

Mr. Martin, by leave, withdrew the amendment.

The bill was read the second time.

By leave, Mr. Pendleton introduced the following bill:

Senate Bill No. 143:

To be entitled an act to prevent excessive rates of tariff over any telegraph or cable company within the State of Florida;

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

On motion of Mr. Speer the Senate adjourned.

CONFIRMATIONS.

Andrew Scott, to be Sheriff of Jackson county.  
George Zehnaw, to be Sheriff of Putnam county.

THURSDAY, February 5, 1885.

The Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Baker, Bryson, Burnam, Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mann, Martin, Mountien, McKinne, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer, Stripling and Whidden—23.

A quorum present.

Prayer by the Chaplain.

READING OF JOURNAL.

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

Mr. Mallory offered the following resolutions:

*Resolved*, That the President of the Senate appoint a committee of three Senators to revise the rules of the Senate and to recommend by report as speedily as practicable such amendments and additions thereto as in the judgment of such committee are necessary to expedite the business and preserve the order of the Senate.

Mr. McKinne moved its adoption.

The resolution was adopted.

Messrs. Mallory, McKinne and Chandler were appointed such committee.

The following message from the Assembly was received:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 4, 1885

HON. M. H. MABRY,

*President of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has—

Concurred in the following Resolution:

WHEREAS, It appears from investigation that there are \$236 in Greenback scrip now in the Treasurer's hands; and whereas, this scrip is of no use and has to be carried on the Treasurer's account as so much cash; therefore, be it

*Resolved by the Senate, the Assembly concurring*, That the Special Committee's appointed to investigate the Comptroller and Treasurer's books be empowered to burn said scrip and receipt the Treasurer for the same.

Very respectfully,

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

The resolution was ordered to be engrossed.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 4, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has passed the following bill:

Assembly Bill No. 173, to be entitled an act to continue and extend the charter of the Green Cove Spring and Melrose Railroad Company, and to preserve and extend its land grant.

Very respectfully,

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

Which was read.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., February 4, 1885.

HON. M. H. MABRY,

*President of the Senate:*

SIR: I am directed by the Assembly to inform the Senate that the Assembly has receded from its amendment to Senate Bill No. 20, striking out "one thousand dollars" wherever it occurs in the bill, and have adopted in lieu thereof the following amendment, to wit:

Strike out the words, "being with the property therein contained of the value of one thousand dollars,"

And respectfully request the concurrence of the Senate therein.

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

Which was read.

Assembly Bill No. 173:

To be entitled an act to continue and extend the charter of the Green Cove and Melrose Railroad,  
Was referred to the Committee on Railroads and Telegraphs.

Senate Bill No. 20:

To be entitled an act to amend sections 2 and 3 of subchapter 4 of Chapter 1637, Laws of Florida, being an act entitled an act to provide for the punishment of crime and proceedings in criminal cases, approved February 3, 1874.

Mr. McKinne moved that the amendments of the Assembly be concurred in;

Which was not agreed to.

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

SENATE CHAMBER, Tallahassee, Fla., February 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

Sir: Your Committee on Claims, to whom was referred—  
Assembly Bill No. 140, to be entitled an act for the relief of L. M. Chester,  
Have considered the same and recommend that it do not pass.

Very respectfully,  
J. G. SPEER,  
Chairman of Committee.

Which was read

Mr. Mallory, Chairman of the Committee on Commerce and Navigation, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

SIR: Your Committee on Commerce and Navigation, to whom was referred—

Senate Joint Resolution No. 21, asking the Congress of the United States to establish a mail route from Lake de Funiak, in Walton county, Florida, to Lake View, in Covington county, Alabama,

Beg leave to report that they have considered the same, and recommend that it pass, with the following amendment, viz:

Strike out the words "joint resolution" wherever they occur and insert the word "memorial" in lieu thereof.

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

Which was read.

Also the following:

SENATE CHAMBER, Tallahassee Fla., Feb. 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

SIR—Your Committee on Commerce and Navigation to whom was referred—

Senate Bill No. 137, to be entitled an act to amend Section 3 of Chapter 3306, Laws of Florida, approved March 8, 1881, being an act entitled an act to have Harbor Masters of this State appointed by the Governor,

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

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

By leave the following bills were introduced:

By Mr. Mallory:

Senate Bill No. 145:

To be entitled an act to give laborers engaged in loading or unloading vessels, ships or other water craft in this State a first lien on such vessels, ships or other water craft for the wages earned by them in loading or unloading the same;

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

SPECIAL ORDERS OF THE DAY.

The reconsideration of the vote of the Senate, on 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,

Was taken up.

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

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Burnam, Cottrell, Crill, Hendricks, Jones, Lee, Lesley, McKinne, Orman, Sheppard, Speer, Stripling and Whidden—13.

Nays—Messrs. Baker, Bryson, Chandler, Landrum, Mallory, Mann, Martin, Mountien, Pendleton and Sammis—10.

