

Mr. Tompkins moved that the Senate adjourn until 10 o'clock Monday morning, to give the committees opportunity to work upon the various bills now in their possession and awaiting their consideration ;

Which was agreed to.

The Senate stood so adjourned.

MONDAY, APRIL 15, 1889.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Coulter, Crosby, Drake, Hammond, Hardee, Hendry, Kirk, Parkhill, Pirrong, Randell, Rogers, Rosborough, Smith, Tompkins, Tuten, Wilkinson and Yancey—23.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

INTRODUCTION OF BILLS.

By Mr. Bryant :

Senate Bill No. 53 :

A bill to be entitled an act to change the boundary lines between the counties of Polk and Lake and define the same ;

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

By Mr. Hammond :

Senate Bill No. 54 :

To be entitled an act to amend the laws relating to attachments in the courts of this State ;

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

By Mr. Hardee :

Senate Bill No. 55 :

A bill to be entitled an act to incorporate the Banana Creek Improvement Canal and Transit Company ;

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

By Mr. Rogers :

Senate Bill No. 56 :

To be entitled an act granting mechanics, material men and laborers liens in certain cases, and the manner of enforcing the same ;

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

By Mr. Rogers :

Senate Bill No. 57 :

To be entitled an act to fix the legal rate of interest in the State of Florida, to define usury and to provide for forfeiture on notes and contracts for extortionate interest ;

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

By Mr. Rogers :

Senate Bill No. 58 :

To be entitled an act to constitute the Commissioner of Agriculture a member of the Board of Trustees of the Internal Improvement Fund of the State of Florida ;

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

By Mr. Rosborough :

Senate Bill No. 59 :

To be entitled an act for the relief of Drs. J. F. McKinstry N. D. Phillips and R. A. Lancaster, of Alachua county, Florida ;

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

By Mr. Smith :

Senate Bill No. 60 :

To be entitled an act for better regulating the record of deeds and making abstracts therefrom ;

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

By Mr. Yancey :

Senate Bill No. 61 :

To be entitled an act in relation to Mortgages ;

Which was read the first time by its title and referred to the Committee on Judiciary ; also,

Senate Bill No. 62 :

To be entitled an act to amend section 8 of an act to create and establish the county of Lake from portions of Sumter and Orange counties ;

Which was read the first time by its title and referred to the Committee on Judiciary; also,

Senate Bill No. 63:

To be entitled an act to require railroad companies to construct passenger depots on their lines of roads;

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

Senate Bill No. 64:

To be entitled an act in relation to legal sales under process;

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

Mr. Coulter, chairman of the Committee on Fisheries, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 15, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Fisheries, to whom was referred—
Senate Bill No. 15:

To be entitled an act to require non-residents to obtain license for taking fish in large quantities and to provide a penalty for violation thereof,

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

Very respectfully,

WM. R. COULTER,
Chairman.

Which was read and the bill placed on the calendar for second reading.

Mr. Coulter was excused for the day on account of sickness.

Mr. Rogers, chairman of the Committee on Agriculture, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 15, 1889. }

HON. J. B. WALL,

President of the Senate:

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

Senate Bill No. 4:

To be entitled an act to establish a Bureau of Agriculture in the State of Florida, and to define the powers and duties of the Commissioner of Agriculture,

Beg leave to report that they have considered the same, and have made some additions to said bill, which, with the amendments, they herewith submit and recommend that it do pass.

Very respectfully,

ROBT. F. ROGERS,
Chairman Committee.

CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 15:

To be entitled an act to require non-residents to obtain license for taking fish in large quantities, and to provide a penalty for the violation thereof;

Was read the second time.

Mr. Bielby moved that—

Senate Bill No. 15 be referred to the Committee on Judiciary;

Which was agreed to,

And Senate Bill No. 15 was referred.

Substitute for—

Senate Bill No. 4:

To be entitled an act to establish a Bureau of Agriculture in the State of Florida and to define the powers and duties of the Commissioner of Agriculture,

Was read the second time.

