

**Hale R. Stancil**  
**Circuit Judge**  
**Fifth Judicial Circuit**  
**110 NW 1<sup>st</sup> Ave.**  
**Ocala, FL 34475**  
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## **A Little History of Florida, the Florida Supreme Court And Judges of Florida's Fifth Judicial Circuit**

President James Monroe on 10 March 1821 appointed Andrew Jackson, Military Governor of East and West Florida. West Florida was transferred to the United States at Pensacola on 17 July 1821. East Florida was transferred at St. Augustine, through Pensacola on 21 July 1821. By executive order General/Governor Jackson on 21 July 1821 divided Florida into two counties, Escambia and St. Johns. Escambia County extended from the Pedido River to the Suwannee River and St. Johns County included the territory East of the Suwannee River. He established a judicial system in the two counties in the same executive order. In 1822 Duval and Jackson Counties were created.

Florida's Constitution of 1838 provided "for the term of five years from the election of the Judges of the Circuit Court, and thereafter until the General Assembly shall otherwise provide, the powers of the Supreme Court shall be vested in, and its duties formed by the Judges of the several Circuit Courts within this state, and they, or a majority of them, shall hold such sessions of the Supreme Court, and at such times as may be directed by law."

Judges were elected by the legislature for terms of five years. Later by amendment the term was eight years. Four Judicial Circuits were established; the Eastern, Middle, Southern, and Western Circuits. Although four Judicial Circuits were initially established the legislature did possess the power to establish additional judicial circuits. Florida's State Government had its beginning in June of 1845 and on 25 July, 1845 Wm. D. Mosely, Florida's first Governor signed the legislative act wherein the four judges of the four Judicial Circuits constituted the Supreme Court of Florida. The four Justices elected. Thomas Douglas was the first Chief Justice. The members of Florida's first Supreme Court were:

Thomas Douglas of the Eastern Circuit

Thomas Baltzell of the Middle Circuit

George S. Hawkins of the Western Circuit

Isaac H. Bronson who was originally appointed judge of the Eastern Circuit and William Marvin who was originally appointed judge of the Southern Circuits resigned to accept Federal District Court Judgeships.

George McCrae was appointed and served part of a term for the Southern Circuit. He was succeeded by Joseph B. Lancaster. Isaac H. Bronson was succeeded by Thomas Douglas on 27 September, 1845. Under Chapter 371 of the Laws of Florida

the Florida Supreme Court was established consisting of one chief justice and two associate justices. The Supreme Court on 11 January, 1851 consisted of Chief Justice Walker Anderson, and associates justices Leslie A. Thompson and Albert G. Semmes. Walker Anderson served two years before resigning on 24 May, 1853. He was succeeded by Benjamin D. Wright. A Constitutional amendment soon provided for an elected Supreme Court and on 1 October, 1853, Thomas Baltzell was elected Chief Justice with Thomas Douglas and Charles H. DuPont Associate Justices. Florida's first constitution was adopted in 1838. When Florida became a state in 1845 the state was divided into four circuits<sup>1</sup>. The four circuits were; the Eastern Circuit, the Western Circuit, the Middle Circuit and the Southern Circuit<sup>2</sup>. Marion County was a part of the Eastern Circuit<sup>i</sup>.

Although each circuit had one judge the judges of the several circuit courts were authorized to hold court for each other. The law also provided for rotation of the circuit judges between the four circuits, providing that "no Judge shall preside oftener than once in two years in the same circuit, unless in the case of sickness or death of the Judge whose duty it would have been to preside in said circuit."

All circuit judges of the four circuits at one time or another held court in Marion County.<sup>ii</sup> The following individuals have served as Circuit Judges and presided in Marion County. Circuit Judges could be called to sit as Supreme Court Justices when a justice is disqualified.

Thomas Douglas<sup>3</sup>, Jacksonville            1845  
Born 27 Apr 1790  
Died 11 Sept. 1855

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<sup>1</sup> The 1838 Constitution created a Supreme Court without justices who just served on the Supreme Court. The powers of the Supreme Court were vested in the judges of the circuit courts who also served as Justices of the Supreme Court from 1846 until 1851. It is interesting to note they heard the appeals from the trial court upon which they sat.

