

and gave notice that he would call up the bill to-morrow at 11 o'clock A. M.

Mr. Mountien moved that the Senate adjourn until 10 o'clock A. M. to-morrow.

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

Yeas—Messrs. Bryson, Chandler, Cone, Cottrell, Hankins, Hatcher, Mann, Mountien, Pope, Powers and Proctor—11.

Nays—Messrs. Dell, Fortner, Landrum, Lesley, Mallory, McClellan, McKinne, Roberts, Sharpe, Speer and Swearingen—11.

The vote was a tie, and the motion was not agreed to.

Substitute for Senate bill No. 99

To be entitled an act to make an appropriation to cover rewards offered by the Governor for the arrest of fugitives from justice for the years 1883 and 1884,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Chandler, Cone, Cottrell, Dell, Fortner, Hankins, Hatcher, Landrum, Lesley, Mallory, McClellan, McKinne, Powers, Roberts, Sharpe, Speer and Swearingen—17.

Nays—Messrs. Bryson, Mountien and Pope—3.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 191:

To be entitled an act to prescribe the duties of the Treasurer of this State,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Chandler, Cone, Cottrell, Dell, Fortner, Hankins, Hatcher, Landrum, Lesley, Mallory, Mountien, McClellan, McKinne, Powers, Proctor, Sharpe, Speer and Swearingen—18.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

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

Which was agreed to.

FRIDAY, February 23, 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. Bryson, Chandler, Cone, Cottrell, Crill, Dell, Duncan, Fortner, Greeley, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mallory, McClellan, McKinne, Polhill, Pope, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—24.

A quorum present.

Prayer by the Chaplain.

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

The following bill was introduced:

By Mr. Lesley:

Senate bill No. 243:

To be entitled an act making appropriation for the repairs of a wood-house in the Capitol grounds; and the erection of a wood-house in the Capitol grounds;

Which was read and referred to the Committee on Appropriations.

Mr. Pope was called to the chair.

ORDERS OF THE DAY.

Senate bill No. 218:

To be entitled an act for the assessment and collection of revenue.

Mr. Crill moved that the Secretary be instructed to insert the following words, which had by mistake been omitted in engrossing the bill, viz.: "shall be engaged in or managed within such county, city or town, but they shall not impose any such tax on any business profession or occupation;"

Which was agreed to by unanimous consent of the Senate, and the Secretary made the correction.

Also, the word "usually," after the words "commercial agents" in Section 5, was inserted; also the words "of Revenue," after the word "Collector" in Section 6, were inserted by unanimous consent of the Senate.

The President resumed the chair.

Also, that "fifty-five" be substituted for "forty-five," in Section 16, being a mistake in engrossing;

Which was agreed to by unanimous consent of the Senate. Also, the word "than," before "three years," in Section 26.

Also, the word "whosoever" instead of "whatsoever," in Section 26;

Which was so ordered.

Make the word "out," for "at," after the word "carry," in Section 30.

Also, add the word "two," before "fair copies," in Section 30;

Which was so ordered.

Make the word "successor" instead of "assessor," in Section 32;

Also, the word "on," for "in," Section 38;

Which was so ordered.

Also insert the word "than" after the word "more," in Section 42.

So ordered.

Also make "such" instead of "said" railroad, in Section 45.

So ordered.

Insert the word "in" before "said," in Section 46.

So ordered.

Make "owning" for "owing" land, in Section 47.

So ordered.

Make "certificate" for "delinquent," in Section 48.

So ordered.

Also insert "land sold for taxes in county of _____ on the _____ day of _____, A. D. 18____, in Section 53.

So ordered.

Also strike out "his or their" before "legal representatives," in Section 61.

Also strike out the repetition of a clause in Section 61.

So ordered.

Also, insert "as provided in Section 44 of this act, and a copy thereof filed with the Comptroller and the County Commissioners" in Section 63.

So ordered.

Mr. Pope moved to put the bill back on its second reading;

Which was not agreed to.

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

The vote was:

Yeas—Messrs. Chandler, Cone, Crill, Delan, Duncan, Fortner, Greeley, Hankins, Hatcher, Hendricks, Lesley, Mann, Mountien, Pope, Powers, Roberts, Sharpe and Speer—18.

