

Beg leave to report that they have had the same under consideration, and recommend that it do pass with the following amendments, viz.;

1st Amendment. In the 11th line of section 2, after the word "thereof," insert "nor shall a street, or any portion thereof, of any municipal corporation be taken or occupied without the consent of the council of such municipality, nor shall the track of any other railway or the canal way of any canal be taken or interfered with further than to make proper crossing of the same."

2d Amendment. In the 6th line of section 3 strike out the words "yards, depots, warehouses and other structures."

3d Amendment. In the 23d line of section 3 strike out "households" and insert "and" in place thereof.

4th Amendment. In 30th line of section 3 strike out the word "or" and insert "and" in place thereof.

5th Amendment. In 4th line of section 4 after the word "company," insert "for the purpose aforesaid;" also in line 2 of said section insert between all and lands, "swamp and overflowed," after lands "granted the State of Florida by act of Congress of September 28, 1850."

Very respectfully,

J. L. GASKINS,
Chairman of Committee.

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

The Judiciary Committee made the following report:

SENATE CHAMBER, Tallahassee, Fla., Jan. 21, 1885.

HON. M. H. MABRY,

President of the Senate:

Sir: Your Judiciary Committee to whom was recommended—

Senate Bill No. 73, to be entitled an act to amend the Statutes of the State as to judgment liens, beg leave to report that they have considered the same and recommend that it do not pass; but your committee also recommend that if in the judgment of the Senate it be thought proper to pass said bill, the following amendments be adopted, to wit:

Strike out the words Section 1 and the enacting clause, and insert the following in lieu thereof, viz:

The people of the State of Florida represented in Senate and Assembly, do enact as follows: Section 1.

Strike out all of the title and insert the following in lieu thereof:

An act to fix the duration of judgment liens on real estate at ten (10) years.

Very respectfully,

S. R. MALLORY,
Chairman of Committee.

Mr. Delano moved to take up Senate Bill No. 63, to grant additional powers and privileges to the Palatka and Indian River Railroad Company;

Which was agreed to, and the bill was read.

Mr. Delano moved that the bill be referred to Judiciary Committee;

Which was agreed to.

The Senate went into executive session.

The doors were opened.

On motion of Mr. Speer, the Senate adjourned until 10 o'clock A. M. to-morrow.

CONFIRMATIONS.

John M. Beggs, to be Clerk of the Circuit Court for Madison county.

George F. Baltzell, to be County Judge for Jackson county.

F. E. de la Rúa, to be Clerk of the Circuit Court for Escambia county.

Joseph Wilkins, to be Sheriff for Escambia county.

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THURSDAY, January 22, 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, Cottrell, Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Mann, Martin, McKinne, Orman, Pendleton, Sammis, Shepard, Speer, Whidden and Williams—23.

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 BILLS AND RESOLUTIONS.

By Mr. Baker:

Senate Bill No. 93:

To be entitled an act to prevent the public school fund from being used for sectarian purposes;

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

The Secretary read the following Joint resolution:

WHEREAS, It appears from the official report of the State Superintendent of Education, and the late message of Governor Bloxham, that we have in our midst a University fully organized, with ample appliances, to which the attention of this body is called; and

Whereas, It is known to some of us that the establishment of this institution was from the outset intended to be the chief educational work of the State; and

Whereas, We learn at this time the entire enterprise, with all its assets, are offered to the State on most liberal terms; therefore, be it

Resolved, That a committee of three persons, one from the Senate and two from the Assembly, be appointed to visit said University in this city and inspect its appliances and appointments; and, also, ascertain from the Chancellor or Regents of the University, what is their proposition, and that said committee report by bill or otherwise at an early day.

Mr. McKinne asked that the resolution be passed over until the return of Mr. Mountien.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, January 22, 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. 65:

To be entitled an act to aid the celebration of the first settlement of Florida;

Also,

Senate Bill No. 40:

To be entitled an act to legalize the corporation of the town of Kissimmee City and to legalize its acts and doings;

Also,

Senate Bill No. 44:

To be entitled an act to legalize the incorporation of the town of DeLand, in the county of Volusia, and to declare the incorporation of the town of DeLand valid and of full force and effect.