<sup>2</sup> Florida's Constitution was amended in 1847 to provide for the election of circuit judges.

<sup>3</sup> Judge Thomas Douglas, a resident of Jacksonville and Judge of the Eastern Circuit of Florida, was born in 1790 in New Haven County in Wallingford, Connecticut. He purchased the second block north of the square in Ocala, Marion County In 1846. He was appointed Florida's First Supreme Court Justice in 1846. From 1826 to 1842 he was the U.S. District Attorney for the Eastern District of Florida. He twice served on the Florida State Supreme Court, i.e., from 1846 to 1850 and again from 1854 to 1855. His father was a shoemaker and farmer. He married Hannah Sanford September 26, 1814. He moved to Indiana in 1815, but the financial Panic of 1819 left him deeply in debt. In 1822, He was elected judge in Jefferson County, Indiana two years before admission to bar. He arrived in Florida around 1824 having followed his mentor, Judge Davis Floyd to Florida. President John Quincy Adams appointed him District Attorney for East Florida in 1826. In 1845 he was named to the Florida Supreme Court. During reorganization of the courts in 1851 he became a circuit judge. He was elected to the Supreme Court in 1854. He died of pleurisy in 1855.

An anecdote of his work as a judge tells of his admonishment of an attorney who felt his client should be freed of a charge of horse-stealing because his name had been misspelled on the indictment. He asked the lawyer, whose name was Westcott, if he thought that should he be arraigned on a charge of murder he would be freed if his name was spelled Waistcot or Waistcoat. "You should hang, sir!" thundered the judge. When the disgruntled attorney replied that perhaps there were those who might wish to spell the judge's name D-o-u-g-l-ass, he was promptly fined \$50 for contempt of court.

Isaac H. Bronson  
Born 16 Aug. 1802  
Died 13 Aug. 1855

Originally appointed Judge of the Eastern Circuit, but resigned to accept an appointment to U.S. District Court (Florida District) which he held from 8 Aug. 1846 through 23 Feb. 1847 and as a Northern District Judge 23 Feb. 1847-13 Aug. 1855

William Marvin<sup>4</sup>  
Born 14 April 1808  
Died 9 July 1902

Dec. 1845-Feb. 1846 (Judge of the Southern Circuit) Held office for only three months before being appointed U.S. District Judge 3 Mar 1847. Held Office to 2 July 1863. Was a Judge of the U.S. Admiralty Court in the Southern District of Florida 1839-1847, Served as a provisional Governor of Florida in 1865-1866.

George Sydney Hawkins  
Born abt 1800  
Died 15 Mar 1878

1846-1850

Thomas Baltzell<sup>iii</sup>  
Born 1 July 1804  
Died 14 Jan 1866

1846-1851

George W. McCrae<sup>5</sup>

1847-1848

Joseph Bradford Lancaster<sup>6</sup>  
Born  
Died 25 Nov 1856

Jan. 1848-1853

In 1848 the Florida Constitution was amended to provide for terms of eight years for both Supreme Court justices and circuit court judges.

In 1850 Florida's Constitution was amended to provide for six year terms to be filled by election and gave the governor the power to appoint vacant positions. In 1853 the Florida Constitution was amended to provide for popular election of Supreme Court Justices for six-year terms but not circuit judges.

Thomas Douglas  
Born 27 Apr 1790  
Died 11 Sept. 1855

Eastern Circuit

1851-1852

William A. Forward<sup>7</sup>  
Born 1812  
Died 19 Oct. 1865

Eastern Circuit

1853-1857

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<sup>4</sup> Appointed U.S. District Court Judge

<sup>5</sup> Served part a term as a Supreme Court Justice

<sup>6</sup> Succeeded George W. McCrae as judge of the Southern Circuit, and was the last elected circuit judge to sit on the Florida Supreme Court by "right of law."