Nays—Messrs. Cottrell, Dell, Landrum, Mallory, McClellan, McKinne, Polhill, Proctor, Sheppard and Swearingen—10.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Bryson was excused from voting on the bill.

Mr. Pope changed from no to aye.

Mr. Chandler moved to reconsider the vote just taken.

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

Yeas—Messrs. Cottrell, Dell, Mallory, McClellan, McKinne, Polhill, Pope, Proctor and Sheppard—9.

Nays—Messrs. Chandler, Cone, Crill, Duncan, Fortner, Greeley, Hankins, Hatcher, Hendricks, Landrum, Lesley, Mann, Mountien, Powers, Roberts, Sharpe, Speer and Swearingen—18.

Which was not agreed to.

The bill was ordered to be certified to the Assembly at once.

By leave, Mr. Greeley introduced the following bill:

Senate bill No. 244:

To be entitled an act to amend Section 3, Chapter 3106, entitled an act to fix and regulate fees and per diem of certain officers;

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

ORDERS OF THE DAY.

Senate bill No. 87:

To be entitled an act granting the right of way and other privileges for a Steamboat and Barge Canal through the State of Florida to the Atlantic and Mexican Gulf Canal Company.

Mr. McKinne offered the following amendment:

In Section 1 strike out the words "be it therefore enacted" and insert the following words:

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

Before the word "canal," in 5th line of Section 1, insert the words following: "Atlantic and Mexican Gulf."

After the word "canal," in fifth line of Section 1, insert the following: "From the St. Marys river, in Georgia, via the Okefenokee swamp."

After the word "stated," in 9th line of Section 1, insert the following: "In the preamble."

After the word "section," in 15th line of Section 1, insert the word "ten."

After the word "thereafter," at the end of Section 1, add the following: "And said canal is completed within ten years thereafter," so that Section 1 of said bill shall read as follows:

SEC. 1. That authority is hereby given to said Atlantic and Mexican Gulf Canal Company, together with Geo. F. Drew, J. J. Finley and Geo. R. Fairbanks, of Florida, and Jas. S. Bailey, of Georgia, to extend the said canal from the St. Marys river in Georgia, via the Okefenokee sawamp across the State of Florida to the Gulf coast of the State by such route as the

Company may find the most convenient and practicable to enable it to carry out the purposes in view as before stated in the preamble, and to extend it along the Gulf coast as far as the western limits of the State, and to connect with any water way which would communicate with Mobile or New Orleans, and the exclusive privilege of constructing such canal and such slack-water works as will be hereafter described over a section ten miles in width, both sides of the route selected for the canal, is hereby granted and confirmed to said Company, and said exclusive privileges shall not be taken away from said Company or its assigns; *Provided*, The line of said canal is selected and marked within one year from the passage of this act, and that ten miles of said canal are finished within two years thereafter, and said canal is completed within ten years thereafter.

That the words "be it further enacted" be stricken out in the first line of Sections 3, 4, 5 and 6.

After the word "in," at end of 10th line, Section 6, "Section 73, act of February 10, 1832."

That Section 7 be stricken out.

That Section 8 be stricken out;

Which were adopted.

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

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

SENATE CHAMBER, Tallahassee, Fla., Feb. 23, 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 for the relief of Dr. H. L. R. Roberts and Dr. E. A. Todd; also,

An act to incorporate the Artesian Well Company of Florida; also,

An act for the relief of Primus Daiz and Samuel Small, of Monroe county, Florida; also,

An act to incorporate the Suwannee Real Estate Agency.

They have also deposited with the Secretary of State the following memorials:

Memorial relating to appropriation by Congress for improving the Caloosahatchie river; also,

Memorial relating to improvement of navigation about St. Marks reef; also,

Memorial relating to mail route; also,

Memorial relating to the erection of a lighthouse at North Anclote Key; also,
Memorial relating to the establishment of a mail route.
Very respectfully,
H. H. DUNCAN, Chairman.

Which was read.
The President and Secretary signed the foregoing enrolled bills and memorials.

