

intoxicating liquors on days of election, and to provide a punishment for the same.

Read first time and referred to Judiciary Committee.

The Committee on Constitutional Amendments reported favorable on the following joint resolution :

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.

Upon the adoption of the resolution the yeas and nays were called for.

The vote was :

Yeas—Messrs. Allen, Chandler, Cole, Cone, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Mallory, Mann, Mountien, McClellan, McKinne, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—25.

Nays—Messrs. Baker, Cottrell and Lesley—3.

So the resolution was adopted.

Mr. Pope moved a reconsideration of the action of the Senate ;

Which was agreed to.

Mr. Pope moved that the resolution be put back on its second reading and be recommitted ;

Which was agreed to.

BILLS ON THIRD READING.

Senate bill No. 1 :

To be entitled an act to repeal an act to provide for the assessment and collection of taxes upon improvements on the public lands, and for the protection of occupancy claimants of said lands,

Was read the third time and put upon its passage.

The vote was :

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

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Lesley by leave offered the following resolution :

Resolved, That the Committee on Education inquire into and ascertain the number of acres of public lands sold in this State since the first day of January, 1880, by whom sold, the amounts received therefor, what portion of the funds accruing from the sale of said lands belong to the Common School Fund, and what amount of said Fund has been paid over to said Common School Fund, and report the result of their investigation to this body at as early a day as practicable ;

Which was adopted and referred to the Committee on Education.

On motion, the Senate went into Executive Session.

Upon the doors being opened, Mr. Speer moved that the Senate adjourn until 10 o'clock to-morrow ;

Which was agreed to.

CONFIRMATION.

D. W. McQuaig, to be Collector of Revenue for Brevard county.

o—

THURSDAY, January 11, 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, Chandler, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Leslie, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer, Swearingen—29.

A quorum present.

Prayer by the Chaplain.

Mr. Allen moved to dispense with the reading of the journal, which was agreed to.

The journal was approved.

INTRODUCTION OF BILLS.

The following bills were introduced :

By Mr. Hendricks :

Senate bill No. 54 :

To be entitled an act to give a lien to attorneys, and for the mutual protection of attorneys and clients ;

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

The President announced that the evidence in the contested election case, filed by Mr. Pendleton, had been received by the President of the Senate, and is now referred to Committee on Elections.

By Mr. Mann:

Senate bill No. 55:

To be entitled an act to supply maimed soldiers with artificial limbs;

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

INTRODUCTION OF RESOLUTIONS.

Mr. Baker offered the following resolution:

Joint Resolution proposing amendments to Article 17, Sections 1 and 2, of the Constitution of the State of Florida, relative to amendments to the Constitution.

The People of the State of Florida, represented in Senate and Assembly, do resolve as follows: That Section 1, Article 17, be amended so as to read as follows:

SECTION 1. Any amendment or amendments to this Constitution may be proposed in either branch of the Legislature, the vote thereon shall be taken by yeas and nays. If it shall appear that the amendment has been adopted by two-thirds vote of all the members elected to each of the two houses, such proposed amendment shall be entered upon their respective journals with yeas and nays thereon. The Legislature then in session shall then provide for holding an election for the ratification of said proposed amendments, which shall have been advertised at least four months previous to the election, which shall be held within six months after the adjournment of the Legislature. If it shall appear that a majority of the qualified electors have declared in favor of the amendment, the Governor shall proclaim that it has been adopted and a part of the Constitution; or, if rejected, he shall so proclaim.

SEC. 2. If, at any time, the Legislature, by a two-thirds vote of all the members elected to each of the two houses, shall decide that it is necessary to revise the Constitution, or to frame a new one entire, such determination shall be entered upon their respective journals with the yeas and nays thereon. The same Legislature shall then provide by law for submitting to the vote of the qualified electors whether or not a Convention shall be held to revise or frame a new Constitution, and at the same time the election of delegates thereto, the number of which shall correspond to the whole number of the two houses

of the Legislature. If a majority of all the votes cast shall be in favor of a Convention, the delegates so elected shall meet at the Capital within six months to revise the existing Constitution or frame a new one, which Constitution, being confirmed by the next Legislature, shall be in full force and effect.

Read first time and referred to committee on Constitutional Amendments.

Mr. Proctor offered the following joint resolution:

Joint Resolution proposing amendments to the Constitution of the State of Florida.

The People of the State of Florida, represented in Senate and Assembly, do resolve as follows: That Sections 1, 7 and 8, of Article 7, of the Constitution of the State of Florida, is hereby abrogated.