<sup>7</sup> Supreme Court Justice from 1860-1865

B. A. Putnam	Eastern Circuit	1858-1869
J. Wayles Baker	Middle Circuit	1851-1867
Alex McDonald	Middle Circuit	1868-1869
Joseph B. Lancaster Born Died 25 Nov 1856	Southern Circuit	1851-1853
Thomas F. King Born 18 Nov. 1812 Died 6 Nov. 1904	Southern Circuit (elected 1 October 1853 replacing Joseph B. Lancaster-1865	
James Gettis Born 4 May 1816 Died 14 Dec 1867	Southern Circuit	1865-1867

#### 1868-1869 Southern Circuit Vacant

J. M. Baker	Suwannee Circuit <sup>8</sup>	1860-1861
J. B. Dawkins <sup>9</sup> Born 14 Nov. 1820 Died 12 Feb. 1883	Suwannee Circuit	1862-1865
Thomas T. Long	Suwannee Circuit	1965-1869
George S. Hawkins Resigned 1 Born abt 1800 Died 15 Mar 1878	Western Circuit	1851-May 1853  May 1853
Jesse J. Finley <sup>10</sup> 18 Nov. 1812 Died 6 Nov. 1904	Western Circuit	1 May 1853 appointed to replace George S. Hawkins-1859-1861

<sup>8</sup> The Suwannee Circuit came into being on 15 Jan. 1859 and was made up of the counties of Alachua, Levy, Lafayette, Suwannee, Columbia, New River and Nassau.

<sup>9</sup> James Baird Dawkins, practiced law in Gainesville, FL. Dawkins, James Baird (1820-1883) — of Florida. Born on 14 November, 1820 in Hancockville, Cherokee County, S.C. Delegate to Florida secession convention, 1861; Representative from Florida in the Confederate Congress, 1862; state court judge in Florida, 1863-65, 1877-83; died in office in Gainesville, Alachua County, Florida on 12 February, 1883. Interment at Gainesville Cemetery, Gainesville, Fla. Represented Alachua County, Florida, at Florida's Secession Convention \*Signed Florida's Ordinance of Secession

<sup>10</sup> Born Jesse Johnson Finley in Wilson County, TN. Moved to Marianna, Florida in 1846 and 1n 1853 was appointed Circuit Judge in the Western Circuit of Florida. At the beginning of the Civil War he was made Judge of the Confederate Court. Resigned that position March 1862 enlisting as a private, promoted to Captaincy, and commissioned a Colonel in April 1862. Nov. 16, 1863 promoted to Brig. General. Wounded during the war. Lived in Lake City until 1875 before moving to Jacksonville. Member of Congress and the Senate.

Allan H. Bush<sup>11</sup>  
Born 1809  
Died

Western Circuit

1860-1867

G. A. Stanley

Western Circuit

1867-1869

In 1868 Five Judicial Circuits were created with Marion County being a part of the fifth judicial circuit. Although the makeup of the counties in the Fifth Judicial Circuit have changed, Marion County has always been a part of the Fifth Judicial Circuit.

Jesse H. Goss<sup>12</sup>

13 May 1869-1877 (Term expired 9 July 1876;  
re-appointed ad interim 13 July 1876

James B. Dawkins, Ocala  
Born 14 Nov. 1820  
Died 12 Feb. 1883

13 Jan. 1877-Feb. 1883 (died)

Article VI, Section 17 of the 1868 Florida Constitution provided for trial by referee:

Any civil cause may be tried before a practicing attorney as referee, upon the application of the parties, and an order from the court in whose jurisdiction the case may be, authorizing such trial and appointing such referee. Such referee shall keep a complete record of the case, including the evidence taken, and such record shall be filed with the papers in the case in the office of the clerk, and such cause shall be subject to an appeal in the manner prescribed by law.

Article XVI Section 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.

The Legislature in 1868 replaced the geographical circuits, i.e., Eastern, Western, Middle and Southern with seven numbered circuits.

