

the bill was read the first time by its title and referred to the Committee on State Affairs.

On motion, the Senate went into executive session.

Upon the doors being opened, on motion of Mr. Chandler, the Senate adjourned until 10 o'clock to-morrow.

FRIDAY, February 2, 1883.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll being called the following Senators answered to their names:

Messrs. Allen, Baker, Bryson, Chandler, Cone, Cottrell, Crill, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Pope, Roberts, Sharpe, Sheppard, Speer and Swearingen—27.

A quorum present.

Prayer by the Chaplain.

On motion of Mr. McClellan, the reading of the journal of yesterday was dispensed with.

INTRODUCTION OF RESOLUTIONS, PETITIONS AND MEMORIALS.

Mr. McClellan introduced the following bill:

Senate bill No. 167:

To be entitled an act to legalize and give full force and effect to the appointment of Nicholas Comforter and Jas. R. Pickett as half-branch Pilots of Apalachicola, and allow their promotion;

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

Mr. Duncan introduced the following bill:

Senate bill No. 168:

To be entitled an act to provide an asylum for the blind and deaf and dumb in this State;

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

By leave, Mr. Mallory presented the following petition:

To the Senate and Assembly of the State of Florida, in session now assembled:

The undersigned, your petitioners, represent unto your honorable bodies, that in their opinion the introduction of yellow

fever in August, A. D. 1882, into Pensacola, which thereafter became epidemic, could have been avoided had there been then existent a quarantine law more restrictive as to the character of vessels which shall be allowed to approach said city, and more clearly prohibitory in its terms of the approach to said city of vessels upon which there might by any possibility exist yellow fever, and your petitioners believe that the interests of every port in the State and of the State itself are identical, and require such legislation as will reduce to a minimum the risk of importing yellow fever into any of the cities of the State.

They therefore ask that you frame and pass such a bill, or such bills as may effectuate the end in view, and suggest that such bill or bills should contain—

1. A prohibition upon all vessels leaving any port infected with yellow fever from approach to any gulf or sea coast city from the 15th of May to the 1st of November, inclusive, of each year.

2. A prohibition upon all vessels having on board, or having had on board, during the three months preceding any yellow fever, from approach to any of said cities during said time.

3. A provision for quarantine of forty days, and proper disinfection of all vessels any port of the voyage of which shall have been during said time below latitude twenty-five degrees North.

4. A provision that all vessels not falling within any of the three classes mentioned, shall be subject to no quarantine detention and to no charges, except for boarding and inspection to ascertain the condition, voyage and hailing port. Your petitioners will ever pray.

Which was signed by 139 names.

Mr. Sharpe offered the following resolution:

“THAT WHEREAS, The last Legislature saw fit to increase the license for the sale of whisky to such an amount that tends to discriminate in favor of the poor, whose dearest interests is the sap upon which monstrous parasites exist upon society; and

“Whereas, The high tax upon whisky has a manifest tendency to increase the intoxicating effect of wine and beer; and

“Whereas, The only true principles involved is that of high tax and high morals, or low tax and low morals, the poor against whisky, and not the ‘rich against the poor;’

“Therefore be it resolved, That the Finance Committee be instructed to take into consideration the paramount interests

of society in providing a protective license upon intoxicating beverages;"

Which was read.

Mr. Chandler moved to lay the resolution on the table;

Which was not agreed to.

Mr. Baker moved its adoption;

Which was agreed to.

Ma. Pope moved that 150 copies of the resolution be printed;

Which was agreed to.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

Hon. L. W. BETHEL,

President of the Senate:

SIR—I am directed by the Assembly to inform the Senate that the Assembly has indefinitely postponed—

Senate bill No. 107, to be entitled an act for the restoration of certain persons to citizenship.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

Hon. L. W. BETHEL,

President of the Senate:

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

Assembly bill No. 43, to be entitled an act to prescribe a mode whereby counties may erect Court-houses and public buildings,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Assembly bill No. 107, to be entitled an act for the relief of Jacksonville and the counties of Baker, Bradford, Columbia, Suwannee, Madison, Jefferson, Duval and Leon,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Assembly bill No. 43:

To be entitled an act to prescribe a mode whereby counties may erect court-houses and public buildings,

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

By leave, Mr. Dell introduced the following bill:

Senate bill No. 170:

To be entitled an act to amend paragraph 5, Section 24, Chapter 174, of McClellan's Digest, of the Laws of Florida.

