

Yeas—Messrs. Bailey 16th District, Brett, Bryant, Dismukes, Hardee, Hendry, Hind, Houstoun, Jenkins, Parkhill, Pirrong, Randell, Stapleton, Swearingen, Tompkins and Wilkinson—16.

Nays—Messrs. Bailey 22d District, Bielby, Dunn, Hammond, Kirk, Schumacher, Smith and Yancey—8.

So House Bill No. 89 was indefinitely postponed.

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

Which was agreed to.

The Senate Stood so adjourned.

— — — — —

TUESDAY, APRIL 23, 1889.

The Senate met pursuant to adjournment.

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, Bielby, Brett, Bryant, Coulter, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Houstoun, Kirk, Parkhill, Pirrong, Randell, Rosborough, Schumacher, Smith, Stapleton, Swearingen, Tompkins, Wilkinson and Yancey—26.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

Mr. Parkhill moved that the following communication be read:

Appropos to Senator Parkhill's attitude toward the bill, the following editorial leader appeared in the Pensacola News of this morning: "It strikes Senator Parkhill's constituency as rather singular that the gentleman should oppose the passage of the Jacksonville bill. Mr. Parkhill of Pensacola should regard with a more favoring eye a project to place Jacksonville in the admirable condition now enjoyed by Pensacola as an outcome of similar legislation. Mr. Parkhill, however, may have a perfect right to ignore the wishes of his constituents, but in so doing, he ceases to represent his constituency and should not be regarded as a representative of the people, who

entertain ideas in conflict with his own. The Senate may rest assured that prosperous, progressive, well-governed Pensacola is with her sister city of Jacksonville in the latter's effort for a better municipal administration."

Also the following was read:

PENSACOLA, Fla., April 15.

C. B. PARKHILL: Do as you think right in Jacksonville matter and do not mind petition from Pensacola. It is none of our business, and you are best judge in premises. I endorse your independence as expressed in telegram to Leonard.

S. R. MALLORY.

Also—

April 20th, 1889.

SENATOR PARKHILL.

As a young man serving his first term in the Senate, Senator Parkhill is doing himself much credit and winning a position as a progressive thinker and fearless defender of the rights of the people as he understands them.

His efforts to take off the stevedore license is a move in the right direction, and if it can be followed up by the abolition of the whole system of licenses the State would be greatly benefited, and an impetus be given to enterprise and labor that would throw Florida far forward in the march of improvement. These economic questions are rapidly coming to the front, and we are pleased to see that Mr. Parkhill is turning his attention to them.

We are also glad to see that Mr. Parkhill is soundly Democratic, and that he is not afraid to carry out and act upon his Democratic principles. This is clearly shown by his course on the Jacksonville bill to abolish home rule in that city, and place it like Pensacola, under the autocratic rule and control of the Governor of the State.

We assure Mr. Parkhill that he has with him the overwhelming majority of his constituents, and that upon that issue he could be triumphantly re-elected.

While upon this subject we take occasion to state that the use of the case of Pensacola as a precedent for the same course in reference to Jacksonville is not correct reasoning. The proposed object sought to be obtained in Pensacola was only temporary. We were told that as soon as the appointed rulers of Pensacola were fully installed, and by the time the next election under the charter came around, the special law would be repealed, and an election held under such auspices as would

make it a fair election, this being the chief complaint made against the Republicans. As it has been in Pensacola, so will it also be in Jacksonville if this law passes. The foolish frogs will get their king, and will find it hard to shake him off. It is always dangerous to depart from right lines, and expediency and temporary necessity are the loop holes through which tyranny and despotism creep into the citadels of freedom and popular rights.

Senator Parkhill in this matter is right, and will be sustained by, as well as deserve the approval, of his constituents.  
—Pensacola Commercial.

Also—

PENSACOLA, Fla., April 20, 1889.

To C. B. Parkhill:

You are a Democratic Senator. Four-fifths of the Democrats of this town endorse your course in the Jacksonville matter, news to the contrary notwithstanding.