Very respectfully,

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

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

Assembly bill No. 65:

To aid the celebration of the first settlement of Florida,

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

Mr. Crill moved that the rules be waived and bills on the third reading be taken up;

The motion prevailed.

Senate Bill No. 43:

To be entitled an act to amend an act entitled an act to provide for the relinquishment of the dower of insane married women, approved February 16, 1883,

February 16, 1883,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Delano, Hendricks, Landrum, Lee, Lesley, Mallory, Mann, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sheppard, Whidden and Williams—21.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 48:

To be entitled an act to designate the times for holding the terms of the Circuit Court for the Fifth Judicial Circuit of Florida,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Delano, Hendricks, Landrum, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sheppard, Speer, Whidden and Williams—18.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 26:

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 yeas and nays being called for, the vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Crill, Delano, Gaskins, Hendricks, Landrum, Lee, Lesley, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sheppard, Speer, Stripling, Whidden and Williams—21.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 13:

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

Was read the third time and put upon its passage.

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

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Martin, Neel, Pendleton, Roberts, Sheppard, Speer, Stripling, Whidden and Williams—22.

Nays—Mr. McKinne—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 38:

To be entitled an act to provide for the appointment of administrators,

Was read the third time and put upon its passage.

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

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Delano, Hendricks, Jones, Landrum, Lee, Mallory, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer, Stripling, Whidden and Williams—23.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, Fla., January 22, 1885.

HON. MILTON H. MABRY,

President of the Senate:

SIR: I am directed by the Assembly to inform the Senate that the Assembly, having under consideration Senate Bill No. 22, being an act entitled an act in relation to the adoption of children, and having under consideration an Assembly bill upon the same subject, have adopted the following resolutions:

Resolved, That a sub-committee of two members of the Ju-

diciary Committee be designated to confer with a similar committee on the part of the Senate to determine by conference which of the two bills shall be adopted;

Resolved, That the Senate be requested to appoint such committee.

And that under said resolutions the Assembly has appointed Messrs. Yonge and Crawford as such sub-committee on the part of the Assembly.

Very respectfully,

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

Which was read.

Assembly Bill No. 2:

To be entitled an act for the protection of oysters,

Was read a third time and put upon its passage.

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

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Delano, Gaskins, Jones, Landrum, Lee, Lesley, Mann, Martin, McKinne, Neel, Orman, Pendleton, Sammis, Sheppard, Speer, Stripling, Whidden and Williams—23.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 33:

To be entitled an act to supply deficiencies in the appropriations for the year 1884,

Was read the third time and placed upon its passage.

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

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Delano, Gaskins, Jones, Landrum, Lee, Lesley, Mallory, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer, Stripling and Williams—23.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Substitute for Assembly Bill No. 9:

To be entitled an act to amend section 51 of sub-chapter 4 of an act entitled an act to provide for the punishment of crime and proceedings in criminal cases, approved August 6, 1883,

Was read the third time and put upon its passage.

The yeas and nays being called, the vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer, Stripling and Williams—24.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The hour of eleven o'clock having arrived Assembly Bill No. 1,

To be entitled an act to dissolve municipal corporations under circumstances therein stated, and to provide a provisional government for the same, which was made a special order for that hour, was taken up, read the third time and put upon its passage.

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

Yeas.—Messrs. Baker, Burnam, Cottrell, Crill, Delano, Gaskins, Jones, Lee, Mallory, McKinne, Neel, Orman, Pendleton, Roberts, Sheppard, Speer and Williams—17.

Nays—Messrs. Chandler, Hendricks, Lesley and Sammis—4.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Lesley in the chair.

Mr. Baker moved to change his vote to yea, for the purpose of having the vote reconsidered.

Mr. Baker offered the following amendment to Assembly Bill No. 1:

An act to take away the rights guaranteed by the Constitution to the citizens of Pensacola.

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

Yeas—Mr. Baker—1.

Nays—Messrs. Burnam, Chandler, Cottrell, Crill, Delano, Gaskins, Hendricks, Jones, Lee, Lesley, Mallory, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer and Stripling—21.

Mr. Baker moved that the vote be reconsidered.

Ordered to go over under the rules.

Mr. Delano moved that the rules be waived, and that the bills passed, except Assembly Bill No. 1, be certified to the Assembly ;

Which motion prevailed.