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<sup>11</sup> Allan Henry Bush

<sup>12</sup> Jesse H. Goss, appointed Circuit Judge of the Fifth Circuit by Gov. Reed on 13 May 1869 admitted the first black lawyer to practice in Florida when Harvey S. Harman was admitted to practice in Alachua, Florida. Judge Goss appointed a committee to examine him and they reported back he was competent and recommended admission to the bar. This may have been one of the reasons Judge Goss was later referred to as a "scalawag."

James B. Dawkins, Ocala 1877-1883  
Born 14 Nov. 1820  
Died 12 Feb. 1883

Thomas F. King 22 Feb. 1883-1886  
Born 18 Nov. 1812  
Died 6 Nov. 1904

### **Information needed on the judge(s) who served during 1887 until 1893**

In 1870 Article III by Amendment abolished the previously created sixth and seventh circuits and providing that the limits of the First, Second, Third, Fourth, and Fifth Judicial Districts would be defined by law.

In 1874 Article III of the 1868 Constitution was amended to provide for five judicial circuits and the counties assigned to each circuit. The Fifth Judicial Circuit was composed of the counties of Marion, Sumter, Hernando, Hillsborough, Polk, Manatee, and Monroe.

William Adam Hocker<sup>13</sup> Jun 1893-1897  
Born 5 Dec. 1844  
Died 17 July 1918

In 1901 Section 8 or Article V of the Florida Constitution was amended to provide: "The Governor may, in his discretion, order a temporary exchange of circuits by the respective Judges or order any Judge to hold one or more terms or part or parts of any term in any other circuit than that to which he is assigned. The Judge shall reside in the Circuit of which he is Judge."

W. S. Bullock<sup>14</sup>, Ocala 2 Sept. 1901-June 1935  
Born 16 May 1856  
Died 28 May 1935

In 1902 the eighth judicial circuit was created by constitutional amendment.

In 1922 by amendment the legislature was given authority to increase the number of circuit court judges in each circuit. Prior to this amendment each circuit was limited to one circuit judge.

Robert L. Anderson<sup>15</sup>, Ocala June 7, 1935-June 23, 1935  
Born 11 Dec. 1856  
Died 26 July 1935

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<sup>13</sup> Supreme Court Commissioner 1899-1901 until he was appointed to the Florida Supreme Court.

<sup>14</sup> Admitted to the bar in 1879.

<sup>15</sup> Robert Lochridge Anderson was president of the Florida State Bar Association (Predecessor of the Florida Bar Association) I 1907. He was born on 11 Dec. 1856 in 11 Dec 1856 in Mayfield, Graves, Kentucky and died 26 July 1935 in Ocala, Florida.

J. C. B. Koonce <sup>16</sup> , Tavares Born 12 Mar. 1870 Died 15 Sept.1948	July 1935-15 Sept 1948
F. R. Hocker <sup>17</sup> , Ocala Born 12 July 1891 Died Nov. 1964	1935?-May (Retired Sept. 1956)
Truman G. Futch <sup>18</sup> , Leesburg Born 1 Oct 1891 Died March 1960	Feb. 1948-1960
Wallace E. Sturgis <sup>19</sup> , Sr., Ocala Born 8 Nov. 1898 Died May 1966	Sept. 1956, June 1957(replaced Judge Hocker who retired; resigned upon appointment to the First District Court Appeals which started on at 12:00 Noon July 1, 1957.
D. R. Smith <sup>20</sup> , Ocala Born 18 Jun 1913 Died 9 Dec. 1995	Jul. 1957-1978 (replaced Wallace E. Sturgis, Sr. upon his appointment to the First District Court of Appeals) Retired from the bench 1978
Carrol W. Fussell, Bushnell Born 2 May 1903 Died 16 Oct. 1990	Jan. 1957-Jan. 1967 (retired)
W. Troy Hall, Leesburg Born 31 July 1915 Died 30 Jan 1976	Jan. 1960 (Replaced Truman G. Futch)
John W. Booth <sup>21</sup> , Bushnell/ Leesburg Born 13 Jan. 1924	Jan. 1968-2006 (retired Dec 1996 (Continues to serve as senior judge)
L. R. Huffstetler, Tavares/ Brooksville Born 1939 Died 19 June 2009	Jan. 1973-1988 (resigned in1988)

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<sup>16</sup> James C.B. Koonce, a former Sumter County and circuit judge in the 16th Judicial Circuit, moved his practice to Eustis in the 1920s. He was first circuit judge chosen in Lake County. He was 65 years of age at the time of his appointment in 1935. It was through the efforts of Judge Koonce that the Dade Battlefield Park was established in 1908. He was elected four times to the Florida House of Representatives and served as a judge for more than 30 years.

