

Committee Substitute for House Bill No. 33 :

To be entitled an act to amend section 47, Chapter 3681, Laws of Florida,

Was read the first time and referred to the Judiciary Committee.

Mr. Bielby moved that the request of the House be complied with;

Which was agreed to and the Secretary was instructed to return House Bill No. 57 to the House of Representatives.

Senate Joint Resolution No. 23 :

Instructing our Governor and Senators and requesting our Representatives in Congress to cause an investigation to be made to ascertain as to the legality of selections of swamp and overflowed lands, and have such as have been legally selected patented to the State,

Was ordered to be enrolled.

Mr. Bailey, 16th district, Chairman of Committee on Enrolled Bills, made the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., April 17, 1889. }

HON. J. B. WALL,

President of the Senate :

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

Senate Bill No. 30 :

A bill to be entitled an act making the certificates of the Commissioner of Agriculture receivable in evidence ; also,

Senate Bill No. 22 :

A bill to be entitled an act to continue the rights, privileges and grants of the Silver Springs, Ocala and Gulf Railroad Company,

Beg leave to state that the same have been correctly enrolled.

Very respectfully,

J. S. BAILEY,

Chairman Committee.

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

Which was agreed to.

The Senate stood so adjourned.

THURSDAY, APRIL 18th, 1889.

The Senate met pursuant to adjournment.

President *pro tem.* Kirk in the Chair.

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

Messrs. Bailey of 22d, Bailey of 16th, Bielby, Brett, Bryant, Coulter, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Jenkins, Kirk, King, Parkhill, Pirrong, Randell, Schumacher, Smith, Stapleton, Swearingen, Tuten, Wilkinson and Yancey—25.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

INTRODUCTION OF BILLS.

By Mr. Dunn :

Senate Bill No. 81 :

To be entitled an act to amend section one (1), chapter 1987, of the Laws of Florida, of an act entitled an act to provide a general law for the incorporation of railroads and canals ;

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

By Mr. Hardee :

Senate Bill No. 82 :

To be entitled an act for the relief of Brevard county ;

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

By Mr. Randell :

Senate Bill No. 83 :

To be entitled an act to regulate the practice of medicine ; Which was read the first time and referred to the Committee on Health.

By Mr. Tuten :

Senate Bill No. 84 :

To be entitled an act to repeal an act to provide for the regulation of railroad freight and passenger tariff in this State ; to prevent unjust discrimination in the rates charged for transportation of passengers and freights ; and to prevent railroad companies, corporations and lessees in this State from charging other than just and reasonable rates, and to punish the same and prescribe a mode of procedure and rules of evidence in rela-

tion thereto, and to appoint commissioners, and to prescribe their powers and duties in relation to the same ;

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

By Mr. Yancey :

Senate Bill No. 85 :

To be entitled an act to incorporate the Orange Hammock, Altoona & St. Johns' River Railway & Transportation Company ;

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

The courtesies of the Senate were extended to Col. T. T. Stockton of the Times-Union.

Also to Dr. Dancy, Mr. Jackel and Mr. Haddock, of Jacksonville.

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

SENATE CHAMBER,
TALLAHASSEE, Fla., April 18th, 1889. }

HON. J. B. WALL,

President of the Senate.

SIR: Your Committee on Fisheries, to whom was referred—
House Bill No. 72 :

A bill to be entitled an act to protect the sponge fisheries on the coast of Florida, and to punish the gathering or catching of sponge by diving, either with or without diving suits or armor ;

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

Very respectfully,

W. R. COULTER,
Chairman Committee.

Mr. Dunn, chairman of the Committee on Public Health, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, FLA., April 18, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: Your Committee on Public Health, to whom was referred—

Senate Bill No. 45 :

To be entitled an act to provide for the appointment of County Boards of Health in and for the several counties in the State of Florida,

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

Very respectfully,

JOHN F. DUNN,
Chairman Committee.

Mr. Wilkinson, Chairman of the Committee on Engrossed Bills, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., April 18, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: Your Committee on Engrossed Bills, to whom 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 ; also,

Senate Bill No. 36 :

To be entitled an act to suppress gambling houses and gambling,

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

Very respectfully,

JOHN WILKINSON,
Chairman of Committee.

CONSIDERATION OF BILLS ON THEIR SECOND READING.

