

Wm. H. Bingham, to be Sheriff for Levy county.
R. E. Williams, to be Collector of Revenue for Holmes county.

WEDNESDAY, January 14, 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, Cole, Cooper, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Mann, Martin, Mountien, McKinne, Neel, Orman, Proctor, Roberts, Sammis, Sheppard, Speer, Stripling Whidden and Williams—31.

A quorum present.

Prayer by the Chaplain.

READING OF THE JOURNAL.

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

INTRODUCTION OF BILLS.

By Mr. Martin:

Senate Bill No. 56:

To be entitled an act relating to the question of changing the seat of Government of the State of Florida from Tallahassee to Gainesville, Alachua county, Florida;

Which was read the first time by its title and referred to Committee on Legislative Expenses.

By Mr. Bryson:

Senate Bill No. 57:

To be entitled an act to prohibit dealers in general merchandise from selling drugs and medicines in any incorporated town where there is a regular drug store;

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

By Mr. Speer:

Senate Bill No. 58:

To be entitled an act to make an appropriation to aid Florida's exhibit at the World's Exposition at New Orleans;

Which was read the first time by its title and referred to the Committee on Appropriations.

Also,

Senate Bill No. 59:

To be entitled an act to confirm the organization of the Jacksonville and Atlantic Railroad Company and enlarge its powers;

Which was read the first time by its title and referred to the Committee on Railroads and Telegraphs.

Also,

Senate Bill No. 60:

To be entitled an act to create a body corporate and politic, under the name and style of "The Trustees of the Preachers' Relief Fund" of the Florida Conference of the Methodist Episcopal Church, South;

Which was read the first time by its title and referred to the Committee on Corporations.

By Mr. McKinne:

Senate Bill No. 61:

To be entitled an act in relation to Railroads in this State and provide a remedy for Railroads which have been deteriorated, and to appoint a receiver;

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

By Mr. Delano:

Senate Bill No. 62:

To be entitled an act to amend Section 11 of an act entitled an act to provide for the creation of corporations and to prescribe their general powers and liabilities, approved August 8, 1868;

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

By Mr. Delano:

Senate Bill No. 63:

To be entitled an act to grant additional powers and privileges to the Palatka and Indian River Railway Company;

Which was read the first time by its title and referred to Committee on Railroads and Telegraphs.

By Mr. Mallory:

Senate Bill No. 64:

To be entitled an act to regulate the issue and return of executions;

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

By Mr. Stripling:

Senate Bill No. 65:

To be entitled an act to create a Superintendent of the Penitentiary and to prescribe his duties;

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

By Mr. Mallory:
Senate Bill No. 66:

To be entitled an act to provide summary remedies against Sheriffs and the sureties on their official bonds;

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

REPORTS OF COMMITTEES.

The Committee on Judiciary made the following report:

SENATE CHAMBER, Tallahassee, January 14, 1885.

HON. MILTON H. MABRY,

President of the Senate:

SIR: Your committee to whom was referred—

Senate bill No. 42, to be entitled an act to enforce the assessment and collection of taxes on certain lands granted to the St. Johns Railway Company; also,

Senate bill No. 43, to be entitled an act to amend an act entitled act to provide for the relinquishment of the dower of insane married women, approved February 16, A. D. 1883; also,

Senate bill No. 47, to be entitled an act to fix and establish a rule of evidence in suits against railroad companies in this State for damages caused by the injuring or killing of cattle and other stock by such railroad companies; also,

Senate bill No. 48, to be entitled an act to designate the times for holding the terms of the Circuit Court for the 5th Judicial Circuit of Florida; also

Senate bill No. 50, to be entitled an act to provide a rule of compensation to the owners of cattle and other stock which are hereafter injured or killed on the lines of railroad in this State under circumstances therein stated; also,

Senate bill No. 52, to be entitled an act to fix the liability of railroads for damage to stock and freight, to regulate the practice in such cases, and to provide a penalty for violation of this act;

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 the accompanying bills placed among the orders of the day.

The Committee on Finance and Taxation made the following report:

SENATE CHAMBER, Tallahassee, Jan. 13, 1885.

HON. MILTON H. MABRY,

President of the Senate:

SIR: Your committee to whom was referred—

Senate Bill No. 26, to be entitled an act to prescribe the duties of the Treasurers of this State,

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

Very respectfully,

E. S. CRILL,

Chairman Committee on Finance and Taxation.

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

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER, Tallahassee, Fla., Jan. 13, 1885.

HON. M. H. MABRY,

President of the Senate:

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

Senate Bill No. 27, to be entitled an act for the relief of Henry Macon; also,

Senate Bill No. 3, to be entitled an act to repeal Chapter 350, Laws of Florida, entitled an act in relation to the duties of the Comptroller and Treasurer of this State, approved January 24th, 1851,

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

Very respectfully,

WM. BRYSON, Chairman.

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

The Judiciary Committee made the following report:

SENATE CHAMBER, Tallahassee, Fla., January 14, 1885.