<sup>17</sup> Frederick Rochet Hocker.

<sup>18</sup> Truman Gaskin Futch was known for whittling wood carvings while on the bench back in the 1950s and 1960s.

<sup>19</sup> Wallace E. Strugis, Sr. was president of the Florida Senate in 1951) and was appointed to replace Judge Hocker.

<sup>20</sup> Was appointed to preside over the Pitts and Lee, Port St. Joe murder trial.

<sup>21</sup> Served as county judge of Lake County from 1966 until his appointment to the circuit bench in 1968.

John W. McCormick, Mt. Dora Born 10 Mar 1919 Died 27 Apr 1977	Jan. 1973 (Died 1977)
E. R. 'Dick' Mills, Jr. <sup>22</sup> , Ocala Born 15 Aug. 1919 Died 27 Feb. 1996	Jan. 1973 (Rather than run for re- election to the circuit bench in 1977 he resigned his position, qualified for and was elected to serve on the First District Court of Appeals serving until he retired in 1981. County Judge William T. Swigert, qualified and was elected to fill the judgeship vacated by Judge Mills)
Wallace E. Sturgis <sup>23</sup> , Jr., Ocala Born 10 Aug. 1928 Died 15 Jan 1992	Jan. 1973-1990 (Defeated in 1990 by William "Jack" Singbush)
William T. Swigert, Ocala	Sept 1974-3 Jan. 2005 (Retired in Jan. 2005)
Ernest C. 'Buddy' Aulls, Tavares Born 1934 Died 25 Aug. 2009	Jan. 1975-(Replaced W. Troy Hall)
William F. Edwards, Inverness	Jan. 1977-1993 (Retired in 1993)
C. Welborn Daniel, Clermont Born 1926	Apr. 1977-1988 (Resigned in 1988 upon appointment to the Fifth District Court of Appeals where he served until he retired in 1990)
Carven D. Angel, Ocala	Jan. 1979 -2007 (Retired Jan. 2007)
Jackson O. Brownlee, Brooksville	22 Oct. 1979-22 Oct. 1984 (Resigned)
Raymond T. McNeal, Ocala	Jan. 1983-2007 (Retired Jan. 2007)
Jerry T. Lockett, Leesburg	15 Oct. 1984-(Resigned) (Reapplied and was re-appointed in June 1991)
John Thurman, Dunnellon	Jan. 1985 (Defeated in election by Michael Blackstone)
Victor J. Musleh, Ocala	Jan. 1988-2 Jan 2007 (Retired 2 Jan. 2007)
Earle W. Peterson, Leesburg	June 1988 (Resigned upon appointment to the Fifth District Court of Appeals)
Richard Tombrink, Brooksville	1 Dec. 1988

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<sup>22</sup> Elbert Richard Mills, Jr. was born in Marion County, Florida. He served on the First DCA from 1 July 1979-30 June 1981.

<sup>23</sup> Judge Sturgis was one of the original three judges appointed to the newly created First District Court of Appeals when it was created in 1957. He was its first Chief Judge.