So the motion prevailed.

Senate Bill No. 99:

To be entitled an act to amend an act to grant certain lands to the Silver Springs, Ocala and Gulf Railroad Company.

On motion the amendments recommended by the committee were adopted.

The bill as amended was ordered to be engrossed.

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

SENATE CHAMBER, Tallahassee, Fla., February 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

Sir: Your Committee on Engrossed Bills, beg leave to report that they have examined,

Senate Bill No. 121:

To be entitled an act to authorize Simon P. Hayden and associates, to build a toll and drawbridge across Hillsborough River; also,

Amendments to Assembly Bill, to be entitled an act to legalize the incorporation of the town of Crescent City, of the county of Putnam, and to declare the incorporation of the town of Crescent City valid, and of full force and effect; also,

Senate Bill No. 123, to be entitled an act to provide for carrying into effect Section ten of the Constitution of Florida; also,

Senate Bill No. 126, to be entitled an act to amend Sections 45 and 46 of an act entitled an act for the assessment and collection of revenue, approved March 5, 1883; also,

Senate Bill No. 129, to be entitled an act providing for the levy of taxes for the years 1885 and 1886; also,

Senate Bill No. 110, to be entitled an act to keep in repair the public roads and highways in this State,

And find them to be correctly engrossed.

Very respectfully,

WM. BRYSON, Chairman.

Which was read.

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

SENATE CHAMBER, Tallahassee, Fla., February 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

Sir: Your Committee on Claims to whom was referred—Assembly Bill No. 48, to be entitled an act for the relief of Charles Anderson, of Marion County,

Have considered the same, and recommend that it do pass.

Very respectfully,

J. G. SPEER,

Chairman Committee.

Which was read.

BILLS ON SECOND READING.

Assembly Bill No. 4:

To be entitled an act to legalize the corporation of the town of Sumterville and to fix the boundaries of same,

Was read the second time.

Senate Bill No. 23 was withdrawn by leave.

Assembly Memorial No. 12:

Requesting our delegation in Congress to secure if possible the passage of an education bill,

Was read the second time.

Assembly Bill No. 73:

To be entitled an act for the relief of Moses J. Brown, Collector of Revenue of Duval county,

Was read the second time.

Senate Bill No. 125:

To be entitled an act to incorporate the Key West Street Car Company.

The amendments recommended by the committee were adopted, and the bill as amended ordered engrossed.

By leave the following bills were introduced:

By Mr. Mallory:

Senate Bill No. 146:

To be entitled an act to amend Section 9 of an act entitled an act to dissolve municipal corporations under circumstances therein stated, and to provide provisional government for the same, approved January 28, 1885, and to repeal the eighth section of that act;

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

By Mr. Lesley:

Senate Bill No. 147:

To be entitled an act to authorize railroad companies to construct conveniences for delivery and other purposes;

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

Also,

Senate Bill No. 148:

To be entitled an act to require carriers in this State to deliver freight as agreed upon by shippers;

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

Senate Bill No. 149:

To be entitled an act to change the time of holding courts in the 6th Judicial Circuit;

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

By Mr. McKinne:

Senate Bill No. 150:

To be entitled an act in relation to distress for rent and advances and to punish certain offences;

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

#### BILLS ON SECOND READING.

Assembly Memorial No. 14:

Asking Congress for the establishment of a mail route from Madison, in Madison county, to Scrub Hammock, in Lafayette county,

Was read the second time.

Assembly Memorial No. 5:

Asking that the United States naval reserve lands in Lafayette county be subject to homestead entry and pre-emption,

Was read the second time.

Senate Joint Resolution No. 21:

Asking Congress to establish a mail route from Lake de Funiak, in Walton county, Fla., to Lake View, in Alabama,

Was read the second time and ordered to be engrossed.

Senate Bill No. 130:

To be entitled an act to provide for the management of the State Asylum for the indigent lunatics,

Was read the second time and ordered to be engrossed.

Mr. Crill in the chair.

Assembly Bill No. 29, was passed over informally.

Senate Bill No. 137:

To be entitled an act to amend section 3 of Chapter 3306, Laws of Florida, approved March 8, 1881, being an act enti-

led an act to have Harbor Masters of this State appointed by the Governor.

The bill was read the second time and placed on its third reading.

Assembly Bill No. 140:

To be entitled an act for the relief of L. M. Chester, Collector of Revenue,

Was read the second time.

Mr. Speer moved that the bill be indefinitely postponed;

Which was agreed to.

The President in the chair.

Mr. Lee was excused on account of sickness in his family.

Senate Bill No. 133:

To be entitled an act requiring all indigent lunatics now in the hands of committees, and all persons that may hereafter be declared indigent lunatics, to be placed in the insane asylum, at Chattahoochee.

Mr. Lesley moved that the bill be indefinitely postponed.

