

D. G. McLeod, to be Clerk of the Circuit Court of Walton county.

J. E. McLaren, to be Sheriff of Walton county.

Daniel McLeod, Sr., to be County Judge of Walton county.

Patrick Nedley, John J. Gannon, E. F. Labatut, to be Commissioners of Pilotage for the port of Apalachicola.

J. H. Tucker, to be Collector of Revenue for Jefferson county.

B. D. Wadsworth, to be Collector of Revenue for Madison county.

THURSDAY, February 12, 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, Burnam, Chandler, Cottrell, Crill, Delano, Gaskins, Hankins, Jones, Landrum, Lesley, Mann, Mountien, McKinne, Neel, Orman, Pendleton, Roberts, Sammis, Shepard, Stripling, Whidden and Williams—23.

A quorum present.

Prayer by the Chaplain.

READING OF THE JOURNAL.

On motion the reading of the Journal was dispensed with.

Mr. Baker offered the following resolution and moved its adoption:

WHEREAS, There exists grave doubts as to the legality of enforcing the Revenue Laws of 1883 and 1884, for the years 1885 and 1886; and

Whereas, If it should be decided that the Constitution has not been complied with in neglecting to pass said law, great inconvenience, as well as heavy expense, would be incurred in calling an extra session of the Legislature, which would become necessary; therefore, be it

Resolved, That it is the sense of the Senate that the Legislature should not adjourn without passing the usual Revenue Bill.

Mr. Gaskins moved to indefinitely postpone the resolution.

Mr. McKinne moved that the resolution be laid on the table.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Burnam, Cottrell, Crill, Delano, Gaskins, Hankins, Jones, Landrum, Mallory, Martin, Mountien, McKinne, Neel, Orman, Proctor, Roberts, Sammis, Shepard, Speer, Stripling, Whidden and Williams—22.

Nays—Messrs. Baker and Chandler—2.

So the motion did prevail.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Senate Bill No. 148, being a bill to require carriers in this State to convey and deliver freights as agreed upon with shipper,

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

Very respectfully,

H. L. R. ROBERTS,

Acting Chairman Committee on Engrossed Bills.

Which was read.

Mr. Mallory moved to waive the rules and take up Assembly Bill No. 44;

Which was agreed to by a two-thirds vote.

On motion the rules were waived by a two-thirds vote and Assembly Bill No. 44, to be entitled an act to provide for bills of exceptions from Courts of Justices of the Peace and County Courts,

Was read the second time.

On motion the rules were waived by a two-thirds vote and the bill 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, Delano, Hankins, Jones, Landrum, Mallory, Martin, Mountien, McKinne, Orman, Proctor, Roberts, Sammis, Speer and Williams—17.

Nays—None.

So the bill passed, title and stated.

Ordered that the bill be certified to the Assembly.

## Assembly Bill No. 202:

To be entitled an act to provide for the incorporation of the settlement of Bellview, in Marion county, Florida, to allow certain persons to vote upon incorporation and all questions relating to said town or city government.

The bill was read the second time.

On motion, the rules were waived and the bill was read the third time and put upon its passage.

The yeas and nays were called for.

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Cole, Cottrell, Delano, Gaskins, Hendricks, Martin, Proctor, Sammis, Sheppard and Stripling—13.

Nays—Messrs. Hankins, Jones, Landrum, Lesley, Mallory, McKinne, Orman, Roberts and Williams—9.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Education made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

Sir—Your Committee to whom was referred—

Assembly Bill No. 230,

Have examined the same and recommend that it do pass.

Very respectfully,

E. S. CRILL,

Chairman of Committee on Education.

Which was read.

## Assembly Bill No. 194:

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

Was read the second time.

The amendments were adopted.

On motion the rules were waived by a two-thirds vote and the bill read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Burnam, Cole, Cottrell, Crill, Delano, Gaskins, Hankins, Jones, Landrum, Lesley, Mallory, Martin, Mountien, McKinne, Neel, Orman, Proctor, 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. McKinne moved that that the Senate amendments to Assembly Bill No. 60, be certified to the Assembly;

Which was agreed to.

## MESSAGES FROM THE ASSEMBLY.

The following message was read:

ASSEMBLY HALL, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

Sir: I am directed by the Assembly to inform the Senate that the Assembly has had under consideration—

Assembly bill No. 135:

To be entitled an act making appropriations for the years 1885 and 1886,

And has refused to concur in the following Senate amendments thereto:

On page 1, line 16, strike out "private."

On first page, line 15, strike out "fifteen hundred" and insert "twelve hundred."

Strike out "private" before the word "Secretary."

Insert as follows after the word "dollars" in line 13, page 2: "For contingent expenses of Superintendent of Public Instruction five hundred dollars."

In line 22, page 1, strike out "one thousand" and insert "five hundred."

In line 27, page 1, strike out "and eighty-nine."

In page 2, line 6, strike out "one thousand" and insert "five hundred."

In page 2, line 14, strike out "one thousand" and insert "five hundred."

In page 2, line 19, strike out "three" and insert "one."

Strike out and insert the same in appropriations for 1886, And respectfully request that the Senate recede therefrom.

Very respectfully,

W. H. REYNOLDS,

Chief Clerk of the Assembly.

Which was read.

Mr. McKinne moved that the Senate do recede from its 1st amendment:

Which was agreed to.

Also from its second amendment.

The yeas and nays being called for:

The vote was:

Yeas—Messrs. Baker, Burnam, Crill, Delano, Gaskins, Jones,

Landrum, Lesley, Mallory, McKinne, Orman, Roberts, Sammis, Sheppard, Speer and Whidden—15.

Nays—Messrs. Chandler, Hankins, Martin, Proctor, Stripling and Williams—6.

Which was agreed to.

Also from 3d amendment;

Which was agreed to.

Also from 4th amendment.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Burnam, Cottrell, Jones, Mallory, McKinne, Sheppard, Whidden and Williams—8.

Nays—Messrs. Baker, Chandler, Crill, Delano, Gaskins, Hankins, Landrum, Lesley, Martin, Orman, Proctor, Roberts, Sammis, Speer and Stripling—15.

Which was not agreed to.

Also from its 5th amendment.

The yeas and nays were called for.

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Cottrell, Gaskins, Lesley, Mallory, Martin, Proctor, Roberts, Sammis, Stripling and Whidden—12.

Nays—Messrs. Crill, Delano, Hankins, Jones, Mountien, McKinne, Neel, Orman, Sheppard, Speer and Williams—11.

Which was agreed to.

Also from its 6th amendment.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Burnam, Crill, Delano, Gaskins, Lesley, Mallory, McKinne, Orman, Roberts, Sammis, Sheppard, Speer and Williams—13.

Nays—Messrs. Baker, Chandler, Cottrell, Hankins, Jones, Landrum, Martin, Mountien, Neel, Proctor, Stripling and Whidden—12.

Which was agreed to.

Also from its 7th amendment.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Crill, Delano, Gaskins, Hankins, Jones, Landrum, Lesley, Mallory, Mountien, McKinne, Neel, Orman, Roberts, Sheppard, Speer, Whidden and Williams—17.

Nays—Messrs. Baker, Burnam, Chandler, Cottrell, Martin, Proctor, Sammis and Stripling—8.

Which was agreed to.

Also from its 8th amendment.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Crill, Delano, Gaskins, Hankins, Landrum, Lesley, Mallory, Mountien, McKinne, Neel, Orman, Roberts, Sheppard, Speer, Whidden and Williams—16.

Nays—Messrs. Baker, Burnam, Chandler, Cottrell, Jones, Martin, Proctor, Sammis and Stripling—9.

Which was agreed to.

Also from its 9th amendment;

Which was agreed to.

Mr. Crill moved that the Secretary be instructed to inform the Assembly of the action of Senate on the the amendments;

Which was agreed to and it was so ordered.

Mr. Stripling moved to reconsider the vote of the Senate in receding from its 8th and 9th amendments;

Which was not agreed to.

Mr. Crill moved to reconsider the vote of the Senate in receding from the 5th amendment.

Mr. Mallory moved to lay the motion on the table;

Which was agreed to.

Mr. Crill moved that a committee of conference of two be appointed on the 4th amendment;

Which was agreed to.

Messrs. Crill and Chandler were appointed such committee.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 12, 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. 103, to be entitled an act to require the Comptroller to audit and allow certain accounts, and for other purposes,

And have adopted the following amendment to the same:

In line 21, Section 3, after the word favorably, insert the words, "and in the opinion of the committee by their report should be paid;" also,

That the Assembly has passed—

Senate Bill No. 86, to be entitled act to amend an act entitled an act relating to the indebtedness of the State, approved February 21st, 1873,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

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

Which was read.

Senate Bill No. 86 :

To be entitled an act to amend an act entitled an act relating to the indebtedness of the State, approved February 21, 1873,

Was read and ordered to be enrolled.

Senate Bill No. 103 :

To be entitled an act to require the Comptroller to audit and allow certain accounts and for other purposes.

The amendments were concurred in and the bill ordered to be enrolled.

The Special Committee on Indian War Claims made the following report :

SENATE CHAMBER, Tallahassee, February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

Sir: Your Committee on Indian War Claims beg leave to make the following additional report:

That they have taken the testimony of Hon. George F. Drew, and find therefrom that Geo. F. Drew, while Governor of the State of Florida, contracted with Col. S. I. Wailes to collect the claims of Florida against the United States, growing out of the Indian War, and that the State was to pay 15 per cent. of the total amount allowed to the State of Florida by the general government, which, as audited by the Secretary of War, amounted to \$224,648.09 on May 22, 1882, and that Wailes' percentage thereof when recovered would amount to \$33,697.21. Of this amount allowed by the Secretary aforesaid there was \$132,000 of the bonds, coupons and interest of the State of Florida held by the Indian Trust Fund, which were to be turned over to the State of Florida by the General Government, which would be the same as that much cash covered into the State Treasury.

We find from documents and other testimony that the Committee on Military Affairs recommended that Congress allow the State of Florida in addition to her \$132,000 bonds, coupons and interest the sum of \$92,648.09 in cash, aggregating the amount allowed by the Secretary as aforesaid, to-wit: \$224,648.09.

We find further that on the 3d of March, 1881, Congress by a Joint Resolution, required the Secretary of War to investigate, audit and report to Congress the amount due the State of Florida for expenditures in suppressing Indian hostilities in this State, and

in accordance with the requirements of the said joint resolution of Congress, approved March 3d 1881, the Secretary of War has investigated, audited and made a report to Congress, May 22d 1882, of the amount due the State of Florida for expenditures made in suppressing Indian hostilities in that State between the 1st day of January, 1860. (Ex. Doc. 203, 47 Cong., 1st session.) The expenditures grew out of the Seminole War of 1855, 56 and 57, the State authorities being compelled, in the presence of an anticipated and subsequently actual outbreak of the Indians to call for the militia of the State, the force of the United States troops then on duty being inadequate to the protection of the people. The report of the Secretary of War (Ex. Doc. 203.) fully sets forth in detail the items of Expenditures allowed and disallowed, the amount found due the State being the sum of \$224,648.09.

It is established that the funds at the command of the Executive of the State of Florida, in the years referred to, were insufficient to equip, supply and pay the troops in the field, and relying upon the approval given by the President of the United States and the Secretary of War on the 21st day of May, 1857, of the services of these volunteers, the State Legislature, in order to provide their equipment and maintenance, authorized the issue of seven per cent. bonds.

A portion of the bonds amounting to \$132,000 was sold by the Governor to the Indian Trust Fund of the United States, and the proceeds of such sale were disbursed by the Treasurer of the State for the Expenses of Indian Hostilities, as appears from his report to the Legislature for the year ending October 31st, 1857.

Another portion was hypothecated to the banks of South Carolina and Georgia as security for a loan of \$222,015, and \$192,331 of this loan was disbursed directly by a disbursing agent of the State in payment of Expenses of Indian Hostilities, including pay of volunteers.