SENATE CHAMBER, Tallahassee, Fla., Feb. 23, 1883.

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

SIR—Your Committee on Enrolled Bills to whom was referred the following bills originating in the Senate, beg leave to report that they have examined the same and found them correctly enrolled:

An act to amend an act entitled an act to confirm the organization of the Jacksonville, St. Augustine and Halifax River Railway Company, and to grant certain ferry privileges and lands to said Company, approved February 23, 1881; also,

An act to provide for the preservation of the battle flags of the Florida regiments engaged in the late war between the States; also,

An act to restore Anderson Taylor to the rights of citizenship.
Very respectfully,
H. H. DUNCAN,
Chairman of Committee.

Which was read.
The President and Secretary signed the foregoing enrolled bills.

Also the following:

SENATE CHAMBER, Tallahassee, Feb. 23, 1883.

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

SIR—Your Committee on Enrolled Bills beg leave to report that they have examined and found correctly enrolled the following acts, originating in the Senate:

An act fixing the liability of persons and corporations for damages resulting from the death of any one caused by the wrongful act, negligence, carelessness or default of such persons or corporations, or the agents thereof; also,

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; also,

An act for the relief of Elias W. Hankins, and for other purposes; also,

Joint resolution relative to adjournment.

Very respectfully,

H. H. DUNCAN,
Chairman Committee.

Which was read.

The President and Secretary signed the foregoing bills and resolution.

Mr. Mallory was excused for this evening.

Mr. Hendricks called up

Substitute for Senate bill No. 93:

To be entitled an act to grant certain lands to the Green Cove Spring and Melrose Railroad Company,

Which was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Chandler, Cone, Cottrell, Crill, Delano, Dell, Fortner, Greeley, Hankins, Hatcher, Hendricks, McKinne, Powers, Proctor, Roberts, Sharpe, Sheppard, Speer and Swearingen—19.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. McKinne called up

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,

And requested that the consideration of the same be set for this evening;

Which was agreed to.

On motion, the Senate went into Executive Session.

On motion, the doors of the Senate were opened.

MESSAGES FROM THE ASSEMBLY.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, February 23, 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—

Senate bill No. 174, to be entitled an act to fix the pay of the members, officers and attaches of the Legislature of 1883, with amendments thereto,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The amendments of the Assembly were concurred in.
Also the following:

ASSEMBLY HALL, Tallahassee, Feb. 23, 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. 77, to be entitled an act to regulate the conviction fees of the several State Attorneys; also passed by a two-thirds vote,

Senate bill No. 96, to be entitled an act to change the boundary line between the counties of Clay and Putnam.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The bills were read and referred to the Committee on Enrolled Bills.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—I am directed by the Assembly to inform the Senate that the Assembly has refused to recede from Assembly amendments to Senate bill No. 181, to be entitled an act for the restoration of certain persons to citizenship,

And respectfully request the appointment of a committee of conference.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Messrs. Mallory and Sharpe were appointed such committee.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla. Feb. 23, 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. 168, to be entitled an act to regulate the

sale of liquors, wines, and beer in the State of Florida by the Boards of County Commissioners of the several counties,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read and the accompanying bill referred to the Committee on Temperance.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 23, 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. 60, to be entitled an act to incorporate the Florida Ship Canal Company, to locate, construct, own and operate a ship canal and telegraph line across the peninsula of Florida, to connect the Atlantic ocean with the Gulf of Mexico, with amendments thereto,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

The following Assembly amendments were concurred in :

Sec. 1. In line 5 insert "John P. Jones, of Nevada."

Sec. 6. At the end of the section add : "As any other stockholders."

Sec. 9. In lines 4 and 5 strike out the words "nor shall any toll or charge be made by said company over such structures," and add the same words at the end of the same section.

Sec. 12. At the end of the section add : "And provided further, That no lands are to be acquired hereunder by donation from the United States in the State of Florida, and upon accepting such grants it shall work a forfeiture of the franchises hereunder."

Sec. 13. In line 2 strike out "twelve months" and insert "two years."

Sec. 14. In line 4 strike out "otherwise" and insert "grant."