On motion, the rule was waived by a two-thirds vote, and the bill was read the first time by its title and referred to the Committee on Judiciary.

By leave, Mr. Greeley introduced the following bill:

Senate bill No. 169:

To be entitled an act to aid in the construction of the Kissimmee and Fort Meade Railway.

On motion, the rule was waived by a two-thirds vote, and the bill was read the first time by its title and referred to the Committee on Railroads.

Mr. Sharpe was called to the chair.

Mr. McKinne called up the following resolution and moved its adoption:

Mr. McKinne offered the following resolution:

WHEREAS, Other railroad companies besides the Pensacola and Atlantic Railroad Company, to-wit: the East Florida Railway Company, Gainesville, Ocala and Charlotte Harbor Railroad Company, now the Florida Southern Railroad Company the Green Cove Springs and Melrose Railroad Company, Jacksonville, St. Augustine and Halifax River Railway Company, Orange Ridge, DeLand and Atlantic Railroad Company, Palatka and Indian River Railway Company, Tampa, Peace Creek and St. Johns River Railroad Company, now the Jacksonville, Tampa and Key West Railroad Company, St. Johns and Lake Eustis Railroad Company, Tropical, Peninsula Railroad Company, and the South Florida Railroad Company were granted land to aid in the construction of the respective railroads, other than the alternate sections; and, whereas, The

conditions of the several charters to the said railroads were similar to that of the Pensacola and Atlantic Railroad Company; therefore, be it

Resolved, That a special committee be appointed to consider and report what legislation is necessary to protect the interest of the State of Florida in the premises, with power to send for persons and papers, to report fully what pledges of lands have been made, what alienations and incumbrances have been placed on them, and to make a full report of their findings, with the testimony upon which they are based.

The President resumed the chair,

Mr. Delano moved to lay Mr. McKinne's resolution on the table.

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

Yeas—Messrs. Baker, Chandler, Crill, Greeley, Hankins, Hendricks, Landrum, Lesley, Mann, McClellan, Powers and Swearingen—12.

Nays—Messrs. Allen, Cole, Cone, Cottrell, Delano, Dell, Duncan, Fortner, Hatcher, Mallory, Mountien, McKinne, Polhill, Pope, Roberts, Sharpe, Sheppard and Speer—18.

So the motion to lay on the table was not agreed to.

Mr. Mann moved that the further consideration of the resolution be postponed until to-morrow.

The yeas and nays being called, the vote was:

Yeas—Messrs. Baker, Chandler, Cole, Delano, Greeley, Lesley, Mann, Pope, Powers and Roberts—10.

Nays—Messrs. Allen, Cone, Cottrell, Dell, Duncan, Fortner, Hankins, Hatcher, Mallory, Mountien, McClellan, McKinne, Sharpe, Sheppard, Speer and Swearingen—16.

So the motion to postpone was not agreed to.

Mr. McClellan offered the following amendment:

Be it further resolved, That it is the sense of this Senate that no further transfers of land be made to any of the railroads to which charters have been heretofore granted, and that the Trustees of the Internal Improvement Fund are hereby requested and instructed to await the report of the special committee appointed to investigate said roads before making any further transfers to any of said companies;

Which was adopted.

Mr. Crill offered the following amendment:

Strike out "Green Cove Spring and Melrose Railroad Company";

Which was not agreed to.

Mr. McClellan moved the adoption of the resolution as amended;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Allen, Cole, Cone, Dell, Duncan, Fortner, Hankins, Hatcher, Mallory, McKinne, Polhill, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—17.

Nays—Messrs. Baker, Cottrell, Delano, Lesley and Mann—5.