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 Preacher's Relief Fund of the Florida Conference of the Methodist Episcopal Church, South,

Was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Baker, Burnam, Chandler, Delano, Jones, Lee, Lesley, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer, Stripling and Whidden—18.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 64 :

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

Was read the third time.

On motion of Mr. McKinne, the Senate took a recess until five minutes to 12 o'clock.

FIVE MINUTES TO 12 O'CLOCK M.

The Senate resumed its session.

A committee from the Assembly appeared at the bar of the the Senate and invited the Senate to meet the Assembly in joint session for the purpose of electing a State Printer.

Mr. Baker moved to accept the invitation ;

Which was agreed to.

JOINT SESSION.

The Lieutenant-Governor in the chair.

The roll of the Senate being called by the Secretary, the following Senators answered to their names :

Messrs. Baker, Chandler, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer and Stripling—19.

A quorum present.

The Clerk of the Assembly called the roll of the Assembly and the following members answered to their names :

Messrs. Altman, Ashmore, Brack, Bryant, Byrne, Carter, Chaires, Clinton, Cone, Crawford, Croft, Emmons, Ewan, Figueredo, Gibbes of Jefferson, Gibbs of Duval, Grady, Green, Gudenrath, Hicks, Himes, Herndon, James, Kirk, Lyle, McCaslin, McLean, Monroe, Middleton, Miller of Marion, Miller of Washington, Niblack, Osgood, Owen of Duval, Owens of Gadsden, Overstreet, Palmer, Peoples, Perkins, Powell, Quincy, Richards, Robinson of Jackson, Robinson of Orange, Rush, Snider, Snow, Solomon, Tate, Taylor, Tumblin, Washington, Weeks, Wetmore, Wilkerson of Marion, Wilkinson of Nassau, Wilkinson, Jr, of Santa Rosa and Yonge—58.

A quorum present.

The chair announced that the Senate and Assembly are now in joint session and nominations for State Printer are in order.

Senator Stripling moved that the election of State Printer be postponed for ten days.

Senator Gaskins seconded the motion.

Mr. Ewan called for the previous question.

Mr. Bryant raised point of order that the previous question could not be moved in joint session.

The Chair ruled against the point of order.

The joint session refused to order the previous question on the question of postponement.

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

Yeas—Messrs. Baker, Chandler, Gaskins, Hendricks, Jones, Landrum, Martin, Neel, Sammis, Sheppard, Stripling and Williams—12.

Nays—Messrs. Cottrell, Lee, Lesley, Mallory, McKinne, Orman, Pendleton, Roberts and Speer—9.

Yeas—Messrs. Alexander, Brack, Bryant, Byrd, Clinton, Cone, Forrest, Frazier, Gibbs of Jefferson, Gibbes of Duval, Hicks, Herndon, James, Lyle, McCaslin, McLean, Monroe, Miller of Marion, Miller of Washington, Niblack, Osgood, Owen of Duval, Palmer, Perrenot, Rush, Smythe, Sneed, Tumblin, Washington, Weeks, Wetmore, Wilkerson of Marion and Wilkinson of Nassau—33.

Nays—Mr. Speaker, Messrs. Adams, Ashmore, Byrne, Carter, Chaires, Crawford, Emmons, Ewan, Grady, Green, Gudenrath, Himes, Kelly, Kirk, Middleton, Miller of Gadsden, Owens of Gadsden, Overstreet, Perkins, Quincy, Richards, Robinson of Jackson, Robinson of Orange, Snider, Snow, Solomon, Tate, Taylor, Walker, Jr., Wilkinson, Jr., of Santa Rosa and Yonge—32.

So the motion prevailed.

Senator Chandler moved that the Senate withdraw.

The motion prevailed, and the Senate withdrew in a body to their chamber.

The Senate resumed its session.

Mr. Speer in the chair.

The consideration of Senate Bill No. 64 was resumed.

The vote was :

Yeas—Messrs. Baker, Chandler, Crill, Gaskins, Hendricks, Jones, Landrum, Lesley, Mallory, Martin, McKinne, Neel, Orman, Roberts, Sheppard, Speer, Stripling, Whidden and Williams—19.

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, moved that that committee be empowered to employ a clerk;

Which was agreed to.