That Section 5, of Article 8, of the Constitution of the State of Florida, is amended to read as follows:

SECTION 5. A special tax of not less than two mills on the dollar of all taxable property in the State, in addition to the other means provided, shall be levied and apportioned annually for the support and maintainance of common schools;

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

REPORTS OF COMMITTEES.

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER, Tallahassee, Fla., Jan. 11, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Engrossed Bills, to whom was referred—

Senate bill No. 23, to be entitled an act to punish slander and defamation of character in certain cases; also,

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.; also,

Senate bill No. 31, to be entitled an act relating to the crime of larceny; also,

Senate bill No. 38, to be entitled an act to correct an error in the name of Jno. E. Lawless, on record in the office of the Clerk of the Circuit Court, for Escambia county, Fla.; also,

Senate bill No. 39, to be entitled an act to incorporate the Citizens Bank of Pensacola; also,

Joint resolution D, in reference to a Constitutional Convention; also

Joint resolution B, in reference to a joint committee to investigate the Disston land sale,

Beg leave to report that they have examined the same and found them to be correctly engrossed.

Very respectfully,

J. M. LANDBUM, Acting Chairman.

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

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

SENATE CHAMBER, Tallahassee, Fla., January 11, 1883.

HON. L. W. BETHEL,

President of the Senate :

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

Senate bill No. 45, to be entitled an act for the prevention of cruelty to animals,

Report that they have considered the same and recommend that it do not pass.

Very respectfully,

S. R. MALLORY,
Chairman Judiciary Committee.

Which was read.

BILLS ON SECOND READING.

Senate Bill No. 15 :

To be entitled an act in relation to official printing.

The bill was read the second time.

Mr. Mallory offered the following amendment :

Strike out in section 6 the words "Sheriff and County Judge ;"

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Cottrell, Crill, Duncan, Fortner, Lesley, Mallory, McKinne, Sharpe and Speer—9.

Nays—Messrs. Allen, Baker, Chandler, Cone, Cole, Delano, Hankins, Hatcher, Hendricks, Landrum, McClellan, Pope, Powers, Proctor, Roberts and Sheppard—16.

The amendment was lost.

Mr. Sharpe offered the following amendment :

Insert after the word newspaper in Section 2 the words or newspapers.

The amendment was adopted.

Mr. Sharpe offered the following amendment :

That Section 3 be amended by adding the following :

Provided that nothing in this law shall prevent the County Commissioners from exercising their discretion when the provisions of the bill conflict with the interests of the county.

The yeas and nays being called for the vote was :

Yeas—Messrs. Cottrell, Crill, Dell, Duncan, Fortner, Lesley, Mallory, Mann, McKinne, Polhill, Sharpe, Speer and Swearingen—13.

Nays—Messrs. Allen, Baker, Chandler, Cole, Cone, Delano, Hankins, Hatcher, Hendricks, Mountien, McClellan, Pope, Powers, Proctor, Roberts and Sheppard—16.

The amendment was lost.

Mr. Cottrell offered the following amendment :

Provided, That nothing in this section shall be construed to prevent any party or parties interested in any advertisement of legal proceedings to direct in what paper advertisement required to be made concerning the same shall be published.

Mr. Cottrell withdrew the amendment.

Mr. Speer, by leave, offered the following memorial :

PETITION TO THE GENERAL ASSEMBLY OF THE STATE OF FLORIDA.

We, the undersigned, citizens of the Commonwealth of Florida, respectfully memorialize the Honorable Senators and Representatives of our Legislature, as to the fact of the existence, in our midst, of the great evil of intemperance which originates from the sale of intoxicating liquors. The use of liquor as a beverage causes most of the crime and a great portion of the misery which exist in our country. We therefore ask your Honorable body to enact a law permitting the citizens to vote for an amendment to the State Constitution, "Prohibiting the manufacture and sale of intoxicating liquors as a beverage" in this State.