Mr. Orman offered the following amendment, and moved its adoption:

Insert the words "adult lunatics;"

Which was agreed to.

Upon the motion to indefinitely postpone the bill,

Upon which the yeas and nays were called for,

The vote was:

Yeas—Messrs. Burnam, Gaskins, Hendricks, Lesley, Mann, Martin, Mountien, McKinne, Pendleton, Roberts and Sheppard—11.

Nays—Messrs. Baker, Cottrell, Crill, Landrum, Orman, Sammis and Speer—7.

Which prevailed.

#### THIRD READING OF BILLS.

Senate Bill No. 81:

To be entitled an act to change the county lines between the counties of Putnam and Marion,

Was read the third time and put upon its passage.

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

Yeas—Messrs. Bryson, Cottrell, Crill, Gaskins, Hendricks, Jones, Lesley, Mallory, Mann, McKinne, Orman, Pendleton, Roberts, Sheppard, Speer and Whidden—16.

Nays—Messrs. Baker, Burnam, Chandler, Cole, Martin, Sammis and Stripling—7.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

## SPECIAL ORDER OF THE DAY.

The consideration of  
Substitute for Senate Bill No. 15 :  
To be entitled an act to provide for calling a Convention of  
the people of Florida,  
Was taken up.

Mr. Mallory offered the following amendment and moved its  
adoption :

1st. Strike out all of section 2 from and after the word  
"Legislature" in line 4 of that section and insert the follow-  
ing in lieu thereof, viz. : "And all electors now duly qualified  
under the laws of Florida to vote for members of the Assembly  
and Senators of this State in their respective election districts  
shall be entitled to vote in their said respective election districts  
for members of said Convention at said election, but no person  
not so duly qualified shall be entitled to so vote at said elec-  
tion."

By leave the amendment was withdrawn.

Mr. Mallory then offered the following :

In section 2, line 6, after the word "voters" insert the fol-  
lowing : "Not now duly registered ;"

Which was adopted.

Mr. Mallory also offered the following :

2d. In line 1 of section 6, after the word "shall" insert the  
following, viz. : "On or before the 10th day of March, 1885 ;"

Which was adopted.

Mr. Martin offered the following amendment, and moved its  
adoption :

After the word "election" in line 7 of section 2, insert the  
words "at a convenient place in the several election precincts."

Mr. Baker offered the following amendment to the amend-  
ment :

Provided that deputy clerks shall keep the registration  
books open two days in each week, at the polling place in each  
election district.

By leave the amendment to the amendment was withdrawn  
by Mr. Baker.

Mr. Stripling offered the following amendment to the amend-  
ment :

"And it shall further be the duty of the Clerk to appoint  
deputies in each election district, who shall keep the registra-  
tion books of their respective districts open on Saturday of  
each week at the polling place between the hours of 9 o'clock,  
A. M., and 5 o'clock P. M. : *Provided*, That the Clerk shall be  
required to register persons from any part of the county, and  
shall note the district in which the elector resides.

Mr. Martin accepted the amendment to his amendment.

Mr. Bryson offered the following amendment to the amend-  
ment, and moved its adoption :

Add after the word "county," in tenth line of the amend-  
ment, "on any day within the time specified except Sunday ;"  
Which was adopted.

Upon the adoption of the amendment as amended, the yeas  
and nays were called for,

The vote was :

Yeas—Messrs. Baker, Bryson, Burnam, Chandler, Cole,  
Cottrell, Delano, Landrum, Mann, Martin, Mountien, Sam-  
mis and Stripling—13.

Nays—Messrs. Crill, Gaskins, Hendricks, Jones, Lesley,  
Mallory, McKinne, Orman, Pendleton, Roberts, Sheppard,  
Speer and Whidden—13.

The vote was a tie.

The Chair voted no.

So the amendment was lost.

Mr. Mallory offered the following amendment to Senate Bill  
No. 15 :

After the word "election," in line 7 of section 2, insert the  
following, viz. : "In the same time and place as are now pro-  
vided by law for the registration of electors in this State ;"  
Which was agreed to.

Mr. Orman offered the following :

Amend by inserting in section 2, in line 4, after the word  
"clerk," "and deputy clerks or registration officers appointed  
by said clerks," and in line 5, after the word "open," "Tues-  
days and Saturdays, from 10 A. M. to 4 P. M. of said days ;"  
Which was withdrawn.

Mr. Chandler offered the following, and moved its adoption :  
In section 2, after the word "open" in line 5, insert "daily ;"  
Which was lost.