HON. MILTON H. MABRY,

President of the Senate:

SIR—Your committee to whom was referred—

Senate Bill No. 49, to be entitled an act in relation to the duties of city and town Assessors and Boards of Aldermen,

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

Very respectfully,

S. R. MALLORY,

Chairman Committee.

ORDERS OF THE DAY.

The motion to reconsider the vote of the Senate on Senate Bill No. 21, to be entitled an act to allow parties to testify in suits for divorce or alimony.

The vote was reconsidered, and the bill stands for a third reading.

SECOND READING OF BILLS.

Senate Bill No. 38:

To be entitled an act providing for the appointment of administrators,

Was read the second time and ordered to be engrossed.

A message was received from the Governor.

Senate Bill No. 29:

To be entitled an act concerning the introduction of deeds and other instruments of writing,

Was read, and the substitute offered by the Committee was read.

On motion of Mr. Lesley, the substitute was adopted in lieu of the original bill.

Mr. Gaskins offered the following amendment:

That no certified copy shall be received unless the party offering the same shall make proof of the existence and loss of the original, show that he has used diligent exertions to recover the same, and that it is not now in his custody, possession or control.

Mr. Gaskins withdrew the amendment by leave.

Mr. Mallory offered the following amendment:

Substitute for Senate Bill No. 29:

In line 3 after the word "thereof," insert the following: "and due proof of the loss or destruction of the original has been made."

Mr. Mallory withdrew the amendment by leave.

Mr. Stripling offered the following:

After "justice" in line 12, insert the following:

"And provided, further, That when any deed or document, or a copy thereof, shall be introduced in evidence purporting to have been executed by any agent or trustee, it shall not be necessary to prove the authority or power of such agent or trustee to execute the same, unless the Judge in his discretion shall deem the same necessary for the attainment of justice."

Mr. Cottrell moved to recommit the bill;

Which was agreed to.

Mr. Lesley in the Chair.

Senate Bill No. 16:

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

Mr. Stripling moved that the bill be indefinitely postponed.

Mr. Martin moved to recommit the bill;

Which was agreed to.

Senate Bill No. 13:

To be entitled an act to provide for taking the census of the State of Florida for 1885,

Was read the second time

Mr. Martin offered the following:

That the word "three" in the second line of the fourth section be stricken out and the words "one and a half" be inserted in lieu thereof.

Mr. Baker moved to lay the amendment upon the table.

The motion was withdrawn.

Upon motion to adopt the amendment, the yeas and nays were called for.

The vote was:

Yeas—Messrs. Burnam, Chandler, Crill, Gaskins, Mallory, Martin, Mountien, McKinne, Neel, Proctor, Sheppard and Speer—12.

Nays—Messrs. Baker, Bryson, Cooper, Delano, Hankins, Hendricks, Landum, Lesley, Mann, Orman, Stripling, Whidden and Williams—13.

So the motion was lost.

Mr. Baker offered the following:

In section 4, line 2, strike out "three" and insert "five;"

Which was withdrawn by leave.

Mr. Cooper moved to recommit the bill to Committee on Appropriations.

Mr. Baker offered the following:

To postpone until Tuesday, 20th instant, at 11 o'clock.

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

Yeas—Messrs. Baker and Burnam—2.

Nays—Messrs. Bryson, Chandler, Cooper, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Mann, Martin, Mountien, McKinne, Neel, Orman, Proctor, Roberts, Sammis, Sheppard, Speer, Stripling, Whidden and Williams—28.

So the motion was lost.

Upon the motion to recommit the bill to the Committee on Appropriations the yeas and nays were called.

The vote was:

Yeas—Messrs. Baker, Cooper, Cottrell, Crill, Gaskins, Mallory, Martin, Mountien, Neel, Proctor, Sammis and Sheppard—12.

Nays—Messrs. Bryson, Burnam, Chandler, Delano, Hankins, Hendricks, Jones, Landrum, Lee, Lesley, Mann, McKinne, Orman, Roberts, Speer, Stripling, Whidden and Williams—18.

So the motion was lost.

Mr. Martin renewed his amendment to Senate Bill No. 13:

That the word "three" in the second line of the fourth section be stricken out and the words "one and a half" be inserted in lieu thereof.

Mr. Mann offered the following:

Strike out "three" and insert "two" in section 4.

Upon the yeas and nays being called, the vote was:

Yeas—Messrs. Chandler, Cooper, Cottrell, Crill, Hendricks, Jones, Lee, Mallory, Mann, Martin, Mountien, McKinne, Neel, Proctor, Sammis, Sheppard, Speer and Williams—18.

Nays—Messrs. Baker, Bryson, Delano, Gaskins, Hankins, Landrum, Lesley, Orman, Roberts, Stripling and Whidden—11.

Which was agreed to.

Mr. Chandler offered the following amendment to Senate Bill No. 13:

Strike out all of Section 5;

And withdrew the same.

On motion the rules were waived, and Mr. McKinne was allowed to make the following report:

SENATE CHAMBER, Tallahassee, Fla., January 14, 1885.