Also—

FAURIA & BURNS.

PENSACOLA, FLA., April 20.

To C. B. Parkhill:

After a careful review popular opinion endorses your course.

Also—

W. BAZZELL.

#### A DANGEROUS PRECEDENT.

Departure from a fundamental principle of government, like the transgression of a law of nature can never fail of retribution.

Certain conditions prevailed in the past that rendered our municipal administration a sore upon the body politic, and death to the principle of suffrage through the elective franchise—a vital element to Democratic autonomy—was resorted to as an expediency. The almost unbearable condition of affairs at that time, springing from a vicious administration of the city government, produced that desperation which rendered the people oblivious to the new dangers made possible by the removal of this barrier. Some of the more thoughtful, looking further into the future, recognized the desperation of this step and were always apprehensive that a precedent so dangerous, was merely forging a weapon to be used with unrelenting austerity, should ever the opposing party acquire control of the appointing power. Nevertheless, to be relieved from a condition so degrading and

humiliating, it was hoped that such extreme measures would find justification; and the experience from which the people had emerged, disposed them to believe, that all else sought to be conserved by deference to the voice of the people, as contemplated in the elective franchise, would be sacredly guarded by the adoption of some plan that would cognate with this suspended privilege, and that the appointing power would be so governed.

But alas, it is too true, that the rights of a people are never menaced, until they disregard the rights of the weak and become indifferent to the conservation of those principles that were in the inception of government conceived to be inviolable, immutable and indispensable to the preservation of their liberties.

It appears sheer mockery to prate to a people, or teach our children the beneficence of Republican institutions, and then by direct action resort to a course diametrically opposite.

We confess to our participation in the movement that produced the change in the city administration, by the abrogation of its charter, but are constrained to acknowledge that we now realize the danger with which so radical a change is fraught, in the impotency of the weak to resist the tendency of legislation in the interest of the strong.

A change that suspends, if not utterly destroys, a fundamental principle, enervates a people, and their force is lost for want of ground upon which to stand in vindication of their rights. It is now becoming a question as to which is the greater evil, (notwithstanding admitted present improvement) that of mal-administration, produced by the suffrage of the people, until a remedy could be reached not involving the destruction of the principle, or by displacement of the principle, incur the risk of generating an autocracy—professionally the dread of, and repugnant to a people of Democratic proclivities.

So firm and deeply planted in the breast of the "American citizen" is this principle of self-government, that to approach the Legislature of the State, invoking a suspension of the city charter, the real motive to the cause of action, because of incompatibility, was suppressed, hence the plea that the burden of a large bonded debt hanging over the people was urged, praying the appointment of a commission, much in the attitude of receivers, to administer the affairs of the city with the purpose of abridging the expenses of government—consistent, however, with its legitimate wants and to lighten by gradual liquidation the heavy debt hanging over the city.

We would now ask is the design, as indicated by recent pro-

ceedings of the Commissioners, to go before the Legislature again for power to bond the city for \$75,000 more, in addition to a still large existing debt, consistent with the plea made to a previous Legislature for the abrogation of the city charter? Is the paving of the streets of such vital importance, or even such a necessity as to warrant an increase of the burden, made the subterfuge for the abrogation of the elective franchise? and finally we would ask (intending no disparagement of the Commissioners), if their appointment was the result of a free expression of the will of the people?

Fortunately Mr. Mallory, with true Democratic instinct, has given evidence of vigilance to the interests and rights of the people in his timely and considerate amendment to the resolution to apply to the State Legislature for power to bond the city, &c., &c.—an act consistent with the theory, that though the ballot was suppressed, other means should be devised to obtain the wishes of the people. But what assurance have we that in the future we will obtain a Commission like the present? Can we suspend the elective franchise in the State, or how shall we maintain perpetual Democratic supremacy, that the complexion of the City Commissioners may not suffer a change?