Thomas D. Sawaya, Ocala	Jan 1991 (Resigned upon appointment to the Fifth District Court of Appeals)
Jack Springstead, Brooksville	Jan 1991 (Retired 2010)
William 'Jack' Singbush	Jan .1991
Mark J. Hill, Tavares	Jan 1991
G. Richard Singeltary, Tavares	Jan. 1991
Don F. Briggs, Tavares	Jan 1991
Patricia Vitter-Thomas, Inverness	Sep. 1993
Hale R. Stancil, Ocala	Jan. 1994
William "Bill" Law, Tavares	Jan. 1995
T. Michael Johnson, Bushnell	Oct. 1995
Michael Blackstone, Inverness	Jan. 1997 (Resigned)
Barbara Gurrola, Inverness	Jan. 1997 (Retired 2008)
David B. Eddy, Ocala	Jan 1998
Daniel B. Merritt, Sr., Brooksville	Jan. 1998
Curtis J. Neal, Inverness	Feb. 2000
Brian D. Lambert, Ocala	Mar. 2000
Sandra Edward-Stephens	18 May 2000
Richard A. Howard, Inverness	Dec. 2000
S. Sue Robbins, Ocala	1 Jan 2002
Lawrence Semento, Tavares	8 Mar. 2002-
William H. 'Bud' Hallman, III, Brooksville	May 2003
Willard Pope, Ocala	May 2003
Stephen D. Spivey	Jan. 2005 (Resigned Dec. 31, 2006))
Carole Falvey, Crystal River	Nov. 2005
Stephen O. Rushing, Brooksville	Nov. 2005
Mark A. Nacke, Tavares	2 Jan. 2006
Michelle Morley, Bushnell	Jan 2007
Edward L. Scott, Ocala	Jan. 2007
Frances S. King, Ocala	Jan. 2007-
Jonathan D. Olhman, Ocala	1 May 2007-Served as Work Comp. Judge from 1992 until appointed to the Circuit Bench.
Daniel B. Merritt, Jr., Brooksville	Jan 2007

Robert W. Hodges, Ocala	Dec. 2007
Michael Takac, Tavares	Jan 2007
Sandy Kautz, Ocala	Jan. 2009

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<sup>i</sup> The Eastern Circuit of Florida terms were as follows: Spring Terms – For the Counties of Orange and St. Lucie, at the Court-house at Mellonville, on the third Tuesday of April; for the County of Marion, at Ocala, on the fourth Monday of April; for the Counties of Alachua and Levy, at Newnansville, on the first Monday of May; for the County of Columbia, at Alligator, on the second Monday of May; for the County of Nassau, at Nassau Court-house, Wednesday before the fourth Monday of May; for the County of Duval, at Jacksonville, fourth Monday of May; for the County of St. Johns, at St. Augustine, on the second Monday of June. There was also a Fall Term beginning in November. The Counties of Orange and St. Lucie were consolidated for judicial purposes and it was the duty of the several judges of the Circuit Courts to hold Courts for both counties in Mellonville.

<sup>ii</sup> Article V of Florida's 1838 Constitution Section 5. The State shall be divided into at least four convenient Circuits, and until other Circuits shall be provided for by the General Assembly, the arrangement of the Circuits shall be the Western, Middle, Eastern and Southern Circuits, and for each Circuit there shall be appointed a Judge, who shall after his appointment, reside in the Circuit for which he has been appointed, and shall, at stated times, receive for his services a salary of not less than two thousand dollars per annum, which shall not be diminished during the continuance of such Judge in office; but the Judges shall receive no fees or perquisites of office, nor hold any other office of profit under the State, the United States, or of any other power.

An amendment adopted in 1847 provided for the election of circuit judges for a term of eight years.

In 1848 Section 2 of the Constitution was amended to read:

Be it further enacted, That the Judges first appointed under this amended Constitution, shall be divided by lot into four classes. The first class shall hold his or their office or offices for the term of two years, the second for the term or four years, the third for the term of six years, the fourth for the term of eight years.

In 1850 the Constitution was amended to provide for six year terms to be filled by election and gave the governor the power to appoint vacant positions.

Section 4 of Article V of the 1861 Constitution states:

The State shall be divided into convenient Circuits; and for each Circuit there shall be a Judge, who shall, after his election or appointment, reside in the Circuit for which he has been elected or appointed, and shall at stated times receive for his services a salary of not less than two thousand dollars per annum, which shall not be diminished during the continuance of such judge in office; but the judges shall receive no fees or perquisites of office, nor hold any other office of profit under the State, the Confederate States, or any other power.