David K. Hall,
A. B. Cameron,
F. H. Caldwell,
H. B. Lord,
C. F. Lord,
Thomas Rowland,
King Wylly, M. D.,
C. A. Lever,
Arthur Chaires,
A. E. Phillips,
L. R. Phillips,
B. T. Ellinor,
A. W. Mangum,
E C Parkhurst,

T J Phillips,
R L Telford,
W W Teahen,
W H Adams,
Fred W Thomson,
C H Leffer,
R R Phillips,
D J McRae,
J P Howe,
E Simon,
Aug Zimermann,
D H Jones,
A H Denman,
J B Magruder,

F P Forster,
Robert W Given,
Wm T Blaine,
J N Blaine,
L M Moore,
C A Gerard,
M B Barnwell,
J H Fripp,
A Carlton,
A C Martin,
J T Kelly,
J F Turner,
J W Boone,
F P Glass,

Seth Woodruff,	J Howard Tucker,	Geo M Nolan, Jr.,
R L Hardesty,	C H Whitner,	W J Raymond,
S C Hayden,	C O Swanson,	A W Greene,
J M Lord,	R P Benedict,	A A Presbrey,
S B Carpenter,	A H Gerard,	John Fink,
Ackland Stiling,	C H Campbell,	T M McRae,
H W Thomson,	Frederick H Rand,	R S Henderson,
J A Hayden, Jr.,	D A Campbell,	W A Murray,
CM Adams,	A Les Miller,	C C Barnes,
J W Brown & Co.,	H L DeForest,	J Wofford Tucker,
R A Jinkins,	J F Harrison,	E S White,
W C Adams, Ag't.	H H Holtzclaw,	R W Fuller,
W T Deane,	J Stoughton,	J W Tucker, Jr,
W J Buchan,	C G Evans,	D W Hackett,
C G Johnson,	W B Glass,	H B Lindley,
N J Stentrum,	John Dodd,	C Tonwo,
S Larson,	James Campbell,	G B Dickenson,
Charles Isgren	W B O'Connell,	Frank Wetzell,
J B Kelly,	Geo E Brown,	B Randall,
E M Faber,	E B Van Deman,	Geo M Nolan,
A C Nolan,	D L Way,	A A Barnett,

Which was read.

Mr. Speer moved that the same be spread upon the journals;
Which was agreed to, and the same referred to the Committee on Temperance.

Mr. Delano asked that Mr. Pope be added to the Committee to investigate the Land Office;

Which was agreed to.

The Senate resumed the consideration of bill No. 15.

Mr. Pope offered the following amendment:

Insert the words "any legal proceeding or advertisement" after the word "advertising" in line 3, Section 7;

Which was adopted.

Mr. Mann offered the following amendment:

That Section 3 be amended by adding the following: "*Provided*, That nothing in this law shall prevent the County Commissioners from rejecting any bid where, in their judgment, the circulation of the paper owned by the person is so limited as to defeat the end aimed at, and where, in their judgment, a damage to the county would result."

Mr. Pope raised a point of order that the Senate had already acted adversely on said amendment;

Which point was sustained.

By leave, Mr. Crill introduced the following bill:

Senate bill No. 56:

To be entitled an act to extend the limits of the city of Jacksonville and abolish conflicting municipal corporations;

Which was read and referred to the Committee on Corporations.

REPORTS OF STANDING COMMITTEES.

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

SENATE CHAMBER, Tallahassee, Fla., January 11, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Senate bill No. 17, to be entitled an act for the protection of life, and for other purposes,

Beg leave to report that they have examined the same, and recommend that it do pass, with the following amendment: Strike out all after the word "damages" in the tenth line of Section 1, down to and including the word "life" in the sixteenth line of same section, and insert in lieu thereof the words "to the legal heir or heirs of the party killed."

Very respectfully,

S. R. MALLORY, Chairman.

Which was read and adopted.

Also report the following:

SENATE CHAMBER, Tallahassee, Fla., Jan. 10, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Senate bill No. 33, to be entitled an act for the more effectual protection of the citizens of this State against wantonness,

Beg leg to report that it do not pass.

Very respectfully,

S. R. MALLORY, Chairman.

The report was adopted.

The bill was indefinitely postponed.

Also report the following:

SENATE CHAMBER, Tallahassee, Fla., January 10, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Judiciary to whom was referred—

Senate bill No. 53, to be entitled an act to prohibit the sale or distribution of intoxicating liquors on days of election, and to provide a punishment for the same,

Beg leave to report that they have examined the same, and recommend that it be adopted.

Very respectfully,
S. R. MALLORY, Chairman.

The report was adopted.
Also report the following:

SENATE CHAMBER, Tallahassee, Fla., Jan. 10, 1883.

HON. L. W. BETHEL,
President of the Senate:

SIR—Your Committee on Judiciary to whom was referred—Senate bill No. 32, entitled an act to require Justices of the Peace to give bond,

Beg leave to report that they have examined the same, and recommend that it pass, striking out Section 3, and changing "Section 4" to "Section 3."