The Committee on Appropriations by leave made the following report :

SENATE CHAMBER, Tallahassee, Fla., January 22, 1885.

HON. M. H. MABRY,

President of the Senate :

SIR—Your Committee on Appropriations, to whom was referred a bill to be entitled an act to complete the exhibit of the State of Florida at the World's Centennial Exposition, now being held at New Orleans, beg leave to report that they have considered the same, and as the committee are divided upon the passage of the bill, return it to the Senate for consideration without recommendation.

Very respectfully,

J. H. MCKINNE,

Chairman Committee.

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

The Committee on Railroads and Telegraphs, by leave, made the following report :

SENATE CHAMBER, Tallahassee, Jan. 22, 1885.

HON. M. H. MABRY,

President of the Senate :

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

Senate Bill No. 19, to be entitled an act relating to the location of the principal offices of railroad companies in this State,

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

Very respectfully,

J. L. GASKINS,

Chairman Committee.

Also the following :

SENATE CHAMBER, Tallahassee, Fla., January 22, 1885.

HON. M. H. MABRY,

President of the Senate :

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

Senate Bill No. 45, to be entitled an act to provide for the regulation of railroad freight and passenger tariffs in this State,

to prevent unjust discrimination and extortion in the rates charged for transportation of passengers and freights and to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates, and to punish the same, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to appoint commissioners and to prescribe their powers and duties in relation to the same,

Beg leave to report that they have had the same under consideration, and recommend it back without recommendation.

Very respectfully,

J. L. GASKINS,
Chairman of Committee.

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

Also the following:

SENATE CHAMBER, Tallahassee, Fla., January 22, 1885.

HON. MILTON H. MABRY,

President of the Senate:

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

Senate Bill No. 72, to be entitled an act to incorporate the Apalachicola and Alabama Railroad Company, and to grant certain lands to the same,

Beg leave to report that they have had the same under consideration and recommend that it do pass with the accompanying amendments:

First Amendment—After the word "act," the last word of Section 15, insert the following: And to make up the deficiency in said grant of said alternate sections, which deficiency is to be determined by the Trustees of the Internal Improvement Fund by estimating the same, the said company may select the quantity of land so found to be due said company from any even or odd numbered sections lying nearest their line of road where State lands are obtainable, and within twenty miles on each side of said road, or within that distance from its terminal points, and from such lands as were granted to the State of Florida by act of the Congress of the United States, September 28, 1850.

Second Amendment—After the word "company," the last word of Section 16, insert the following: *Provided, however,* That the State of Florida shall not be in any way liable to cure any defects in the titles to the lands in this act granted, nor shall said State of Florida or the Board of Trustees of the

Internal Improvement Fund be held to make good or in any way liable for any deficiency in the quantity of lands granted to said company by this act, if it shall be found that there is not a sufficient quantity of such lands within the limits specified to make good this act; *And provided further,* That any actual settler who now resides on any land granted by this act, or who may do so, may purchase any of said lands, not to exceed one hundred and sixty acres, before the completion of the portion of said road which would entitle said company to said land, at State prices, and the moneys paid for said land shall enure to said railway company when that portion of their line shall be completed, which would otherwise entitle said company to said land; and this grant of land is made expressly subject to the full satisfaction of all lands previously granted to other corporations and not forfeited.

Third Amendment—Strike out all of Section 9, and insert the following in place thereof: "Section 9. On constructing the said railway, it shall and may be lawful for the said railway company by its proper agents and servants to enter upon and take possession of any lands whatsoever, belonging to the State or to private individuals or corporations, which may be necessary for the construction and completion of the work contemplated by its charter; *Provided,* that lands shall not be taken from private individuals or corporations and appropriated to the purposes aforesaid without adequate compensation to the owners thereof; nor shall a street or any portion thereof of any municipal corporation be taken or occupied without the consent of the council of such municipality, nor shall the track of any other railway, or the canal-way of any canal be taken or interfered with, further than by making proper crossings of the same. It shall and may be lawful for said company in like manner to take from any lands convenient to said railway, at all times, such timber, stone, or other materials as may be necessary for the construction and keeping in repair the same: *Provided,* that nothing belonging to private individuals or corporations shall be taken without adequate compensation, to be determined in the manner hereinafter set forth. Whenever it may become necessary for the said company to take possession of and appropriate any such land, timber, stone, earth or other materials owned by private individuals or corporations for its route or right of way, and for the site of its side tracks, necessary for the purposes of its organization, or for constructing and keeping the same in repair, or any part thereof, and said company cannot agree with the owner or owners on the value and sale of the lands, timber, stone, earth or other mate-