Mr. Baker offered the following and moved its adoption :

Strike out all of section 3 down to and including the word  
"respectively," in line 4, and insert : "The representation in  
said Convention shall be as follows :

"Alachua 6, Baker 1, Bradford 3, Brevard 1, Calhoun 1,  
Clay 1, Columbia 3, Dade 1, Duval 8, Escambia 6, Franklin 1,  
Gadsden 3, Hamilton 3, Hernando 1, Hillsborough 2, Holmes  
1, Jackson 4, Jefferson 4, Lafayette 1, Leon 5, Levy 1, Liberty  
1, Madison 4, Manatee 1, Marion 6, Monroe 3, Nassau 3, Or-  
ange 6, Polk 1, Putnam 5, St. Johns 2, Santa Rosa 2, Sumter  
2, Suwannee 4, Taylor 1, Volusia 3, Wakulla 1, Walton 1,  
Washington 1 ; total 104."

Mr. Whidden moved that the Senate adjourn ;  
Which was agreed to.

## AFTERNOON SESSION—4 O'CLOCK P.M.

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, Crill, Gaskins, Hendricks, Jones, Landrum, Lee, Martin, Mountien, McKinne, Orman, Roberts, Sheppard Speer and Stripling—19.

A quorum present.

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

SENATE CHAMBER, Tallahassee, Fla., February 5, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

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

Assembly Bill No. 173:

To be entitled an act to continue and extend the Charter of Green Cove Spring and Melrose Railroad Company, and to preserve and extend its land grant,

Beg leave to report that they have carefully considered the same, and recommend that it do pass with the accompanying amendment, to wit:

In line seven, of Section 1, between the words "continued" and "and," insert "with a branch to Starke, in Bradford county."

Very respectfully,

J. L. GASKINS,  
Chairman of Committee.

Which was read.

Also the following:

SENATE CHAMBER, Tallahassee, February 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

Sir: I am requested by a majority of your Committee on Railroads and Telegraphs, to whom was referred—

Senate Bill No. 14, to be entitled an act prescribing the duties of Railroad Companies in regard to conductors, engineers and signals,

To report that the bill do pass, with the following amendment, to-wit:

At the beginning of Section 5, before the words "any rail-

road company," insert the words "any officer, agent or employee of."

Very respectfully,

J. L. GASKINS,  
Chairman Committee.

Which was read.

Also, the following:

SENATE CHAMBER, Tallahassee, Fla., February 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Senate Bill No. 142, to be entitled an act to extend the time within which the Florida Midland and Georgia Railroad Co. may secure the rights and benefits conferred or intended to be conferred by Chapter 3337, act of 1881,

Beg leave to report that they have had the same under consideration and recommend that it do pass, with the accompanying proviso after the last word in line 9, section 1, to-wit:

"Provided, however, in case said railroad is not completed by the first day of March, 1886, that said company shall not obtain any lands below latitude 30 for the construction of said railroad."

Very respectfully,

J. L. GASKINS,  
Chairman of Committee.

Which was read.

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

SENATE CHAMBER, Tallahassee, February 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

Sir: Your committee on the Judiciary, to whom was referred—

Assembly Bill No. 20, to be entitled an act to amend section two of an act entitled an act to provide for the relief of the City of Pensacola, beg leave to report that they have considered the same and recommend that it pass.

Very respectfully,

S. R. MALLORY,  
Chairman of Committee.

Which was read.  
Also the following:

SENATE CHAMBER, Tallahassee, Fla., Feb. 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Senate Bill No. 135, to be entitled an act to provide for the assessment and collection of taxes on railroads and the properties thereof for the years 1879, 1880 and 1881, as to which there was no assessment,

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

Very Respectfully,  
S. R. MALLORY, Chairman.

Which was read.

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

SENATE CHAMBER, TALLAHASSEE, FLA., Feb. 5, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

Sir: Your Committee on Enrolled Bills, to whom was referred—

Senate Bill No. 35, to be entitled an act providing for the appointment of administrators,

Beg leave to report that they have examined the same and find it correctly enrolled.

Very respectfully,  
S. M. HENDRICKS,  
Chairman Committee on Enrolled Bills.

Which was read.

The following bill was signed by the President and Secretary of the Senate:

Senate Bill No. —:

To be entitled an act to grant lands to the Atlantic Canal and Transportation Company, to make up deficiencies along its present and proposed extended line, and for the establishment of telegraph and telephone lines.

The following bills were introduced:

By Mr. Mann:

Senate Bill No. 151:

To be entitled an act to incorporate the Atlantic and Mexican Gulf Canal Company, and to grant certain privileges therein named, approved March 1, 1883;

Which was read and referred to the Judiciary Committee.

By Mr. McKinne:

Senate Bill No. 152:

To be entitled an act to protect the health of the people of the State of Florida;

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

By Mr. Sammis:

Senate Bill No. 153:

To be entitled an act to suppress gaming;

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

The consideration of Mr. Baker's amendment to substitute for Senate Bill No. 15, to provide for calling a convention of the people of the State of Florida, was resumed. Mr. Baker offered the following amendment to his amendment:

Change Hernando to 3, Nassau to 4, Bradford to 3,

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Baker, Chandler, Lesley.