The portion of the bonds sold to the United States for the Indian Trust Fund is still held by that fund, and accrued interest since 1857.

The State of Florida paid out through a disbursing agent as shown by War Department Report	\$193,330.16
And through warrants from State Treasurer....	78,056.11

Total.....	\$271,386.27
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Interest on this sum from January 1st 1857 to January 1st 1885.....	\$541,927.08
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Total cost to State to date.....	\$813,313.35
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We quote from a statement made by the United States Treasurer of the State indebtedness to the Indian Trust Fund, June 12th 1882, as follows:

Loan on 7 per cent. bonds of the State of Florida .....	\$132,000
Coupons due and unpaid January 1st, 1877 .....	138,040
Interest to January 1st, 1885.....	74,240
	<hr/>
Due the State .....	\$344,280.00
	<hr/>
There appears therefore lawfully due the State of Florida according to the Treasurer's account the sum of.....	\$813,313.35
Being the principal and interest of the sums which she borrowed and expended on behalf of the United States.	
If from this sum be deducted the amount loaned the State by the "Indian Trust Fund," principal and interest, \$344,280, there still remains due the State the sum of.....	\$469,033.35
In auditing the account of the State, however, the Secretary of War has dis-allowed many items under the rules and regulations governing payments to regular forces, and yet with all his disallowances after an exhaustive examination he finds due.....	\$224,648.09
Now if we add interest on this sum from January 1st, 1857, to January 1st, 1885.....	440,310.25
	<hr/>
We have.....	\$664,958.34
Now if we deduct the amount due the Indian Trust Fund, to-wit :.....	344,280.00
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There is still due the State the sum of.....	\$320,678.34

This case is one where the Government through the President of the United States and Secretary of War, promised to pay these troops, when mustered into the United States service, and they would have been long since paid by the government, if so mustered, but the mustering officer arrived in the State after they had been mustered out and the State was compelled to borrow money with which to pay them. Congress has universally paid interest to the States where they have paid interest. We cite the cases where interest has

been allowed and paid for moneys advanced during the war of 1812-15, as follows:

Virginia, Act March 3, 1825, 4 Stats. at Large, page 132.  
 Maryland, Act May 13, 1826, 4 Stats. at Large, page 161.  
 Delaware, Act May 20, 1826, 4 Stats. at Large, page 175.  
 New York, Act May 22, 1826, 4 Stats. at Large, page 192.  
 Pennsylvania Act March 3, 1827, 4 Stats. at Large, page 241.  
 South Carolina, Act M'ch 22, 1832, 4 Stats. at Large page 499.  
 Massachusetts, Act July 8, 1870, 16 Stats. at Large, page 198.

For advances for Indian and other wars the same rule has been observed in the following cases:

Alabama, Act Jan. 26, 1849, 4 Stats. at Large, page 344.  
 Georgia, Act Mar. 31, 1851, 9, Stats. at Large, page 626.  
 Georgia, Act Mar. 3, 1879, 20 Stats. at Large, page 385.  
 Washington Territory, Act Mar. 3, 1859, 11 Stats. at Large, page 429.  
 New Hampshire, Act Jan. 27, 1852, 10 Stats. at Large, page 1.

Thus it will be seen that the precedent for the payment of interest under the rule adopted for the settlement of claims of the war of 1812-15 is well established.

Your committee, therefore, are of the opinion, from all the precedents, evidence, &c., which they have been able to obtain, that the government of the United States is still justly due the State a much larger sum than the amount allowed by the Secretary of War or the Committee of Congress on Military Affairs, which your committee believes can and should be collected at an early day, and would request that our Senators and Representatives in Congress be urgently requested to use their utmost endeavors to procure a speedy settlement of said claim.

And your committee would respectfully recommend the passage of this as a resolution by this Legislature.

Your committee herewith submits the testimony of Hon. Geo. F. Drew, taken by them in this matter. Mark A.

(Exhibit "A.")

Testimony of Geo. F. Drew before Senate Committee on Indian War Claims.

Question. Governor, you made a contract did you not, with Colonel S. I. Wailes to collect the claims of the State of Florida growing out of the Indian wars within the State of Florida, that were due said State by the United States Government?

Answer. I did.

Q. What was to be said Wailes' compensation?

A. He was to receive fifteen per cent. of the amount of the claim recovered from the government.

Q. What was your understanding of the contract made with S. I. Wailes?

A. My understanding was that he was to have fifteen per cent. of the total amount allowed by the government to the State of Florida.

Q. This contract then would entitle S. I. Wailes to fifteen per cent. on the two hundred and twenty-four thousand dollars allowed by the United States?

A. That was my understanding, on the total amount.

Q. Do you believe that S. I. Wailes has acted well his part in good faith?

A. I do.

Q. Do you believe the present favorable condition of this claim could have existed without the employment of an agent?

A. I do not.

Q. Do you believe that S. I. Wailes has been to a great expense in preparing this case?

A. I do.

Q. Did Colonel Wailes have any one else with him?

A. He associated W. K. Beard with him in the prosecution of the case. Wailes paid all the expenses.

Q. Do you think the Legislature has the right to cancel this contract, if it felt so inclined?

A. I think the State is bound. I am satisfied that Colonel Wailes has vested rights under this contract.

Respectfully yours,

WM. BRYSON, Chairman.

A. S. MANN,

J. W. WHIDDEN,

Committee.

Which was read.

The President and Secretary of the Senate then signed the following Assembly acts:

Assembly Bill No. 128, to be entitled an act making appropriation to the Florida Agricultural College; also,

Assembly Bill No. 49, to be entitled an act to make Rufina Dolores and Francisco legitimate children and heirs of Francisco Marrero and his wife, Henrietta; 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 uni-

form 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 4th, 1879; also,

Assembly Bill No. 50, to be entitled an act to make Maria de los Santos the legitimate child and heir of Nicholas Prieto; also,

Assembly Bill No. 42, to be entitled an act to provide for service of non-residents, defendants and others in certain chancery causes; also,

Assembly Memorial No. 4, asking Congress for an appropriation to erect a government building in the city of Tallahassee; also,

Assembly Bill No. 132, to be entitled an act to incorporate the Lake de Funiak Land Company; also,

Assembly Bill No. 73, to be entitled an act for the relief of Moses J. Brown, Collector of Revenue of Duval county; also,

Assembly Bill No. 137, 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,

Assembly Bill No. 180, to be entitled an act to incorporate the Florida Chautauqua Association; also,

Assembly Bill No. 4, to be entitled an act to legalize the corporation of Sumterville, and to fix the boundaries thereof; also,

Assembly Bill No. 203, to be entitled an act to incorporate the East Florida Seminary Library Association; also,

Assembly Bill No. 209, to be entitled an act calling a constitutional convention and providing for electing delegates to same; also,

Assembly Bill No. 69, to be entitled an act to provide for the introduction in evidence of conveyances and certified copies of conveyances acknowledged or proved and recorded; also,

Assembly Bill No. 59, to be entitled an act to prohibit the indiscriminate digging of holes in the woods; also,

Assembly Bill No. 41, to be entitled an act to make the stealing of certain domestic animals therein mentioned a felony and to provide for the punishment thereof; also,

Assembly Bill No. 76, to be entitled an act to amend section 1 of an act entitled an act to amend and supplementary to an act entitled an act to provide for the more efficient collection of the Revenue, approved February 17, 1874; also,

Assembly Bill No. 20, to be entitled an act to amend section 2 of an act entitled an act to provide for the relief of the City of Pensacola.

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

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

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

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 5th, 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. 1, to be entitled an act to facilitate the giving of bonds required by law; also,

Senate Bill No. 141, to be entitled an act to define the incorporate boundaries of the town of Green Cove Springs; also,

Senate Bill No. 41, to be entitled an act to incorporate the Kissimmee City Street Railway Company; also,

Senate Bill No. 125, to be entitled an act to incorporate the Key West Street Car Company; also,

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; also,

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 examined the same and find them correctly enrolled.

Very respectfully,

S. M. HENDRICKS,  
Chairman Committee.

Which was read.

The foregoing bills were duly signed by the President and Secretary of the Senate.

Mr. McKinne, Chairman of the Committee on City and County Organizations, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

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

Assembly Bill No. 89, to be entitled an act to permanently

locate the boundary line between the counties of Liberty and Franklin in this State,

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

Very respectfully,

J. H. MCKINNE,  
Chairman Committee.

Which was read.

By leave Mr. Lesley introduced—

Senate Bill No. 155:

To be entitled an act for the expenses of a State Convention in June, A. D. 1885;

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

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

SENATE CHAMBER, Tallahassee, February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

Sir: Your Committee on Claims, to whom was referred—

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

Assembly Bill No. 147, to be entitled an act for the relief of Mrs. Sarah Cooper, wife of J. T. Cooper, deceased, of Hamilton county, Florida,

Have examined the same and recommend their passage with the accompanying amendments.

Very respectfully,

J. G. SPEER,  
Chairman of Committee.

Which was read.

Assembly Bill No. 89:

To be entitled an act to permanently locate the boundary line between the counties of Liberty and Franklin, in this State.

On motion, the rules were waived by a two-thirds vote and the bill read the second time.

On motion, the rules were waived by a two-thirds vote and the bill was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Hankins, Hen-

dricks, Jones, Landrum, Lesley, McKinne, Neel, Orman, Roberts and Williams—16.

Nays—Messrs. Mallory, Martin, Mountien and Proctor—4.  
So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Enrolled Bills made the following report :

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. M. H. MABRY,

*President of the Senate :*

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

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. 1, to be entitled an act to facilitate the giving of bonds required by law; also,

Senate Bill No. 141, to be entitled an act to define the incorporate boundaries of the town of Green Cove Springs; also,

Senate Bill No. 41, to be entitled an act to incorporate the Kissimmee City Street Railway Company; also,

Senate Bill No. 125, to be entitled an act to incorporate the Key West Street Car Company; also,

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; also,

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 presented the same to the Governor for his consideration.

Very respectfully,

S. M. HENDRICKS,  
Chairman of Committee.

Which was read.

Assembly Bill No. 230:

To be entitled an act recognizing the University of Florida,  
Was read the first time by its title.

On motion to waive the rules by a two-thirds vote, the bill was read the second time by its title.

On motion the rules were waived by a two-thirds vote and the bill was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Burnam, Crill, Mann, Mountien, Proctor, Sammis, Sheppard and Stripling—9.

Nays—Messrs. Hendricks, Jones, Landrum, Lesley, Martin, McKinne, Neel, Orman, Roberts, Speer and Williams—11.

So the bill did not pass.

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,

Was read the first time.

On motion the rules were waived by a two-thirds vote, and the bill was read the second time by its title.

On motion the rules were waived by a two-thirds vote, and the bill was read the third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Chandler, Crill, Delano, Lesley, Mann, Martin, Proctor, Sammis, Sheppard and Stripling—11.

Nays—Messrs. Hendricks, Jones, Mallory, McKinne, Neel, Orman and Speer—7.

So the bill passed, title as stated.

Ordered that the same be certified at once.

Assembly Bill No. 32:

To be entitled act to provide an annuity for disabled soldiers and sailors, in the State of Florida.

Amendments of the committee were adopted.

Was read a second time.

Mr. Williams offered the following amendment:

Provided, said soldier is not able pecuniarily to support himself;

Which was adopted.

On motion the rules were waived by a two-thirds vote, and the bill was read a third time and put upon its passage.

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Gaskins, Hankins, Hendricks, Jones, Lesley, Mallory, Mountien, McKinne, Neel, Orman, Pendleton, Roberts, Sheppard, Speer and Williams—19.

Nays—Messrs. Martin, Proctor and Sammis—3.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Lesley in the chair.

Mr. Williams moved to reconsider the vote of the Senate on Assembly Bill No. 230.

Mr. Martin moved to lay the motion on the table;

Which was not agreed to.

Upon motion to reconsider the motion prevailed.

Mr. Mallory moved that the Secretary request the Assembly to return the bill ;

Which was agreed to and so ordered.