rial that may be so taken or appropriated, it shall and may be lawful for the President and Directors of said company or their proper attorneys or agents, on giving ten days' notice at least in writing to the owner or owners, or to his, her or their agent or attorney, that application will be made to the Judge of the Circuit Court of the Circuit in which such lands, stone, timber, earth or other material may lie, for a writ of *ad quod damnum*, which shall be granted and directed to the Sheriff of the county in which such land, stone, timber, earth or other material may be, to summon three disinterested persons, freeholders, of lawful age, to meet at a time and place to be named in said writ, not more than five days from the date of serving the same, and to appraise and value the said lands, stone, timber, earth or other material, as the case may be, on oath to be first administered by the Clerk of said court or any Justice of the Peace of said county. Said appraisers shall view the property and hear the statements of the parties and any witnesses they may desire to produce, under oath, and shall within twenty days after the day named in said writ make and certify to the court a report of their proceedings, setting forth their award in the premises, which award, unless some good and sufficient cause be shown against the same, shall be confirmed by the court, and entered of record in the office of the Clerk of the Court for the county aforesaid, and shall thereupon become the judgment of the court. On payment or tender by said company to the owner or owners aforesaid of the amount of such award, the property so valued shall thereupon vest in said company and they shall be adjudged to be the absolute owners thereof, in the same manner as if the owner or owners had sold and conveyed it to said company. But all of the costs and expenses incurred by said writ and the proceedings thereon shall be paid by said company. *Provided*, The appraisers shall not be allowed more than three dollars (\$3) a day for their services while engaged in said duties, and the Sheriff, Justice of the Peace and Clerk such fees as are usual in similar cases. The provisions of this act shall apply to all lands the title to which has not been previously acquired by said company, which may at the time be in the occupancy of said company for the purposes aforesaid, or to which said company may have previously attempted to acquire title, or on which said company may have previously entered for the purpose of constructing its said road.

Very respectfully,

J. L. GASKINS,
Chairman of Committee.)

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

The Committee on Judiciary made the following report:

SENATE CHAMBER, Tallahassee, Fla., January 22, 1885.

HON. M. H. MABRY,

President of the Senate:

Sir: Your Committee on the Judiciary to whom was referred—

Senate Bill No. 63, to be entitled an act to grant additional powers and privileges to the Palatka and Indian River Railway Company,

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

Very respectfully,

S. R. MALLORY, Chairman.

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

Mr. McKinne moved that the Senator from the Twentieth District be elected President *pro tem*;

Which was agreed to.

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,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Burnam, Chandler, Crill, Gaskins, Hendricks, Jones, Lee, Lesley, Mallory, Martin, McKinne, Neel, Orman, Sheppard, Speer, Whidden and Williams—17.

Nays—Messrs. Baker, Landrum and Sammis—3.

Mr. Cottrell was excused from voting.

So the bill passed, title as stated,

Ordered that the same be certified to the Assembly.

Mr. Martin moved to reconsider the vote on Senate bill No. 42;

Which was ordered to be laid over under the rules.

Mr. Chandler moved to lay the motion to reconsider on the table.

The Chair ruled the motion out of order.

Mr. Martin by leave introduced the following resolution:

That the Secretary be requested to at once advise the Superintendent of Public Instruction of the resolution relative to the Seminary Fund of this State, passed by this body on the 19th inst—

And moved its adoption;
Which was laid over under the rules.
Senate Bill No. 59:

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

Was read the third time and put upon its passage.
Mr. Mallory moved that the bill be re-read;
Which was agreed to, and the bill was read again.

The vote was:

Yeas—Messrs. Baker, Burnam, Cottrell, Crill, Delano, Hendricks, Jones, Landrum, Lee, McKinne, Neel, Orman, Pendleton, Sammis, Sheppard, Speer, Whidden and Williams—18.