Nays—Messrs. Burnam, Cole, Cottrell, Crill, Gaskins, Hendricks, Jones, Landrum, Lee, Mallory, Martin, Mountain, McKinne, Orman, Pendleton, Sheppard, Speer, Stripling and Whidden—19.

Which was not agreed to.

By leave Mr. Baker withdrew the amendment.

Mr. Orman offered the following amendment and moved its adoption:

Strike out in Section 2, line 2, the word "second" and insert "first;"

Which was adopted.

Message from the Governor.

Mr. Chandler offered the following amendment and moved its adoption:

Strike out Section 3 and insert as follows: "Each county shall be entitled to one delegate for each 555 votes cast at the last general election, and one delegate for every fractional part thereof of three hundred votes or more: *Provided, however,* That each county shall have at least one delegate, so that the counties of the State shall elect delegates, as follows:

Alachua 7, Baker 1, Bradford 2, Brevard 1, Calhoun 1, Clay 1, Columbia 4, Dade 1, Duval 9, Escambia 7, Franklin 1, Gadsden 3, Hernando 2, Hillsborough 3, Holmes 1, Jackson 5, Jef-

erson 4, LaFayette 1, Leon 5, Levy 2, Liberty 1, Madison 2, Manatee 2, Marion 6, Monroe 2, Nassau 3, Orange 6, Polk 1, Putnam 6, St. Johns 2, Santa Rosa 2, Sumter 3, Suwannee 3, Taylor 1, Volusia 3, Wakulla 1, Walton 2, Washington 1; total 108.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Chandler, Cole, Martin and Sammis—5.

Nays—Messrs. Bryson, Burnam, Cottrell, Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lee, Lesley, Mallory, Mann, Mountin, McKinne, Orman, Pendleton, Roberts, Sheppard, Speer and Whidden—21.

So the amendment was not agreed to.

Mr. Stripling offered the following amendment and moved its adoption:

Strike out sections 5 and 6 and add the following:

Section 5. That it is the sense of this Legislature, that the Constitution to be ordained by said convention, should be submitted to the qualified electors of the State for ratification by ballot, and for the purpose of ascertaining the wishes and desires of the people of the State, the question shall be submitted at the election to be held for delegates to said convention. Those persons desiring that said constitution be submitted for ratification shall have written or printed on their ballots the words "For ratification;" and those opposed to such submission shall have written or printed on their ballots the words "against ratification;" The ballots thus cast for or against a ratification shall be canvassed by the proper officers and the result declared and communicated by the State Canvassing Board to said convention immediately after the same shall have convened and organized.

Mr. Mallory offered the following amendment to the amendment:

Strike out all after the word "ballot" in line 5 of the amendment.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Cole, Cottrell, Crill, Delano, Jones, Landrum, Lee, Mallory, Martin, McKinne, Orman, Sammis, Sheppard and Speer—17.

Nays—Messrs. Bryson, Gaskins, Mountin and Stripling—4.

Which was agreed to.

The amendment as amended was adopted.

Mr. Delano offered the following amendment, and moved its adoption:

Strike out all after the word "governor" in line 2, and insert in lieu thereof, "to appoint a suitable person to fill said vacancy;"

Which was withdrawn by leave.

Mr. Baker offered the following amendment, and moved its adoption:

That the Governor shall not enforce any of the ordinances of the Convention until the Constitution shall have been ratified by the people;

Which was not agreed to.

Mr. Mallory offered the following amendment, and moved its adoption:

That the Governor of this State shall, on or before the 10th day of March, A. D., 1885, issue his proclamation to have this act carried into effect;

Which was agreed to, and the amendment was adopted.

Mr. Mann offered the following amendment, and moved its adoption:

Strike out the word "ordained" wherever it occurs and insert "ordered."

By leave Mr. Mann withdrew his amendment.

Mr. Orman offered the following amendment:

In line two, Section 1, strike out "ordained" and insert "called;"

Which was agreed to, and amendment was adopted.

Mr. Mallory offered the following amendment and moved its adoption:

In line two, of Section 5, strike out the words "to be ordained," and insert the words "when revised," in lieu thereof;

Which was agreed to, and amendment was adopted.

Mr. Martin offered the following, and moved its adoption:

That after the words "Convention" in the 5th line, section 3, insert the following: "Except any member of the present Legislature or any person now holding office under the State administration."

By leave the amendment was withdrawn.

Mr. Chandler offered the following amendment and moved its adoption:

Strike out all of the preamble and insert as follows: "Whereas, all the constitutional provisions preparatory to the calling of a Convention to make an entire revision of the Constitution of this State have been fully complied with; therefore;"

Which was not agreed to.

The bill as amended was ordered to be engrossed.



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

SENATE CHAMBER, Tallahassee, Fla., Feb. 4, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Senate Bill No. 134:

To be entitled an act authorizing the employment of stenographers in the several Circuit Courts of this State,

Beg leave to report that they have considered the same and recommend that it do pass, with the following amendments, viz:

In line six, after the word "will," strike out "induce" and substitute "convince;" also in line six, after the word "judge," strike out "to believe."