Add : "Sec. 21. This company shall have and possess, in addition to the rights and privileges hereby granted, all the powers and privileges contained in an act to provide a general law for the incorporation of railroads and canals, approved February 19th, 1874, and the several acts amendatory thereof,

except the alternative sections of land, as provided for in Section 26 of said act."

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 23, 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. 206, to be entitled an act to permit the registered voters of Sumter county to change the location of the county site of said county.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

Which was read.

Mr. Bryson moved that the rule be waived, and that

Senate bill No. 230 :

To be entitled an act to change the name of the Atlantic and Gulf Coast Canal and Okeechobee Land Company to the Okeechobee Land Company, and for other purposes, be advanced to its third reading without being engrossed ;

Which was agreed to by a two-thirds vote.

On motion, the Senate took a recess until 3:30 o'clock P. M.

CONFIRMATIONS.

James Simmons, to be Sheriff of Washington county.

HALF PAST THREE 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. Chandler, Cone, Cottrell, Crill, Delano, Dell, Duncan, Hankins, Hatcher, Hendricks, Landrum, Mallory, Mann, Mountien, McClellan, McKinne, Polhill, Powers, Proctor and Roberts—19.

A quorum present.

Assembly bill No. 43 :

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

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Chandler, Cole, Cone, Crill, Delano, Fortner,

Greeley, Hankins, Hendricks, Landrum, Mann, Proctor, Roberts, Sheppard and Speer—16.

Nays—Messrs. Cottrell, Duncan, Hatcher, Mallory, Mountain, McClellan, McKinne, Polhill, Powers, Sharpe and Swearingen—11.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

REPORTS OF COMMITTEES.

The Committee on Judiciary made the following report:

SENATE CHAMBER, Tallahassee, February 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—Assembly bill No. 196, to be entitled an act to legalize the holdings of courts and performing official acts at the town of Leesburg, in Sumter county, Florida; also,

Assembly bill No. 206, to be entitled an act in relation to appeals from judgments upon demurrers in civil causes; also,

Senate bill No. 234, to be entitled an act to legalize the town government of the town of DeLand, Volusia county, Florida; also,

Assembly bill No. 190, to be entitled an act to legalize the town government of Hawthorn; also,

Assembly bill No. 87, to be entitled an act for the relief of Edward Bailey, of Nassau county; also,

Assembly bill No. 115, to be entitled an act to restore Thos. D. Williams, of Nassau county, in this State, to his civil rights; also,

Senate bill No. 238, to be entitled an act to authorize the payment to parties purchasing lands at erroneous tax sales, the money paid therefor,

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

Very respectfully,

S. R. MALLORY,
Chairman of Committee.

Which was read and adopted.

Senate bill No. 238 was read and ordered to lie over.

Senate bill No. 234 was read the second time and ordered to be engrossed.

Assembly bill No. 87 was read the second time and placed among the orders of the day.

Substitute for Assembly bill No. 196 was read the second time and placed among the orders of the day.

Assembly bill No. 206 was read the second time and placed among the orders of the day.

The following message was received from His Excellency, the Governor:

EXECUTIVE OFFICE, Tallahassee, Fla., Feb. 23, 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, to-wit:

An act to incorporate the Artesian Well Company of Florida.

An act to incorporate the Suwannee Real Estate Agency.

Very respectfully,

W. D. BLOXHAM, Governor.

Assembly bill No. 190 was read the second time and placed among the orders of the day.

Assembly bill No. 115 was read the second time and placed among the orders of the day.

Mr. Delano, Chairman of the Committee on Railroads and Telegraphs, made the following report:

SENATE CHAMBER, Tallahassee, February 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Railroads and Telegraphs, to whom was referred—

Senate bill No. 241, to be entitled an act to incorporate the Palatka and St. Augustine Railway Company,

Beg leave to report they have carefully considered this bill and respectfully recommend that the same do pass as amended.

Very respectfully,

CHAS. DELANO,
Chairman of Committee.

Which was read and adopted.

Senate bill No. 241:

To be entitled an act to incorporate the Palatka and St. Augustine Railway Company.