Mr. Dunn moved that—

Senate Bill No. 45 :

To be entitled an act to provide for the appointment of a County Board of Health in and for the several counties of the State of Florida,

Be taken up out of its regular order ;

Which was agreed to by a two-thirds vote, and Senate Bill No. 45 was taken up for consideration and read the second time.

Mr. Yancey moved that two hundred copies of Senate Bill No. 45 be printed, and that it remain on its second reading; Which was agreed to and the order was made.

Senate Joint Resolution No. 22 :

Relating to the appointment by the Governor of three citizens of this State to examine the oyster beds of this State, Was read the second time.

Mr. Dunn moved that the rules be waived and that Senate Joint Resolution No. 22 be read the third time and put upon its passage;

Which was withdrawn.

Mr. Bielby offered the following amendment :

Strike out " Be it resolved by the Senate and House of Representatives," and insert " Be it resolved by the Legislature of the State of Florida ; "

Which was adopted, and Senate Joint Resolution No. 22 was ordered to be engrossed.

House Bill No. 72 :

To be entitled an act to protect the sponge fisheries on the coast of Florida, and to punish the gathering or catching of sponge by diving, either with or without diving suits or armor, Was read the second time.

Mr. Bielby moved to reconsider the vote by which—

Senate Joint Resolution No. 22 :

Relating to the appointment by the Governor of three citizens of this State to examine the oyster beds of this State,

Was ordered engrossed for third reading and the same be recommitted to the Committee on Fisheries ;

Which was agreed to, and Senate Joint Resolution was so recommitted.

House Bill No. 72 was passed to its third reading.

A message was received from the House of Representatives.

CONSIDERATION OF BILLS ON THIRD READING.

Senate Bill No. 36 :

To be entitled an act to suppress gambling houses and gambling,

Was read the third time and put upon its passage.

Upon the passage of—

Senate Bill No. 36,

The vote was :

Yeas—Messrs. Bailey 22d District, Bailey 16th District, Bielby, Brett, Bryant, Coulter, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Jenkins, Kirk, King, Parkhill, Pirrong, Randell, Schumacher, Smith, Stapleton, Swearingen, Wilkinson and Yancey—25.

Nays—None.

So Senate Bill No. 36 :

To be entitled an act to suppress gambling houses and gambling,

Passed, title as stated.

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 third time and put upon its passage.

Upon the passage of Substitute for Senate Bill No. 4, the vote was :

Yeas—Messrs. Bailey 22d district, Bailey 16th district, Bielby, Brett, Coulter, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Kirk, King, Parkhill, Pirrong, Randell, Schumacher, Smith, Stapleton, Swearingen, Tuten, Wilkinson and Yancey—24.

Nays—None.

So 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,

Passed, title as stated.

Mr. Hendry moved that the Senate go into executive session ;

Which was agreed to.

The doors were closed.

The doors were opened.

By permission Mr. Schumacher introduced,

Senate Bill No. 86 :

To be entitled an act to incorporate the Southern Savings and Trust Company ;

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

A message was received from the House of Representatives.

The hour of 11 o'clock having arrived, being the special order for the consideration of Senate Bill No. 32,

Mr. Hammond moved that it be taken up for consideration ;

Which was agreed to, and

Senate Bill No. 32 :

To be entitled an act relating to the cancellation of mortgages,

Was taken up for consideration.

Mr. Stapleton moved that the further consideration of Senate Bill No. 32 be postponed until 11 o'clock Tuesday, 23d inst.

Mr. Bailey, of 22d District, moved that the bill be indefinitely postponed.

Mr. Hardee moved to amend by making the postponement until 11 o'clock Saturday;

Which was not agreed to.

The question recurred upon the motion to indefinitely postpone the bill made by Mr. Bailey, of the 22d District;

Which was agreed to, and

Senate Bill No. 32:

To be entitled an act relating to the cancellation of mortgages,

Was indefinitely postponed.

By permission, Mr. Parkhill introduced—

Senate Bill No. 87:

To be entitled an act to expedite the decisions of appeals from certain interlocutory orders in chancery;

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

Mr. Parkhill, chairman of the Committee on Commerce and Navigation, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 18th, 1889. }

HON. J. B. WALL,

President of the Senate:

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

A petition from certain citizens of Lee county to have Orange Creek in Lee county declared a navigable stream,

Beg leave to report that the petition should be granted, and your Committee have the pleasure of submitting the enclosed bill for that purpose.