Very respectfully,

S. R. MALLORY,  
Chairman of Judiciary Committee.

Which was read.

Also the following:

SENATE CHAMBER, Tallahassee, February 5, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

Sir: Your Committee on Judiciary, to whom was referred—  
Senate Bill No. 149, to be entitled an act to change the time of holding Circuit Court in the Sixth Judicial Circuit,

Beg leave to report that they have examined the same and return it without recommendation.

Very respectfully,

S. R. MALLORY,  
Chairman of Committee.

Which was read.

Also the following:

SENATE CHAMBER, Tallahassee, Fla., Feb. 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

SIR: Your Committee on Judiciary to whom was referred—  
Senate Bill No. 145, to be entitled an act to give laborers

engaged in loading or unloading vessels, ships or other water craft in this State, a first lien on such vessels, ships or other water craft for the wages earned by them in loading or unloading the same,

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

Very respectfully,

S. R. MALLORY,  
Chairman of Committee.

Which was read.

On motion the rules were waived and the following message from the Assembly read:

ASSEMBLY HALL, Tallahassee, Fla., February 5, 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—

Senate Bill No. 77:

To be entitled an act to amend sections 2, 7 and 8 of an act entitled an act to incorporate the Seville and Halifax River Railroad, approved March 5th, 1883; also,

Assembly Bill No. 113:

To be entitled an act to regulate the sale of liquors within incorporate cities or towns; also,

Assembly Bill No. 128:

To be entitled an act making appropriation for the Florida Agricultural College.

Very respectfully,

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

Which was read.

Also the following:

ASSEMBLY HALL, Tallahassee, February 5, 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. 133, to be entitled an act to amend Chapter 3440, Laws of Florida, approved March 5, 1883, entitled an act to keep in repair the public roads and highways of this State, and to amend an act entitled an act to keep in good repair the public roads and highways in this State, approved March 7, 1881; also,

Assembly Bill No. 103, to be entitled an act to amend an act approved March 5, 1883, entitled an act to amend section 3 of an act to amend an act entitled an act to provide for the incorporation of cities and towns, and to establish a uniform system of municipal government in this State, approved February 4, 1869, and the acts amendatory thereof, and to further provide for the organization and government of cities, approved March 4, 1879; also,

Assembly Bill No. 88, to be entitled an act for the relief of R. F. Hosford, of Liberty county, Fla.; also,

Assembly Bill No. 136, to be entitled an act for the relief of Henry W. Long, administrator of the estate of Thomas Barco, deceased, of Marion county, Fla.

Very respectfully,

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

Which was read.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 5, 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. 151:

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

Assembly Bill No. 94:

To be entitled an act making appropriations for and extending the provisions of Chapter 3448, Laws of Florida, an act to provide for normal instruction, approved March 5, 1883; also,

Assembly Bill No. 146:

To be entitled an act to establish lost papers in Justice Courts; also,

Senate Bill No. 78:

To be entitled an act to incorporate Winter Park Company; also,

Assembly Bill No. 112:

To be entitled an act to fix the fees of Sheriffs and Constables in certain cases.

Very respectfully,

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

Which was read.

Assembly Bill No. 94:

To be entitled an act making appropriations for and extending the provisions of Chapter 3448, Laws of Florida, an act to provide for normal institutions, approved March 5, 1883;

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

Assembly Bill No. 88:

To be entitled an act for the relief R. F. Hosford, of Liberty county, Fla.;

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

Assembly Bill No. 133:

To be entitled an act to amend Chapter 3440, Laws of Florida, approved March 5, 1883, entitled an act to keep in repair the public roads and highways of this State and to amend an act entitled an act to keep in good repair the public roads and highways in this State, approved March 7, 1881;

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

Assembly bill No. 136:

To be entitled an act for the relief of Henry W. Long, Administrator of the estate of Thomas Barco, deceased, of Marion county, Florida;

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

Assembly Bill No. 103:

To be entitled an act to amend an act approved March 5, 1883, entitled an act to amend Section 3 of an act to amend an act entitled an act to provide for the incorporation of cities and towns and to establish a uniform system of municipal government in this State, approved February 4th, 1869, and the acts amendatory thereof, and to further provide for the organization and government of cities, approved March 4, 1879;

Which was read the first time by its title and referred to the Committee on City and County Organizations.

Assembly Bill No. 128:

To be entitled an act making appropriations for the Florida Agricultural College;

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

Assembly Bill No. 113:

To be entitled an act to regulate the sale of liquors within incorporated cities and towns;

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

Assembly Bill No. 112:

To be entitled an act to fix the fees of sheriffs and constables in certain cases;

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

Assembly bill No. 151:

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

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

Assembly Bill No. 146:

To be entitled an act to establish lost papers in Justice's Courts,

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

Senate Bill No. 77:

To be entitled an act to amend Sections 2, 7 and 8 of an act entitled an act to incorporate the Seville and Halifax River Railroad, approved March 5, 1883;

Ordered to be enrolled.