The Committee offered amendments;

Which were adopted.

The bill as amend was ordered to be engrossed.

Also the following:

SENATE CHAMBER, Tallahassee, February 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Railroads and Telegraphs, to whom was referred—

Senate bill No. 233, to be entitled an act to provide for obtaining right of way by railroads and canals,

Beg leave to report that they have carefully examined this bill, and respectfully recommend that the same do pass.

Very respectfully,

CHAS. DELANO,
Chairman of Committee.

Which was read and adopted.

Senate bill No. 233:

To be entitled an act to provide for obtaining right of way by railroads and canals,

Was read the second time and ordered to be engrossed.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 23, 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. 152, to be entitled an act to incorporate the International Railroad and Steamship Company 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 Railroads.

By leave, Mr. Crill introduced the following bill:

Senate bill No. 246:

To be entitled an act levying a tax for the years 1883 and 1884.

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 Finance and Taxation.

Mr. Speer, Chairman of the Committee on Claims, made the following report:

SENATE CHAMBER, Tallahassee, February 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Senate bill No. 186, to be entitled an act for the relief of S. B. Baldwin and others; also,

Senate bill No. 145, to be entitled an act for the relief of Edward A. Clarke and Joseph Robles; also,

Senate bill No. 188, to be entitled an act for the relief of Wm. F. Bucknor, late Collector of Revenue of Volusia county,

Have examined the same and recommend that they do not pass; also,

Senate bill No. 126, to be entitled an act for the relief of M. D. Mattair, of Suwannee county, Fla.,

Have examined it, and report it back without recommendation; also,

Senate bill No. 240, to be entitled an act to secure to the several counties of this State the exterior lines of the original field notes of township: also,

Senate bill No. 124, to be entitled an act for the relief of Henry Bernreuter,

Have had the same under consideration and recommend they do pass.

Very respectfully,

J. G. SPEER,

Chairman of Committee.

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

Senate bill No. 105 was taken up, and, on motion, the bill was ordered to lie on the table subject to call.

Senate bill No. 188 was taken up, and Mr. Delano was allowed to withdraw the bill.

Senate bill No. 186 was taken up, and, on motion of Mr. Delano, the bill was indefinitely postponed.

Senate bill No. 240 was read the second time and ordered to be engrossed.

Senate bill No. 126:

To be entitled an act for the relief of M. D. Mattair, of Suwannee county.

Mr. Bryson offered the following amendment:

Strike out "\$84.96," and insert "\$42;"

Which was agreed to.

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

Senate bill No. 124:

To be entitled an act for the relief of Henry Bernreuter, Was read and ordered to lie over subject to call.

On motion of Mr. Lesley, Judge Knapp was invited to a seat on the floor of the Senate.

Mr. Crill was called to the chair.

The President resumed the Chair.

Mr. McKinne called up

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;

Which was read the third time and put upon its passage.

The vote was:

Yeas—Mr. President, Messrs. Bryson, Cole, Cone, Cottrell, Hendricks, Mallory, Mann, McClellan, McKinne, Polhill, Proctor, Sheppard and Swearingen—14.

Nays—Messrs. Chandler, Crill, Dell Duncan, Hankins, Hatcher, Landrum, Mountien, Pope, Powers, Roberts, Sharpe and Speer—13.

The vote was a tie.

The President voted aye.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Lesley was paired with Mr. Allen on the bill.

Mr. Greeley was excused from voting on the bill.

Mr. Pope raised a point of order that the President did not have the right to give the casting vote on a tie vote unless all the members present voted;

Which was overruled by the President.

Mr. Pope appealed from the ruling.

The ruling of the chair was sustained by the Senate.

On motion, the Senate took a recess until 8 o'clock P. M.

EIGHT 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. Cone, Cottrell, Duncan, Greeley, Hatcher, Hendricks, Landrum, Mann, Mountien, McClellan, Pope, Powers, Proctor, Roberts, Sharpe, Speer and Swearingen—17.

A quorum present.

Mr. Polhill was excused for to-night.

Mr. Hankins was excused for to-night on account of sickness.

REPORTS OF COMMITTEES.