Section 7 of Article VI of the Florida's 1868 Constitution states:

There shall be seven circuit judges appointed by the Governor and confirmed by the Senate, who shall hold their office for eight years. The State shall be divided into seven judicial districts, the limits of which are defined in this Constitution, and one judge shall be assigned to each circuit. Such judge shall hold two terms of his court in each county within his circuit, each year, at such times and places as shall be prescribed by law. The chief justice may in his discretion order a temporary exchange of circuits by the respective judges, or any judge, to hold one or more terms in any other circuit than that to which he is assigned. The judge shall reside in the circuit to which he is assigned.

Amendments to the 1868 Constitution in 1870 abolished the previously created sixth and seventh circuits.

In 1874 the Constitution was amended to provide for five judicial circuits.

Section 3. The several Judicial Circuits of the Circuit Courts shall be as follows:

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The First Judicial Circuit shall be composed of the counties of Escambia, Santa Rosa, Walton, Holmes, Washington, Jackson, Calhoun, and Franklin.

The Second Judicial Circuit shall be composed of the counties of Liberty, Gadsden, Leon, Wakulla, Jefferson, Madison, Taylor, and Lafayette.

The Third Judicial Circuit shall be composed of the counties of Hamilton, Suwannee, Columbia, Baker, Bradford, Alachua, and Levy.

The Fourth Judicial Circuit shall be composed of the counties of Nassau, Duval, Clay, St. Johns, Putnam, Volusia, Orange, Brevard, and Dade.

The Fifth Judicial Circuit shall be composed of the counties of Marion, Sumter, Hernando, Hillsborough, Polk, Manatee, and Monroe.

Chief Justice was given authority to order a temporary exchange of circuits.

In 1901 under Chapter 4905 the Supreme Court appointed Supreme Court Commissioners and Judges W. A. Hocker, E. C. Maxwell and James F. Glen were commissioners until three additional justices were added in 1902 by Constitutional Amendment.

In 1902 by Constitutional Amendment three additional justices were added to the Supreme Court bring the total to six. Opinions by the Supreme Court Commissioners adopted by the Supreme Court are contained in Vols. 43 and 44 of the Florida Reports.

In 1910 by amendment the legislature was given the power to create judicial circuits from time to time as needed.

Legislation in 1911 increased the number of judicial circuits to eleven

First judicial circuit composed of Escambia, Santa Rosa and Walton counties.

Second judicial circuit composed of Gadsden, Leon, Wakulla, Franklin, Jefferson and Liberty counties.

Third judicial circuit composed of Madison, Taylor, Lafayette, Suwannee, Hamilton and Columbia counties.

Fourth judicial circuit composed of Duval, Nassau, Clay and St. Johns counties.

Fifth judicial circuit composed of Marion, Citrus, Hernando, Sumter and Lake counties.

Sixth judicial circuit composed of Hillsboro , Pasco and Pinellas counties.

Seventh judicial circuit composed of Orange, Osceola, Volusia, Brevard, Seminole and St. Lucie counties.

Eighth judicial circuit composed of Alachua, Bradford, Levy, Putnam and Baker counties.

Ninth judicial circuit composed of Washington, Holmes, Jackson, Bay and Calhoun counties.

Tenth judicial circuit composed Polk, Manatee, De Soto and Lee counties.

Eleventh judicial circuit composed of Palm Beach, Dade and Monroe counties.

In 1901 Section 8 or Article V of the Florida Constitution was amended to provide: "The Governor may, in his discretion, order a temporary exchange of circuits by the respective Judges or order any Judge to hold one or more terms or part or parts of any term in any other circuit than that to which he is assigned. The Judge shall reside in the Circuit of which he is Judge."

In 1922 under Section 43 the constitution was amended to authorize the Legislature to appoint additional circuit court judges to a circuit.

The 1968 Constitution empowered the legislature to create up to twenty judicial circuits.

<sup>iii</sup> The State's first elected Chief Justice was elected in 1853.