Very respectfully,
S. R. MALLORY, Chairman.

The report was adopted.

SECOND READING OF BILLS.

Senate bill No. 53:

To be entitled an act to prohibit sale or distribution of intoxicating liquors on days of election, and to provide a punishment for the same.

The Committee reported favorable.

Read second time and ordered to be engrossed.

Senate bill No. 17:

To be entitled an act for the protection of life, and for other purposes.

Committee reported favorable, with an amendment.

The report was adopted.

The bill was read the second time and ordered to be engrossed.

Senate bill No. 32:

To be entitled an act to require Justices of the Peace to give bond.

The committee reported favorable, with amendments.

The report was adopted.

On motion, the further consideration of the bill was postponed until to-morrow.

ORDERS OF THE DAY.

Mr. McKinne was called to the chair.

Senate bill No. 19:

To be entitled an act to provide for an election to enable the

people of Florida to declare whether they will meet in convention to revise the existing Constitution, to elect delegates thereto, to fix the time and place of such convention and the compensation of its delegates and officers, and also for a subsequent election to ratify or reject such revised Constitution.

Mr. Mallory offered the following amendments:

In second line of title to the printed bill strike out the words "revise the existing," and substitute therefor the words "fame a."

In 4th line of the title to the printed bill strike out the word "revised"

In 9th line of preamble of printed bill strike out the words "its revision," and insert in lieu thereof the words "a new Constitution."

Which were read and adopted.

Mr. Chandler offered the following amendment, which was read:

Strike out all after the first word of the proposed amendment and insert the following:

The electors for each county shall elect delegates to said Convention as follows:

Santa Rosa county, 2; Walton, 2; Holmes, 1; Washington, 2; Jackson, 6; Calhoun, 1; Franklin, 1; Liberty, 1; Wakulla, 1; Gadsden, 4; Leon, 8; Jefferson, 6; Taylor, 1; Lafayette, 1; Levy, 2; Hernando, 2; Hillsborough, 2; Manatee, 1; Polk, 1; Monroe, 6; Escambia, 6; Madison, 6; Suwannee, 4; Hamilton, 2; Columbia, 4; Alachua, 8; Bradford, 2; Baker, 1; Nassau, 4; Duval, 10; Clay, 1; St. Johns, 2; Putnam, 4; Sumter, 2; Marion, 6; Volusia, 2; Orange, 4; Brevard, 1; Dade, 1.

Mr. Chandler moved the adoption of the amendment.

A motion was made to lay the amendment on the table;

Which prevailed.

Mr. Chandler then moved to reconsider.

Mr. Pope raised a point of order that such could not be reconsidered as Mr. Chandler voted in the minority.

Mr. Chandler insisted on the right to make the motion, the yeas and nays not having been called.

The point was decided well taken.

Mr. Chandler appealed from the decision of the Chair.

The yeas and nays being called, the vote was:

Yeas—Messrs. Cone, Cottrell, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Mallory, Mann, Mountien, McClellan, Polhill, Pope, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—21.

Nays—Messrs. Allen, Baker, Chandler and Proctor—4.

The appeal was not sustained.

Mr. Pope offered the following amendment:

Amend Section 2 by inserting "and Senatorial District" after the word "county," in the first line of said section, and the insertion of the words "and Senate" in line 2, after the word "Assembly" in said section;

Which was read.

Mr. Mann offered the following amendment as an amendment to Mr. Pope's amendment:

That the amendment offered by Mr. Pope amending Section 2, by inserting "and Senatorial District" after the word county in the first line of said section, and the insertion of the words "and Senate" in line two, after the word Assembly in said section. By striking out all that portion of Section 2 coming in line three, after the word Legislature to and in line four;

Which was read.

Mr. Pope moved that this amendment be laid upon the table. Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Allen, Baker, Chandler, Cottrell, Crill, Pope, Proctor and Roberts—8.

Nays—Messrs. Cone, Dell, Duncan, Fortner, Hankins, Hatcher, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Powers, Sharpe, Sheppard, Speer and Swearingen—18.

So the motion was lost.

The President took the chair.

The motion was then put on the amendment to the amendment.

On motion the yeas and nays were called for.

The vote was:

Yeas—Messrs. Cone, Cottrell, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Hendry, Landrum, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—22.

Nays—Messrs. Allen, Baker, Chandler, Lesley, Pope and Proctor—6.

The amendment to the amendment was adopted.

Mr. Baker moved to adjourn until 10 o'clock to-morrow; Which was not agreed to.