Mr. Hendricks offered the following resolution :

WHEREAS, It has been the custom to allow pay for extra enrolling clerks during the past sessions of this body ; and whereas, the present Enrolling Clerk has been compelled to employ help to keep up with the rush of bills ; be it

*Resolved by the Senate,* That the amount of fifty dollars be allowed as heretofore to the present Enrolling Clerk to pay for the extra help employed by him, and the Comptroller is hereby directed to issue his warrant for said amount in favor of said clerk.

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Baker, Chandler, Hankins, Hendricks, Lesley, Mallory, Mann, Martin, McKinne, Neel, Orman, Sheppard, Stripling and Williams—14.

Nays—Messrs. Jones, Mountien, Proctor and Speer—4.

So the resolution was adopted.

The President in the chair.

Assembly Bill No. 46 :

To be entitled an act for the relief of the Ocala High School of the town of Ocala,

Was read the second time.

Upon motion to adopt the amendment of the committee,

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Burnam, Jones, Mallory, Mountien, McKinne, Neel, Orman, Speer and Williams—9.

Nays—Messrs. Baker, Chandler, Cole, Hankins, Hendricks, Landrum, Martin, Proctor, Sammis and Stripling—10.

So the motion did not prevail.

On motion the rules were waived by a two-thirds vote, the bill was read the third time and put upon its passage.

The vote was :

Yeas—Messrs. Baker, Chandler, Cole, Martin, Proctor, Sammis and Stripling—7.

Nays—Messrs. Burnam, Jones Landrum, Lesley, Mallory, Mountien, McKinne, Neel, Orman, Roberts, Speer and Williams—12.

So the bill did not pass.

Assembly Bill No. 97 :

To be entitled an act increasing the jurisdiction of Circuit Courts in suits for alimony,

Was read the second time.

On motion, the rules were waived by a two-thirds vote and the bill was read the third time and put upon its passage.

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Chandler, Delano, Hankins, Jones, Lesley, Mallory, Martin, McKinne, Roberts, Sammis, Sheppard, Stripling and Williams—13.

Nays—Messrs. Landrum, Mountien, Neel, Orman and Speer—5.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Finance and Taxation, made the following report :

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate :*

Sir: Your Committee to whom was referred—

Senate Bill No. —, to be entitled an act to defray the expenses of a State Convention that meets in June, A. D. 1885,

Have examined the same and recommend that it do pass with the following amendments: In second line after the word "thirty" insert the word "five," also, in line twelve strike out the word "convention" and insert "treasurer."

Very respectfully,

E. S. CRILL,  
Chairman of Committee.

Which was read.

Mr. Landrum offered the following resolution and moved its adoption :

*Resolved,* That the sum of \$25 is hereby appropriated to pay additional clerk hire in recording the work of this session ;

Which prevailed.

The following communication from the Governor of Florida was read :

EXECUTIVE OFFICE,  
TALLAHASSEE, FLA., Feb. 12, 1885. }

HON. MILTON H. MABRY,

*President of the Senate :*

SIR: I have the honor to return without my approval, the

accompanying Senate Bill, 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 7, 1879.

The purposes of the Legislature, if they are as I understand them, to provide a self-supporting system of protecting our people from imposition by manufacturers of and dealers in commercial fertilizers, meet my most hearty approval, and I regret that I cannot satisfy myself that such commendable purposes can be effectually met by this bill.

The bill as enrolled creates a State office unknown to the constitution and provides that such office shall be filled by the concurrent action of the Governor and the Senate. This provision I do not consider in harmony with section 27, article IV, of the constitution, which is in these words: The Legislature shall provide for the election by the people or appointment by the Governor of all State, county or municipal officers not otherwise provided for by this constitution. \* \* \*

The bill further provides as to such newly created office:

"That the salary of the Commissioner of Agriculture shall be the same as a member of the cabinet." The Constitution (original Section 4 of Article XVI, and Article 1 of amendments to the Constitution of 1871), after fixing the compensation of salaried officers, provides that "all other officers of the State shall be paid by fees or per diem fixed by law." The bill surely contemplates another officer of the State, and if it makes any provision for his payment, provides that he shall be paid by salary and not "by fees or per diem."

It is not to me clearly manifest, how it is contemplated by the bill that the salary of the new officer and the hire of his clerk shall be paid.

Section 13 of the bill provides that salaries shall be paid monthly to the *Inspectors* out of the monies collected and paid over for inspection fees, and then provides that "after all the expenses of inspecting and of collecting, organizing, publishing and distribution of reports and other printed matter mentioned in this act are paid by said Bureau, any balance shall be annually placed to the credit of the Common School Fund," &c., making certainly a most satisfactory application of the balance, but in no way, as far as I can see, providing for the payment of the salary of the Commissioner, his clerk's hire, his travelling and other expenses incident to the discharge of the duties imposed upon him.

So, too, no provision seems to be made for compensation to

the Professor of Chemistry in the Florida Agricultural College.

Section 10 of the bill imposes the duty under the direction of the Commissioner to make every and all analyses required to be made under the act and make such other analyses as may be required by said Commissioner, all of which, as I read the act, he is to be required to do and to swear that he will faithfully and impartially perform all the duties which may be required of him, whether or not he has the necessary apparatus and facilities to enable him to perform them, merely for the honor of being declared the "State Chemist."

Even if the bill should be held to constitutionally create the new officer, and constitutionally fix his pay, it makes no appropriation of money for the purpose of payment, and I doubt if the Governor and Senate together would be able to find a suitable Commissioner willing to serve upon the contingency of a future appropriation, and it would seem that the Commissioner is to the Bureau as Hamlet to the play.

I regret that I cannot affix my signature to a bill which possesses so many good features, but my reasons for withholding it are to my mind so strong as to satisfy me that it is my duty to submit them to the consideration of the Legislature.

Respectfully,

E. A. PERRY.

An act 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 7, 1879.

WHEREAS, It is well understood that the present prosperous condition of our State can only be maintained by a more perfect protection for those engaged in farming, gardening and fruit-growing; therefore,

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

SECTION 1. That the office of Commissioner of Agriculture is hereby created.

SEC. 2. That the Governor and his Cabinet, with said Commissioner of Agriculture, shall constitute a Bureau of Agriculture, of which the Governor shall be ex-officio President.

SEC. 3. That the salary of the Commissioner of Agriculture shall be the same as a member of the Cabinet, and he shall devote himself exclusively to the duties of his office and may appoint his own clerk, whose pay shall be fixed by said Bureau of Agriculture.

SEC. 4. The Commissioner of Agriculture shall be appointed by the Governor and confirmed by the Senate, and shall hold his office for term of four years from the date of his appointment and until his successor is appointed and qualified.

SEC. 5. It shall be the duty of said Commissioner to organize in person as soon as possible an Agricultural Society in each county in this State, whose Secretary shall report to and receive regular monthly reports from said Commissioner, which report of said Commissioner shall contain all matter by him deemed important relating to agriculture, test of fertilizers on different soils, transportation, &c., of which his office is possessed from different counties in this State. He shall by advertising, lecturing and in every possible way get as near a correct knowledge of the climate, soil, productions and resources of every county for the benefit of the whole State.

SEC. 6. That the Commissioner of Agriculture shall prepare, publish and distribute pamphlets and documents setting forth facts and statistics illustrating the advantages and natural resources of the State.

SEC. 7. That for the purpose of creating a fund for the maintenance of said Bureau and to prevent frauds upon the citizens of this State, it is hereby enacted that from and after the passage of this act no commercial fertilizer shall be offered for sale within this State unless the same has been officially inspected under the provisions hereinafter mentioned. Any manufacturer, dealer or other person offering any fertilizer or chemical, or chemicals for manufacturing the same for sale or distribution in this State, the same not having been inspected and branded or otherwise marked, as hereinafter provided in this act or any amendment thereto shall be guilty of a misdemeanor, and on conviction of the same shall be fined not exceeding five hundred, nor less than fifty dollars, or imprisonment in the county jail not less than thirty days or exceeding one year, or both fine and imprisonment at the discretion of the court.

SEC. 8. It shall be the duty of said Commissioner from and after the passage of this act to compel all manufacturers, dealers and agents offering any fertilizers for sale in this State to have branded upon or attached to each bag, barrel or package of any fertilizer in any manner offered for sale, or chemicals for manufacturing or composting the same, before being offered for sale in this State in such manner as said Commissioner may by regulation establish the manufacturer's guaranteed analysis of such fertilizer or chemical showing the percentage of valuable elements or ingredients such fertilizer, chemical or chemicals contain, embracing the following determinations :

1. Moisture at 212 Fahrenheit, per cent.
2. Soluble Phosphoric Acid, per cent.
3. Precipitated or reduced Phosphoric Acid, per cent.
4. Available Phosphoric Acid, per cent.
5. Insoluble Phosphoric Acid, per cent.
6. Ammonia, actual and potential, per cent.
7. Potash, K. O., per cent.
8. Organic matter, per cent.
9. Undetermined matter, i. e. Sulphuric Acid, Lime, &c., per cent.
10. Total Bone Phosphate, per cent.
11. Inorganic matter, per cent.

SEC. 9. That the analysis so placed upon or attached to any fertilizer or chemical, or chemicals, shall be a guarantee by the manufacturer, agent, or person offering the same, that it contains the ingredients indicated thereby in the percentage named thereon, and said guarantee shall be binding on said manufacturer, agent, or dealer, and may be pleaded in any action or suit at law to show total or partial failure at consideration in the contract for the sale of said fertilizer, chemical or chemicals. It shall be the duty of the said Commissioners to forbid the sales of any acid phosphate or dissolved bone which is shown by official analysis to contain less than ten per cent. of available phosphoric acid, and also to forbid the sale of any ammoniated super-phosphate which is shown by official analysis to contain less than 8 per centum of available phosphoric acid and 2 per centum of ammonia. A copy of the official analysis of any fertilizer or chemical, under the seal of the said Commissioner, shall be admissible as evidence in any of the Courts of the State on the trial of any issue involving the merits of said fertilizer or chemical.

SEC. 10. The Professor of Chemistry in the Florida Agricultural College, situated at Lake City, in this State, is hereby declared the State Chemist, whose duty it shall be, under the direction of the Commissioner, to make every and all analyses required to be made under this act, and make such other analysis as may be required by said Commissioner. The said Chemist shall take and subscribe, before some officer duly authorized to administer the same, an oath faithfully and impartially to perform all the duties which may be required of him under this act, which oath shall be filed in the office of said Commissioner.

SEC. 11. It shall be the duty of the said commissioner to employ inspectors of fertilizers, chemical or chemicals at such places as he may deem necessary, whose compensation shall be fixed by said commissioner, but shall in no event exceed one

half of the inspection fees received by any inspector. Such inspectors before entering upon the discharge of their duties shall take and subscribe before some competent official an oath faithfully to discharge all the duties that may be required of them in pursuance of this act, and shall give bond each in the sum of one thousand dollars payable to the Governor of the State and his successors in office and approved by said commissioner for the faithful performance of said duties. Said oath and bond shall be filed in the office of the State Treasurer. It shall be the duty of the inspectors to take samples in person of all fertilizers or chemicals for manufacturing the same in this State, furnish inspectors tags or other devices for each and every package, to make such report as may be required by the said commissioner, to collect and pay over to the State Treasurer on the first of each month all sums collected during the month preceding, and to perform such other services incident to their offices as may be required by said commissioner. They shall in no case inspect fertilizers or chemicals until the fees for each inspection shall have been first paid.

SEC. 12. That the fees for inspecting fertilizers, chemical and chemicals shall be uniformly not less than fifty cents nor more than one dollar per ton as in the judgment of the board the interest of the State may require.