Thus far the Commissioners are all right, but the system is vicious, not merely because it premises perpetuation in power of only one party, but because the *weal of all the elements of the community* is dependent upon perfect impartiality and justice of the appointing power, independent of political affiliation or bias, beyond the influence of warring factions, and it not being of the municipality, unfamiliar with its wants, is liable to make unadaptable appointments.—*Pensacolian*.

#### INTRODUCTION OF RESOLUTIONS.

Mr. Dunn offered the following resolution:

A motion to amend the standing rules of the Senate by adding thereto Rule No. 35, which shall read as follows:

"The Secretary shall prepare and keep a calendar of business, which shall contain the number and title of each bill, by whom presented and what disposition is made of the same, all special orders and resolutions, in like manner as the 'calendar of business' adopted by the Senate of the United States, which shall be corrected with the business of each day's session, 100 copies of which shall be printed and one copy be placed upon the desk of each Senator each morning;"

Which was adopted.

#### INTRODUCTION OF BILLS.

By Mr. Pirrong:

Senate Bill No. 108:

To be entitled an act to make the laws of other States, adopting persons as the heirs of other persons, applicable in this State;

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

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, Fla., April, 22d, 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. 73:

A bill to be entitled an act to establish the municipality of Key West, provide for its government and prescribe its jurisdiction and powers,

And ask the concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, Fla., April 23d, 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 Joint Resolution No. 19:

Asking for a Joint Committee on Fisheries,

And respectfully ask the concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Joint Resolution No. 19 :

Asking for a Joint Committee on Fisheries,

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

House Bill No. 73 :

To be entitled an act to establish a municipality of Key West, provide for its government and prescribe its jurisdiction and powers,

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

Also the following :

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, Fla., April 22, 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 Joint Resolution No. 15 :

In regard to paying assessors for services rendered in the taking of the census for A. D. 1885 ; also has passed—

House Substitute for House Bill No. 2 :

A bill to be entitled an act to amend Section 51 of an act passed November 20th, 1828, the same being Section 1 of Chapter 200, of McClellan's Digest of the Laws of Florida, providing for the execution of last wills and testaments,

And ask the concurrence of the Senate for said bill.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Senate Joint Resolution No. 15 :

In regard to paying assessors for services rendered in the taking of the census for A. D. 1885,

Was ordered to be enrolled.

Substitute for House Bill No. 2 :

To be entitled an act to amend section 51, of an act passed

November 20, 1828, the same being section 1 of chapter 200, of McClellan's Digest of the Laws of Florida, providing for the execution of last wills and testaments ;

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

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, Fla., April 22, 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. 77 :

A bill to be entitled an act to continue the rights, privileges, powers, franchises and grants of the Key of the Gulf Railroad Company, to amend section 91, chapter 3798, incorporating said company, and to extend the time of beginning the construction and completion of the same, and respectfully ask the concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, Fla., April 22, 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. 125 :

A bill to be entitled an act to legalize the corporation of Orange Park, and to prescribe the time for holding town elections therein,

And respectfully ask the concurrence of the Senate therein.

Very Respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 77 :

To be entitled an act to continue the rights, privileges, powers, franchises and grants of the Key of the Gulf Railroad Company, to amend section 11, chapter 3798, incorporating said company, and to extend the time of beginning the construction and the completion of same;

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

House Bill No. 125 :

To be entitled an act to legalize the corporation of Orange Park and to prescribe the time for holding town elections therein,

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

REPORTS OF COMMITTEES.

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

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,

*President of the Senate :*

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

Senate Memorial to Congress :

Asking for the establishment of Fish Hatcheries on Florida coasts ;

Beg leave to report that they have had the same under advisement and return the memorial, with the recommendation that it do pass.

Very respectfully,

W. R. COULTER,  
Chairman of Committee.

Mr. Dismukes, chairman of the Committee on Finance and Taxation, submitted the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 22, 1889. }

HON. J. B. WALL,

*President of the Senate :*

SIR: Your Committee on Finance and Taxation, to whom was referred—

Senate Bill No. 50 :

A bill to be entitled an act to enlarge and extend the powers, rights and franchises of the Florida Ocean and Gulf Canal Company, and to enact that the canal and properties of said company shall be exempt from taxation,

Beg leave to report that they have examined said bill, and recommend that it do pass with the accompanying provision to be incorporated in section 2 of said bill :

*Provided, further,* That this exemption apply only to lands acquired by said company or donated by the State for the construction of said canal, that lie within a distance of two hundred and twenty yards on both sides from the center line of said canal.