So the resolution as amended was adopted.

Ordered that the resolution be referred to same Committee appointed to investigate the P. & A. R. R., consisting of Messrs. Bryson, Pope and Duncan.

Mr. McKinne moved that the Special Committee to investigate the P. & A. R. R. and other railroads, be increased to five;

Which was agreed to.

Messrs. Mallory and Speer were added to the Committee.

By leave, Mr. Powers introduced the following bill:

Senate bill No. 171:

To be entitled an act to amend an act, chapter 3314, approved February 11, 1881, and to amend chapter 3024 of an act approved March 8, 1877;

Which was read the first time and referred to the Committee on City and County Organizations.

Also,

Assembly bill No. 107:

To be entitled an act for the relief of Jacksonville and the counties of Baker, Bradford, Columbia, Suwannee, Madison, Jefferson, Duval and Leon;

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

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

Hon. L. W. BETHEL,

President of the Senate:

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

Senate bill No. 16, to be entitled an act granting aid for the construction of the Thomasville, Tallahassee and Gulf Railroad Company,

The Assembly having changed the phraseology of the second section of the bill, but not the substance or intention as prescribed in the bill, and respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Mr. Crill moved that the Senate concur in the Assembly amendments;

Which was agreed to.

Ordered that the same be certified to the Assembly.

Mr. Lesley, Chairman of a Special Committee, made the following report :

SENATE CHAMBER, Tallahassee, February 2, 1883.

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

SIR—Your Special Committee to whom was assigned the duty to notify Mr. C. B. Pendleton of the action of the Senate, and that he be invited to speak to the Senate on Friday next, at 3:30 P. M., have performed their duty, and herewith submit his answer.

Very respectfully,

JOHN T. LESLEY, Chairman.
H. L. R. ROBERTS,
A. J. POLHILL.

Hons. John T. Lesley, H. L. R. Roberts and A. J. Polhill :

GENTLEMEN—Your communication conveying to me the pleasure of the Senate that I address them on the contest case of Pendleton vs. Allen, is received. It will afford me pleasure to speak at the stated time to your honorable body.

Yours very truly,

C. B. PENDLETON.

Which was read and adopted.

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

SENATE CHAMBER, Tallahassee, February 2, 1883.

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

SIR—Your Committee on Judiciary to whom was referred—

Senate bill No. 142, to be entitled an act in relation to lands heretofore sold for taxes and purchased by the State ; also,

Senate bill No. 160, to be entitled an act to amend an act entitled an act to amend the the several acts now in force concerning divorces, approved February 14th, 1835 ; also,

Senate bill No. 135, to be entitled an act to allow Thomas L. Wilson, of Polk county, to procure a license to practice law ; also,

Senate bill No. 156, to be entitled an act to amend an act to provide for the speedy determination of certain issues of law

in the several Circuit Courts of the State, being Chapter 3001, Laws of Florida, approved February 17th, 1877,

Beg leave to report that they have considered the same, and recommend that they do pass.

Very respectfully, S. R. MALLORY, Chairman.

Which was read and adopted.

The Committee on Engrossed Bills made the following report :

SENATE CHAMBER, Tallahassee, February 2, 1883.

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

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

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

Senate bill No. 144, to be entitled an act relating to public records ; also,

Senate bill No. 57, to be entitled an act to amend Section 1, of Chapter 3128, Laws of Florida, approved March 11, 1879, being an act in relation to the issue and service of criminal process in certain cases without prepayment of fees ; also,

Senate bill No. 143, to be entitled an act for the relief of George H. Mays ; also,

Senate bill No. 130, to be entitled an act for the relief of Seth S. Stephens ; also,

Senate bill No. 135, to be entitled an act for the relief of William L. Williams, of Escambia county,

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

Very respectfully, WM. BRYSON, Chairman.

Which was read and adopted.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 2, 1883.