SEC. 13. That all salaries shall be paid monthly to the inspectors out of the moneys collected and paid over, as provided in section 11 of this act by executive warrant on the Treasurer, which shall be issued on the certificate of said commissioner that the services required have been performed and that the amount claimed is due, but in no case shall the warrant issued exceed the amount deposited in the treasury to the credit of the Bureau of Agriculture, and after all the expenses of inspection and collecting, organizing, publishing and distribution of reports and other printed matter mentioned in this act are paid by said Bureau, any balance shall be annually placed to the credit of the common school fund, (after the first six years from the date of the passage of this act.) The Bureau of Agriculture shall have the power to provide a suitable place at the State Agricultural College as a museum for the display of all objects of interest and articles of value, such as mineral, phosphate rock, marl, valuable woods, samples of soil, &c., and provide the means for a geological survey of the whole or any part of the State.

SEC. 14. Any person refusing a full opportunity to inspect and sample fertilizers, chemical or chemicals, as required in this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not exceeding five hundred dol-

lars or imprisoned in the county jail not exceeding six months, or both in the judgment of the Court.

SEC. 15. That the Commissioner of Agriculture is hereby authorized and required to prescribe and enforce such rules and regulations as he may deem necessary to carry fully into effect the true interest and meaning of this act.

SEC. 16. That the members of the Board of Agriculture shall receive no additional pay for services while so acting.

SEC. 17. That said Commissioner shall make a quarterly report of his acts and doings and expenditures in his department to the Bureau of Agriculture, and the same shall be approved by the Bureau before any further amount is drawn by said Commissioner. He shall also submit to the said Bureau on the first Monday in January of each and every year, a complete annual report of the doings and results of his office for the information and consideration of the Legislature when in session.

SEC. 18. That after the payment of expenses, salary, &c., as provided for in this act, any balance shall be expended in improvements to be made to the furthering of the State Agricultural College, at Lake City, under the direction and in the manner recommended by the Commissioner and approved by the Bureau of Agriculture.

SEC. 19. That an act entitled an act to establish a Bureau of Immigration for the State of Florida, and to promote the rapid settlement of the State Lands, approved March 7, 1879, Chapter 3157, Laws of Florida, is hereby repealed.

Passed the Senate February 5th, 1885.

MILTON H. MABRY,

President of the Senate.

WM. MACWILLIAMS,

Secretary of the Senate.

Passed the Assembly February 10th, 1885.

WILLIAM H. REYNOLDS,

Chief Clerk of the Assembly.

ROBERT W. DAVIS,

Speaker of the Assembly.

Upon the question, Shall the bill pass? the veto of the Governor to the contrary notwithstanding,  
The yeas and nays being called for,  
The vote was:

Yeas—Messrs. Baker, Chandler, Cole, Lesley, Martin, Proctor, Stripling and Williams—8.

Nays—Messrs. Crill, Delano, Gaskins, Hankins, Hendricks, Jones, Landrum, Mallory, McKinne, Neel, Orman, Roberts, Sammis, Sheppard, Speer and Whidden—15.

So the bill did not pass.

Senate Bill No. 155:

To be entitled an act to defray the expenses for a Constitutional Convention that meets in June, A. D. 1885.

On motion, the rules were waived by a two-thirds vote, and the bill was read the second time, and the amendments of the committee were adopted.

On motion, the bill was ordered engrossed.

The Committee on Engrossed Bills, made the following report:

SENATE CHAMBER, Tallahassee, February 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Senate Bill No. 155,

Have carefully examined the same and beg leave to report that they find the bill properly engrossed.

Very respectfully,

H. L. R. ROBERTS,  
Chairman of Committee.

Which was read.

On motion, the rules were waived by a two-thirds vote, and the bill was read the third time and put upon its passage.

The yeas and nays being called for.

The vote was:

Yeas—Messrs. Baker, Chandler, Cole, Crill, Gaskins, Jones, Landrum, Lesley, Mallory, Martin, Mountien, McKinne, Neel, Orman, Proctor, Roberts, Sammis, Sheppard, Speer, Stripling and Williams—21.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Baker offered the following resolution and moved its adoption:

*Resolved*, That the sum of \$25 be and is hereby appropriated to pay J. B. Whitfield for services rendered as Reading Clerk and other assistance rendered the Secretary of the Senate in transacting the business of this session.

The motion prevailed.

The Senate went into executive session.

The doors were opened.

The following communication was received from the Governor of Florida:

EXECUTIVE OFFICE, Tallahassee, Fla., Feb. 12, 1885.

To HON. MILTON H. MABRY,

*President of the Senate:*

SIR:—I have this day signed the following acts, which originated in the Senate, to-wit:

An act to indemnify the St. Johns and Halifax Railroad Company.

An act to incorporate the Tampa Street Car Company.

An act to authorize Railroad and Canal Companies incorporated under any law of this State, to condemn lands owned by private individuals or corporations, for the use of said railroads or canal companies, and to provide a method of procedure therefor.

An act to incorporate the Santa Fe and St. Johns Railway Company and to grant certain lands to the same.

An act to amend an act to define the boundary line between the counties of Lafayette and Taylor, in this State, Chapter 3470, approved January 31, 1883.

An act to provide for the the management of the State Asylum for the indigent lunatics.

An act to designate the terms of the Circuit Court for the Fifth Judicial Circuit of Florida.

An act to amend Section 9 of 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 8th section of that act.

A memorial for an increase of mail service between Tampa and Key West.

A joint resolution asking that a mail route be established to run twice a week from Key West, State of Florida, to Nassau, New Providence,

And have deposited the same in the office of Secretary of State.

Respectfully,

E. A. PERRY.

On motion of Mr. Martin the Senate adjourned.

#### AFTERNOON SESSION—4 O'CLOCK P. M.

The Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Baker, Burnam, Chandler, Delano, Gaskins, Hen-

dricks, Jones, Landrum, Lesley, Mallory, Martin, Mountien, McKinne, Orman, Proctor, Roberts, Sheppard, Speer and Williams—19.

A quorum present.

Assembly Bill No. 174 :

To be entitled an act to define what are food fishes and for the protection of the same,

Was read the second time.

On motion, the rules were waived by a two-thirds vote and the bill 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, Delano, Gaskins, Hankins, Jones, Landrum, Lesley, Mallory, Martin, Mountien, McKinne, Neel, Orman, Proctor, Roberts, Sheppard, Speer and Williams—20.

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., Feb. 12, 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—

Senate Bill No. 122, to be entitled an act to determine the priority of deeds and other instruments of record of the State ; also,

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 the State appointed by the Governor ; also,

Assembly Bill No. 176, to be entitled an act to provide for the incorporation of Religious Societies,

And respectfully request the concurrence of the Senate therein.

Very respectfully,

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

Which was read.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., February 12, 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—

Senate Amendment to Assembly Bill No. 60, to be entitled an act to incorporate the Chattahoochee and Alabama Railroad and to aid the construction thereof.

To strike out "6 miles" in section 11, line 8, and insert "20 miles;" also, that the Assembly has concurred in Senate amendments to

Assembly Bill No. 215, to be entitled an act to fix the pay of the members, officers and attachees of the Legislature of 1885.

In line 29, section 2, after the word journals add, "The Assistant Secretary of the Senate and the Assistant Clerk of the Assembly shall be allowed pay for two days after adjournment to finish up the work of the session,"

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. 176, was referred to Committee on Corporations.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, Fla., February 12, 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 Senate amendment to—

Assembly Bill No. 135, to be entitled an act making appropriations for the years 1885 and 1886,

To insert "five hundred" after the word "dollars" in line 13, page 2, of written bill.

Very respectfully,

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

Which was read.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., February 12, 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 Senate amendment to

Assembly Bill No. 66, to be entitled an act regulating the sale of beef under circumstances therein provided for.

To strike out "head" and insert "ears;"

Also, that the Assembly has concurred in Senate amendment to

Assembly Bill No. 154, to be entitled an act to incorporate the Wildwood, Lady Lake and Withlacoochee and Gulf Railroad Company.

To strike out "ten," in line 17, section 12, and insert "twenty;"

Also, that the Assembly has concurred in Senate amendment to

Assembly Bill No. 142, to be entitled an act to provide for the levying of a tax by cities and towns for water works and fire protection.

To strike out "one per cent." and insert "five mills,"

And respectfully ask the concurrence of the Senate therein.

Very respectfully,

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

Which was read.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., February 12, 1885

HON. MILTON H. MABRY,

*President of the Senate :*

Sir: I am directed by the Assembly to inform the Senate that the Assembly has adopted the following Concurrent Resolution:

WHEREAS, The Assembly passed a concurrent resolution to adjourn the Legislature of the State of Florida *sine die* Thursday, the 12th of February, 1885; and

Whereas, There is some difference of opinion as to the construction and meaning of the hour therein named; and

Whereas, It is the intention of the Assembly to adjourn as soon as the construction of said resolution will permit; therefore, be it

Resolved, That said resolution to adjourn be construed to mean 12 o'clock P. M. Thursday, February 12, 1885,

And respectfully ask the concurrence of the Senate therein.

Very respectfully,

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

Which was read.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., February 12, 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. 2:

To be entitled an act to regulate the admission of Foreign and Domestic Surety Companies to do business in this State; also,

That the Assembly has concurred in the Senate amendment to—

Assembly Bill No. 32, to be entitled an act for the relief of disabled soldiers and sailors of the State of Florida:

In line 21, of section 1, strike out all after the word "duty" down to and including the word "citizen" in line 23 of section one, and insert the following: "Provided he produce to Board of Commissioners hereinafter provided for, a certificate, signed by the Board of County Commissioners of the county in which he lives, that he is by reason of said wounds, unable to perform manual labor and is unable to support himself.

Very respectfully,

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

Which was read.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., February 12, 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. 139, to be entitled an act to incorporate the Live Oak and White Springs Railroad; also,

Senate Bill No. 143, to be entitled an act to require carriers in this State to carry and deliver freights as agreed upon with shipper; also,

Assembly Bill No. 169, to be entitled an act to fix legal hours of sale,

Very respectfully,

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

Which was read.

Also the following :

ASSEMBLY HALL, Tallahassee, Feb. 12, 1885.

HON. M. H. MABRY,

*President of the Senate :*

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

Senate Bill No. 81A, to be entitled an act to change the county line between the counties of Putnam and Marion; also, that the Assembly has passed—

Senate Bill No. 108, to be entitled an act authorizing the Governor to appoint a committee to investigate and ascertain what quantity of land and number of acres the Atlantic and Gulf Canal and Okeechobee Land Company have reclaimed for the State and for other purposes; also, I am directed by the Assembly to return to the Senate

Assembly Bill No. 230, to be entitled an act recognizing the University of Florida.

Very respectfully,

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

Which was read.

The Assembly resolution relating to the adjournment of the Legislature *sine die*, was read and adopted.

The consideration of Assembly Bill No. 230, To be entitled an act recognizing the University of Florida, Was resumed.

The bill was read the third time and put upon its passage. The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Crill, Hankins, Landrum, Lesley, Mann, McKinne, Neel, Pendleton, Proctor, Stripling and Williams—12

Nays—Messrs. Burnam, Delano, Jones, Mallory, Martin, Roberts, Sheppard and Speer—8.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly. Mr. Crill, Chairman of the Committee on Education, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate :*

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

Assembly Bill No. 123,

Have examined the same and beg leave to report the same without recommendation.

Very respectfully,

E. S. CRILL,  
Chairman Committee on Education.

Which was read.

Mr. Delano, Chairman of the Committee on Corporations made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate :*

SIR: Your Committee on Corporations to whom was referred—

Assembly Bill No. 176, to be entitled an act to provide for the incorporation of Religious Societies,

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

Very respectfully,

CHAS. DELANO,  
Chairman Corporation Committee.

Which was read.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate :*

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

Assembly Bill No. 169, to be entitled an act to fix legal hours of sale,

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

Very respectfully,

S. R. MALLORY,  
Chairman Judiciary Committee.

Which was read.

Assembly Bill No. 123:

To be entitled an act in relation to the one mill tax for school purposes,

Was read the second time.

On motion the rules were waived by a two-thirds vote, and the bill was read the third time and put upon its passage.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Burnam, Lesley, Mallory, McKinne, Orman, Sheppard, Speer, Stripling and Williams—9.