On motion of Mr. Rogers the Committee Substitute for—
Senate Bill No. 4, was adopted.

Mr. Tompkins moved that Substitute for Senate Bill No. 4 remain upon its second reading and that 200 copies of the bill be printed;

Which was agreed to and the order made.

On motion of Mr. Hammond—

Senate Bill No. 20:

To be entitled an act to amend section 4, chapter 3721, of the Laws of Florida,

Was called up for consideration.

By unanimous consent, Mr. King withdrew Senate Bill No. 20.

Senate Bill No. 26:

A bill to be entitled an act to amend Section 1 of an act to provide for and regulate the payment of costs and expenses in certain cases of criminal prosecutions by the State,

Was called up for consideration,

And was informally passed over, in consequence of the absence of the introducer.

On motion of Mr. Hammond,
Senate Bill No. 11 :

To be entitled an act to amend section five (5) of an act entitled an act regulating the sale of beef under circumstances therein provided for in chapter 3613, Laws of Florida, approved February 16, 1885,

Was taken up for consideration.

Mr. Bryant moved that the committee amendments to the bill be adopted ;

Which was agreed to, and the committee amendments were adopted.

A message was received from the House of Representatives.

Mr. Swearingen offered the following amendment to the bill as amended :

Amend by striking out " the 3d day of each month " and insert " the first Monday in each month ;"

Which was agreed to, and the amendment adopted.

The bill was ordered engrossed for its third reading.

On motion of Mr. Rogers, Mr. Crosby was added to the committee to visit the East Florida Seminary.

On motion of Mr. Swearingen,
Senate Substitute for Senate Bill No. 9,

To be entitled an act for the protection of game, wild birds and birds of song and plumage,

Was taken up for consideration, as only ten minutes remained before its special hour, and there was nothing further on the Secretary's desk ;

Which was agreed to, and Senate Bill No. 9 taken up for consideration.

Upon resuming the consideration of the bill, the question recurred upon the following amendment offered by Mr. Hardee on April 12, to-wit. :

In section 2, line 3, after the word " State," insert " or for any transportation company to transport or for any person to receive or buy any of the above specified game between the months of February and September."

Mr. Hardee moved to adopt the amendment ;
Which was agreed to.

The amendment was adopted.

Mr. Houstoun offered the following amendment :

In section 2, line 1, after the word " persons," insert " not citizens of the State."

Mr. Hendry moved that the amendment be adopted ;
Which was not agreed to.
So the amendment was lost.

Mr. Swearingen offered the following amendments :

In section 1, second line, strike out " February " and insert " March," also in same section, line 4, strike out " first day of April " and insert " April the 15th ;"

Which was not agreed to.
The amendment was lost.

Mr. Hendry offered the following amendment :

Amendment to section 4, line 1 :

Insert the word " purchase " between the words " to " and " hunt ;"

Which was agreed to.

The amendment was adopted.

Mr. Hendry offered the following :

Proviso to section 4: Provided that the County Commissioners of Lee County have no power over this section ;

Which was withdrawn.

Mr. Randell offered the following amendment :

In section 4, strike out all to word " provided," in line 4 ;

Which was withdrawn.

Mr. Swearingen offered the following amendment :

Amend by striking out section three (3) ;

Which was agreed to.

The amendment was adopted.

Mr. Hendry offered the following amendment :

Amendment to section 5, in line 2, after the words " not exceeding three hundred dollars or by imprisonment in county jail not exceeding three months ;"

Which was agreed to, and the amendment adopted.

Also the following amendment :

SECTION 8. That it shall be unlawful for any person or persons to kill any alligator within two years after the passage of this act.

The amendment was withdrawn.

A message was received from the House of Representatives.

Mr. Bailey, of 22d, offered the following amendment :

In section 1, line 5, after the word " bird," strike out all down to line 7, word " provided ;"

Which was agreed to and the amendment adopted.