Very respectfully,

C. B. PARKHILL,
Chairman Committee.

By Mr. Parkhill:
Senate Bill No. 88:

To be entitled an act to declare Orange Creek in Lee county a navigable stream;

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

Mr. Hendry moved that the rules be waived and Senate Bill No. 88 be read the second time:

Which was agreed to by a two-thirds vote and Senate Bill No. 88 was read the second time.

Mr. Bryant moved that the rules be waived, and that Senate Bill No. 88 be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote, and Senate Bill No. 88 was read the third time.

Upon the passage of the bill the vote was:

Yeas—Bailey 22d, Bailey, 16th, Bielby, Brett, Bryant, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Jenkins, Kirk, King, Parkhill, Pirrong, Randell, Schumacher, Smith, Stapleton, Swearingen, Tuten, Wilkinson and Yancey—25.

Nays—None.

So Senate Bill No. 88:

To be entitled an act to declare Orange Creek, in Lee county, a navigable stream;

Passed, title as stated.

Mr. Yancey rose to a question of privilege, and asked that the Secretary read an extract from the Metropolis;

Which was agreed to, and the extract was read:

Special Dispatch to the Metropolis.

TALLAHASSEE, Fla., April 17—2 P. M.—The sentiment at the capitol regarding the Jacksonville bill is undergoing a marked change, and the probabilities are that when the matter is brought up the bill will be killed. Senator Yancey is working with might and main to carry the measure through. Senator King, the other committeeman, who is reported as favorable to its passage, is disposed to act fairly, and while it has been reported that he was in favor of the passage of the bill, it is by no means certain that when the sub-committee reports he will vote that way.

As far as Senators Parkhill and Bielby are concerned, it is agreed that they are against the bill, and plainly state as their reasons that from the testimony they heard on Saturday last, that no other course was left open to them. The other members of the committee are Senators Tuten and Dismukes, who have not given any expression of opinion yet.

Mr. Yancey denounced the statement as absolutely false.
Mr. Bielby stated that he was in thorough sympathy with the remarks of Mr. Yancey.

Mr. Hammond moved that the name of T. J. Appleyard be added to the list of attaches of the Senate, and that he be put upon the pay roll;

Which was agreed to and the order made.

Mr. Bryant moved that messages from the House of Representatives be taken up for consideration;

Which was agreed to,

And the following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 18th, 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. 7:

A bill to be entitled an act to prescribe the times and places for holding the Circuit Courts of the 7th Judicial Circuit; also has passed,

House Memorial to Congress,

For an increase of mail service between Punta Gorda, DeSoto county, and Fort Myers, Lee county, Florida,

And respectfully ask concurrence of the Senate therein.

Very Respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Senate Bill No. 7:

To be entitled an act to prescribe the time and places for holding the Circuit Court of the 7th Judicial Circuit,

Was ordered to be enrolled.

House Memorial to Congress:

For an increase of mail service between Punta Gorda, DeSoto county, and Fort Myers, Lee county, Florida,

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

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 18, 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 Concurrent Resolution No. 10; also has passed—
House Concurrent Resolution No. 11,

And respectfully ask the concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Concurrent Resolution No. 10:

Relating to the appointment of a committee to confer with the Secretary of State concerning the construction of water closets for the use of the Legislature and the officers of the Capitol,

Which was read.

Mr. Bailey, of 22d District, moved that the Senate concur in House Resolution No. 10;

Which was agreed to.

So the Senate concurred.

House Resolution No. 11,

Was read as follows:

Resolved, That the committee appointed to visit the State Normal School at DeFuniak Springs be empowered as a committee to visit the Experiment Station at the same place.

Mr. Randell moved that the Senate concur in—

House Resolution No. 11;

Which was agreed to,

And the Senate concurred.

By permission Mr. Hendry introduced—
Senate Memorial to Congress to have an appropriation made for Orange Creek;

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

By permission Mr. Tuten introduced—
Senate Bill No. 89:

A bill to be entitled an act to amend Section 1 of an act entitled an act to amend sections 2, 3, 4, 5 and 6 of an act to amend sections 2, 6, 7, 8, 9 and 10 of an act entitled an act to fix and regulate the fees and per diem of certain officers herein

designated, appointed February 14th, 1874, approved March 2, 1877; approved March 7, 1879;

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

Mr. Smith moved that the Senate take a recess until 4 o'clock p. m.;

Which was agreed to.

So the Senate took a recess.