Nays—Messrs. Baker, Chandler, Crill, Delano, Hankins, Jones, Landrum, Martin, Neel and Proctor—10.

So the bill did not pass.

The following communication from the Governor of Florida was received:

EXECUTIVE OFFICE, Tallahassee, Fla., Feb. 12, 1885.

TO HON. MILTON H. MABRY,

*President of the Senate:*

Sir: I have this day signed the following acts which originated in the Senate, to-wit:

An act providing for the levy of taxes for the years 1885 and 1886.

An act to prevent excessive rates of tariff over any telegraph or cable company within the State of Florida.

An act to incorporate the Kissimmee City Street Railway Company.

An act to incorporate the Key West Street Car Company.

An act to amend Sections 45 and 46 of an act entitled an act for the assessment and collection of revenue, approved March 5th, 1883.

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.

An act to facilitate the giving of bonds required by law,

And have deposited the same in the office of the Secretary of State.

Respectfully,

E. A. PERRY.

Which was read.

Assembly Bill No. 147:

To be entitled and act for the relief of Mrs. Sarah Cooper, wife of J. T. Cooper, deceased, of Hamilton county.

The amendment of the Committee was adopted.

The bill was ordered to be engrossed.

On motion, rules were waived by a two-thirds vote, the bill 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, Crill, Gaskins, Mann, Martin, McKinne, Neel, Proctor, Roberts, Sammis, Sheppard, Speer, Stripling and Williams—17.

Nays—Messrs. Hankins, Jones, Landrum, Mallory, Mountien and Orman—6.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The President and Secretary signed the following bills:

An act to permanently locate the boundary line between the counties of Liberty and Franklin in this State.

An act to amend Chapter 1910, Laws of Florida, being an act entitled an act to incorporate Brown's Theological Institute.

An act to provide for the appointment of Boards of Health in and for the several counties in this State and to define their powers.

An act to protect mechanics, laborers and material men and to provide for the summary collection of monies due them for wages or material furnished.

An act to incorporate the Gulf Ice Company.

An act to fix the pay of the members, officers and attaches of the Legislature of 1885.

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.

An act to legalize the incorporation of the town of Chipley, in the County of Washington, and to declare the incorporation of the town of Chipley valid, and to define the territory of said incorporated town.

An act making appropriation for the years 1885 and 1886.

An act regulating the sale of beef under circumstances therein provided for.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, February 12, 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. 107, to be entitled an act to grant certain privileges to D. W. Meeker and his associates,

With the accompanying amendments; also,

Senate Bill No. 97, to be entitled an act to incorporate the Alachua Drainage and Reclamation Company; also,

Senate Bill No. 155, to be entitled an act to defray the expenses of a State Convention that meets in June, A. D. 1885,

And respectfully request the concurrence of the Senate therein.

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

Which was read.

Senate Bill No. 107:

The amendments of the Assembly were concurred in and the bill ordered enrolled.

Senate Bills Nos. 97 and 155 were ordered enrolled.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., February 12, 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 Senate amendments to—

Assembly Bill No. 60:

To be entitled an act to incorporate the Chattahoochee and Alabama Railroad, and to aid in the construction thereof:

Strike out Section 14.

And to strike out "six miles" in Section 11, and insert "twenty miles."

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

Which was read and the bill ordered enrolled.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 12, 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—

Assembly Bill No. 181, to be entitled an act in relation to the sale or distribution of dynamite; also,

Senate Bill No. 35, to be entitled an act to grant certain privileges to the Manatee Dry Dock Company; also,

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 vessel, ship or other

water craft for the wages earned by them in loading or unloading the same.

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

Which was read.

The bills were ordered enrolled.

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.

The amendment of the committee was adopted.

On motion, the rules were waived by a two thirds vote, and the bill read the third time and put upon its passage.

Yeas and nays were called for.

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Delano, Cole, Gaskins, Lesley, Martin, McKinne, Neel, Proctor, Roberts, Sammis, Speer, and Williams—15.

Nays—Messrs. Jones, Landrum, Mallory and Mountien—4.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Senate Bill No. 138:

To be entitled an act to amend sections 3, 5, 6 and 8 of an act entitled an act to incorporate the Orange Ridge, DeLand and Atlantic Railroad Company and to extend its corporate powers,

Was read a second time.

On motion, the rules were waived and the bill was read the third time and put upon its passage.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Chandler, Cole, Crill, Delano, Gaskins, Lesley, Mallory, Mann, Martin, McKinne, Orman, Proctor, Roberts, Sammis, Sheppard, Speer, Stripling and Williams—19.

Nays—Messrs. Burnam, Jones and Neel—3.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Joint Committee to examine the books of the Treasurer and Comptroller's office reported:

Mr. Gaskins, Chairman of the Joint Committee appointed to examine the offices of Comptroller and Treasurer of the State of Florida, made the following report:

We, the undersigned, J. L. Gaskins and S. M. Hendricks, members on the part of the Senate, and Z. T. Crawford, W. W. Tumblin and U. C. Herndon, members on the part of the As-

sembly, constituting a Joint Committee of the Legislature of Florida for the session of 1885, under a concurrent resolution dated January —, 1885, for the purpose of examining the books in the Comptroller's office and in the Treasurer's office, make the following report:

We have examined the books and vouchers in Treasurer's and Comptroller's offices and find the condition of the different funds to be as follows:

## GENERAL REVENUE ACCOUNT.

## RECEIPTS.

Balance January 1st, 1883.....	\$30,706 02	
Receipts in 1883.....	274,952 76	
Receipts in 1884.....	328,891 38	\$634,553 16

## DISBURSEMENTS.

Warrants paid in 1883.....	251,278 56	
Warrants paid in 1884.....	187,333 48	
Amount transferred from interest tax account.....	52,963 92	
Balance.....	142,977 20	\$634,553 16
Balance on hand January 1, 1885.....	\$142,977 20	

## GENERAL AND SPECIAL SINKING FUND AND INTEREST TAX ACCOUNT.

Balance January 1st, 1883, in General and Special Sinking Fund.....	\$6,182 29	
In General Fund.....	15,806 44	
In Special Fund.....	25,545 66	\$47,534 39
Receipts in 1883.....	67,685 26	
Transferred to General Revenue Account.....	52,963 92	120,649 18

## DISBURSEMENTS.

Interest paid in 1883.....	\$80,566 67	
Interest paid in 1884.....	87,616 90	\$168,183 57

## SINKING FUND BONDS FOR 1871.

Balance January 1st, 1883.....	\$87 97	
Receipts for 1883.....	4,165 00	
Receipts for 1884.....	4,200 00	\$8,452 97

## DISBURSEMENTS.

Bought in 1883, Florida Bonds--		
June 13th, amount paid.....	\$650 00	
Paid for binding bonds.....	12 00	
Amount paid for bonds, 1884.....	7,622 22	
Balance.....	168 75	\$8,452 97
Balance in Fund January 1, 1885.....	\$168 75	

## SINKING FUND BONDS 1883.

Balance January 1st 1883.....	\$225 43	
Receipts from Interest on Bonds in Fund, 1883.....	6,000 00	
Receipts from Interest on Bonds in Fund, 1884.....	7,576 50	\$13,801 93

## DISBURSEMENTS.

Bought in 1883, 1450 U. S. Bonds with Coupons for ...	1,727 31	
Paid for binding Bonds in Fund.....	6 00	
Bought in 1884, 10,000 U. S. 4 per cent. with Coupons	11,975 00	
Express charges.....	25 00	
Balance.....	68 62	\$13,801 93
Balance in Fund January 1st 1885.....	68 62	

## COMMON SCHOOL FUND—PRINCIPAL.

Balance January 1st 1883.....	\$39,436 46	
Receipts from Land Sales, 1883.....	94,392 41	
Stumpage in 1883.....	792 44	
Fines in 1883.....	4,738 57	
Compromise of Claim against Putnam County, 1884..	3,000 00	
Fines in 1884.....	3,455 11	
Stumpage in 1884.....	554 03	
Receipts from Land Sales, 1884.....	40,397 32	\$186,766 34

## DISBURSEMENTS.

Amount paid for purchase of Bonds and Expenses for 1883.....	106,553 84	
Amount paid for purchase of Bonds and Expenses for 1884.....	78,784 94	
Balance.....	1,427 56	\$186,766 34
Balance on hand January 1st, 1885.....	1,427 56	

## GENERAL SCHOOL TAX.

Receipts from the 1 mill tax 1883.....	\$4,396 45	
Receipts from the 1 mill tax 1884.....	41,536 82	\$45,933 27

## DISBURSEMENTS.

Amount apportioned to the several Counties in 1884..	31,749 07	
Balance.....	14,184 20	\$45,933 27
Balance on hand January 1st, 1885.....	14,184 20	

## COMMON SCHOOL FUND INTEREST.

Balance January 1st, 1883.....	\$1,729 94	
Receipts, Interest on Bonds, 1883.....	17,906 56	
Receipts, Interest on Bonds, 1884.....	25,045 00	\$44,681 50

## DISBURSEMENTS.

Amounts apportioned to the several Counties in 1883	18,881 56	
Amounts apportioned to the several Counties in 1884	23,600 01	
Balance.....	2,199 93	\$44,681 50
Balance in Fund January 1st, 1885.....	2,199 93	

## SEMINARY FUND—PRINCIPAL.

Balance, January, 1, 1883.....	\$ 357 43	
Receipts from land sales, 1883.....	2,393 28	
Receipts from stumpage, 1883.....	100 00	
Receipts from land sales, 1884.....	718 39	
Receipts from stumpage, 1884.....	306 00	\$3,875 15

## DISBURSEMENTS.

Amount paid for 19 Florida 7 per cent. bonds, 1883.....	\$2 470 00	
Amount paid for 2 Florida 6 per cent. bonds, 1883.....	297 00	
Bill for binding bonds.....	3 00	
Amount paid for 1 Florida 6 per cent. bond with coupons.....	1,130 00	
Balance.....	45 15—	\$3,875 15
Balance on hand, January 1, 1885.....		\$45 15

## SEMINARY FUND—INTEREST.

Balance on hand, January 1, 1883.....	\$70 01	
Receipts from interest on bonds in fund, 1883.....	5,363 00	
Receipts from interest on bonds in fund, 1884.....	8,826 00—	\$14,259 01

## DISBURSEMENTS.

Amounts paid the East and West Florida Seminaries in 1883.....	\$5,433 00	
Amounts paid the East and West Florida Seminaries in 1884.....	5 538 01	
Balance.....	3,288 00—	\$14,259 01
Balance on hand, January 1, 1885.....		3,288 00

## AGRICULTURAL COLLEGE FUND.

Balance on hand, January 1, 1883.....	\$3,715 81	
Individual note collected in 1883.....	175 95	
Receipts from interest, to May 15, 1883.....	51 02	
Receipts from interest on bonds in fund, 1883.....	8,409 00	
Receipts from interest on bonds in fund, 1884.....	13,277 00	
Individual note collected and interest.....	1,087 33—	\$26,716 11

## DISBURSEMENTS.

Amounts paid for bonds and expenses, 1883.....	\$12,387 05	
Amounts paid for bonds and expenses, 1884.....	13,891 81	
Balance.....	437 25—	\$26,716 11
Balance on hand, January 1, 1885.....		\$437 25

We also find bonds held by the the different funds to be as follows:

## AGRICULTURAL COLLEGE FUND.

Florida 6 per cent. bonds in fund Jan 1, 1884.....	\$130,900 00	
Florida 6 per cent. bonds purchased in 1884.....	1,000 00	
North Carolina 6 per cent. bonds in fund Jan 1, 1884.....	10,000 00	
Florida 7 per cent. bonds in fund Jan 1, 1884.....	3,900 00	
North Carolina 4 per cent. bonds purchased in 1884.....	3,000 00	
Notes individuals.....	2,000 00—	\$155,800 00