Very respectfully,

E. P. DISMUKES,  
Chairman Committee.

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

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,

*President of the Senate :*

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

Senate Bill No. 48 :

A bill to be entitled an act to punish persons for breaking and entering a railroad car ;

Also,

Senate Bill No. 15 :

To be entitled an act for the greater security of the moneys of the State and the Internal Improvement Fund ;

Also,

Substitute for Senate Bill No. 21 :

An act to provide for an amendment to the Constitution of the State of Florida ;

Also,

Memorial to Congress :

To have an appropriation made for Orange Creek ;

Also,

Senate Bill No 71 :

An act to repeal an act to fix the license tax of stevedores,  
Beg leave to report that they have examined the same and find them to be correctly engrossed.

Very respectfully,

JOHN WILKINSON,  
Chairman Committee.

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

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,

*President of the Senate :*

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

Senate Joint Resolution No. 29 :

Relating to amendment to the Constitution ; also,

Senate Bill No. 51 :

An act entitled an act to amend section 6, chapter 3769, Laws of Florida, and to add a new section to said act ; also, Senate Bill No. 57 :

An act entitled an act to fix the legal rate of interest in the State of Florida, to define usury, and to provide for forfeitures on notes and contracts for extortionate interest,

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

Very respectfully,

E. M. HAMMOND,  
Chairman Committee.

Also the following :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889.

HON. J. B. WALL,

*President of the Senate :*

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

Senate Bill No. 37 :

"An act to provide for the revision and consolidation of the public statutes of this State ;" also,

Senate Bill No. 54 :

A bill to be entitled "An act to amend the laws relating to statement in the courts of this State,"

Have had the same under consideration, and having amended the same, recommend that they do pass as amended.

Very respectfully,

E. M. HAMMOND,  
Chairman Committee.

Also the following :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,

*President of the Senate :*

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

Senate Bill No. 46 :

An act to provide for a seal for the county judges of the several counties of the State of Florida,

Have had the same under consideration and recommend that it do pass.

Very respectfully,

E. M. HAMMOND,  
Chairman Committee.

Mr. Houstoun, Chairman of the Committee on Railroads and Telegraphs, submitted the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,

*President of the Senate :*

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

Senate Bill No. 63 :

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

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

Very respectfully,

P. HOUSTOUN,  
Chairman Committee.

Also the following :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,

*President of the Senate :*

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

Senate Bill No. 81 :

To be entitled an act to amend section one, of chapter 1987, of an act to provide a general law for the incorporation of railroads and canals,

Beg leave to report that they have examined the same and recommend its passage.

Very respectfully,

P. HOUSTOUN,  
Chairman Committee.

Also the following :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 22, 1889. }

HON. J. B. WALL,  
*President of the Senate :*

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

Senate Bill No. 84 :

To be entitled an act to repeal an act to provide for the regulation of railroad freight and passenger tariffs in this State; to prevent unjust discrimination in the rates charged for transportation of passengers and freights; and to prohibit railroad companies, corporations and lessees from charging other than just and reasonable rates, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto, and to appoint commissioners, and to prescribe their powers and duties in relation to the same,

Have examined the bill, and report it back unfavorably.

Very respectfully,

P. HOUSTOUN,  
Chairman Committee.

Also the following :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 22, 1889. }

HON. J. B. WALL,  
*President of the Senate :*

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

Senate Bill No. 85 :

Entitled an act to incorporate the Orange Hammock, Altoona and St. Johns River Railway and Transportation Company,

Beg leave to report that they have examined the bill, and report unfavorably on the same on the ground that in their opinion it is a matter of special legislation, and the requirements of Section 21 of the Constitution for the publication of

an intention to apply for such special legislation, have not been complied with as far as your committee are apprised.