CONFIRMATIONS.

Charles M. Butterfield, to be County Commissioner for District Five, Franklin county.

S. R. Mallory, to be Commissioner of the Provisional Municipality of Pensacola.

G. H. Gill, to be County Commissioner for District One, DeSoto county.

John Cross, to be County Commissioner for District Three, DeSoto county.

B. F. Baldwin, to be County Commissioner for District Four, DeSoto county.

James M. Potter, to be County Commissioner for Lake Worth, Dade county.

A. W. Fields, to be County Commissioner for Jupiter, Dade county.

F. S. Dewey, to be County Commissioner for Palm Beach, Dade county.

County Commissioners for Brevard county, to-wit: A. J. Carter for District One, Robert Marrow for District Two, J. H. Saunders for District Three, E. A. McMillan for District Four.

County Commissioners for Volusia county, to-wit: B. Marshall for District One, W. H. Dunn for District Two, G. P. Healey for District Three, Charles Ballough for District Four, R. S. Sheldon for District Five.

FOUR O'CLOCK P. M.

The Senate resumed its session.

President *pro tem.* Kirk in the chair.

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

Messrs. Bailey of 22d District, Bailey of 16th District, Brett, Bryant, Coulter, Dismukes, Drake, Dunn, Hammond,

Hendry, Hind, Houstoun, Jenkins, Kirk, King, Parkhill, Piriong, Randell, Schumacher, Smith, Stapleton, Swearingen, Tuten, Wilkinson and Yancey—25.

A quorum present.

Mr. Drake moved that the Senate go into executive session; Which was agreed to, and the Senate went into executive session.

The doors were closed.

The doors were opened.

A message was received from the House of Representatives. Mr. Bailey of the 16th District, Chairman of the Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., April 18, 1889. }

HON. J. B. WALL,

President of the Senate:

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

Senate Joint Resolution No. 23: Instructing our Governor and Senators and requesting our Representatives in Congress to cause an investigation to be made to ascertain as to the legality of selections of swamp and overflowed lands, and have such as have been legally selected patented to the State; also

Senate Bill No. 7: A bill to be entitled an act to prescribe the times and places for holding the Circuit Courts of the Seventh Judicial Circuit,

Beg leave to report that the same has been correctly enrolled.

Very respectfully,

JAMES S. BAILEY,
Chairman of Committee.

Mr. Bryant moved that messages from the House of Representatives be taken up for consideration;

Which was agreed to and the following message was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 18, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

House Bill No. 58 :

A bill to be entitled an act to make it unlawful for live stock to run at large in certain election districts of Leon county, and to provide for the impounding and sale of stock so unlawfully running at large ; also,

Has passed—

House Bill No. 106 :

A bill to be entitled "an act to limit the time within which action may be brought upon foreign Judgments ; also.

Has passed—

House Bill No. 12 :

A bill to be entitled an act to compel all railroad companies within this State to build and maintain suitable warehouses, And ask concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 58 :

A bill to be entitled an act to make it unlawful for live stock to run at large in certain election districts of Leon county, and to provide for the impounding and sale of stock so unlawfully running at large,

Was read the first time by its title and by request referred to the Committee on Railroads and Telegraphs.

House Bill No. 106 :

To be entitled an act to limit the time within which suits may be brought upon foreign judgments,

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

House Bill No. 12 :

To be entitled an act to compel all railroad companies within this State to build and maintain suitable warehouses,

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

Also the following message from the House of Representatives :

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 18th, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

House Bill No. 104 :

An act to amend an act in relation to the fees of various officers, approved May 31, 1887, designated as chapter 3697 of the Laws of Florida,

And respectfully ask concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 104 :

To be entitled an act in relation to the fees of various officers, approved May 31, 1887, designated as chapter 3697, of the Laws of Florida,

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

By permission, Mr. Dunn introduced—

Senate Bill No. 90 :

To be entitled an act to set apart certain lands in this State for a public park, and to provide for the protection and preservation of the same ;

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

Mr. Bailey, 22d, moved that the courtesies of the Senate Chamber be extended to United States Marshal Bird ;

Which was agreed to and the courtesy extended.

Messrs. Bailey, 22d District, and Hind were appointed as the committee on part of the Senate to act with a similar committee of the House, in compliance with

House Concurrent Resolution No. 10 :

Relating to the construction of a State building.

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

Which was agreed to.

The Senate stood so adjourned.