## COMMON SCHOOL FUND.

Florida 6 per cent. bonds in fund Jan. 1, 1884.....	\$258,100 00	
Florida 6 per cent. bonds purchased in 1884.....	20,500 00	
South Carolina 6 per cent. bonds in fund Jan. 1, 1884.....	11,384 25	
South Carolina 6 per cent. bonds purchased in 1884.....	26,500 00	
Georgia 6 per cent. bonds in fund Jan. 1, 1884.....	5,000 00	
Florida 7 per cent. bonds in fund Jan. 1, 1884.....	46,700 00	
Georgia 7 per cent. bonds in fund Jan. 1, 1884.....	20,000 00	
Alabama "B" 5 per cent. bonds in fund Jan 1, 1884.....	4,000 00	
Alabama "B" 5 per cent. bonds purchased in 1884.....	25,000 00	
North Carolina 4 per cent. bonds in fund Jan. 1, 1884.....	50,000 00	
Florida Railroad 7 per cent. bonds in fund Jan 1, '84.....	9,000 00—	\$476,184 25

## SEMINARY FUND.

Florida 6 per cent. bonds in Fund Jan. 1, 1884.....	\$75,000 00	
Florida 6 per cent. bonds purchased in 1884.....	1,000 00	
Florida 7 per cent. bonds in Fund Jan. 1, 1884.....	14,400 00	
Florida R R 7 per cent. bonds in Fund Jan. 1, 1884.....	1,000 00—	\$91,400 00

## SINKING FUND FOR BONDS OF 1871.

Florida 7 per cent. bonds in Fund Jan. 1, 1884.....	\$60,000 00	
Florida 7 per cent. bonds purchased in 1884.....	6,000 00—	\$66,000 00

## SINKING FUND FOR BONDS OF 1873.

Florida 6 per cent. bonds in Fund Jan. 1, 1884.....	\$100,000 00	
U. S. 4 per cent. bonds in Fund Jan. 1, 1884.....	19,000 00	
U. S. 4 per cent. bonds purchased in 1884.....	10,000 00—	\$129,000 00
Totals of bonds in Educational and Sinking Funds.....		\$918,334 25

## AGGREGATE OF RECEIPTS AND DISBURSEMENTS AT THE STATE TREASURY FOR THE YEARS 1883 and 1884.

## RECEIPTS.

Aggregate balance in Treasury Jan. 1, 1883.....	\$123,863 51
On account of General Revenue and Interest Taxes.....	\$671,532 40
Sinking Fund for bonds of 1871.....	8,365 00
" " " " 1873.....	13,576 50
Common School Fund, Principal.....	147,329 88
General School Tax.....	45,933 27
Common School Fund, interest.....	42,951 56
Seminary Fund, principal.....	3,517 67
" " " " interest.....	14,189 00
Agricultural College Fund.....	23,000 30—
	\$970,395 58
	\$1,094,259 09

## DISBURSEMENTS.

General Revenue, including interest.....	\$606,795 61	
Sinking Fund bonds of 1871.....	8,284 22	
" " " 1873.....	13,733 31	
Common School Fund, principal.....	185,338 78	
General School Tax.....	31,749 07	
Common School Fund, interest.....	42,481 57	
Seminary Fund, principal.....	5,830 00	
" " interest.....	10,971 01	
Agricultural College Fund.....	26,278 86	\$929,462 43
Aggregate balance in Treasury Dec. 31, 1884.....		164,796 66

\$1,094,259 09  
\$164,796 66

Balance in State Treasury Dec. 31, 1884.....

There was also a balance \$372 50 in the Treasury belonging to a Fund, subscribed by citizens of St. Augustine to aid in the building of the Deaf Mute Institute.

In closing this report we feel it our duty to add, that every courtesy has been given this committee in the course of its examination, by the efficient Treasurer, and able Comptroller, as well as the capable clerical aid in the respective departments.

In addition to the above, we add that under a concurrent resolution, we have burned in the Treasurer's office, Greenback Scrip to the amount of two hundred and thirty-six dollars (\$236.00.)

All of which is most respectfully submitted,

J. L. GASKINS,  
Chairman Senate Committee.  
S. M. HENDRICKS,  
Member of Senate Committee.  
ZACHARY T. CRAWFORD,  
Chairman House Committee.  
W. W. TUMBLIN,  
U. C. HERNDON,  
Members of House Committee.

H. F. SHARON,  
Chief Clerk of Committee.

J. C. CLARK,  
Assistant Clerk of Committee.

Mr. Lesley offered the following resolution:

WHEREAS, Your committee on Indian War Claims found it necessary in taking testimony to employ a Stenographer as clerk for a period of five days; therefore, be it

Resolved, That J. V. Berry, for such service is entitled to and shall receive the pay of a clerk of this body for the term of five days, and the Seargent-at-Arms is hereby ordered to so report.

Mr. Stripling moved that a committee of two be appointed to inform His Excellency, the Governor, of the determination of the Legislature to adjourn this day at 12 o'clock P. M., and

to ascertain from him whether he has any further matters to call to the attention of this body;

Which was adopted.

Messrs. Stripling and Orman were appointed such committee.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 12, 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—

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, with the following amendment:

Strike out April in the line numbered 21, in section 6, and insert September.

And respectfully request the concurrence of the Senate therein.

Very respectfully,

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

The amendment of the Assembly was concurred in and ordered enrolled.

Mr. Mann offered the following resolution:

WHEREAS, Our clerks have been given extra pay for the extra work that always falls upon them in perfecting their work; therefore, be it

Resolved, That the Chief Clerk of the Senate be granted pay for five days extra to perfect his duties after adjournment.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Chandler, Cole, Mann, Martin, Roberts and Sammis—7.

Nays—Messrs. Burnam, Crill, Jones, Lesley, Mallory, McKinne, Neel, Sheppard, Speer and Williams—10.

Which was not agreed to.

The Special Committee on Internal Improvement Lands reported:

SENATE CHAMBER, TALLAHASSEE, FLA., Feb. 12, 1885.

HON. M. H. MABRY,

President of the Senate:

SIR: Your Special Committee on Contracts made by Internal Improvement Board, to whom was referred the duty of de-

termining the present condition of our State lands, in relation to the different grants to railroads, canals, &c., which we find is as follows :

Amount of Swamp Lands on hand and estimated amount of what will be still coming to the State under the act of Congress of Sept. 28, 1850 :

	<i>Acres.</i>
Number acres on hand January 1st, 1885, as per Commissioner's Report.....	5,367,206.26
Number of acres listed and filed for Patents.....	736,647.03
<hr/>	
Total practically on hand January 1, 1885.....	6,103,853 29 100
Report of General Land Office at Washington leaves unsurveyed lands in the State on June 30, 1883, nearly all of which when surveyed will belong to the State under the act of Congress of Sept. 28, 1850.....	7,549,562
Estimated acreage surveyed and yet to be patented.....	1,000,000
<hr/>	
But as some of the unsurveyed lands may not come to the State under the Swamp Act let there be deducted for any deficiencies.....	1,653,415
<hr/>	
Leaving number of acres on hand and due the State.....	13,000,000
Deduct the amount of lands due railroads, &c., on what mileage is constructed or will be constructed in the limits of their charters, above what they have already received:	
Number acres that will be due Florida Southern.....	1,250,000
Number acres due J. P. & K. W.....	600,000
Number acres due Pensacola & Atlantic.....	2,061,000
Number acres that will be due Palatka and Indian River, estimated on 70 miles at 6,000 acres per mile, as per charter....	420,000
<hr/>	
Making due and to become due.....	4,331,000
Add for alternate sections.....	300 000
Add for East Coast Canal.....	400 000
<hr/>	
Total.....	5,031,000
Deduct from the.....	13,000,000
On hand and due the State leaves.....	7,969,000

Yours respectfully, &c.,  
A. S. MANN,  
Chairman of Committee.

Which was read.

Assembly Bill No. 169 :

To be entitled an act to fix legal hours of sale,  
Was read the second time.

On motion, the rules were waived by a two-thirds vote, and the bill 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, Gaskins,  
Jones, Landrum, Lesley, Mallory, Martin, McKinne,

Neel, Orman, Proctor Roberts, Sammis, Sheppard, Speer and Williams—18.

Nays—None.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Assembly Bill No. 88 :

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

Was read a second time.

The amendment of the committee was adopted.

Mr. Mallory moved that the bill be indefinitely postponed ;  
Which did not prevail.

The amendment was ordered engrossed

On motion the Senate adjourned until 8 o'clock.

#### NIGHT SESSION—8 O'CLOCK P. M.

The Senate met pursuant to adjournment.

The President in the chair.

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

Messrs. Baker, Burnam, Chandler, Cole, Crill, Gaskins, Jones, Landrum, Lesley, Martin, McKinne, Orman, Proctor, Roberts, Sheppard, Speer and Williams—17.

A quorum present.

#### REPORTS OF COMMITTEES.

The Committee on Engrossed Bills made the following report :

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. M. H. MABRY,

*President of the Senate :*

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

Assembly Bill No. 88, to be entitled an act for the relief of R. F. Hosford, of Liberty County, Florida,

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

Very respectfully,

H. L. R. ROBERTS,  
Acting Chairman of Committee.

Assembly Bill No. 88 :

To be entitled an act for the relief of R. F. Hosford.

The Assembly amendment was adopted.

Mr. Baker moved to waive the rules and put the bill upon its passage.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Landrum, Lesley, Mallory, Orman, Poberts, Sheppard, Speer and Williams—11.

Nays—Messrs. Cole, Gaskins, Jones, Martin, McKinne and Proctor—6.

So the motion prevailed.

On motion the rules were waived by a two-thirds vote, and the bill read the third time and put upon its passage.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Burnam, Chandler, Lesley, McKinne, Orman, Sheppard, Speer and Williams—9.

Nays—Messrs. Crill, Jones, Landrum, Mallory, Martin, Mountien, Proctor and Roberts—8.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Assembly Bill No. 181, to be entitled an act in relation to the sale or distribution of dynamite,

Beg leave to report that they have not had time to give the same adequate consideration, and report it herewith without recommendation, that the Senate may, if it pleases, act on it before adjournment.

Very respectfully,

S. R. MALLORY,  
Chairman Committee.

Which was read.

Also the following:

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Assembly Bill No. 58, to be entitled an act to prevent the obstruction of settlement roads; also,

Assembly Bill No. 59, to be entitled an act to prescribe the manner of foreclosing mortgages and enforcing liens upon personal property when the debt demand does not exceed one hundred dollars; also,

Assembly Bill No. 91, to be entitled an act to prohibit seining in any fresh water lakes of this State, and to provide a punishment therefor; also,

Assembly Bill No. 112, to be entitled an act to fix the fees of sheriffs and constables in certain cases; also,

Assembly Bill No. 146, to be entitled an act to establish lost papers in Justices' Courts,

Beg leave to report the same without recommendation, as your committee will not have time to give the same adequate consideration before the adjournment of this body.

Very respectfully,

S. R. MALLORY,  
Chairman of Committee.

Which was read.

The following Assembly bills were signed by the President and Secretary of the Senate:

Assembly Bill No. 154, an act to incorporate the Wildwood, Lady Lake, Withlacoochee and Gulf Railroad Company.

Assembly Bill No. 212, an act to provide for the incorporation of the settlement of Bellevue, in Marion County, Florida, to allow certain persons to vote upon incorporation and all questions relating to said town or city government.

Assembly Bill No. 44, to be entitled an act to provide for a bill of exceptions from courts of Justices of the Peace and County Courts to the Circuit Courts.

Assembly Bill No. 60, to be entitled an act to incorporate the Chattahoochee and Alabama Railroad and to aid the construction thereof.

Assembly Bill No. 174, to be entitled an act to define what are food fishes, and for the further protection of the same.

Assembly Bill No. 185, to be entitled an act to incorporate the Citizens' Hotel Company.

Assembly Bill No. 230, to be entitled an act recognizing the University of Florida.