Mr. Bailey, of 22d, offered the following amendment :

Insert as section 3 "that it shall be unlawful for any person or persons at any time to destroy the nest or capture or destroy the eggs or young of any wild turkey, quail, partridge, dove or other game bird, or any bird of song or plumage;"

Which was agreed to and the amendment was adopted.

Mr. Bailey 22d offered the following amendment :

In section 1, line 2, after the word "time," strike out down to word "or" in line 5, and insert "specified by the County Commissioners to hunt, shoot, kill, wound or capture any buck, doe or fawn, wild turkey, quail, partridge, dove, or other game birds."

Which was agreed to and the amendment was adopted.

There being no further amendments,

Senate Bill No. 9 was ordered to be engrossed and passed to its third reading.

On motion of Mr. Yancey

Mr. Hind, member of Committee to visit Deaf and Dumb Institute at St. Augustine, was further excused from attendance until Tuesday morning.

Mr. Tuten moved—

That Senator Hardee be added to the Senate standing committees on City and County Organization and Finance and Taxation ;

Which was agreed to, and the addition made.

Messrs. Wm. Bazzell and W. R. Carter were invited to seats within the Senate bar.

Mr. Hendry moved that the Senate take a recess until 4 o'clock P. M. ;

Which was agreed to.

So the Senate took a recess.

FOUR O'CLOCK P. M.

The Senate resumed its session.

The President in the Chair.

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

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Crosby, Drake, Hammond, Hardee, Kirk, King, Parkhill, Pirrong, Randell, Rogers,

Smith, Swearingen, Tompkins, Tuten, Wilkinson and Yancey —22.

A quorum present.

The courtesy of the Senate was extended to ex-Senator A. R. Jones, of Walton.

A message was received from the House of Representatives.

Mr. Rogers, chairman of the Committee on Agriculture, submitted the following report :

SENATE CHAMBER, }
TALLAHASSEE, Fla., April 15, 1889. }

HON. J. B. WALL,

President of the Senate :

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

Senate Bill No. 58 :

A bill to be entitled an act to constitute the Commissioner of Agriculture a member of the Board of Trustees of the Internal Improvement Fund of the State of Florida,

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

Very respectfully,

ROBT. F. ROGERS,
Chairman Committee.

Senate Bill No. 58,

Was placed on the calendar of bills on second reading.

On motion of Mr. Bielby, messages from the House of Representatives were taken up for consideration, and

The following message from the House of Representatives was read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., April 13, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—
Senate Bill No. 19 :

To be entitled an act to establish a Criminal Court of Record in the county of Lake,

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Senate Bill No. 19 :

To be entitled an act to establish a Criminal Court of Record in the County of Lake,

Was ordered to be enrolled.

Also the following message from the House was read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., April 13, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed

House Bill No. 63 :

To be entitled an act to fix the compensation of jurors and witnesses serving in the courts of this State,

And respectfully ask concurrence of Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 63 :

To be entitled an act to fix the compensation of jurors and witnesses serving in the courts of this State,

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

The following message from the House was also read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., April 15, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 89 :

A bill to be entitled an act making an appropriation for the purpose of providing, maintaining and conducting a State exhibit at the Universal Exposition at Paris, France.

Also,

House Bill No. 27 :

A bill entitled an act to amend an act to incorporate the St. Johns River Conference College, approved June 7, 1887,

And request Senate to concur therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

On motion of Mr. Bielby,

House Bill No. 27 :

To be entitled an act to amend an act to incorporate the St. Johns River Conference College, approved June 7, 1887,

Was read the first time by its title.

On motion of Mr. Bielby, the rules were waived by a two-thirds vote and House Bill No. 27 was read the second time.

On motion of Mr. Bielby, the rules were further waived by a two-thirds vote and House Bill No. 27 was read the third time and put upon its passage.