Mr. Chandler offered the following amendment:

Strike out all of Section 2 after the word "Legislature" and insert after the word "Assembly," in line 2, the words "and Senate," so that the section will read:

SEC. 2: That the electors for each county shall elect as many delegates to said Constitutional Convention as such county has members of the Assembly and Senate in this Legislature:

Provided, however, that Marion county shall elect four delegates to said Convention, said county being entitled to three members of the Assembly at the time of the last apportionment, and not two, as allotted her; and the qualifications of said delegates shall be the same as are required for members of the Legislature;

Which was read.

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

Yeas—Messrs. Allen, Baker, Chandler, Cone, Pope and Proctor—6.

Nays—Messrs. Cottrell, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—22.

So the amendment was lost.

Mr. Mallory offered the following amendment:

After the word "county," in the second line of Section 2, insert the words "and Senatorial district," and change "has" to "have";

Which was read and adopted.

Mr. Baker moved that the bill, with its amendments, be re-committed;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Baker, Chandler and Proctor—3.

Nays—Messrs. Allen, Cone, Cottrell, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—24.

So the motion was lost.

The vote was then taken on the amendment and the amendment adopted.

Mr. Chandler moved to adjourn until 10 o'clock tomorrow;

Which was not agreed to.

Mr. Mallory moved to adjourn until 4 o'clock P. M.;

Which was agreed to.

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:

Messrs. Allen, Baker, Chandler, Cole, Cone, Cottrell, Crill, Delano, Dell, Duncan, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mann, McClellan, McKinne, Polhill, Pope, Powers,

Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—27:

A quorum present.

The President announced that there seemed to be some irregularity in the reception of papers in the case of Mr. Pendleton, contestant, against Mr. Allen contestee, and stated that he had the same in his possession, and asked the Senate what disposition should be made of them.

Mr. Powers moved that the papers be referred to the Committee on Elections;

Which was agreed to.

Mr. Mallory moved a reconsideration of the vote on the following amendment:

After the word "county," in 2d line, 2d Section, insert the words "and Senatorial District," and change "has" to "have,"

Which was agreed to.

Mr. Baker moved to recommit the bill with the amendments. Yeas and nays being called,

The vote was:

Yeas—Messrs. Baker, Chandler, Cole, Hendricks and Proctor—5.

Nays—Messrs. Allen, Cone, Cottrell, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—24.

The motion was lost.

Mr. Mallory moved to adopt the amendment as amended. Yeas and nays being called,

The vote was:

Yeas—Messrs. Chandler, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Powers, Sharpe, Sheppard, Speer and Swearingen—23.

Nays—Messrs. Allen, Baker, Cole, Lesley, Pope and Proctor—6.

The amendment as amended was adopted.

Mr. Chandler moved to reconsider the vote just taken.

Mr. Mallory moved to lay this motion on the table. Yeas and nays being called for,

The vote was:

Yeas—Messrs. Allen, Cole, Cone, Cottrell, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer, and Swearingen—27.

Nays—Messrs. Baker and Chandler—2.

The motion prevailed.

The Senate refused to reconsider.

Mr. Speer offered the following amendment:

SEC. 4. That there is and shall be thirty thousand dollars appropriated out of any moneys in the State Treasury, not otherwise appropriated, to defray the expenses of this Convention;

Which was read.

Mr. Chandler moved to lay the amendment on the table.

Withdrawn.

Mr. Chandler offered the following amendment to the amendment:

Insert before the word "thirty" the words "a sum not to exceed;"

Which was read.

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

Yeas—Messrs. Allen, Baker, Chandler, Cole, Pope and Proctor—6.

Nays—Messrs. Cone, Cottrell, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Mallory, Mann, McClellan, McKinne, Polhill, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—21.

The amendment to the amendment was lost.

On motion to adopt the amendment, the yeas and nays being called for, the vote was:

Yeas—Messrs. Cone, Cottrell, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Mallory, Mann, McClellan, McKinne, Polhill, Pope, Powers, Sharpe, Sheppard, Speer and Swearingen—19.

Nays—Messrs. Allen, Baker, Chandler, Cole, Crill, Landrum, Lesley, Proctor and Roberts—9.

The amendment was adopted.