Assembly Bill No. 94, to be entitled an act making appropriation for and extending the provisions of Chapter 3448, Laws of Florida, an act to provide for normal instruction, approved March 5th, 1883.

Assembly Bill No. 142, to be entitled an act to provide

for the levying of a tax by cities and towns for water works and fire protection.

Assembly Bill No. 97, to be entitled an act increasing the jurisdiction of Circuit Courts in suits for alimony.

Assembly Bill No. 32, to be entitled an act to provide an annuity for disabled soldiers and sailors of the State of Florida.

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

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

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Senate Bill No. 86, to be entitled act to amend an act entitled an act relating to the indebtedness of the State, approved Feb. 21st, 1873; also,

Senate Bill No. 103, to be entitled an act to require the Comptroller to audit and allow certain accounts and for other purposes; also,

Senate Bill No. 99, to be entitled an act to amend an act entitled an act to grant lands to the Silver Spring, Ocala and Gulf Railway Company; also,

Substitute for Senate Bill No. 2, to be entitled an act to regulate the admission of Foreign and Domestic surety Companies to do business in this State; also,

Senate Bill No. 148, to be entitled an act to require carriers in this State to convey and deliver freight, as agreed upon with shippers; also,

Senate Bill No. 122, to be entitled an act to determine the priority of deeds and other instruments of record of this State; also,

Senate Bill No. 155, to be entitled an act to defray the expenses of a State convention that meets in June, A. D. 1885; also,

Senate Bill No. 35, to be entitled an act entitled an act to grant certain privileges to the Manatee Dry Dock Company; also,

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 examined the same and find them correctly enrolled.

Very respectfully,

S. M. HENDRICKS,  
Chairman Committee.

Mr. Orman moved to reconsider the vote of Senate on Assembly Bill No. 123, by which the bill was lost,

The motion prevailed.

Mr. Crill moved that the Secretary be instructed to request of the Assembly the return of the bill;

Which was agreed to.

Assembly Bill No. 91:

To be entitled an act to prohibit seining in any fresh water lakes of this State,

Was read the second time.

On motion the rules were waived by a two-thirds vote, and the bill read the third time and put upon its passage.

The yeas and nays being called for,

The vote was:

Yeas—Mr. Chandler—1.

Nays—Messrs. Baker, Burnam, Cole, Crill, Delano, Gaskins, Hankins, Jones, Landrum, Lesley, Mallory, Mann, Martin, Mountien, McKinne, Orman, Proctor, Roberts, Sammis, Shepard, Speer and Williams—22.

So the bill did not pass.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

SIR: Your Committee on Enrolled Bills have examined and found correctly enrolled—

Senate Bill No. 86, to be entitled act to amend an act entitled an act relating to the indebtedness of the State, approved February 21st, 1873; also,

Senate Bill No. 103, to be entitled an act to require the Comptroller to audit and allow certain accounts, and for other purposes; also,

Senate Bill No. 99, to be entitled an act to amend an act entitled an act to grant lands to the Silver Springs and Gulf Railway Company; also,

Substitute for Senate Bill No. 2, to be entitled an act to regulate the admission of Foreign and Domestic Surety Companies to do business in this State; also,

Senate Bill No. 148, to be entitled an act to require carriers in this State to convey and deliver freights as agreed upon with shippers; also,

Senate Bill No. 122, to be entitled an act to determine the priority of deeds, and other instruments of record of this State; also,

Senate Bill No. 155, to be entitled an act to defray the expenses of a State Convention that meets in June, A. D. 1885; also,

Senate Bill No. 35, to be entitled an act to grant certain privileges to the Manatee Dry Dock Company; also,

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 presented the same to the Governor for his consideration.

Very respectfully,

S. M. HENDRICKS,  
Chairman of Committee.

Which was read.

Mr. Mann, Chairman of the Special Committee, made the following report:

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

Sir: Your Special Committee, appointed to investigate contracts made with the Internal Improvement Board, beg leave to report

That they have been investigating and taking testimony in regard to the same, but have been unable so far to procure only the accompanying testimony and documents relative thereto, which is but a small amount of the testimony obtainable, and while it is somewhat vague, it goes to show that there can be further and more definite testimony obtained that will enable your committee to make a full, complete and exhaustive report of all the matters and things connected with or relative to any of the contracts made by and with the said Internal Improvement Board, as well as all benefits which said Board have derived from said contract or contractors, and that your committee proposes to continue this investigation as by resolution of January 28th, 1885, as they are instructed and em-

powered and report all matters and things connected therewith at as early a day as possibly.

Respectfully submitted,

A. S. MANN, Chairman.  
WM. BRYSON.

Which was read.

On motion, the following message from the Assembly was taken up:

ASSEMBLY HALL, Tallahassee, Fla., February 12, 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. 204, to be entitled an act for the relief of farmers; also,

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 River Railway Company.

Very respectfully,

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

Which was read and the bills referred to the Committee on Agriculture.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 12, 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. 197, to be entitled an act for the relief of certain purchasers at regular tax sales,

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

Senate Bill No. 134, to be entitled an act authorizing the employment of stenographers in the several Circuit Courts of this State.

Very respectfully,

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

Which was read, and Assembly Bill No. 197 referred to the Committee on Finance and Taxation, and Senate Bill No. 134 ordered enrolled.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 12, 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—

Senate Bill No. 109, to be entitled an act to authorize Frankie M. Simonton, of Marion county, to take charge of and manage his own estate; also, that the Assembly has concurred in Senate amendment to strike out "200" and insert "50" in

Assembly Bill No. 147, to be entitled an act for the relief of Mrs. Sarah Cooper, wife of J. T. Cooper, late of Hamilton county, deceased.

Very respectfully,

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

Which was read.

Also the following :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate :*

Sir: I am directed by the Assembly to return to the Senate—

Assembly Bill No. 123, to be entitled an act in relation to the one mill tax for school purposes, for further consideration.

Very respectfully,

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

Which was read.

Also the following :

ASSEMBLY HALL, Tallahassee, February 12, 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—

Assembly Bill No. 26, to be entitled an act to make an appropriation for the erection of an Executive Mansion in or near the city of Tallahassee.

And respectfully request the concurrence of the Senate therein.

Very respectfully,

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

Which was read, and the bill referred to the Committee on Appropriations.

Assembly Bill No. 123 :

To be entitled an act in relation to the one mill tax for State purposes,

Was read the third time and put upon its passage.

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Burnam, Chandler, Gaskins, Hankins, Lesley, Mallory, Martin, Mountien, McKinne, Orman, Proctor, Roberts, Sheppard, Speer, Stripling and Williams—16.

Nays—Messrs. Baker, Jones, Landrum—3.

So the bill passed, title and stated.

Ordered that the same be certified to the Assembly.

Assembly bill No. 48 :

To be entitled an act for the relief of Charles Anderson, of Marion county,

Was read the second time.

On motion the rules were waived by a two-thirds vote and the bill read the third time and put upon its passage.

The yeas and nays were called for.

The vote was :

Yeas—Messrs. Baker, Burnam, Chandler, Cole, Hendricks, Jones, Landrum, Lesley, Mallory, Martin, Sammis, Speer, Stripling and Williams—14.

Nays—Messrs. Hankins, Mountien, McKinne and Roberts—4.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

Mr. Lesley moved that the report of Mr. Mann, Chairman of the Special Committee on Land Sales, be received and the committee discharged;

Which was agreed to.

Assembly Memorial No. 12 :

A memorial in relation to the Blair Educational Bill,

Was read the third time and put upon its passage.

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Baker, Chandler, Cole, Delano, Gaskins, Hankins, Landrum, Mountien, McKinne, Orman, Proctor, Sammis, Sheppard, Speer, Stripling and Williams—16.

Nays—Messrs. Mallory and Roberts—2.

So the memorial 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., Feb. 12, 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—

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.

Very respectfully,

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

Which was read and the bill ordered to be enrolled.

Senate Bill No. 124 :

To be entitled an act relating to the East and West Florida Seminaries,

Was read the second time.

Mr. Chandler moved to waive the rules and the bill be put upon its passage.

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Baker, Chandler, Cole, Martin, Proctor, Stripling and Williams—7.

Nays—Messrs. Burnam, Delano, Gaskins, Hankins, Jones, McKinne, Orman, Roberts, Sheppard and Speer—10.

Which was not agreed to.

Ordered engrossed.

Mr. KcKinne in the chair.

The Committee on Enrolled Bills made the following report :

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate :*

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

Senate Bill No. 108, an act authorizing the Governor to appoint a committee to investigate and ascertain what quantity of land and the number of acres the Atlantic and Gulf Canal and Okeechobee Land Company has reclaimed for the State and other purposes.

Senate Bill No. 97, an act to incorporate the Alachua Drainage and Reclamation Company.

Senate Bill No. 139, an act to incorporate the Live Oak and White Springs Railroad.

Senate Bill No. 107, an act to grant certain privileges to D. W. Meeker and his associates,  
Beg leave to report that they find them correctly enrolled.

Very respectfully,

S. M. HENDRICKS,  
Chairman Committee.

Which was read.

The President and Secretary signed the foregoing bills.

Also an act fixing the legal hours of sale.

The following was read :

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate :*

SIR: Your committee appointed to wait upon His Excellency, the Governor, and inform him of the determination of the Legislature to adjourn *sine die* at 12 o'clock P. M. this day, and to ascertain from him if he had any further communications for this body, beg leave to report that they have performed the duty assigned to them. His Excellency informs your committee that he has no further communications for this body and desires, through your committee, to extend his congratulations upon the harmonious relations existing between the Executive and Legislative Departments, and the promptness with which the Legislative Department has completed its labors.

Respectfully submitted,

J. N. STRIPLING,  
W. T. ORMAN,  
Committee.

Mr. Baker offered the following resolution and moved its adoption :

*Resolved*, That the thanks of the Senate are due and are hereby tendered to our presiding officer, Governor Mabry, for the faithful and impartial manner with which he has presided during the present session ;

Which was adopted by a rising vote.

Mr. Williams moved that the report of the committee to wait upon the Governor, be received and the committee be discharged ;

Which was agreed to.

Mr. Baker moved that a committee be appointed to wait upon the Assembly and inform the Assembly that the Senate would be ready to adjourn *sine die* at 12 o'clock P. M. ;

Which was agreed to.

Messrs. Speer, Roberts and Baker were appointed such committee.

Mr. Crill, chairman of committee on Finance and Taxation, made the following report:

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate.*

Sir: Your Committee to whom was referred Assembly Bill No. 197:

Beg leave to report the same without recommendation.

Very respectfully,

E. S. CRILL,

Chairman Committee on Finance and Taxation.

Which was read.

Assembly Bill No. 197:

To be entitled an act for the relief of certain purchasers at tax sales.

The bill was read the second time.

On motion, the rules were waived by a two-thirds vote and the bill was read the third time and put upon its passage.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Baker, Chandler and McKinne—3.

Nays—Messrs. Burnam, Crill, Gaskins, Hendricks, Jones, Landrum, Lesley, Martin, Mountien, Orman, Proctor, Roberts, Sammis, Sheppard, Speer and Williams—16.

So the bill did not pass.

The committee to wait upon the Assembly reported that they had discharged their duty and asked to be discharged;

Which was agreed to, and the committee discharged.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate.*

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

Senate Bill No. 108, to be entitled an act authorizing the Governor to appoint a committee to investigate and ascertain what quantity of land and the number of acres the Atlantic and Gulf Canal and Okeechobee Land Company has reclaimed for the State and other purposes; also,

Senate Bill No. 97, to be entitled an act to incorporate the Alachua Drainage and Reclamation Company; also,

Senate Bill No. 139, to be entitled an act to incorporate the Live Oak and White Springs Railroad; also,

Senate Bill No. 107, to be entitled an act to grant certain privileges to D. W. Meeker and his associates,

Beg leave to report that they have presented the same to the Governor for his consideration.

Very respectfully,

S. M. HENDRICKS,

Chairman of Committee.

Which was read.