Very respectfully,

P. HOUSTOUN,  
Chairman Committee.

Also the following :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 22, 1889. }

HON. J. B. WALL,  
*President of the Senate :*

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

Senate Bill No. 91 :

To be entitled an act to amend an act entitled an act to incorporate the St. Johns River, Lake Weir and Gulf Railroad Company, being chapter 3803, Laws of Florida;

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

Very respectfully,

P. HOUSTOUN,  
Chairman Committee.

Mr. J. F. Latham, Chairman of the Joint Committee on Enrolled Bills, submitted the following report :

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,  
*President of the Senate :*

SIR: Your Joint Committee on Enrolled Bills beg leave to report that they have examined—

Senate Memorial No. 1 :

To Congress asking for a weekly mail route from Macclenny to Johnsville, Baker county;

Also,

Senate Bill No. 29 :

A bill to be entitled an act to establish a seal for the office of the Commissioner of Agriculture of the State of Florida;

Also,

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 7th Judicial Circuit;

Also,

Senate Bill No. 22:

An act to continue the rights, privileges and grants of the Silver Springs, Ocala and Gulf Railroad Company; also,

Senate Bill No. 58:

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; also,

Senate Memorial to Congress:

Asking for the relief of William P. Head, of Hillsborough county, Florida; also,

Senate Joint Resolution No. 18:

To authorize the Comptroller to cancel certain tax sale certificates; also,

Senate Bill No. 30:

An act entitled an act making the certificates of the Commissioner of Agriculture receivable in evidence; also,

Senate Bill No. 19:

An act to establish a Criminal Court of Record in the county of Lake; also,

House Substitute for Senate Concurrent Resolution:

Requesting Senators and members of the House of Representatives of Florida, in Congress of United States to urge passage of House Bill No. 6897;

And report them correctly enrolled.

Respectfully,

J. F. LATHAM,

Chairman of Joint Committee on Enrolled Bills.

Mr. Dunn moved that the rules be waived and that—

Senate Bill No. 45,

Be taken up from its regular order and read by sections;

Which was agreed to by a two-thirds vote.

Mr. Bailey of the 22d District moved that Senators be furnished with files for bills;

Which was agreed to,

And the order made.

Mr. Swearingen moved to reconsider the vote by which the rules were suspended for the consideration of Senate Bill No. 45,

Which was withdrawn, and—

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,

Was read by sections by order of the Senate.

Section one was read.

Mr. Stapleton offered the following amendment:

Amend by striking out in line 1 "within sixty days from" and inserting "immediately after."

Mr. Randell offered the following amendment to the amendment:

In section 1, line 1, after the word "shall" strike out "within sixty days from 'the' and insert "as soon as practicable after 'the';"

Which was adopted.

Mr. Parkhill offered the following amendment:

In section 1, line 2, strike the word "three" and insert "not less than three or more than five;"

Which was not agreed to.

So the amendment was lost.

Mr. Houstoun offered the following amendment:

In section 1, line 2, insert after word "State," "upon the recommendation of the County Commissioners of each county."

Mr. Houstoun moved its adoption;

Which was not agreed to,

So the amendment was lost.

Mr. Hind offered the following amendment:

After word "State," in line 1, section 1, insert "with the advice and consent of the Senate;"

Which was adopted.

Mr. Dunn moved that section 1 as amended be adopted;

Which was agreed to and the section as amended adopted.

Section 2 was read.

On motion of Mr. Dunn section 2 was adopted.

Section 3 was read.

Mr. Parkhill offered the following amendment:

In section 3, line 2, strike out "two (2)," and insert "four (4);"

Which was adopted.

On motion of Mr. Dunn, section 3 as amended, was adopted.

Section 4 was read.

