

ceive the exact amount, not exceeding six dollars per diem, as, in his opinion, said services are worth; *Resolved further*, That all members desirous of obtaining the benefit of this act may have his name spread upon the journal of the house of which he is a member, and the amount per diem for his said services, as provided in this resolution; and the said amount, and no more, shall be paid to said member for his services for the present session.

Read and ordered to lie over.

By leave, Mr. Cottrell introduced the following bill:

Senate bill No. 178:

To be entitled an act to authorize D. M. Blitch to establish and operate a public ferry across the Withlacoochee river;

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

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

SENATE CHAMBER, Tallahassee, Fla., Feb. 3, 1883.

HON. L. W. BETHEL,

*President of the Senate:*

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

Senate bill No. 44, after careful examination, beg leave to report favorably to its passage, with the following amendments:

Strike out all of line 6, Section 2, after "train" to "at" in line 7, and all of line 13, after "act" to "of," in line 14, after "violation," and insert "or any."

A. S. MANN,  
Chairman of Committee.

Which was read and adopted.

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

SENATE CHAMBER, Tallahassee, Fla., February 3, 1883.

HON. L. W. BETHEL,

*President of the Senate:*

SIR—Your Committee on Enrolled Bills, beg leave to report that they have this day presented to the Governor for his consideration, the following acts originating in the Senate:

An act to prohibit officers of municipal corporations from buying at a discount, or speculating in city or town scrip, and to provide a penalty therefor; also,

An act for the adoption of a child by John P. Roberts, and making said child his heir; also,

An act for the adoption of a child by Wm. W. Keep and Pauline C. Keep, of Gadsden county, Florida; also,

An act for the adoption of a child by Emanuel and Ritta Smith; also,

An act to punish the breaking and entering, or the entering without breaking, of a building in the day time, or entering in the night time without breaking, with intent to commit a misdemeanor

Very respectfully,

H. H. DUNCAN,  
Chairman of Committee.

Mr. Hankins was granted leave of absence to visit his home. Five minutes after 12 o'clock M., the Senate went into executive session.

Ten minutes after 12 o'clock M., the doors of the Senate were opened.

On motion of Mr. Swearingen, the Senate adjourned until 10 o'clock A. M. Monday.

CONFIRMATIONS.

John R. Kimbrew, to be County Judge for Taylor county.  
John C. Calhoun, to be Clerk of the Circuit Court for Taylor county.

J. B. Hardee, to be Collector of Revenue for Taylor county.  
Lucius Henderson, to be Assessor of Taxes for Taylor county.

R. M. Morgan, to be Collector of Revenue for Gadsden county.

J. R. Harris, to be County Judge for Gadsden county.  
H. McPhaul, to be Assessor of Taxes for Gadsden county.  
Sam'l C. Tucker, to be Sheriff for Alachua county.

—o—  
MONDAY, February 5, 1883.

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

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

Messrs. Allen, Baker, Bryson, Chandler, Cole, Cone, Cottrell, Crill, Dell, Duncan, Fortner, Greeley, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mountien, McClellan,

Polhill, Pope, Powers, Proctor, Roberts, Sharpe and Spear—26.  
A quorum present.  
Prayer by the Chaplain.  
On motion of Mr. Polhill, the reading of the journal of February 3d was dispensed with.

INTRODUCTION OF RESOLUTIONS, MEMORIALS AND PETITIONS.

Mr. Sheppard was excused until to-morrow.  
Mr. Mann was excused until to-morrow.

REPORTS OF COMMITTEES.

Mr. Hatcher, Chairman of the Committee on Post Routes, made the following report :

SENATE CHAMBER, Tallahassee, February 5, 1883.

HON. L. W. BETHEL,

*President of the Senate :*

SIR: Your Committee on Post Routes, to whom was referred—

Assembly Joint Resolution No. 41, asking for a daily mail service from Chattahoochee, Fla., to Apalachicola, Fla.,  
Beg leave to report the same without recommendation.

Very respectfully,

H. HATCHER,

Chairman Committee on Post Routes.

Which was read and adopted.

