

The question recurred upon the amendment of Mr. Dunn, and the amendment was agreed to.

So the amendment was adopted.

The amendments to Substitute for House Bill No. 73 were ordered to be engrossed.

Mr. Parkhill moved that the rules be waived and the bill be read the third time and put upon its passage.

The chair ruled that the amendments must be engrossed before the bill could be put upon its passage.

Mr. Parkhill withdrew his motion.

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

Which was agreed to.

The Senate stood so adjourned.

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THURSDAY, MAY 2d, 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, Dismukes, Dunn, Hammond, Hardee, Hind, Houstoun, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rosborough, Schumacher, Smith, Tompkins, Tuten, Wilkinson and Yancey—25.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

INTRODUCTION OF RESOLUTIONS.

The President handed to the Secretary to be read the following resolution from the Commissioners of the municipality of Pensacola:

WHEREAS, This Board did, upon the 11th day of April, without any expressed opposition, pass resolutions that certain bills relating to the issuance of bonds and appointing

of Marshal, Clerk and other city officers, should be prepared by the city attorney; and

Whereas, It was the understanding of a majority of this Board that the utmost dispatch was necessary, and that the bill would be transmitted without delay; and

Whereas, Its transmission was duly executed by the executive officer of this Board; and

Whereas, No action of this Board has ever been taken authorizing the statement that said bill was without the sanction of the Board; and

Whereas, A majority of this Board does sanction same and desire its passage; therefore, be it

Resolved, That the bill providing for the election of City Marshal and other city officers and for the issuance of seventy-five thousand dollars in bonds of the city, under certain restrictions, be transmitted to Tallahassee for its passage by the Legislature.

Be it resolved, That the President be directed and authorized to employ an attorney to give attention to the bill, looking to its passage.

Resolved, That the President of the Board has the thanks of the body for his attention to its wishes.

Resolved, That a certified copy of this preamble and resolutions be forwarded to the President of the Senate, with request that the same be laid before that body.

The above is a true and correct copy of a preamble and resolutions adopted by the Board of Commissioners of the provisional municipality of Pensacola, at a meeting held on the 25th day of April, 1889, commissioners Keyser, Clubbs, Wheeler, Hilliard and the President voting aye; commissioners Mallory and Brent, nay.

E. T. HUNT,

Clerk Municipality of Pensacola.

Mr. Parkhill moved that the resolution be spread upon the Journal and filed, together with the following letter and telegram:

PENSACOLA, Fla., April 22, 1889.

Hon. C. B. Parkhill, Tallahassee, Fla.:

MY DEAR SIR: I am informed that two bills have been sent you, or are before the Legislature, as coming from the City Commissioners.

If I am correctly informed, I desire to say that the Commissioners have not authorized any one to take such a step. It might

be well for me to say that at one of its meetings they authorized, by resolution, the City Attorney to draw up such bills, but it was never intended that they should be forwarded before coming back to the Board for discussion.

Mr. Mallory, at a subsequent meeting, moved that the bills above referred to, and which were before us at that meeting, be held until the originator of one of them, Mr. Wheeler, could be present, as he, Mallory, intended opposing them. This motion prevailed, and the bills are now in the hands of the Clerk of the Board.

For myself I will say that I am opposed to both of them, and I hope they will receive no attention at your hands. I would thank you to show this letter to Messrs. Vaughn and Fillingim.

Yours very truly,

F. C. BRENT.

PENSACOLA, Fla., April 22, 1889.

To C. B. Parkhill :

City Commissioners have not authorized any one to present to Legislature bill for bonding city or electing officers. It has been done without authority of Board, as both matters are awaiting action by Board at first meeting.

S. R. MALLORY,

F. C. BRENT.

Which was agreed to, and it was so ordered.

INTRODUCTION OF BILLS.

By Mr. Dismukes :

Senate Bill No. 151.

To be entitled an act for the incorporation of banking associations and to prescribe their general powers and liabilities;

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

By Mr. Parkhill :

Senate Bill No. 152 :

To be entitled an act to incorporate the town of Bluff Springs, in the county of Escambia ;

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

By Mr. Parkhill :

Senate Bill No. 153 :

To be entitled an act to provide for the recovery of lost

timber and lumber ; to provide for the appointment of a public custodian of the same, and to prescribe his powers, duties and compensation ;

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

The following message from the House of Representatives was read :

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., May 1, 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 Joint Resolution No. 28 :

Memorializing Congress for a continuation of the geological survey of the State of Florida ;

Also,

Senate memorial to Congress to have an appropriation made for Orange creek.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., May 1, 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. 31 :

To be entitled an act to regulate the practice of medicine and to provide for the appointment of a Board of Medical Examiners in the State of Florida ;

Also,

House Bill No. 128 :

An act repealing chapter 3727, Laws of Florida, approved June 2d, 1887,

And ask concurrence of Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., May 2, 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. 96:

"An act to punish riot in this State;"

Also,

Substitute for House Bill No. 43:

A bill to be entitled "an act to prevent Boards of County Commissioners and Town and City Councils from letting contracts to their own members,

And ask concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 31:

To be entitled an act to regulate the practice of medicine, and to provide for the appointment of a Board of Medical Examiners in the State of Florida,

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

House Bill No. 128:

A bill to be entitled an act repealing chapter 3727, Laws of Florida, approved June 2, 1887,

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

House Bill No. 96:

An act to punish riot in this State,

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

Substitute for House Bill No. 43:

A bill to be entitled an act to prevent Boards of County Commissioners and Town and City Councils from letting contracts to their own members,

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

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., May 1st, 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. 87:

A bill to be entitled an act imposing a license tax on non-residents of this State, fishing within the waters of said State;

Also,

House Bill No. 153:

A bill to be entitled an act to prescribe the mode of proceedings before County Judges for the sale of real estate of decedents and minors,

And ask concurrence of Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., May 1, 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. 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."