Mr. Speer, Chairman of the Committee on State Affairs, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on State Affairs, to whom was referred—

Senate bill No. 225, to be entitled an act for the appointment of a Chaplain for the State convicts, and to provide a salary therefor,

Have had the same under consideration, and recommend that that the same do pass.

Very respectfully,

J. G. SPEER,
Chairman Committee.

Which was read and adopted.

Senate bill No. 225 was read.

The Committee offered amendments;

Which were adopted.

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

Mr. Delano, Chairman of the Committee on Railroads and Canals, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Railroads and Canals, to whom was referred back for amendment—

Senate bill No. 224, to be entitled an act to secure railroad facilities for the whole State of Florida,

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

Very respectfully,

CHAS. DELANO,
Chairman of Committee.

Which was read and adopted.

The amendments of the Committee were adopted.

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

Mr. Crill, Chairman of the Committee on Constitutional Amendments, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 22, 1883.

HON. L. W. BETHEL,

President of the Senate:

SIR—Your Committee on Constitutional Amendments, to whom was referred—

Assembly Joint Resolution No. 14, joint resolution recommending the electors at the next general election to vote for or against a Convention,

Have examined the same, and a majority of the committee recommend that it do pass.

Very respectfully,

E. S. CRILL, Chairman.
GEO. C. POWERS,
WM. H. SHARPE,
JOHN T. LESLEY,
Committee.

Which was read and adopted.

The resolution was read the second time and placed among the orders of the day.

Mr. Greeley, Chairman of the Committee on Temperance, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Substitute for Assembly bill No. 168, to be entitled an act to regulate the sale of liquors, wines and beer in the State of Florida by the Board of County Commissioners of the several counties,

Beg leave to report that they have examined the same and recommend that the same do pass with the accompanying amendments.

Very respectfully,

J. C. GREELEY,
Chairman Committee.

Which was read and adopted.

The amendments of the committee were adopted.

Mr. Duncan moved to strike out Section 4.

Mr. Lesley offered the following amendment to the amendment:

After the word "mother" add "mother-in-law;"

Which was not agreed to.

Mr. Sharpe offered the following amendment to the amendment:

Strike out all after the word "minor" in Section 4;

Which was adopted.

The bill, as amended, was read the second time.

Mr. Bryson moved to waive the rule and that the bill be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote.

Mr. Duncan moved that the rule be waived and that the bill be put back on its second reading for purposes of amendment;

Which was agreed to by unanimous consent.

Mr. Duncan offered the following amendment:
Strike out all after the word "minor" in Section 5;
Which was adopted.

On motion, the rule was waived by unanimous consent, and the bill as amended was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Bryson, Chandler, Cone, Dell, Duncan, Greeley, Hatcher, Mann, Pope, Sharpe and Speer—11.

Nays—Messrs. Cottrell, Hendricks, Landrum, Lesley, McClellan, Powers, Proctor and Roberts—8.

So the bill, passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Bryson moved to reconsider the vote just taken, and that that motion be laid upon the table.

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

Yeas—Messrs. Bryson, Chandler, Cone, Dell, Duncan, Greeley, Hatcher, Mann, Sharpe and Speer—10.

Nays—Messrs. Cottrell, Hendricks, Landrum, Lesley, McClellan, Pope, Powers, Proctor and Roberts—9.

Which was agreed to.

Mr. Bryson, Chairman of the Committee on Engrossed Bills, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 23, 1883.

HON. L. W. BETHEL,

President of the Senate:

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

Senate bill No. 228, to be entitled an act providing for the introduction of copies of certain records, pleadings, deeds and other instruments of writing in evidence and to declare the effect thereof; also,

Senate bill No. 128, to be entitled an act to amend Sections 3 and 6, of Chapter 3386, Laws of Florida, approved March 8, 1881, an act to incorporate the Tropical Peninsular Railroad Company; also,

Senate bill No. 118, to be entitled an act to change the name of the Arlington and Atlantic Railroad Company,

Beg leave to report that they find them to be correctly engrossed.

Very respectfully,

WM. BRYSON,
Chairman of Committee.