Mr. Chandler offered the following amendment:

Strike out the whole preamble and insert as follows:

WHEREAS, It is a fundamental principle that all Republican Governments and Constitutions originate with the people, and may by like authority be revised or changed; *and, whereas,* we believe the interests of the people require its revision, and that they should have an opportunity of expressing their will in relation thereto, even in spite of the plain, unequivocal provisions which they themselves have laid down in their existing Constitution as to the method of its revision; *therefore,* regardless of the express method provided by the Constitution for its revision by the people,

The People of the State of Florida, represented in Senate and Assembly, do enact as follows:

Which was read, and on motion for its adoption, it was lost.

Mr. Baker offered the following amendment and moved its adoption:

After the word "Constitution" in second line insert the words "contrary to the express provision of the Constitution,"

Which was lost.

Mr. Chandler offered the following amendment, and moved its adoption:

Amend as follows:

Section one, line one, strike out "June A. D. 1883," and insert "November A. D. 1884;"

Which was read, and, on motion, the amendment was lost.

Mr. Chandler moved that the bill be engrossed for a third reading;

Which was agreed to.

THIRD READING OF BILLS.

Senate Bill No. 39:

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

The bill was read the third time and put upon its passage.

Upon the passage of the bill the vote was:

Yeas—Messrs. Allen, Baker, Chandler, Cole, Cone, Cottrell, Crill, Delano, Duncan, Fortner, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—25.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

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.

The bill was read the third time and put upon its passage.

On the passage of the bill the vote was:

Yeas—Messrs. Allen, Baker, Chandler, Cole, Cone, Crill, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McKinne, Polhill, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—25.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 31:

To be entitled an act relating to the crime of larceny, Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Baker, Chandler, Cone, Crill, Delano, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mountien, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard and Speer—24.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

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, Florida,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Allen, Baker, Chandler, Cole, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McKinne, Polhill, Powers, Proctor, Roberts, Sharpe and Sheppard—26.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 23:

To be entitled an act to prevent slander and defamation of character in certain cases.

The bill was read the third time and put upon its passage.

On the passage of the bill the vote was:

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

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Joint Resolution.

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

The resolution was read the third time and put upon its passage.

On the passage of the resolution the vote was:

Yeas—Messrs. Allen, Baker, Chandler, Cole, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McKinne,

Polhill, Pope, Proctor, Roberts, Sharpe, Sheppard and Swearingen—27.

Nays—None.

So the resolution passed, title as stated.

Ordered that the same be certified to the Assembly.

Consideration of Senate bill No. 32 was fixed for 12 o'clock instead of 11 o'clock to-morrow.

The Senate went into Executive Session.

Upon the doors being opened, Mr. Mallory moved that the Senate adjourn until 10 o'clock to-morrow;

Which was agreed to.

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FRIDAY, January 12, 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, Chandler, Cole, Cone, Cottrell, Grill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—30.

A quorum present.

Prayer by the Chaplain.

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

Which was agreed to.

The journal was corrected and approved.

Mr. Baker moved that the corrections of the journal appear on the next morning's journal;

Which was agreed to.

INTRODUCTION OF BILLS.

The following bills were introduced:

By Mr. Powers:

Senate bill No. 57:

To be entitled an act to amend Section 5, Chapter 3295, Act of 1881, in relation to keeping in good repair the public roads and highways of this State,

Was read first time and referred to the Committee on Public Roads and Highways.

By Mr. Lesley:

Senate bill No. 58:

To be entitled an act for the relief of Doctors H. L. R. Roberts and E. A. Todd,

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

INTRODUCTION OF RESOLUTIONS.

Mr. McClellan offered the following resolution:

Resolved, That a special committee of three be appointed on roads and highways, to whom all matters pertaining to roads and highways coming before this body be referred;

Which was read and adopted, and Messrs. McClellan, Mountien and Pope were appointed on the committee.

Mr. Mallory moved to reconsider the action of the Senate on yesterday on Senate bill No. 19;

Which was agreed to.

He also moved the following amendment:

That Section 2 be amended so as to read as follows:

SEC. 2. That the electors for each county and Senatorial district shall elect as many delegates to said Constitutional Convention as such county and Senatorial district have members of the Assembly and Senate in this Legislature, and the qualifications of said delegates shall be the same as are required for members of the Legislature;

Which was read and adopted.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, Fla., January 12, 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—

Concurrent resolution for the appointment of a joint committee to examine the books and other matters of the State Land Office, and has appointed Messrs. Robinson of Jackson, Harris and Cobb such committee on part of the Assembly, and respectfully ask the concurrence of the Senate therein.

Very Respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the Assembly.

Which was read and Messrs. McKinne and Greeley were appointed such committee on part of the Senate.

Mr. Delano moved to reconsider the vote just taken.

The motion prevailed.