Mr. Parkhill offered the following amendment :

Section 4. Every such board shall annually elect as President one of its members, and a secretary, who shall also be treasurer, and such other officers as shall be required, and shall pay such president and other officers such compensation as may be reasonable. Each officer shall enter into such a bond as the board may require before entering upon the performance of his duties.

Mr. Yancey offered the following amendment to the amendment :

*Provided*, That such additional compensation be paid to the President of said boards in counties in which are located seaport cities having a population of 5,000 and upwards as may meet the approval of the State Board of Health, to be paid out of any other funds than those raised by taxation.

By permission, Mr. Parkhill withdrew his amendment.

Mr. Hammond moved that the amendment of Mr. Yancey be adopted ;

Which was agreed to, and the amendment was adopted.

On motion of Mr. Dunn, Section 4, as amended, was adopted.

Section 5 was read.

Mr. Randell offered the following amendment :

In Section 5, line 1, after the word " have " insert " power to levy temporary quarantine until State Health Officer shall have time to make examinations, and until action may be taken by State Board of Health, and shall have ;"

Which was not adopted.

Mr. Dunn moved that Section 5 be adopted ;

Which was agreed to, and Section 5 was adopted.

By unanimous consent, Mr. Bielby offered the following amendment to section 2 :

In section 2, line 4, after the word " business," insert " and unless prevented by epidemic disease, all official meetings of such board shall be held at the county seat.

Mr. Bielby moved to adopt the amendment ;

Which was agreed to,

And the amendment was adopted.

Section 6 was read.

Mr. Parkhill offered the following amendment :

In section 6, line 10, after the word " published," insert "for ten days."

Mr. Dunn moved that it be adopted ;

Which was agreed to and the amendment was adopted.

Mr. Dunn moved that section 6, as amended, be adopted ;

Which was agreed to,

And section 6 was adopted.

Section 7 was read.

Mr. Parkhill offered the following substitute for section 7 :

Section 7. Every Board of Health existing under the provisions of this act, shall be a corporation, with power to sue and contract, and to acquire and dispose of property, both real and personal, and to do every other act necessary to the proper discharge of its functions as a Board of Health.

Mr. Parkhill moved that it be adopted ;

Which was agreed to,

And the substitute was adopted.

Mr. Dunn moved that section 7 in the original bill be changed to section 8, and that it be adopted ;

Which was agreed to, and the section was so amended and adopted.

Section 8 was read.

Mr. Swearingen offered the following amendment :

Strike out section 8 and in lieu thereof substitute as section 9: " The County Commissioners of each county in this State may assess and levy or cause to be levied or assessed such a tax to pay the expenses of County Boards of Health as in their judgment shall be necessary to enable County Boards of Health to carry out the provisions of this act."

Mr. Swearingen moved that it be adopted ;

Which was not agreed to.

So the amendment was lost.

Mr. Dunn moved that section 8 in the printed bill be adopted as section 9 ;

Which was agreed to and the section was so adopted.

Section 9 was read.

Mr. Parkhill offered the following amendment :

Section 10. The Boards of Health of counties separated by water shall have concurrent jurisdiction over such water, and each board shall have the exclusive jurisdiction over and control of any quarantine station which it may establish within such waters ; *Provided*, That public notice be given by advertisement in some newspaper published in the county of the metes and bounds of the station.

Mr. Parkhill moved its adoption as section 10 in the bill ;

Which was agreed to and the section was so adopted.

Mr. Parkhill offered the following as section 11 of the bill :

Section 11. Any such Board of Health may have an injunction issued out of chancery upon bill filed to restrain the vio-

lation of or compel obedience to any rule or regulation adopted by it for the protection of the public health, provided that no bond shall be required of the Board of Health proceeding under the provisions of this section; and provided further, that the rules and regulations of said Board of Health shall not be in conflict with the rules and regulations established by the State Board of Health, except whenever the State Board of Health shall approve of and ratify the rules of county boards of health.

Mr. Parkhill moved that it be adopted;  
Which was agreed to, and the section was so adopted.