Senate Bill No. 78:

To be entitled an act to incorporate Winter Park Company;

Ordered to be enrolled.

Mr. Mallory moved to adjourn until 8 o'clock.

Mr. Baker moved to adjourn;

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Bryson, Burnam, Mann, Mountien and Stripling—6.

Nays—Messrs. Cottrell, Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lesley, Mallory, Martin, McKinne, Orman, Roberts, Sammis, Sheppard and Speer—16.

Which was not agreed to.

On the motion to adjourn until 8 o'clock the motion prevailed.

#### NIGHT SESSION—8 O'CLOCK P. M.

The Senate met pursuant to adjournment.

The President *pro tem.* in the chair.

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

Messrs. Burnam, Crill, Gaskins, Hendricks, Jones, Lesley, McKinne, Orman, Roberts, Sheppard and Speer—11.

A quorum not present.

Mr. McKinne moved a call of house;

Which was agreed to.

The roll was called and the following Senators were absent:

Messrs. Baker, Bryson, Chandler, Cole, Cottrell, Delano, Hankins, Landrum, Lee, Mallory, Mann, Martin, Mountien, Neel, Pendleton, Proctor, Sammis, Stripling, Whidden and Williams—20.

Mr. McKinne moved that the Sergeant-at-Arms be instructed to bring the absentees to the bar of the Senate;

Which was agreed to, and the Sergeant-at-Arms was so ordered.

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

Messrs. Burnam, Crill, Gaskins, Hendricks, Jones, Landrum, Lesley, Mallory, Mann, Mountien, McKinne, Orman, Pendleton, Roberts, Sheppard and Speer—16.

A quorum not present.

On motion of Mr. McKinne the roll was again called and the following Senators answered to their names:

Messrs. Burnam, Cole, Crill, Gaskins, Hendricks, Jones, Landrum, Lesley, Mallory, Mann, Mountien, McKinne, Orman, Pendleton, Roberts, Sheppard and Speer—17.

A quorum present.

On motion, the further proceeding under the call of the house was dispensed with.

Mr. Crill in the chair.

#### INTRODUCTION OF BILLS.

By leave the following bills were introduced:

By Mr. Speer:

Senate Bill No. 154:

To be entitled an act to provide for the issue of bonds in exchange for the bonds of the State of Florida, belonging to the common School Fund and Seminary Fund and Agricultural College Fund of this State;

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

Senate Bill No. 100:

To be entitled an act to establish a bureau of agriculture for the State of Florida, and to repeal an act entitled an act to establish a bureau of immigration for the State of Florida and to promote the rapid settlement of State lands, approved March 7th, 1879;

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

The vote was:

Yeas—Messrs. Baker, Crill, Hendricks, Landrum, Lesley, Mallory, Mann, Martin, McKinne, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer and Stripling—16.

Nays—Messrs. Chandler and Jones—2.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Pendleton, Chairman of Special Committee appointed to examine the law in relation to gambling, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 5, 1885.

HON. M. H. MABRY,

*President of the Senate:*

SIR—Your Special Committee which was appointed to look into the laws regarding gambling, and to see if they were of sufficient force to meet such crimes,

Respectfully beg leave to report that they have examined the same, and are of the opinion that with efficient officers many of the evils now complained of could be remedied, yet the law, as a whole, does not fully meet all such crimes; therefore they report Senate Bill No. 153, and recommend it do pass.

Very respectfully,

CHAS. B. PENDLETON,  
Chairman Special Committee.  
E. O. SAMMIS.

The report was read and received.

Assembly Bill No. 107:

To be entitled an act to declare what shall be a lawful fence or enclosure to lands owned by any one,

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

Mr. Chandler moved that the rules be waived and the bill be put back on its second reading.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Bryson, Chandler, Hendricks, Jones, Mann, Mountien, McKinne, Orman and Roberts—10.

Nays—Messrs. Burnam, Crill, Delano, Gaskins, Landrum, Lesley, Mallory, Martin, Pendleton, Sammis, Sheppard, Speer and Stripling—13.

So the motion was not agreed to.

Upon the passage of the bill the vote was:

Yeas—Messrs. Chandler, Crill, Delano, Gaskins, Jones, Lan-

drum, Lesley, Mallory, Mann, Martin, Mountien, Orman, Pendleton, Sammis, Sheppard, Speer and Stripling—17.

Nays—Messrs. Baker, Bryson, Burnam, Hendricks and McKinne—5.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

By leave Mr. Mann offered the following resolution:

*Resolved*, That reports of committees and accompanying recommended action shall not be considered as coming under the head of new business, or any action sought by any committee to enable them to discharge their duty, and it may be sought at any time;

Which was read.