HON. L. W. BETHEL,

President of the Senate :

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

Assembly bill No. 188, to be entitled an act to permanently locate the County Site of Sumter county, in this State, and to prevent further controversy thereon,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Assembly bill No. 188:

To be entitled an act to permanently locate the County Site of Sumter county, in this State, and to prevent further controversy thereon.

On motion of Mr. Lesley, the rule was waived by a two-thirds vote and the bill was read the first time by its title.

On motion of Mr. Lesley, the rule was waived by a two-thirds vote and the bill was read the second time by its title.

On motion of Mr. Lesley, the rule was waived by a two-thirds vote and the bill was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Cole, Cone, Cottrell, Crill, Dell, Fortner, Hankins, Hendricks, Landrum, Lesley, Mallory, Mann, McClellan, McKinne, Polhill, Proctor, Roberts, Sheppard, Spear and Swearingen—20.

Nays—Messrs. Allen, Baker, Delano, Greeley, Mountien and Sharpe—6.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

By leave, Mr. Dell introduced the following bill:

Senate bill No. 172:

To be entitled an act to amend Section 13, Chapter 70, of McClellan's Digest of the Laws of Florida;

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

Also the following petition signed by 64 names:
State of Florida—County of Alachua.

To the honorable Senators and Representatives of the General Assembly of Florida:

Your petitioners, believing that the carrying of concealed weapons is the most fruitful source of crime, demanding summary legislation to suppress it, and reposing implicit confidence in the integrity of your purpose as legislators, do petition you in the name of civilization, and for the peace, good order and dignity of our State, to enact the accompanying or some similar bill during the present session of the Legislature.

N. C. Pettit, Fred. P. Cole and others.

Which was read.

The Committee on Corporations made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 2, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR: Your Committee on Corporations, to whom was referred—

An Act to incorporate the Grand United Order of the Sons and Daughters of Jacob,

Beg leave to report that they examined the same, and return said bill to the Senate without recommendation.

Very respectfully,

J. H. MCKINNE, Chairman.

Which was read and adopted.

Also the following:

SENATE CHAMBER, Tallahassee, February 2, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Senate bill No. 146, to be entitled an act to incorporate the Tampa Street Railway Company,

Report that they have considered the same, and respectfully recommend that said bill do pass.

Very respectfully,

J. H. MCKINNE, Chairman.

Which was read and adopted.

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

SENATE CHAMBER, Tallahassee, Fla., February 2, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Senate bill No. 154, to be entitled an act to authorize writs of attachment to be issued upon affidavits made before certain Clerks of Courts of Record,

Beg leave to report that they have considered the same, and recommend that it pass, with the amendments herewith submitted.

Very respectfully,

S. R. MALLORY, Chairman.

Which was read and adopted.

Mr. McKinne, Chairman of the Committee on Corporations, made the following report:

SENATE CHAMBER, Tallahassee, February 2, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Corporations to whom was referred—

Senate bill No. 110, to be entitled an act to incorporate the Lake De Funiak Park and Hotel Company,

Beg leave to report that they have examined the same and recommend its passage.

Very respectfully,
J. H. McKINNE,
Chairman of Committee.

Which was read and adopted.

Also the following :

SENATE CHAMBER, Tallahassee, Fla., Feb. 2, 1883.

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

SIR—Your Committee on Corporations to whom was referred—

Senate bill No. 132, to be entitled an act to incorporate the Pensacola Gas Company, with power to lay mains and pipes under the streets, alleys and public squares of said city and under private property upon making compensation therefor,

Ask leave to report that they have considered the same, and return it to the Senate without recommendation.

Very respectfully,
J. H. McKINNE,
Chairman of Committee.

Which was read and adopted.

The Committee on Judiciary made the following report :

SENATE CHAMBER, Tallahassee, Fla., February 2, 1883.

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

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

Senate bill No. 149, to be entitled an act to amend Section 2 Chapter 3025, Laws of Florida, approved March 2, 1877, being an act to amend an act entitled an act to provide for the incorporation of cities and towns and to establish a uniform system of municipal government in this State, approved February 4, 1869,

Beg leave to report that the same has been duly considered, and its passage recommended.