The resolution was read the second time and placed among the orders of the day for to-morrow.

The Committee on City and County Organizations made the following report :

SENATE CHAMBER, Tallahassee, February 5, 1883.

HON. L. W. BETHEL,

*President of the Senate :*

SIR—Your Committee on City and County Organizations, to whom was referred—

Senate bill No. 175, to be entitled an act to legalize the town government of the town of Apopka City, Fla.,  
Beg leave to report that they have examined the same and recommend that it do pass.

Very respectfully,

S. R. MALLORY, Chairman.

Which was read and adopted.

The bill was read the second time, and, on motion of Mr. Speer, the rules were waived and Senate bill No. 175, to be en-

titled an act to legalize the town government of the town of Apopka City, Fla.,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Allen, Baker, Chandler, Cole, Cone, Cottrell, Crill, Fortner, Greeley, Hatcher, Hendricks, Landrum, Lesley, Mallory, Mountien, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe and Speer—24.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

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

SENATE CHAMBER, Tallahassee, Feb. 5, 1883.

HON. L. W. BETHEL,

*President of the Senate :*

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

Senate bill No. 112, to be entitled an act to restore to the estates of B. C. Lewis, P. B. Brokaw, John McDougall and Wm. Bailey, certain Indian war certificates, unjustly withheld by the State, and for other purposes,

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

Very respectfully,

S. R. MALLORY,

Chairman of Committee.

Which was read and adopted.

The bill was read the second time.

On motion of Mr. Sharpe, the bill was ordered to lie on the table until to-morrow.

BILLS ON SECOND READING.

Senate bill No. 142 :

To be entitled an act in relation to lands heretofore sold for taxes and purchased by the State,

Was read the second time and ordered to be engrossed.

Senate bill No. 156 :

To be entitled 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,

Was read the second time and ordered to be engrossed.

Senate bill No. 160 :

To be entitled an act to amend an act entitled an act to

amend the several acts now in force concerning divorces, approved February 14, 1835,

Was read the second time.

On motion of Mr. Landrum, the bill was ordered to lie over until to-morrow.

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

SENATE CHAMBER, Tallahassee, Fla., February 5, 1883.

Hon. L. W. BETHEL,

*President of the Senate :*

SIR—Your Committee on Judiciary to whom was referred—

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

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

Very respectfully,

S. R. MALLOY,  
Chairman of Committee.

Which was read and adopted.

BILLS ON SECOND READING.

Assembly Bill No. 27 :

To be entitled an act to amend Section 6, of an act to establish lost papers in Justices' Courts, passed November 21st, 1829,

Was read the second time.

On motion of Mr. Bryson, the bill was indefinitely postponed.

Senate bill No. 122 :

To be entitled an act to provide for the amendment of charters granted by the Legislature or organized under the General Incorporation Acts of the State,

Was read the second time and ordered to be engrossed.

Senate bill No. 135 :

To be entitled an act for the relief of W. L. Williams, of Escambia county,

Was read the second time.

On motion of Mr. Pope, the bill was ordered to be recommitted.

Senate bill No. 117 :

To be entitled an act to incorporate the Grand United Order of the Sons and Daughters of Jacob,

Was read the second time and ordered to be engrossed.

Senate bill No. 44 :

To be entitled an act to confer police power upon conductors of passenger trains in this State, and to provide a punishment for neglect of official duty.

The committee offered the following amendments :

Strike out all of line 6, section 2, after "train" to "at," in line 7, and all of line 13, after "act" to "of" in line 14, after "violation," and insert "or any ;"

Which were adopted.

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

By leave, Mr. Speer introduced the following bill :

Senate bill No. 179 :

To be entitled an act for the compensation of collectors of revenue for extra services rendered in the years 1877 and 1878 ;

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

Also,

Senate bill No. 180 :

To be entitled an act in relation to County Boards of Public Instruction ;

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

By Mr. Sharpe :

Senate bill No. 181 :

To be entitled an act for the restoration of certain persons to citizenship ;

Which was read the first time.