Mr. Parkhill offered the following as section 12:

SECTION 12. Any such Board may at all times require vessels entering its county from any port or place to submit to inspection, fumigation, and when public health requires it, discharge of ballast, and other reasonable regulations which the majority of the Board may deem expedient. Any violation or disregard of such requirements shall be punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding two years;

Which was withdrawn.

Mr. Bielby moved that section 9 of the printed bill be made section 12, and that it be adopted;

Which was agreed to, and section 9 as amended was adopted.

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 engrossed for its third reading;

Which was agreed to, and it was so ordered.

Dr. Gamble, ex-Senator J. H. McKinne, Messrs. H. E. Hawley, D. Gramling and M. Isler, Major T. D. Lancaster and Major Fairbanks, of Fernandina, were tendered the courtesies of the Senate Chamber.

Mr. Dunn 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.

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, Bielby, Brett, Bryant, Coulter, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Houstoun, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rosborough, Schumacher, Smith, Stapleton and Wilkinson—25.

A quorum present.

#### CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 47:

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

Was read the second time and ordered to be engrossed for third reading.

#### SPECIAL ORDER.

Senate Bill No. 92:

A bill to be entitled an act to provide for the appointment of recorders in and for provisional municipalities, and to define their jurisdiction and powers,

Was read the second time.

Mr. Parkhill offered the following amendments:

Add to section 4, "against the party condemned to pay the same;"

Amend section 3 by striking out in lines 2 and 3 the words "recorder shall designate the."

Mr. Parkhill moved that the amendments be adopted;

Which was agreed to,

And the amendments were adopted.

Senate Bill No. 92 was ordered to be engrossed and passed to its third reading.

Senate Bill No. 28:

A bill to be entitled an act to amend section 7, of chapter 140, Laws of Florida,

Was read the second time and ordered to be engrossed for its third reading.

By permission, Mr. Dunn introduced—

Senate Bill No. 109:

To be entitled an act to establish a municipal government for the city of Ocala, and to determine its boundaries and prescribe its corporate powers and jurisdiction, and to abolish its existing charter;

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

A message was received from the House of Representatives.

Mr. Bailey of the 22d District, Chairman of the Committee on Corporations, submitted the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23d, 1889. }

HON. J. B. WALL,

*President of the Senate :*

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

Senate Bill No. 95 :

An act to amend section 1, of chapter 3808, of the Laws of Florida, entitled "An act to incorporate an institution of learning at DeLand, Florida, under the name of DeLand University, in such a manner as to change the name of said University to John B. Stetson University,"

Have examined said bill and recommend that it do pass.

Very respectfully,

E. B. BAILEY,  
Chairman Committee.

Mr. Bailey of 22d District, moved that the rules be waived and that Senate Bill No. 95 be read the second time ;

Which was agreed to by a two-thirds vote,

And the bill was read the second time.

On motion of Mr. Bailey of the 22d District, the rules were further waived and—

Senate Bill No. 95 :

To be entitled an act to amend section one, of chapter 3808, of the Laws of Florida, entitled an act to incorporate an institution of learning at DeLand, Florida, under the name of DeLand University, in such a manner as to change the name of said University to John B. Stetson University,

Was read the third time and put upon its passage.

Upon the passage of Senate Bill No. 95, the vote was :

Yeas—Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Brett, Bryant, Coulter, Dismukes, Drake, Dunn, Hammond, Hendry, Hind, Houston, Jenkins Parkhill, Pirrong, Randell, Rosborough, Schumacher, Smith, Stapleton, Tompkins, Wilkinson and Yancey—24.

Nays—None.

So Senate Bill No. 95 passed, title as stated.

Mr. L. Harrison, of Lake City, was invited within the bar of the Senate.

Mr. Parkhill, by unanimous consent, rose to a question of personal privilege, denouncing the article in the Times-Union of to-day referring to himself as false in many particulars.

Senate Bill No. 2 :

To be entitled an act to provide for the forfeiture of certain lands heretofore granted by the State of Florida for the purpose of aiding in the construction of railroads and cutting canals,

Was read the second time.