Mr. Lesley moved that Mr. Mann be allowed to withdraw the resolution;

Which was agreed to.

The resolution was withdrawn.

Senate Bill No. 118:

To be entitled an act to amend Sections 5 and 7 of Chapter 3440, entitled an act to keep in repair the roads and highways in this State and to amend an act entitled an act to keep in good repair the public roads and highways in this State, approved March 7, 1881;

Which was placed on its second reading.

Assembly Bill No. 42:

To be entitled an act to provide for service on non-resident defendants and others in certain chancery cases,

Was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Burnam, Crill, Delano, Gaskins, Hendricks, Jones, Landrum, Lesley, Mallory, Martin, Mountien, McKinne, Orman, Pendleton, Sammis, Sheppard, Speer and Stripling—19.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Baker moved that the Senate adjourn.

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

Yeas—Messrs. Baker, Bryson, Chandler, Delano, Mann, Mountien—6.

Nays—Messrs. Burnam, Crill, Gaskins, Hendricks, Jones, Landrum, Lesley, Mallory, McKinne, Orman, Pendleton, Roberts, Sammis, Sheppard, Speer and Stripling—16.

So the motion was not agreed to.

Senate Bill No. 92:

To be entitled an act to declare the Anclote river, in Her-  
nando and Hillsborough counties, navigable.

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

The vote was:

Yeas—Messrs. Baker, Bryson, Burnam, Chandler, Crill,  
Delano, Gaskins, Hendricks, Jones, Landrum, Lesley, Mallory,  
Martin, Mountien, McKinne, Orman, Pendleton, Roberts,  
Sammis, Sheppard, Speer and Stripling—22.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Delano moved that the Senate adjourn.

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

Yeas—Messrs. Burnam, Delano, Mann, Martin, Mountien and  
Sammis—6.

Nays—Messrs. Baker, Bryson, Chandler, Crill, Gaskins,  
Hendricks, Jones, Landrum, Lesley, Mallory, McKinne, Or-  
man, Pendleton, Roberts, Sheppard, Speer and Stripling—17.

Which was not agreed to.

Senate Bill No. 84:

To be entitled an act to protect settlers on public lands.

The bill was read the third time.

Mr. Mountien moved that the bill be indefinitely postponed.

Mr. McKinne moved that the Senate adjourn.

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

Yeas—Messrs. Baker, Chandler, Crill, Gaskins, Hendricks,  
Jones, Lesley, Mountien, McKinne, Orman, Pendleton, Shep-  
pard, Speer and Stripling—14.

Nays—Messrs. Bryson, Delano, Mallory, Mann, Martin, Rob-  
erts and Sammis—7.

Which was agreed to.

Whereupon the Senate adjourned.

—o—

FRIDAY, February 6, 1885.

The Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Baker, Bryson, Burnam, Chandler, Cole, Cottrell,  
Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Lesley,  
Mallory, Mann, Martin, Mountien, McKinne, Orman, Proctor,

Roberts, Sammis, Sheppard, Speer, Stripling and Whidden  
—26.

A quorum present.

Prayer by the Chaplain.

READING OF JOURNAL.

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

Mr. McKinne offered the following resolution, and moved its  
adoption:

WHEREAS, We have only six days in which to finish the  
business of this session; therefore, be it

*Resolved*, That the morning hour for meeting be changed to  
9 instead of 10 o'clock; that the afternoon hour be changed to  
3 instead of 4 o'clock, and that we have night sessions, to be-  
gin at 7:30 o'clock.

The yeas and nays were called for.

The vote was:

Yeas—Messrs. Burnam, Cottrell, Gaskins, Hankins, Hen-  
dricks, Jones, Landrum, Mallory, Mountien, McKinne, Orman,  
Sheppard, Speer and Whidden—14.

Nays—Messrs. Baker, Bryson, Chandler, Cole, Delano, Les-  
ley, Mann, Martin, Proctor, Roberts and Stripling—12.

So the resolution was not agreed to, two-thirds not voting  
in the affirmative.

Mr. Crill was excused for a few days.

Mr. Bryson offered the following resolution:

WHEREAS, There has accumulated in the past two years a  
large amount of legislative business, and many bills and res-  
olutions of an important and public nature cannot possibly be  
considered, thereby inflicting a wrong upon the people at large;  
therefore,

*Be it resolved by the Senate, the Assembly concurring*, That  
the importance of the public business yet before us will  
not warrant so speedy an adjournment, and that while we have  
a view to economy, we realize that in the event of a failure  
to ratify the Constitution, the legislative interests of the State  
should be protected and as the representatives of the people  
we should not ignore them to simply place ourselves on record  
as rigid economists, and that the concurrent resolution hereto-  
fore passed to adjourn on the 12th inst. be and the same is  
hereby rescinded;

Which was read and passed over informally.

Mr. Baker moved to make memorial in relation to the reci-  
procity treaty with Spain the special order for 8 o'clock to-  
night;