Nays—Messrs. Gaskins, Lesley, Mallory, Martin and Roberts—5.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 51:

To be entitled an act to amend Section 8 of an act entitled an act concerning wills, letters testamentary and letters of administration, and the duties of executors, administrators and guardians, approved November 20, 1828,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Martin, Neel, Orman, Pendleton, Roberts, Sammis, Speer, Whidden and Williams—21.

Nays—Mr. McKinne—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. McKinne moved that during the absence of the Assistant Secretary on account of illness, an Assistant Secretary *pro tem.* be appointed by the Chair, and to draw the salary of the Assistant Secretary during his illness. Agreed to, and Mr. Geo. L. Baltzell was appointed by the Chair.

By leave, Mr. Chandler presented and had read the following petition, and asked that the same, except the names, be spread upon the Journal:

PETITION FOR SCIENTIFIC TEMPERANCE INSTRUCTION IN PUBLIC SCHOOLS.

Believing that prevention through the education of the people is the antidote for the vice of intemperance, we, the undersigned citizens of Ocala, Marion county, Florida, respectfully petition our Legislature now in session to enact laws re-

quiring instruction in Physiology and Hygiene, which shall give special prominence to the effects of alcoholic drinks, stimulants and narcotics upon the human system, given in all schools supported by public money or under State control.

Which was agreed to

Mr. Martin moved the adoption of his resolution;

Which was adopted.

Mr. McKinne moved that the Senate go into Executive Session;

Which was agreed to.

The doors being opened, Mr. Martin moved that the Senate adjourn. The motion prevailed and the Senate adjourned.

FOUR O'CLOCK.

The Senate resumed its session.

Mr. Speer in the Chair.

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

Messrs. Baker, Burnam, Chandler, Cottrell, Crill, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Mann, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sheppard, Speer, Stripling, Whidden and Williams—24.

A quorum present.

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

SENATE CHAMBER, Tallahassee, Fla., Jan. 22, 1885.

HON. M. H. MABRY,

President of the Senate:

SIR: Your Committee on Appropriations to whom was referred—

Assembly Bill No. 65, to be entitled an act to aid the celebration of the first settlement of Florida,

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

Very respectfully,

J. H. MCKINNE,
Chairman of Committee.

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

Senate Bill No. 50:

To be entitled an act to provide a rule of compensation to owners of cattle and other stock which are hereafter injured or killed on the lines of railroads in this State under certain circumstances therein stated.

Mr. McKinne moved to re-commit Senate bill fifty to En-
grossing Committee;

Motion adopted.

Senate Bill No. 75:

To be entitled an act to incorporate the Brooksville Acad-
emy Joint Stock Company;

Was read the third time and put upon its passage.

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

Yeas—Messrs. Baker, Burnam, Chandler, Cole, Cottrell,
Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lee, Les-
ley, Mallory, Mann, Martin, McKinne, Neel, Orman, Pendleton,
Roberts, Sheppard, Speer, Stripling, Whidden and Williams

—25.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 47:

To fix and establish a rule of evidence in suits against rail-
road companies in this State for damages caused by injury or
killing of cattle and other stock by such railroad companies;

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

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Burnam, Chandler, Cole, Cottrell, Crill, De-
lano, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mal-
lory, Mann, Martin, McKinne, Neel, Orman, Pendleton, Rob-
erts, Sheppard, Speer, Stripling, Whidden and Williams—25.

Nays—Mr. Baker—1.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 71:

To be entitled an act to amend an act entitled an act to
define the counties of Lafayette and Taylor in this State, Chap-
ter 3470, approved January 31, 1883,

Was read the third time and put upon its passage.

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

Yeas—Messrs. Baker, Burnam, Chandler, Cole, Cottrell,
Crill, Delano, Gaskins, Hendricks, Jones, Lee, Lesley, Mal-
lory, Mann, Martin, McKinne, Neel, Pendleton, Roberts,
Sheppard, Speer, Stripling, Whidden and Williams—24.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Orman asked to be excused from voting;

Which was granted.

Senate Bill No. 41:

To be entitled an act to incorporate the Kissimmee City
Street Railway Company,

Was read the third time put upon its passage.

The yeas and nays were called for,

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Cole, Cottrell,
Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lee, Les-
ley, Mallory, Mann, Martin, McKinne, Neel, Orman, Pendleton,
Roberts, Sheppard, Speer, Stripling, Whidden and Williams

—26.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 52:

To be entitled an act to fix the liabilities of railroads for dam-
ages to stock and freight, to regulate the practice in such cases,
and to provide a penalty for violation of this act,

Was read the third time and put upon its passage.