Pending the consideration of which, by unanimous consent Mr. Parkhill withdrew Senate Bill No. 106.

Mr. Dismukes moved that Senate Bill No. 2 be taken up and considered by sections ;

Which was agreed to.

Section 1 was read,

And on motion of Mr. Hind, was adopted as read.

Section 2 was read.

On motion of Mr. Dunn, Section 2 was adopted as read.

Section 3 was read.

On motion of Mr. Dunn, Section 3 was adopted as read.

Section 4 was read,

And on motion was adopted as read.

Section 5 was read.

On motion Section 5 as read was adopted.

Section 6 was read.

On motion of Mr. Dunn, section 6 was adopted as read.

Section 7 was read.

On motion of Mr. Bielby, section 7 was adopted as read.

Mr. Dismukes moved that the vote by which section 3 was adopted be reconsidered ;

Which was agreed to, and the vote was reconsidered.

Mr. Dismukes moved that the following amendment by the committee to section 3 be adopted :

Strike out all of that portion of section 3 after the word "grant," in line 26 ;

Which was agreed to, and the committee's amendment was adopted.

Section 3, as amended, was read.

Mr. Dunn moved to adopt section 3 as amended ;

Which was agreed to,

And section 3, as amended, was adopted.

Senate Bill No. 2 was ordered to be engrossed and passed to its third reading.

Senate Bill No. 23 :

To be entitled an act to repeal an act entitled an act to punish any one who sells, pledges or mortgages property subject to a statutory lien, with intent to defraud the lien holder ;

also to prevent any one who buys or receives such property with like intent,

Was taken from the calendar, and on motion of Mr. Hind was passed over informally.

By permission Mr. Dunn introduced—  
Senate Bill No. 110:

To be entitled an act to provide the methods by which counties may issue bonds for public improvements;

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

By permission, Mr. Bielby introduced—  
Senate Joint Resolution No. 31:

In relation to an amendment to the Constitution;

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

Senate Memorial to Congress:

Asking for the establishment of fish hatcheries on the coasts of Florida,

Was read the second time by its title under suspension of the rules by a two-thirds vote.

Mr. Coulter moved that the rules be waived and that the Senate Memorial asking for the establishment of fish hatcheries on the coasts of Florida be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote,

And the Senate Memorial to Congress was read the third time and put upon its passage.

Upon the passage of the Senate Memorial to Congress, the vote was:

Yeas—Messrs. Bailey 22d District, Bailey 16th District, Bryant, Coulter, Dismukes, Drake, Dunn, Hammond, Hendry, Hind, Houstoun, Jenkins, Kirk, Pirrong, Randell, Rosborough, Schumacher, Smith, Stapleton, Swearingen, Tompkins, Wilkinson and Yancey—23.

Nays—None.

So Senate Memorial to Congress,

Asking for the establishment of fish hatcheries in Florida, Passed, title as stated.

Mr. Houstoun, Chairman of Committee on Railroads and Telegraphs, asked unanimous consent to employ clerical aid;

Which was granted.

By permission, Mr. Randell introduced—

Senate Bill No. 111:

To be entitled an act to amend section 24, chapter 69, of the Laws of Florida;

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

By permission, Mr. Bailey, 16th District, Chairman of Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,

*President of the Senate:*

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

Senate Joint Resolution No. 15,

In regard to paying assessors for services rendered in the taking of the census for A. D. 1885,

Beg leave to report that after due examination find the same correctly enrolled.

Very respectfully,

J. S. BAILEY,  
Chairman Committee.

By permission, Mr. Coulter, Chairman of Committee on Fisheries, submitted the following report:

SENATE CHAMBER,  
TALLAHASSEE, Fla., April 23, 1889. }

HON. J. B. WALL,

*President of the Senate:*

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

House Joint Resolution No. 19:

Asking for a Joint Committee on Fisheries,

Having examined said resolution, beg leave to report favorably thereon.

Very respectfully,

W. R. COULTER,  
Chairman Committee.

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

Which was agreed to.

The Senate stood so adjourned.