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

Mr. Delano, Chairman of the Committee on Railroads and Canals, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 22, 1883.

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

SIR—Your Committee on Railroads and Canals, to whom was referred—

Senate bill No. 239, to be entitled an act to grant certain lands to the Jacksonville, St. Augustine and Halifax Railway Company,

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

Very respectfully,

CHARLES DELANO,
Chairman of Committee.

Which was read and adopted.

The bill was read the second time.

Mr. Powers moved to waive the rule and that the bill be read the third time and put upon its passage.

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

Yeas—Messrs. Bryson, Chandler, Cone, Delano, Duncan, Greeley, Hatcher, Hendricks, Lesley, Mann, McClellan, Pope, Proctor, Roberts, Sharpe and Speer—16.

Nays—Messrs. Cottrell and Dell—2.

Which was agreed to.

Senate bill No. 239.

To be entitled an act to grant certain lands to the Jacksonville, St. Augustine and Halifax Railway Company,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Bryson, Chandler, Cone, Cottrell, Delano, Dell, Duncan, Greeley, Hatcher, Hendricks, Landrum, Lesley, Mann, Mountien, McClellan, Pope, Powers, Proctor, Roberts, Sharpe and Speer—21.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Bryson, Chairman of the Committee on Engrossed Bills, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 23, 1883.

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

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

Senate bill No. 140, to be entitled an act to regulate the fees of sheriffs in the State of Florida; also,

Senate bill No. 219, to be entitled an act to amend an act entitled an act to incorporate the Live Oak and Rowland's Bluff Railroad Company, approved February 25, 1881; also,

Senate bill No. 168, to be entitled an act to provide an asylum for the blind, deaf and dumb, in this State; also,

Senate bill No. 220, to be entitled an act to amend an act entitled an act to grant certain lands to the East Florida Railroad Company, approved March 2, 1881,

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

Very respectfully,

WM. BRYSON,
Chairman Committee.

Which was read and adopted.

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

SENATE CHAMBER, Tallahassee, Feb. 23, 1883.

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

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

Assembly bill No. 142, entitled an act in relation to small estates, and to save the same from wasteful costs and expenditures,

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

Very respectfully,

S. R. MALLORY,
Chairman of Committee.

Which was read and adopted.

The bill was ordered to lie over until to-morrow.

Mr. Lesley, Chairman of the Committee on Appropriations, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 23, 1883.

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

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

Senate bill No. 243, to be entitled an act to appropriate funds for repairs on the Capitol,

Beg leave to report that we have had the same under consideration and recommend that it do pass.

Very respectfully,

JNO. T. LESLEY,
Chairman Committee.

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

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

SENATE CHAMBER, Tallahassee, Fla., February 23, 1883.
HON. L. W. BETHEL,

President of the Senate :

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

Assembly bill No. 162, to be entitled an act relating to practice in filing exceptions to the charge of the Judges of the Circuit Court to juries in this State,

Beg leave to report that they have considered the same and recommend that it pass, with the following amendment, viz.: Insert the word "Judge" after the word "the" at the end of line 7 in Section 1.

Your committee have also considered

Assembly bill No. 199, to be entitled an act to legalize the incorporation of the town of Daytona, in the county of Volusia, and to declare the incorporation of the town of Daytona valid and of full force and effect,

And recommend that the same do pass, with the following amendment, viz.: Strike out all of Section 2.

Very respectfully,

S. R. MALLORY,
Chairman Judiciary Committee.

Which was read and adopted.

Mr. Mallory, Chairman of the Committee on City and County Organizations, made the follow report :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 23, 1883.
HON. L. W. BETHEL,

President of the Senate :

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

Senate bill No. 226, to be entitled an act to further provide for the government of cities and towns,

Beg leave to report that they have considered the same and recommend the adoption and passage of the accompanying substitute bill in lieu thereof.

Very respectfully,

S. R. MALLORY,
Chairman of Committee.

Which was read and adopted.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 23, 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. 143, to be entitled an act for the relief of George H. Mays,

And the Assembly has appointed Messrs. Cobb, Harris and Mabry a committee on part of the Assembly to act with a similar committee on part of the Senate upon Assembly amendments to Senate bill No. 181.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the Assembly.

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

BILLS ON THIRD READING.

Senate bill No 128 :

To be entitled an act to amend Sections 3 and 6, of Chapter 3336, Laws of Florida, approved March 8th, 1881, an act to incorporate the Tropical Peninsular Railroad Company,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Chandler, Cottrell, Dell, Duncan, Greeley, Hatcher, Hendricks, Landrum, Lesley, Mann, Mountien, McClellan, Proctor, Roberts, Speer and Swearingen—17.

Nay—Mr. Pope—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 141 :

To be entitled an act to amend Section 1 of an act entitled an act to authorize State Attorneys to compromise certain claims,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Chandler, Cone, Cottrell, Dell, Duncan, Greeley, Hatcher, Hendricks, Landrum, Lesley, Mann, McClellan, Pope, Powers, Proctor, Roberts, Sharpe, Speer and Swearingen—19.

Nays—Mr. Mountien—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Lesley was called to the chair.

Mr. Mann moved to take up Assembly bill No. 191.

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

Yeas—Messrs. Chandler, Cone, Cottrell, Greeley, Lesley, Mann and Proctor—7.

Nays—Messrs. Dell, Hatcher, Landrum, Mountien McClellan, Pope, Powers, Sharpe, Speer and Swearingen—10.

Which was not agreed to.

Mr. Dell moved no bills be taken up to-night, out of their regular order ;

Which was agreed to.

Senate bill No. 140 :

To be entitled an act to regulate the fees of Sheriffs in the State of Florida.

Mr. Dell moved to put the bill back on its second reading ;

Which was agreed to.

Senate bill No. 168 :

To be entitled an act to provide for an Asylum for the Blind and Deaf and Dumb in this State,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Chandler, Cone, Cottrell, Dell, Duncan, Greeley, Hatcher, Hendricks, Landrum, Lesley, McClellan, Pope, Powers, Proctor, Roberts, Sharpe, Speer and Swearingen—19.

Nay—Mr. Mountien—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

On motion of Mr. Dell, the word "Institute" was substituted for the word "Asylum" in the title and wherever it occurs in the bill.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, Feb. 23, 1883.

HON. L. W. BETHEL,

President of the Senate :

SIR—I am directed by the Assembly to inform the Senate that the Assembly has concurred in Senate amendment to—
Assembly bill No. 168.

Insert at the end of Section two, "that the County Commissioners shall issue said license upon the presentation of such petition," and

Refused to concur in the second Senate amendment "to strike out all after the word minor, in the fourth Section," and

Refused to concur in the third Senate amendment, "to strike out all after the word minor in the fifth Section," and ask for a committee of conference, and have appointed Messrs. Harris, Cobb and Kickliter such committee on part of the As-

sembly, and respectfully request the appointment of a similar committee on part of the Senate.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the Assembly.

Messrs. Duncan and Greeley were appointed such committee.

Senate bill No. 219 :

To be entitled an act to amend an act entitled an act to incorporate the Live Oak and Rowland Bluff Railroad Company, approved February 25, 1881,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Chandler, Cone, Cottrell, Dell, Hatcher, Hendricks, Landrum, Lesley, Mountien, McClellan, Pope, Powers, Proctor, Roberts, Sharpe, Speer and Swearingen—18.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate bill No. 220 :

To be entitled an act to amend an act entitled an act to grant certain lands to the East Florida Railway Company, approved March 4, 1881,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Bryson, Chandler, Cone, Cottrell, Delano, Hatcher, Hendricks, Lesley, Pope, Powers, Proctor, Roberts and Speer—13.

Nays—Messrs. Dell, Landrum, Mountien, McClellan and Sharpe—5.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Mountien moved that the Senate adjourn until 10 o'clock A. M. to-morrow.

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

Yeas—Messrs. Chandler, Cottrell, Delano, Hatcher, Hendricks, Mountien, McClellan, Pope, Powers, Proctor and Roberts—11.

Nays—Messrs. Bryson, Cone, Dell, Landrum, Lesley, Sharpe, Speer and Swearingen—8.

Which was agreed to.