Upon the passage of House Bill No. 27, the vote was :

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Crosby, Drake, Hardee, Hendry, Kirk, King, Parkhill, Pirrong, Randell, Rogers, Rosborough, Smith, Swearingen, Tompkins, Tuten, Wilkinson and Yancey—23.

Nays—None.

So House Bill No. 27 :

To be entitled an act to amend an act to incorporate the St. Johns River Conference College, approved June 7, 1887,

Passed, title as stated.

On motion of Mr. Rogers,

House Bill No. 89 :

To be entitled an act making an appropriation for the purpose of providing, maintaining and conducting a State exhibit at the Universal Exposition at Paris, France,

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

The following message from the House of Representatives was also read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., April 15, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in—

Senate Concurrent Resolution No. 19 :

Relative to the appointment of Joint Committee on Roads and Bridges ; also,

Senate Concurrent Resolution No. 21 :

Relating to the appointment of a Committee to visit the State Normal Schools at DeFuniak and Tallahassee ; also,

Senate Joint Resolution No. 20 :

Relating to the appointment of a joint committee to examine the West Florida Seminary ; also, has passed,

Senate memorial to the Congress of the United States for the relief of Wm. P. Head, of Hillsborough County, Florida.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Also the following message from the House was read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., April 13th, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 49 :

A bill to be entitled an act to provide for the levy of taxes for the years 1889 and 1890,

And respectfully ask concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 49 was read the first time by its title and referred to Committee on Finance and Taxation.

Also the following message from the House was read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., April 15, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : I am directed by the House of Representatives to inform the Senate that the House of Representatives has, on the part of the House, added to the Committee to visit the East Florida Seminary, Messrs. Richard, Knight of Lee, and Blitch of Marion,

Also the Committee to visit State Agricultural College at Lake City, Hon. S. M. Martin,

And respectfully ask the concurrence of the Senate therein.

Very Respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

On motion of Mr. Bielby, the Senate concurred in the additions made to the committee to visit the East Florida Seminary.

Also the following message from the House was read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., April 13, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

House Concurrent Resolution No. 9 :

Relative to empowering the committee appointed to visit

State Agricultural College in Lake City to visit the Experimental Station, located in the same city; also

House Memorial to Congress,

Asking for a tri-weekly steamboat service between Fort Myers and Denaud, via Alva, in Lee county; also,

House Memorial to Congress

For mail route from Portland to Boggy Bayou, in Walton county; also, has concurred in

Senate Memorial No. 1:

To Congress asking for a weekly mail route from Macclenny to Johnsville, in Baker county, Florida.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Concurrent Resolution No. 9

Was read.

Mr. Tompkins moved that the Senate concur in House Resolution No. 9;

Which was agreed to;

So the Senate concurred in House Resolution No. 9.

House Memorial to Congress,

Asking for a tri-weekly steamboat mail service between Fort Myers and Denaud, via Alva, in Lee county,

Was read the first time by its title;

On motion of Mr. Rogers, the rules were waived by a two-thirds vote and the Memorial read the second time.

On motion of Mr. Rogers, the rules were waived by a two-thirds, and

House Memorial to Congress,

Was read the third time and put upon its passage.

Upon the passage of House Memorial to Congress, asking for a tri-weekly steamboat mail service between Fort Myers and Denaud, via Alva, in Lee county,

The vote was:

Yeas—Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Crosby, Drake, Hardee, Hendry, Kirk, King, Pirrong, Randell, Rogers, Rosborough, Smith, Swearingen, Tompkins, Tuten and Yancey—21.

Nays—None.

So House Memorial to Congress passed, title as stated.

Memorial to Congress asking for mail route from Portland to Boggy Bayou, in Walton county, Fla.,

Was read first time by its title.

On motion of Mr. Bielby, the rules were waived by a two-thirds vote and the memorial read the second time.

On motion of Mr. Tompkins, the rules were further waived by a two-thirds vote and the memorial read the third time and put upon its passage.