Very respectfully,
FRANK W. POPE,
GEO. W. ALLEN,
A. S. MANN,
WM. BRYSON,
Committee.

Which was read and adopted.
Mr. McKinne, Chairman of the Committee on Corporations, made the following report :

SENATE CHAMBER, Tallahassee, Fla., February 2, 1883.

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

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

Senate bill No. 122 :

A bill to provide for the amendment of charters granted by the Legislature or organized under the General Incorporation Acts of the State, ask leave to report that they have examined the same, and return it to the Senate without recommendation.

Very respectfully,
J. H. McKINNE,
Chairman Committee.

Which was read and adopted.

At 12:35 o'clock the Senate went into executive session.

At twenty minutes to 1 o'clock the doors of the Senate were opened.

By leave, Mr. Lesley introduced the following bill :

Senate bill No. 173 :

To be entitled an act to require the Comptroller to audit and allow certain accounts and for other purposes ;

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

Mr. Duncan, Chairman of the Committee on Enrolled Bills, made the following report :

SENATE CHAMBER, Tallahassee, Fla., Feb. 2, 1883.

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

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

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

Beg leave to report that they have examined the same and find it correctly enrolled.

Very respectfully,
H. H. DUNCAN, Chairman.

Which was read and adopted.

The President and Secretary signed the following bill :

An act relating to the crime of larceny.

On motion, the Senate adjourned until half past three o'clock.

HALF-PAST THREE O'CLOCK P. M.

The Senate resumed its session.

The President in the chair.

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

Messrs. Allen, Baker, Bryson, Chandler, Cole, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Greeley, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—31.

A quorum present.

Mr. Crill was called to the chair.

ORDERS OF THE DAY.

The hour having arrived for the consideration of the contested election case, Mr. Lesley moved that the further consideration of the matter be postponed until Monday, 11 o'clock; Which was agreed to.

The Committee on Commerce and Navigation made the following report :

SENATE CHAMBER, Tallahassee, Fla., Feb. 2, 1883.

HON. L. W. BETHEL,

President of the Senate :

SIR—Your Committee on Commerce and Navigation, to whom was referred—

Senate bill No. 167, to be entitled an act to legalize and give full force and effect to the appointment of Nicholas Comforter and James R. Pickett as half-branch pilots of Apalachicola, and to allow their promotion,

Beg leave to report that they have considered the same, and recommend that it do pass.

Very respectfully,

S. R. MALLORY, Chairman.

Which was read and adopted.

Mr. McKinne called up—

Senate bill No. 32 :

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

Which was read the second time, and, on motion of Mr. Bryson, the bill was ordered to lie over until Monday.

Mr. Swearingen moved that the action just taken be reconsidered ;

Which was not agreed.

Mr. McClellan called up—

Senate bill No. 167 :

To be entitled an act to legalize and give full force and effect to the appointment of Nicholas Comforter and James R. Pickett as half-branch pilots of Apalachicola, and to allow their promotion,

Was read the second time.

On motion, the rule was waived by a two-third vote, and the bill was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Chandler, Cole, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Greeley, Hankins, Hatcher, Hendricks, Landrum, Leslie, Mallory, Mountien, McClellan, McKinne, Polhill, Powers, Sharpe, Sheppard, Speer and Swearingen—25.

Nays—Mr. Proctor—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 5 :

To be entitled an act to incorporate the Fort Meade, Keystone and Walk-in-the-Water R. R. Co.

Mr. Greeley moved that the bill be referred back to the Committee.

The yeas and nays being called, the vote was :

Yeas—Messrs. Baker, Chandler, Delano, Duncan, Greeley and Proctor—6.

Nays—Messrs. Bryson, Cone, Cottrell, Dell, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, McClellan, McKinne, Polhill, Powers, Roberts, Sharpe, Sheppard and Swearingen—19.

Which was not agreed to.

The Committee offered the following amendments :

Sec. 3, line 7, after the word "State," insert "along the line of said road."

Sec. 7, line 3, after the word "railroad," insert "within twelve months."