The President and Secretary signed the following Enrolled Bills:

An act for the relief of Mrs. Sarah Cooper, wife of J. T. Cooper, deceased, of Hamilton county, Florida.

An act for the relief of R. F. Hosford, of Liberty, Florida.

An act in relation to the apportionment of one mill tax for School purposes.

A committee from the Assembly appeared at the bar of the Senate and informed the Senate that the Assembly would be ready to adjourn *sine die* at 12 o'clock P. M.

Assembly Bill No. 59:

To be entitled an act in relation to foreclosure of mortgages on personal property,

Was read the second time.

Mr. Baker moved to indefinitely postpone the bill.

The yeas and nays being called for,

The vote was:

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

Nays—Messrs. Burnam, Crill, Gaskins, Hankins, Jones, Landrum, Lesley, Mountien, McKinne, Sheppard, Speer and Williams—12.

Which was not agreed to.

Mr. Lesley moved to suspend the rules and put the bill on its passage.

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Burnam, Crill, Gaskins, Hankins, Jones, Landrum, Lesley, Mountien, McKinne, Orman, Roberts, Sheppard, Speer and Williams—14.

Nays—Messrs. Baker, Chandler, Martin, Proctor and Sammis—5.

Which was agreed to.

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

The yeas and nays being called for,

The vote was:

Yeas—Messrs. Burnam, Crill, Delano, Gaskins, Hankins, Jones, Landrum, Lesley, Mountien, McKinne, Orman, Roberts, Sheppard, Speer and Williams—15.

Nays—Messrs. Baker, Chandler, Martin, Proctor and Sammis—5.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

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

*Resolved*, That the thanks of the Senate are due and are hereby extended to Mr. Wm. MacWilliams, Secretary of the Senate, for the courteous and efficient manner in which he has discharged the difficult duties of his position during the present session;

Which was adopted.

The following message was received from the Assembly:

ASSEMBLY HALL, Tallahassee, Fla., February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

SIR: I am directed by the Assembly to request the Senate to return Senate Bill No. 142, for further consideration by the Assembly.

Very respectfully,

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

Which was read.

Also the following:

ASSEMBLY HALL, Tallahassee, Fla., Feb. 12, 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. 151, to be entitled an act to amend an act entitled an act to incorporate the Atlantic and Mexican Gulf Canal Company and to grant certain privileges therein named, approved March, 1st, 1883; also,

The Assembly has refused to pass Substitute for Senate Bill No. 142, to be entitled an act to continue the rights, privileges, powers, franchises and grants of the Florida Midland

and Georgia Railroad Company and to extend the time for completing the same.

Very respectfully,

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

Which was read.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

SIR: Your Committee on Enrolled Bills, have examined and found the following bills correctly enrolled:

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; also,

Senate Bill No. 109, to be entitled an act to authorize Frankie M. Simonton, of Marion county, to take charge of and manage his own estate; also,

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.

Very respectfully,

S. M. HENDRICKS,  
Chairman of Committee.

Which was read.

The President and Secretary signed the foregoing bills.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Senate Bill No. 124, to be entitled an act relating to the East and West Florida Seminaries,

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

Very respectfully,

H. L. R. ROBERTS,  
Acting Chairman Committee on Engrossed Bills.

Which was read.

Assembly Bill No. 176 :

To be entitled an act providing for the incorporation of religious societies,

Was read the second time.

On motion the rules were waived by a two-thirds vote and the bill was read the third time and put upon its passage.

The yeas and nays were called for.

The vote was :

Yeas—Messrs. Baker and Martin—2.

Nays—Messrs. Burnam, Chandler, Crill, Delano, Gaskins, Hankins, Jones, Landrum, Lesley, McKinne, Orman, Proctor, Sammis, Sheppard, Speer and Williams—16.

So the bill did not pass.

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

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate :*

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

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 ; also,

Senate Bill No. 109, to be entitled an act to authorize Frankie M. Simonton, of Marion county, to take charge of and manage his own estate ; also,

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 vessel, ship or other water craft for the wages earned by them in loading or unloading the same,

Beg leave to report that they have presented the same to the Governor for consideration.

Very respectfully,

S. M. HENDRICKS,  
Chairman of Committee.

Which was read.

The following message was received from the Assembly :

ASSEMBLY HALL, Tallahassee, Fla., Feb. 12, 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—

Assembly Memorial No. 25, asking the Congress of the United States for an appropriation for the purpose of making navigable the Santa Fe River, from its mouth to the natural bridge between Columbia and Alachua counties ; also,

Substitute for Senate Bill No. 138, to be entitled an act to amend sections 3, 5, 6 and 8, of an act entitled an act to incorporate the Orange Ridge, DeLand and Atlantic Railroad Company,

And respectfully ask the concurrence of the Senate therein.

Very respectfully,

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

The bill was ordered enrolled.

Senate Bill No. 110, was passed over informally.

Senate Bill No. 124 :

To be entitled an act relating to the East and West Florida Seminaries,

Was read the third time and put upon its passage.

The yeas and nays being called for,

The vote was :

Yeas—Messrs. Baker, Chandler, Martin and Proctor—4.

Nays—Messrs. Gaskins, Hankins, Hendricks, Jones, Landrum, Lesley, Mallory, Mountien, McKinne, Orman, Sheppard, Speer and Williams—13.

So the bill did not pass.

The following message was received from the Assembly :

SENATE CHAMBER, Tallahassee, Fla., February 12, 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. 142, to be entitled an act to continue the rights, privileges, powers, franchises and grants of the Florida Midland and Georgia Railroad Company, and to extend the time for the completion of the same.

Very respectfully,

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

Which was read and the accompanying bill ordered enrolled.

The following enrolled bill and memorial were signed by the President and Secretary of the Senate :

Assembly memorial No. 12 :

Requesting our Congressional delegation to secure, if possible, the passage of an educational bill.

Assembly Bill No. 48 :

To be entitled an act for the relief of Charles Anderson, of Marion county.

Assembly Bill No. 75 to be entitled an act to provide for the payment of jurors and witnesses in criminal cases, in Justice's court,

Was read the second time.

On motion the rules were waived by a two-thirds vote, and the bill was read a third time and put upon its passage.

The yeas and nays were called for.

The vote was :

Yeas—Messrs. Baker, Burnam, Gaskins, Hendricks, Landrum, Lesley, Mallory, Martin, Mountien, McKinne, Orman, Sheppard, Speer and Williams—14.

Nays—Messrs. Hankins, Jones and Proctor—3.

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

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

SENATE CHAMBER, Tallahassee, Fla., Feb. 12, 1885.

HON. MILTON H. MARRY,

*President of the Senate :*

Sir: Your Committee on Enrolled Bills 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 ; also,

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. 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 the Seminary Fund and Agricultural College Fund of this State,

Have examined the same and find them correctly enrolled.

Very respectfully,

S. M. HENDRICKS,  
Chairman of Committee.

Which was read.

The foregoing enrolled bills were signed by the President and Secretary of the Senate.

The President signed the following Assembly act :

An act to prescribe the mode of foreclosing mortgages, and enforcing a lien upon any property where the debt or demand secured does not exceed one hundred dollars.

Assembly Bill No. 112 :

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

Was read the second time.

Mr. Mallory moved to indefinitely postpone the bill ;

Which was agreed to.

Assembly Bill No. 146 :

To be entitled an act to establish lost papers in Justices' Courts

Mr. Mallory moved that the bill be indefinitely postponed ; Which prevailed.

Assembly Bill No. 163 :

To be entitled an act to declare Salt Spring Creek navigable,

Was read the second time by its title.

On motion the rules were waived by a two-thirds vote and the bill read a third time and put upon its passage.

The yeas and nays were called for.

The vote was :

Yeas—Messrs. Baker, Burnam, Chandler, Cole, Crill, Gaskins, Hankins, Jones, Landrum, Lesley, Mann, Martin, Mountien, McKinne, Procter, Speer, Stripling and Williams—18.

Nays—Messrs. Mallory and Sheppard—2

So the bill passed, title as stated.

Ordered that the same be certified to the Assembly.

The Committee on Enrolled Bills made the following report :

SENATE CHAMBER, Tallahassee Fla., Feb. 12, 1885.

HON. MILTON H. MARRY,

*President of the Senate :*

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

Senate Bill No. 134, to be entitled an act to authorize the employment of Stenographers in the several Circuit Courts of this State ; also,

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

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 Schools Fund and Seminary Fund and Agricultural College Fund of this State,

Beg leave to report that they have presented the same to the Governor for his consideration.

Very respectfully  
S. M. HENDRICKS,  
Chairman Committee.

Which was read.

Senate Bill No. 104:

To be entitled an act for the relief of the counties of Orange and Volusia.

Mr. Baker moved to indefinitely postpone the bill;

Which was agreed to.

The President and Secretary signed the following act:

An act to provide for the payment of Jurors and Witnesses in criminal cases tried before Justices of the Peace.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. M. H. MABRY,

*President of the Senate:*

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

Assembly Bill No. 26, to be entitled an act to make an appropriation for the erection of an Executive Mansion in Tallahassee,

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

Very respectfully,  
JOHN H. MCKINNE,

Chairman of the Committee on Appropriations.

Which was read

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER, Tallahassee, February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

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

Senate Bill No. 138, an act to amend sections 3, 5, 6 and 8, of an act entitled an act to incorporate the Orange Ridge, DeLand and Atlantic Railroad Company; also,

Senate Bill No. 151, an act to incorporate the Atlantic and

Mexican Gulf Canal Company, and to grant certain privileges therein named, approved March 1, 1883,

And find the same correctly enrolled; also,

Senate Bill No. 142, an act to continue the rights, powers, franchises and grants of the Florida Midland and Georgia Railroad Company, and extend the time for the completion of the same.

Very respectfully,  
S. M. HENDRICKS,  
Chairman Committee.

The foregoing bills were signed by the President and Secretary of the Senate.

Assembly Bill No. 26:

To be entitled an act for the erection of an Executive Mansion in or near the city of Tallahassee,

Was read the second time.

Mr. Mallory offered the following amendment:

Strike out the words "1885," in section 4, and insert "1887" in lieu thereof;

Which was adopted.

Mr. Martin offered the following amendment:

That the enacting clause be stricken out;

Which was lost.

Mr. Chandler offered the following amendment:

Strike out "ten" and insert "twenty."

Mr. Speer moved to lay the amendment on the table;

The motion prevailed, and carried the bill with it.

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

SENATE CHAMBER, Tallahassee, Fla., February 12, 1885.

HON. MILTON H. MABRY,

*President of the Senate:*

SIR: Your Committee on Enrolled Bills have deposited with the Governor for his consideration the following bills:

Senate Bill No. 138, to be entitled an act to amend Sections 3, 5, 6 and 8 of an act entitled an act to incorporate the Orange Ridge, De Land and Atlantic Railroad Company; also,

Senate Bill No. 151, to be entitled an act to incorporate the Atlantic and Mexican Gulf Canal Company, and grant certain privileges therein named, approved March 1, 1883; also,

Senate Bill No. 142, to be entitled an act to continue the

rights, powers, franchises and grants of the Florida Midland and Georgia Railroad Company, and extend the time for the completion of the same.

Very respectfully,  
S. M. HENDRICKS,  
Chairman of Committee.

Which was read.

Mr. Proctor offered the following resolution:

*Resolved*, That the thanks of the Senate are tendered to Mr. Papy, the Sergeant-at-Arms, and other attachees, for the efficient and courteous manner with which they have discharged their duties during the present session;

Which was adopted.

The hour of 12 o'clock P. M. having arrived, the time fixed for the adjournment, the President declared the Senate adjourned *sine die*.

#### CONFIRMATIONS.

David D. Melvin, to be Clerk of the Circuit Court for Washington county.

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## REPORT

OF THE

COMPTROLLER OF THE STATE OF FLORIDA,

FOR THE FISCAL YEAR 1883,

BEGINNING JANUARY 1 AND ENDING DECEMBER 31.

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