Upon the passage of the memorial asking for a mail route from Portland to Boggy Bayou, in Walton county, Fla., the vote was:

Yeas—Mr. President, Messrs. Bailey 22d District, Bailey 16th District, Bielby, Brett, Bryant, Crosby, Drake, Hardee, Hendry, Kirk, King, Pirrong, Randell, Rogers, Rosborough, Smith, Swearingen, Tompkins, Tuten, Wilkinson and Yancey—21.

Nays—None.

So the memorial passed, title as stated.

Senate Memorial No. 1:

Asking for a weekly mail route from Macclenny to Johnsville, in Baker county, Fla.,

Was ordered to be enrolled.

Senator Wilkinson was excused, upon his request, from serving on the Committee to visit the Convict Camp, and Senator Tuten was appointed in his stead.

Mr. Rogers in the chair.

By permission Mr. Bielby introduced—

Senate Bill No. 65:

A bill to be entitled an act to prescribe the mode of procedure for the exemption of the property of married women for a husband's debt;

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

On motion of Mr. Bielby, the rules were waived by a two-thirds vote and Senate Bill No. 58 was taken up and read the second time.

On motion of Mr. Kirk, the rules were further waived and Senate Bill No. 58 was read the third time and put upon its passage.

Upon the passage of—

Senate Bill No. 58:

To be entitled an act to constitute the Commissioner of Agriculture a member of the Board of Trustees of the Internal Improvement Fund of the State of Florida,

The vote was :

Yeas—Messrs. Bailey of 22d, Bailey of 16th, Bielby, Brett, Bryant, Crosby, Drake, Hardee, Hendry, Kirk, King, Pirrong, Randell, Rogers, Rosborough, Swearingen, Tompkins, Tuten and Wilkinson—19.

Nays—None.

So Senate Bill No. 58 passed, title as stated.

Mr. Bielby moved that the Senate adjourn until 10 o'clock to-morrow morning ;

Which was agreed to.

The Senate stood so adjourned.

TUESDAY, April 16th, 1889.

The Senate met pursuant to adjournment.

The President in the Chair.

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

Mr. President, Messrs. Bailey 22d District, Bailey 16th District, Bielby, Brett, Bryant, Coulter, Drake, Hammond, Hardee, Hendry, Hind, Kirk, King, Parkhill, Pirrong, Randell, Rosborough, Smith, Swearingen, Tompkins, Tuten, Wilkinson and Yancey—24.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

On motion of Mr. Tompkins, Mr. Crosby was excused.

Senators King, Yancey, Stapleton, Hind and Smith asked to have the fact placed on the Journal that their absence since Wednesday, the 10th inst., was caused by committee work—visiting the Deaf and Dumb Institute at St. Augustine, and other duties connected therewith.

INTRODUCTION OF BILLS.

By Mr. Hammond :

Senate Bill No. 66 :

To be entitled an act to repeal section 88, page 832, McClellan's Digest of the Laws of Florida ;

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

By Mr. Rogers :

Senate Bill No. 67 :

To be entitled an act to repeal all laws or parts of laws which impose a license tax upon dealers in general merchandise ;

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

Senate Bill No. 68 :

To be entitled an act to allow teachers of the public schools of this State to use Miller's Business Arithmetic, in connection with any other series of school books, when desired by the patrons ;

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

Mr. Hammond, Chairman of the Committee on Judiciary, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., April 16, 1889. }

HON. J. B. WALL,

President of the Senate :

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

Senate Bill No. 38 :

"A bill to be entitled an act to amend Section one (1) of chapter 748, Laws of Florida ;" also,

Senate Bill No. 39 :

"A bill to be entitled an act to authorize the levy and sale under execution of any interest whatever, legal or otherwise, of judgment debtors ;"

Have had the same under consideration, and recommend that they do not pass.

Very respectfully,

E. M. HAMMOND,
Chairman Committee.

Also the following :