HON. M. H. MABRY,

President of the Senate:

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

Senate Bill No. 33, to be entitled an act to supply deficiencies in the appropriations for the year 1884,

Ask leave to report that they have considered the same and most respectfully recommend that it pass with the following amendment:

Add "For deficiencies for 1884, Contingent Fund Supreme Court, four-hundred and sixty-six dollars."

Very respectfully,

J. H. MCKINNE,
Chairman of Committee.

Which was read.

The following was read by the Secretary:

OFFICE OF
FLORIDA STATE PARK ASSOCIATION,
JACKSONVILLE, Fla., Jan. 12, 1885. }

To His Excellency, Lieut-Governor Milton H. Mabry, State Senate, Tallahassee, Fla.:

DEAR SIR: As managers of the Florida State Exposition, we hereby tender to you personally, and through you as President of the Senate, to the members and officers of the State Senate a cordial invitation to visit the Exposition, at Jacksonville, on Thursday, February 5th, 1885, for which we enclose the necessary complimentary ticket.

Trusting that yourself and associates may find it convenient to honor us with your presence on the occasion, we are, with great respect,

Yours very truly,

P. McQUAID, General Manager.

James H. PAINE, Asst. Gen. Man.

JAS. M. FAIRLIE, Secretary.

Mr. Baker moved to accept the invitation.

Mr. Cooper moved that the Secretary be instructed to tender the thanks of the Senate, and that the communication lay on the table;

Which was agreed to.

Mr. Mann offered the following:

WHEREAS, Mr. Fairlie is in our city, and as the subject of our State Fair is one of interest to us all; therefore, be it

Resolved, That Mr. Fairlie be invited to address us on the subject at 7 o'clock this evening.

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Baker, Bryson, Burnam, Chandler, Cooper, Crill, Delano, Gaskins, Hankins, Landrum, Lee, Lesley, Mann, Martin, McKinne, Neel, Orman, Proctor, Roberts, Sammis, Sheppard, Speer, Whidden and Williams—24.

Nays—Messrs. Cottrell and Mallory—2.

So the motion prevailed.

Mr. Stripling moved that the Sergeant-at-Arms procure three more copies of McClellan's Digest for the use of the Judiciary Committee;

Which was agreed to.

The following messages were received from the Assembly:

ASSEMBLY HALL, Tallahassee, January 14, 1885.

HON. M. H. MABRY,

President of the Senate :

SIR—I am directed by the Assembly to inform the Senate that the Assembly has passed,
Assembly bill No. 2, to be entitled an act for the protection of oysters,

And respectfully request the concurrence of the Senate therein; also,

Assembly bill No. 10, to be entitled an act to legalize the city government of Ocala, Florida, to fix the corporate limits and provide a corporate seal therefor,

And respectfully ask a concurrence of the Senate therein.

Very respectfully,

W. H. REYNOLDS,
Chief Clerk of the Assembly.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., January 14, 1885.

HON. M. H. MABRY,

President of the Senate :

SIR—I am directed by the Assembly to inform the Senate that the Assembly has passed the following joint resolution to-wit :

Resolved, That the Senate and Assembly convene in the Assembly Hall in joint session on Monday, January 19, 1885, at 12 o'clock, M., for the purpose of electing a State Printer,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

W. H. REYNOLDS,
Chief Clerk of the Assembly.

Which were read.

Mr. Gaskins offered the following resolution :

Resolved by the Senate, the Assembly concurring, That there be printed for the use of the respective departments of the State Government, 200 copies of the report of the Comptroller; 200 copies of the report of the Adjutant-General; 200 copies of the report of the Attorney-General; 200 copies of the report of the Treasurer; 800 copies of the report of the Superintendent of Public Instruction; 500 copies of the report of the Commissioner of Lands and Immigration; 100 copies of the report of the Secretary of State; also, for general dis-

tribution, 500 copies of the Public Documents; 300 copies of the Senate Journal in book form, and 300 copies of the Assembly Journal in book form.

Mr. Mann moved to refer the same to the Committee on Printing;

Which was withdrawn by leave.

Mr. Mann offered the following :

WHEREAS, It appears that certain stereotyped phrases are used in making up our Journal, for example—"So the motion was lost," for motion "was lost," and other similar expressions greatly increasing the expense of printing; and whereas, It appears that it is no fault of our Secretary; therefore, be it

Resolved, That the Committee on Printing are requested to correct this matter

Mr. Cooper moved that the resolution be referred to the Committee on Fisheries;

Which was agreed to.

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

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THURSDAY, January 15, 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, Burnam, Chandler, Cooper, Cottrell, Crill, Delano, Gaskins, Hankins, Hendricks, Landrum, Lee, Lesley, Malloy, Martin, Mountien, McKinne, Neel, Orman, Roberts, Sammis, Sheppard, Speer, Whidden and Williams—25.

A quorum present.

Prayer by the Chaplain.

READING OF THE JOURNAL.

On motion of Mr. Baker the further reading of the Journal was dispensed with.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, PETITIONS AND BILLS.

The following bills were introduced :

By Mr. Lesley :

Senate Bill No. 67 :

To be entitled an act to incorporate the Tampa Street Railway Company ;