Sec. 7, line 4, strike out "five," and insert "three."

Strike out Sec. 5, and insert the following in lieu thereof :

"That to aid in the construction, equipment and operation of said Railroad the State of Florida herein grants to said Fort Meade, Keystone and Walk-in-the-Water Railroad the alternate sections of lands granted to the State of Florida by the United States under act of Congress approved September 28, 1850, lying on each side of said road within six miles thereof: *And provided,* That said Company shall comply with the provisions of the Internal Improvement Act of January 6, 1855, and the amendments thereto as to the manner of constructing said road and drainage; but nothing herein shall

prevent said road from adopting such gauge as it may choose, not less than three feet: *Provided further*, That the iron used on said road shall not be required to weigh more than 25 pounds to the yard;”

Which were adopted.

Mr. Powers offered the following amendment:

Strike out Section 5, and inserting, &c.:—At end of 8th line of said amendment, insert as follows:

Provided, That said lands shall be subject to entry at State prices, to the amount of one hundred and sixty acres, by any persons who now reside thereon, and the money paid for such lands shall enure to the benefit of such Railroad Company, and be paid to it when the railroad is completed;

Which was adopted.

Mr. Greeley offered the following amendment:

Provided, That this act shall in no wise interfere with vested rights of other corporations;

Which was adopted.

Mr. Delano offered the following amendment:

Strike out Section 9 and insert the following:

Sec. 9. That nothing in this act shall be so construed as to bind the State of Florida or the Board of Trustees of the Internal Improvement Fund or the Internal Improvement Fund to make good any deficiency in the quantity of lands granted to said * * * Railway Company, if it shall hereafter be found that there is not a sufficient quantity of such lands within the limits specified to make good this act;

Which was adopted.

The bill, as amended, was ordered to be engrossed,

The Committee on Corporations made the following report:

SENATE CHAMBER, Tallahassee, February 2, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Corporations to whom was referred—

Senate bill No. 161, to be entitled an act to incorporate the Pine Hill Grange, No. 41, Patrons of Husbandry, in Bradford county, Florida,

Beg leave to report that we have examined the same and recommend that it do pass.

Very respectfully,

J. H. MCKINNE, Chairman.

Which was read and adopted.

By leave, Mr. McClellan, Chairman of the Committee on Legislative Expenses, introduced the following bill:

Senate bill No. 174:

To be entitled an act to fix the pay of members, officers and attaches of the Legislature of 1883.

On motion, the rule was waived by a two-thirds vote and the bill was read the second time.

Mr. Mallory offered the following amendment:

After the word “Treasury” insert the words “not otherwise appropriated;”

Which was agreed to.

Mr. Lesley offered the following amendment:

Strike out “\$4.00” after Door-keeper and insert “\$5.00,” and strike out after Messengers “\$4.00” and insert “\$5.00;”

Which was adopted.

Mr. McKinne offered the following amendment:

After “page” strike out “\$3 00” and insert “\$4.00;”

Which was agreed to.

Mr. Baker was excused for to-morrow.

Mr. McKinne offered the following amendment:

Strike out “\$100” and insert “\$50” in lieu thereof.

Upon which the yeas and nays were called, the vote was:

Yeas—Messrs. Fortner, Hatcher, Mountien, McKinne and Swearington—5.

Nays—Messrs. Allen, Baker, Bryson, Chandler, Cottrell, Crill, Delano, Dell, Duncan, Greeley, Hankins, Hendricks, Landrum, Leslie, Mallory, McClellan, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard and Spear—24.

Which was not agreed to.

The bill, as amended, was ordered to be engrossed.

By leave, Mr. Speer introduced the following bill:

Senate bill No. —:

To be entitled an act to legalize the town government of the town of Apopka City, Florida;

Which was read the first time and referred to Committee on City and County Organizations.

Mr. Greeley was excused until Monday.

Mr. Allen was excused until Monday.

