8, 1883.

HON. L. W. BETHEL,

*President of the Senate:*

SIR—Your Committee on Judiciary, to whom was referred—Senate bill No. 11, to be entitled an act to amend Section 7, of Chapter 3010, of the Laws of Florida, approved February 17, 1877; also,

Senate bill No. 18, to be entitled an act in relation to last wills and testaments,

Beg leave to report that they have examined the same and recommend that they do not pass.

Very respectfully,

S. R. MALLORY, Chairman.

The report of the committee was adopted.

The committee on Senate bill No. 18,

To be entitled an act in relation to last wills and testaments, report adversely, and recommend that it do not pass;

Which was adopted.

Mr. Greeley called up the reconsideration of the action of the Senate to print 10,000 copies of the Governor's Message, which was set for this hour, and offered the following joint resolution:

*Be it resolved by the Senate, the Assembly concurring, That fifty thousand copies of the Governor's Message be printed for the use of the Bureau of Immigration, one half printed on half sheet, the other half in pamphlet form*

Mr. Pope moved that the resolution be referred to the Committee on Immigration;

Which was agreed to.

Mr. Greeley was excused for one week on account of important business.

The President appointed Messrs. Delano and Greeley on the committee to investigate the Land Office.

Also,

Messrs. Mallory and Cole were appointed on committee to investigate the Internal Improvement Fund.

The Senate went into Executive Session.

The doors being opened, Mr. McClellan moved that the Senate adjourn to 10 o'clock to-morrow.

CONFIRMATIONS.

W. A. Gevins, to be Collector of Revenue for Hillsborough county.

Hugh A. Galligher, to be Assessor of Taxes for Hillsborough county.

Z. T. Crawford, to be County Judge for Manatee county.

F. M. Hedick, to be Collector of Revenue for Hernando county.

C. C. Pearce, to be Collector of Revenue for Leon county.

G. A. Croom, to be Assessor of Taxes for Leon county.

Alex. Moseley, to be Sheriff of Leon county.

Joseph Price, to be Collector of Revenue for Putnam county.

J. W. Woods, to be Assessor of Taxes for Putnam county.

James J. Johnson, to be Sheriff of Lafayette county.

TUESDAY, January 9, 1883.

The Senate met pursuant to adjournment, the President in the Chair.

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

Messrs. Allen, Baker, Bryson, Chandler, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—28.

A quorum present.

Prayer by the Chaplain.

Mr. Dell moved to dispense with reading the journal;

Which was agreed to.

The journal was corrected and approved.

INTRODUCTION OF RESOLUTIONS.

Mr. Sharpe offered the following joint resolution:

Joint Resolution proposing an amendment to Section 3, Article 16, of the Constitution of the State of Florida.

WHEREAS, The Legislature, under the Constitution of A. D. 1868, of the State of Florida, did at its eleventh session A. D. 1881, in due form, by a two-thirds vote of all the members elected to each of the two houses, propose and agree to amend Section 3, Article 16, of the Constitution of the State of Florida, as follows:

Sec. 3: The several Judicial Circuits of the Circuit Courts shall be as follows: The First Judicial Circuit shall be composed of the counties of Escambia, Santa Rosa, Walton, Holmes, Washington and Jackson; the Second Judicial Circuit shall be composed of the counties of Gadsden, Liberty, Calhoun, Franklin, Leon, Wakulla and Jefferson; the Third Judicial Circuit shall be composed of the counties of Madison, Taylor, Lafayette, Hamilton, Suwannee and Columbia; the Fourth Judicial Circuit shall be composed of the counties of Nassau, Duval, Baker, Bradford, Clay and St. Johns; the Fifth Judicial Circuit shall be composed of the counties of Putnam, Alachua, Levy, Marion and Sumter; the Sixth Judicial Circuit shall be composed of the counties of Hernando, Hillsborough, Manatee, Polk and Monroe; the Seventh Judicial Circuit shall be composed of the counties of Volusia, Brevard, Orange and Dade; *Provided*, That the Legislature shall at all times have power to change the boundaries of said Circuits, and to take from one Circuit and place in another any or all of said counties, or any new county that may be formed out of the same,

And did cause the yeas and nays to be entered upon the respective journals thereof and referred the same to the Legislature then next to be chosen; therefore, be it

*Resolved by the People of the State of Florida, represented in Senate and Assembly*, That the said proposed amendment aforesaid is hereby ratified, agreed to and confirmed;

Was read and referred to the Committee on Constitutional Amendments.

Mr. Hendricks was excused for to-day, on account of sickness.

Mr. Delano moved that the resolution to revise the Constitution be referred to the Committee on Constitutional Amendment;

Which was agreed to.

INTRODUCTION OF BILLS.

The following bills were introduced:

By Mr. Mann: