

SATURDAY, January 10, 1885.

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

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

Messrs. Baker, Bryson, Burnam, Chandler, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Martin, Mountien, McKinne, Neel, Orman, Proctor, Roberts, Sammis, Sheppard, Speer, Stripling, Whidden and Williams—27.

A quorum present.
Prayer by the Chaplain.

READING OF JOURNAL.

Mr. Orman moved that further reading of the Journal be dispensed with and same be corrected.

Mr. Hendricks asked that a Committee on Engrossed Bills be appointed.

The President stated that he was under the impression that such committee had been appointed, but in case it had not he would do so to-day.

Mr. Speer offered the following joint resolution postponing forced collection of taxes for the year 1884 :

Resolved, by the Senate the Assembly concurring, That the forced collection of the taxes for the year 1884, is hereby postponed until first Monday in May, 1885 ;

Which took usual course.

A memorial of Mr. S. C. Cobb, presented by Mr. Chandler, was ordered read.

Mr. Stripling moved that further reading be dispensed with and that it be referred to the Committee on Privileges and Elections ;

Which prevailed.

The petition of Charles B. Pendleton was presented and referred to the Committee on Privileges and Elections.

The President then appointed the following special committees :

Special committee to examine Treasurer's and Comptroller's books—Messrs. Gaskins and Hendricks.

Special committee on Temperance—Mr. Hankins, Chairman, Messrs. Lee, Speer, Bryson and Baker.

Special committee on Indian War Claims—Mr. Mann, Chairman, Messrs. Whidden and Bryson.

Special committee to visit Insane Asylum—Mr. Crill, Chairman, Messrs. Neel, Gaskins, Mountien and Stripling.

The Judiciary Committee reported on the following bills :

SENATE CHAMBER, Tallahassee, Fla., January 10, 1885.

HON. M. H. MABRY,

President of the Senate :

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

Senate Bill No. 20, entitled an act to amend sections 2 and 3 of sub-chapter 4 of Chapter 1637, of the Laws of Florida, being an act entitled an act to provide for the punishment of crime and proceedings in criminal cases ; also,

Senate Bill No. 17, entitled an act to amend section 51, sub-chapter 4, Chapter 1637, act of August 6, 1868, Laws of Florida ; also,

Senate Bill No. 18, entitled an act to amend Chapter 1986, Laws of Florida, being an act entitled an act to amend section 3, chapter 8, of an act entitled an act to provide for the punishment of crime and proceedings in criminal cases, approved February 3, 1874,

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

Very respectfully,

S. R. MALLORY,

Chairman Judiciary Committee.

The following bills were introduced :

By Mr. Mallory :

Senate Bill No. 31 :

To be entitled an act to create and establish a State Board of Health for the State of Florida ;

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

By Mr. Mountien :

Senate Bill No. 32 :

A bill to be entitled an act to secure a copy of the original field notes of the exterior lines of townships ;

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

By Mr. McKinne :

Senate Bill No. 33 :

A bill to be entitled an act to supply deficiencies in the appropriations for the year 1884 ;

Which was read first time and referred to Committee on Appropriations.

Also,

Senate Bill No. 34:

A bill to be entitled an act to incorporate the St. Andrews Bay and Florida Railroad Company, and to grant certain lands to the same;

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

By Mr. Lesley:

Senate Bill No. 35:

A bill to be entitled an act to grant certain privileges to the Manatee Dry Dock Company;

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

The Joint Resolution of Mr. Crill was then taken up and read:

The People of the State of Florida, represented in Senate and Assembly, do resolve as follows: That the present Legislature of the State of Florida do adjourn on the 4th day of February, 1885, at 12 o'clock, M.

Mr. Baker moved that further consideration be postponed until the 23d instant.

Mr. Stripling moved to amend by inserting February 3d;

Which was accepted.

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

Yeas—Messrs. Baker, Bryson, Burnam, Chandler, Cottrell, Hendricks, Lee, Martin, Neel, Proctor, Sammis, Stripling and Williams—13.

Nays—Messrs. Cooper, Crill, Gaskins, Jones, Landrum, Lesley, Mallory, Mann, Mountien, McKinne, Orman, Roberts, Sheppard, Speer and Whidden—14.

So the motion was lost.

Mr. Baker offered the following resolution, and moved its adoption in lieu of all previous resolutions:

Resolved, That in consequence of a Constitutional Convention having been ordered, it is the sense of the Senate that the business of the session should be confined to bills and resolutions of a public character only, and that the business of the session should be dispatched with as much haste as compatible with the public good, and that the Legislature adjourn at an early date as possible.

Mr. Delano offered the following amendment to Mr. Baker's resolution:

Resolved, That all resolutions or questions relating to the adjournment of the Legislature be referred to the Committee on Judiciary to be reported on at 11 A. M. Thursday next.

The yeas and nays being called, the vote was:

Yeas—Messrs. Baker, Bryson, Burnam, Chandler, Cottrell, Delano, Hankins, Hendricks, Landrum, Lee, Martin, McKinne, Neel, Proctor, Roberts and Sheppard—16.

Nays—Messrs. Cooper, Crill, Gaskins, Jones, Lesley, Mallory, Mann, Mountien, Orman, Sammis, Speer, Stripling, Whidden and Williams—14.

So the resolution and amendment were adopted.

Mr. Chandler moved to waive the rules and reconsider the vote by which the resolution and amendment were adopted.

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

Yeas—Messrs. Chandler, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Mallory, Mann, Martin, Mountien, Orman, Proctor, Sammis and Williams—18.

Nays—Messrs. Baker, Bryson, Burnam, Cooper, Lesley, McKinne, Neel, Roberts, Sheppard, Speer, Stripling and Whidden—12.

The motion not receiving a two-thirds vote was lost, and went over under the rules.

Mr. Mallory, from the Judiciary Committee, made the following report:

SENATE CHAMBER, Tallahassee, Fla., January 10, 1885.

HON. M. H. MABRY,

President of the Senate:

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

Senate Bill No. 30, entitled an act to enable husband and wife to testify in suits for divorce and alimony,

Beg leave to report that they have examined the same and recommend that it do not pass, because a bill effecting the same purpose has already been favorably reported on by this committee.

Very respectfully,

S. R. MALLORY,
Chairman Judiciary Committee.

Also the following:

SENATE CHAMBER, Tallahassee, Fla., January 10, 1885.

HON. M. H. MABRY,

President of the Senate:

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

Senate Bill No. 22, entitled an act in relation to the adoption of children,

Beg leave to report that they have examined the same and

recommend that it do pass, with the following amendment, viz :

After the word "*reside*" in the last line of section one (1), insert the following, to-wit: "*Provided*, That every person desiring to make such application shall give four weeks' previous notice of the intention to so apply, in some newspaper published in the county in which such person resides; and if there be no newspaper published in the county, then by written notice posted at the door of the court house and two more public places in the county in which such person resides, stating the time, place, and to what Judge the application will be made."

Very respectfully,
S. R. MALLORY,
Chairman Judiciary Committee.

The committee on Judiciary made following report:

That Senate bill No. 21, to be entitled an act to allow parties to testify in divorce cases; beg leave to report that they have examined the same and recommend that it do pass with the following amendments, viz:—After the word *divorce* in first line of section 1, insert the following words to wit: "*or alimony*," strike out the words "*divorce cases*" in the title and insert in lieu thereof the following viz: "*cases of divorce and alimony*."

Very respectfully,
J. H. MCKINNE,
C. M. COOPER,
J. N. STRIPLING.

The undersigned minority member of said committee begs leave to report that in his opinion said bill ought not to pass and he so recommends.

Very respectfully,
S. R. MALLORY.

Senate bill No. 4 :

To be entitled an act relating to the crime of vagrancy,
Was read.

Mr. Mallory moved that consideration of the bill be indefinitely postponed.

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

Yeas—Messrs. Baker, Burnam, Cooper, Cottrell, Crill, Gaskins, Hendricks, Jones, Lee, Mallory, Martin, Proctor, Roberts, Sammis, Speer, Stripling—16.

Nays—Messrs. Delano, Landrum, Lesley, Mann, Mountien, McKinne, Neel, Orman, Sheppard, Whidden and Williams—11.
So the motion prevailed.

Mr. Crill in the chair.

Senate bill No. 5 was then taken up and read.

A motion to indefinitely postpone, resulted in the following vote :

Yeas—Messrs. Cooper, Mallory, Proctor—3.

Nays—Messrs. Baker, Bryson, Burnam, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Lesley, Mann, Martin, Mountien, McKinne, Neel, Orman, Roberts, Sammis, Sheppard, Speer, Stripling, Whidden and Williams—27.

So the motion did not prevail.

On motion, Senate Bill No. 5 was recommitted to the Judiciary Committee.

Senate Bill No. 8 was then taken up and read.

A motion was made to indefinitely postpone consideration of the bill.

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

Yeas—Messrs. Burnam, Chandler, Cooper, Cottrell, Crill, Gaskins, Hankins, Lesley, Mallory, Mountien, Neel, Roberts, Sammis, Sheppard, Speer, Stripling and Williams—17.

Nays—Messrs. Baker, Bryson, Delano, Jones, Landrum, Lee, Mann, Martin, McKinne, Orman and Proctor—11.

So the motion prevailed.

Senate Bill No. 13 :

To be entitled an act relating to the taking of the census,
Was taken up.

Reading suspended.

A committee from the Assembly appeared at the bar of the Senate and reported that Messrs. Ewan, Yonge, Crawford, McLean, Ashmore, Owen of Duval and Sneed have been appointed by the Speaker of the Assembly to act as a joint committee with a similar committee from the Senate on a Constitutional Convention in compliance with joint resolution.

Senate Bills Nos. 30 and 21 were then taken up and read the second time.

By consent of the Senate, Mr. Lesley, who introduced Senate Bill No. 30, was allowed to withdraw it.

Mr. Stripling moved that the amendments offered by the Judiciary Committee to Senate Bill No. 21 be accepted ;

Which was agreed to.

Senate bill No. 21 was then taken up and discussed at some length.

The yeas and nays being called for, on a motion to indefinitely postpone action on the bill, resulted in the defeat of the motion.

Yeas—Messrs. Baker, Chandler, Gaskins, Hankins, Jones, Mallory, Mountien, Sheppard and Speer—9

Nays—Messrs. Bryson, Cooper, Cottrell, Crill, Delano, Hen-

dricks, Landrum, Lee, Lesley, Mann, Martin, McKinne, Neel, Orman, Proctor, Roberts, Sammis, Stripling Whidden and Williams—20.

Mr. Baker moved to adjourn till 3 o'clock.

Mr. Stripling moved to amend by inserting Monday morning at 10 o'clock.

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

Yeas—Messrs. Bryson, Chandler, Delano, Lesley, Martin, Proctor, Sheppard and Stripling—8.

Nays—Messrs. Baker, Cooper, Cottrell, Crill, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Mallory, Mann, Mountien, McKinne, Neel, Orman, Roberts, Sammis, Speer, Whidden and Williams—21.

So the amendment was lost.

On motion of Mr. Chandler, the Senate adjourned till 4 o'clock P. M.

AFTERNOONSESSION.

The Senate resumed its session.

The President in the chair.

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

Messrs. Baker, Bryson, Chandler, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Mann, Martin, Mountien, McKinne, Neel, Orman, Proctor, Roberts, Sammis, Speer, Stripling, Whidden and Williams—27.

A quorum present.

The President announced the following committee:

Committee on Engrossed Bills—Mr. Bryson, Chairman; Messrs. Roberts, Orman, Jones and Sammis.

Mr. Landrum moved that the Senate go into Executive Session.

Mr. Crill raised point of order, that the regular order of business took precedence.

Sustained.

Mr. Landrum then moved that the rule be suspended.

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

Yeas—Messrs. Cooper, Cottrell, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Mallory, Martin, Neel, Orman, Sammis, Stripling, Whidden and Williams—17.

Nays—Messrs. Baker, Bryson, Chandler, Cole, Crill, Lesley, Mann, Mountien, McKinne, Proctor, Roberts and Speer—12.

Not receiving a two-thirds vote, the motion was lost.

ORDERS OF DAY.

Senate Bill No. 17:

To be entitled an act to amend section 51, sub-chapter 4, Chapter 1637, act of August 6, 1868, Laws of Florida,

Was read the second time and ordered to be engrossed.

Senate Bill No. 18:

To be entitled an act to amend Chapter 1986 of the Laws of Florida, being an act entitled an act to amend section 3, chapter 8, of an act entitled an act to provide for the punishment of crime and proceedings in criminal cases, approved February 3, 1874,

Was read the second time.

Mr. Landrum moved to indefinitely postpone the bill.

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Baker, Bryson, Chandler, Cole, Cooper, Crill, Delano, Hankins, Hendricks, Landrum, Lee, Lesley, Mann, Martin, Neel, Orman, Proctor, Sammis, Speer, Stripling, Whidden and Williams—23.

Nays—Messrs. Cottrell, Gaskins, Jones, Mallory, Mountien, McKinne and Roberts—7.

So the motion prevailed.

Senate bill No. 20:

To be entitled an act to amend sections two and three of sub-chapter four of Chapter 1637, Laws of Florida, being an act entitled an act to provide for the punishment of crime and proceedings in criminal cases,

Was read the second time.

Mr. Stripling moved the indefinite postponement of the bill.

Mr. Orman offered the following:

Insert "or maliciously" after the word wilfully.

The President ruled the amendment out of order.

Mr. Cooper offered the following amendment:

Amend by inserting "and unlawfully" after wilfully in the bill;

Which was adopted.

Upon the motion to indefinitely postpone the bill, the yeas and nays being called for, the vote was:

Yeas—Messrs. Baker, Bryson, Chandler, Cole, Martin, Proctor, Sammis, Stripling—8.

Nays—Messrs. Cooper, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Mallory, Mann, Mountien, McKinne, Neel, Orman, Roberts, Whidden, Williams—19.

So the motion to indefinitely postpone was lost.

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

Senate Bill No. 22 :

To be entitled an act in relation to the adoption of children.
The Committee on Judiciary offered the following amendment :

After the word "reside" in Section 1, last line, insert the following :

Provided, That the person so applying shall give four weeks' previous notice of the intention to so apply, in some newspaper published in the county in which such person resides ; and if no newspaper be published in such county, then by a written notice posted at the door of the Court-house and two more public places in such county, stating the time, place, and to what Judge the application will be made ;

Which was adopted.

The bill as amended was ordered to be engrossed.

The following report of Mr. McKinne, Chairman of the Committee on Appropriations, was read and ordered to lie over under the rules :

SENATE CHAMBER, Tallahassee Fla., Jan. 10, 1885.

HON. M. H. MABRY,

President of the Senate :

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

Senate bill No. 23, to be entitled an act to provide for a proper exhibit of the resources and products of Florida at the World's Fair at New Orleans,

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

Very respectfully,

J. H. McKINNE, Chairman of Committee.

Mr. Mallory moved to go into executive session.

Upon which the yeas and nays were called for.

The vote was :

Yeas—Messrs. Cooper, Cottrell, Crill, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Mallory, Neel, Orman, Speer and Whidden—14.

Nays—Messrs. Baker, Bryson, Chandler, Cole, Delano, Mann, Martin, Mountien, McKinne, Proctor, Roberts, Sammis, Stripling and Williams—14.

The vote was a tie.

The President voted aye.

So the motion prevailed and the Senate went into executive session.

The doors of the Senate were opened.

Mr. Cooper moved that the Senate now adjourn.

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

Yeas—Messrs. Cooper, Cottrell, Crill, Hendricks and Neel—5.

Nays—Messrs. Baker, Chandler, Cole, Delano, Jones, Mallory, Mann, Martin, McKinne, Orman, Proctor, Roberts, Sammis, Stripling and Williams—15.

So the motion was lost.

Mr. Mann moved that the following resolution be read :

Resolved, That a Journal Clerk or Stenographer shall be employed on trial for the term of five days from next Monday at the salary of other officers of this body.

Mr. Baker moved the adoption of the resolution :

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

Yeas—Messrs. Baker, Chandler, Cole, Delano, Mallory, Mann, Martin, McKinne, Orman, Proctor, Sammis and Stripling—12.

Nays—Messrs. Cooper, Cottrell, Crill, Hendricks, Jones, Lee, Neel, Roberts and Speer—10.

So the motion prevailed, and the resolution was adopted.

Mr. Mallory moved that the Senate adjourn until 10 o'clock Monday next ;

Which was agreed to.

So the Senate adjourned until 10 o'clock Monday next.

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MONDAY, January 12, 1885.

The Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Baker, Bryson, Cooper, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Mallory, Martin, Orman, Proctor, Roberts, Sammis, Sheppard, Speer, Whidden and Williams—22.

A quorum present.

Prayer by the Chaplain.

READING OF THE JOURNAL.

On motion of Mr. Delano, the reading of the journal was dispensed with, and the same approved.

Mr. Delano offered the following resolution :

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