

eral affairs of the government. The political as well as civil rights of the colored and white are placed upon the same plane in this State, by the 28th section of article 16 of the constitution of Florida, which says, that "there shall be no civil or political distinction in this State on account of race, color, or previous condition of servitude, and the legislature shall have no power to prohibit, by law, any class of persons on account of race, color, or previous condition of servitude, to vote or hold any office beyond the conditions of this constitution."

At this juncture let us discuss the question of disfranchisement of citizens by convictions for petit larceny in courts of justices of the peace. The latter clause of the 2d section of article 14 of the constitution of Florida says, that "no person convicted of felony shall be qualified to vote at any election, unless restored to civil rights."

This is the fundamental criterion for determining who shall be disqualified for exercising the right of suffrage on account of crime. The intention of the framers of the constitution is one of the main guide-posts to the proper legal interpretation of constitutional law; and this clause plainly indicates that the intention of the framers of the constitution was that no citizen of this State shall be debarred from voting on account of crime, except it be for the commission of some offense whose gravity makes it a felony. In order to more fully understand this limitation, the question arises, What is a felony?

McClellan's Digest of the Laws of Florida, page 348, section 1, says that "any crime punishable by death or imprisonment in the State penitentiary is a felony, and no other crime shall be so considered. Every other offense is a misdemeanor." Section 4, article 14, of the State constitution, says that "the legislature shall have power, and shall enact the necessary laws to exclude from every office of trust or profit, and from the right of suffrage all persons convicted of bribery, perjury, larceny or infamous crime." All these offenses under the laws of Florida are felonies, punishable by imprisonment in the State penitentiary, and this *a fortiori* confirms the interpretation, which maintains that felonies are the only offenses that are contemplated by the constitution, to work a forfeiture of citizenship to the extent of debarring a citizen of the right to vote.

The constitution of Florida gave the legislature the power to establish courts of justices of the peace, and also gave it