Mr. Mann moved to indefinitely postpone the bill.

Mr. Mann asked to withdraw his motion to indefinitely post-
pone, and that the bill be put back on second reading.

So the motion was lost.

Mr. Mann then moved to indefinitely postpone;

Upon which the yeas and nays were called for,

The vote was:

Yeas—Messrs. Chandler, Crill, Delano, Hendricks, Lan-
drum, Lee, Mann, Martin, Neel, Orman, Pendleton and Whid-
den—12.

Nays—Messrs. Baker, Burnam, Cole, Cottrell, Gaskins,
Jones, Lesley, Mallory, McKinne, Roberts, Sheppard, Speer,
Stripling and Williams—14.

Mr. Baker changed his vote from aye to nay for the purpose
of moving to reconsider.

Mr. Baker moved to reconsider the vote;

Which goes over under the rules.

The following communication was received from the Super-
intendent of Public Instruction:

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }
Tallahassee, January 22, 1885. }

HON. M. H. MABRY,

President of the Senate:

SIR—In response to the request of the Senate, received by
me to-day, asking if there is provision made in the distribu-

tion of the Seminary Fund for the children of colored parents, I would reply, there is none.

Very respectfully,

A. J. RUSSELL,

Superintendent Public Instruction.

Mr. McKinne moved a committee of two from the Judiciary Committee be appointed to confer with Joint Committee from the Assembly to take into consideration the two bills in reference to adoption of children;

Which was agreed to.

Messrs. Mallory and McKinne were appointed such committee.

Assembly Bill No. 87:

To complete the exhibit of the State of Florida at the World's Industrial Cotton Centennial Exposition, now held at New Orleans,

Was read the second time.

Mr. Gaskins offered the following amendment:

Strike out \$5,000 and insert \$3,000.

Mr. Mann offered the following substitute:

Strike out \$5,000 and insert \$10,000.

Mr. Mann offered the following resolution:

Resolved, That General Sebring be invited to give us the full indebtedness now due and payable out of this fund, and that this bill lay on the table until such facts are obtained;

Which was adopted.

General Sebring addressed the Senate.

The yeas and nays were called on the substitute to amendment to Bill No. 87.

The vote was:

Yeas—Messrs. Baker, Cole, Mann, Pendleton and Stripling—5.

Nays—Messrs. Burnam, Chandler, Crill, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Martin, McKinne, Neel, Orman, Roberts, Sheppard, Speer and Williams—17.

So the substitute to amendment was lost.

Mr. Mann offered the following amendment to the amendment to bill 87:

Strike out \$3,000, and insert \$4,500;

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

Yeas—Messrs. Baker, Cole, Delano, Lee, Lesley, Mann, Pendleton, Speer, Stripling and Williams—10.

Nays—Messrs. Burnam, Chandler, Crill, Gaskins, Jones, Landrum, Mallory, Martin, McKinne, Neel, Orman, Roberts and Sheppard—13.

So the amendment was lost.

Mr. Baker moved to postpone the further consideration of the bill till half-past ten o'clock to-morrow.

Mr. Delano moved to adjourn until 10 o'clock to-morrow; Which motion prevailed.

CONFIRMATIONS.

T. H. Pittman to be Clerk of the Circuit Court for Holmes county.

—o—

FRIDAY, January 23, 1885.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

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

Messrs. Burnam, Chandler, Cole, Cottrell, Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mann, Martin, McKinne, Neel, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer, Stripling, Whidden and Williams—25.

A quorum present.

Prayer by the Chaplain.

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

INTRODUCTION OF BILLS, PETITIONS, RESOLUTIONS AND MEMORIALS.

By Mr. Hendricks:

Senate Bill No. 94:

To be entitled an act to allow married women to testify in all criminal cases wherein their husbands are parties in this State;

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

By Mr. Hendricks:

Senate Bill No. 95:

To be entitled an act for the protection of property in this State;

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

By Mr. Hendricks:

Senate Bill No. 96:

To be entitled an act to give a lien to attorneys and for the mutual protection of attorneys and clients;