Ordered that the journal of to-day show that Senate bill No. —, to be entitled an act to fix the pay of members, officers and attaches of the Legislature of 1883, was introduced by Mr. McClellan, as Chairman of the Committee on Legislative Expenses.

Mr. McClellan moved to adjourn until Monday at 10 o'clock.

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

Yea—Mr. Pope—1.

Nays—Messrs. Allen, Baker, Bryson, Cole, Cone, Cottrell, Crill, Delano, Dell, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, McClellan, Mc-

Kinne, Polhill, Powers, Proctor, Roberts, Sheppard, Spear and Swearingen—27.

So the motion to adjourn was not agreed to.

Mr. Cole was excused for to-morrow.

Mr. Mallory moved that the Senate adjourn until 10 o'clock to-morrow.

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

Yeas—Messrs. Cone, Cottrell, Delano, Duncan, Hankins, Mallory, Powers, Proctor and Sheppard—9.

Nays—Messrs. Allen, Baker, Bryson, Chandler, Cole, Crill, Dell, Fortner, Greeley, Hatcher, Hendricks, Landrum, Lesley, McClellan McKinne, Polhill, Pope, Roberts, Sharpe, Spear and Swearingen—21.

Which was not agreed to.

Mr. Pope was excused until Monday.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

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

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

Assembly bill No. 129, to be entitled an act to change the name of Peace Creek to Davidson River,

And respectfully request the concurrence of the Senate therein.

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The bill was read the first time and referred to the Committee on Commerce and Navigation.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

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

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

Assembly bill No. 125, to be entitled an act to declare the Panasof kée Outlet, known as Panasof kee Run, navigable;

And respectfully request the concurrence of the Senate therein.

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The bill was read the first time and referred to the Committee on Commerce and Navigation.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

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

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

Assembly bill No. 48, to be entitled an act to empower Clerks of the Circuit Court to have one or more dies of their seal of Court,

And respectfully request the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The bill was read the first time and referred to the Judiciary Committee.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., February 1, 1883.

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

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

Assembly bill No. 119, to be entitled an act to prescribe the duties of the Pilot Commissioners relative to ports, harbors, bays and rivers in the State of Florida,

And respectfully request the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The bill was read the first time and referred to the Committee on Commerce and Navigation.

Mr. Dell moved that the resolution in reference to Judge Dawkins lie on the table subject to the call of Mr. Dell ;

Which was agreed to.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 2, 1883.

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

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

Assembly bill No. 73, to be entitled an act to regulate appeals from the Circuit to the Supreme Courts in cases pertaining to the probate jurisdiction or to the estates of minors or of deceased persons,

And respectfully request the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The bill was read the first time and referred to the Judiciary Committee.

Also the following:

ASSEMBLY HALL, Tallahassee, Feb. 2, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Assembly bill No. 103, to be entitled an act to repeal so much of section 1, chapter 3272, of the Laws of Florida, approved March 4, 1881, as confers jurisdiction upon Justices of the Peace relative to carrying arms secretly,

And respectfully request the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

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

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Assembly bill No. 27, to be entitled an act to amend Section 6, of an act to establish lost papers in Justice Courts, approved November 21, A. D. 1829,

And respectfully request the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

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

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 1, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Assembly bill No. 118, to be entitled an act for the relief of Louis Hertzog,

And respectfully request the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The bill was read the first time and referred to the Committee on Claims.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 2, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Assembly bill No. 131, to be entitled an act to declare the Tompkins and Branch mill streams navigable,

And respectfully request the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

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

Mr. Fortner moved that the Senate adjourn until half-past 10 o'clock to-morrow;

Which was not agreed to.

Mr. Chandler moved to adjourn until Monday morning, at 10 o'clock.

The vote was:

Yeas—Messrs. Baker, Chandler, Cone, Greeley, McClellan and Proctor—6.

Nays—Messrs. Cottrell, Crill, Delano, Duncan, Fortner, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, Polhill, Powers, Roberts, Sharpe, Sheppard, Speer and Swearingen—18.

So the motion was not agreed to.

On motion, the Senate adjourned until 10 o'clock to-morrow morning.