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

On motion of Mr. Sharpe, 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. Allen, Bryson, Chandler, Cole, Cone, Crill, Cottrell, Delano, Duncan, Fortner, Greeley, Hendricks, Landrum, Lesley, Mallory, Mountien, McClellan, Proctor, Sharpe and Speer—20.

Nays—Messrs. Hatcher, McKinne, Powers and Roberts—4.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

By leave, Mr. Allen introduced the following bill :

Senate bill No. 182 :

To be entitled an act granting certain powers to administrators of estates of decedents.

On motion, the rule was waived by a two-thirds vote and

bill read the first time by its title and referred to the Committee on Judiciary.

Mr. Crill was called to the chair.

By leave, Mr. Delano introduced a memorial to Congress asking grant of land for educational and other purposes; Which was read the first time and referred to the Committee on Education.

BILLS ON SECOND READING.

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, Was read the second time and ordered to be engrossed.

ELEVEN O'CLOCK A. M.

The hour having arrived for the consideration of the contest of election for Senator from the 24th Senatorial District of Florida, election held Nov. 7th, 1882, Charles B. Pendleton, Contestant, vs. George W. Allen, Contestee, the Secretary read the following:

SENATE CHAMBER, Tallahassee, Fla., Jan. 26, 1883.

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

SIR—Your Committee on Privileges and Election, to whom was referred the contested case of C. B. Pendleton, contestant, against George W. Allen, contestee, from the Twenty-fourth Senatorial District of Florida, respectfully report that they have carefully considered the testimony of C. B. Pendleton, contestant, and George W. Allen, contestee, and while they are of the opinion that there were much irregularities and uncertainties in the conduct of the election in the first and second precincts, yet the evidence is so vague, indefinite and unsatisfactory that your committee can come to no definite conclusion as to the number of votes effected thereby, and they cannot find sufficient cause to change the result of the election in said district.

Your committee recommend the adoption of the following resolution:

*Resolved*, That the contest in this case be dismissed, and that George W. Allen retain his seat in the Senate, and that the testimony herein be spread upon the journals.

Very respectfully,

J. H. MCKINNE, Chairman.  
WM. BRYSON,  
J. B. DELL,  
WM. H. SHARPE,  
H. C. BAKER, Committee.

Mr. McKinne moved that the resolution reported from the Committee on Privileges and Elections in the contested case of Pendleton vs. Allen (which is as follows: 'That the contest in this case be dismissed, and that George W. Allen retain his seat in the Senate, and that the testimony herein be spread upon the journal), be adopted.

Pending the motion for the adoption of the resolution, Mr. C. B. Pendleton, contestant, in response to the invitation from the Senate, appeared upon the floor of the Senate and addressed the Senate in his own behalf, concluding at twelve minutes to one o'clock.

After Mr. Pendleton had concluded, Mr. George W. Allen, the contestee, addressed the Senate in his own behalf, concluding at eleven minutes after one o'clock.

After Mr. Allen had concluded, the Senate resumed consideration of Mr. McKinne's motion to adopt the resolution reported by the Committee on Privileges and Election.

Mr. Lesley offered the following:

WHEREAS, The committee in their report admit that there were much irregularities and uncertainties in the conduct of the election in first and second precincts, that the whole matter be referred back to the people.

Mr. Swearingen moved that the further consideration of the subject be postponed until 7:30 o'clock to-morrow night;

Which was agreed to.

The following communication was received from the Governor:

EXECUTIVE OFFICE, Tallahassee, Fla., Feb. 5, 1883.

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

SIR—I have this day signed and deposited in the office of the Secretary of State, the following acts which originated in the Senate, to-wit:

An act to punish the breaking, and entering without breaking, of a building in the day time, or entering in the night time without breaking, with intent to commit a misdemeanor; also,

An act for the adoption of a child by Emanuel Smith and Ritta Smith; also,

An act to prohibit officers of municipal corporations from buying at a discount or speculating in city or town scrip, and to provide a penalty therefor; also,

An act for the adoption of a child by Wm. W. Keep and Pauline C. Keep.

Very respectfully, W. D. BLOXHAM, Governor.

Which was read.

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