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Senate Joint Resolution No. 28:

Memorializing Congress for a continuation of the geological survey of the State of Florida;

Also,

Senate Bill No. 95:

An act to amend section one (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;

Also,

Senate Memorial to Congress,

To have an appropriation made for Orange Creek,

Were ordered to be enrolled.

House Bill No. 87:

A bill to be entitled an act imposing a license tax on non-residents of this State, fishing within the waters of this State,

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

Mr. Jenkins moved that the regular order of business be suspended for the purpose of signing bills;

Which was agreed to and the regular order of business was suspended.

The President announced that he was about to sign—

Senate Joint Resolution No. 15.

The same was signed by the President and Secretary.

The order of business was resumed, and

House Bill No. 153:

A bill to be entitled an act to prescribe the mode of proceedings before County Judges for the sale of real estate of decedents and minors;

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

CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 61:

To be entitled an act in relation to mortgages,

Was read the second time.

Mr. Hammond offered the following amendment:

Insert in first line, before the word "mortgaged," the word "hereafter."

Mr. Hammond moved that it be adopted;

Which was agreed to,

And the amendment was adopted.

Mr. Dismukes offered the following amendment:

Strike out, after the word "mortgaged," in first line, to the word "to," in second line.

Mr. Dismukes moved that the amendment be adopted;

Which was agreed to,

And the amendment was adopted,

And the bill was ordered to be engrossed for its third reading.

Senate Bill No. 85:

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

Was taken up in its regular order from the calendar.

Mr. Yancey moved that the further consideration of Senate Bill No. 85 be passed over informally;

Which was agreed to and the bill was passed over informally.

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,

Was passed over informally.

Senate Bill No. 49:

To be entitled an act to establish a Bureau of Immigration for the State of Florida,

Was passed over informally.

Senate Bill No. 65:

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,

Was read the second time and passed to its third reading.
By permission Mr. Hammond, Chairman of Committee on
Judiciary, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 2, 1889. }

HON. J. B. WALL,

President of the Senate:

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

Senate Bill No. 43:

An act to establish a county court in the county of Leon, to provide for the salary of the Judge thereof, and for the appointment of a Prosecuting Attorney,

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

Very respectfully,

E. M. HAMMOND,
Chairman of Committee.

House Bill No. 58:

To be entitled an act making it unlawful for live stock to run at large in Leon county,

Was read the second time, with the committee amendments.

Mr. Bielby moved that the first amendment to section one be adopted;

Which was agreed to, and the amendment was adopted.

The second amendment was read.

Mr. Bielby moved that the second amendment be adopted.

Pending the consideration of said amendment to the amendment, all the amendments were ordered to be read.

Pending the reading of which the President announced that the hour had arrived for the special consideration of House Bill No. 4.

House Bill No. 4:

To be entitled an act to establish the municipality of Jacksonville, to provide for its government and prescribe its jurisdiction and powers, approved May 31, 1887,

Was read the second time.

Mr. Yancey moved that House Bill No. 4 be considered by sections.

Mr. Parkhill moved to indefinitely postpone the further consideration of House Bill No. 4.

Mr. Kirk moved to table the motion to indefinitely postpone.

Mr. Parkhill asked to withdraw his motion.

Mr. Kirk objected.

The yeas and nays were called on the motion to table, and the vote was:

Yeas—Messrs. Bailey of 22d District, Bailey of 16th District, Brett, Bryant, Coulter, Dismukes, Dunn, Hendry, Houstoun, Jenkins, Kirk, Pirrong, Randell, Rosborough, Stapleton, Swearingen, Tuten, Wilkinson and Yancey—19.

Nays—Mr. President, Messrs. Bielby, Drake, Hammond, Hardee, Hind, Parkhill, Schumacher, Smith and Tompkins—10.

So the motion to table prevailed.

Upon the motion to consider the bill by sections, it was agreed to.

Mr. Tompkins announced that he had paired upon the vote upon the final passage of the bill.

Mr. Yancey moved that Mr. Tompkins be excused from voting on the final passage of the bill.

The Chair declined to put the motion to excuse Mr. Tompkins, unless by assent of Mr. Tompkins.

Section one was read.

Mr. Yancey offered the following amendment:

Amend section 1 by striking out, in the fifth line, the word "May," and substituting therefor the word "June."

Mr. Hendry moved that the amendment be adopted;

Which was agreed to,

And the amendment was adopted.

Mr. Dismukes offered the following amendment:

Strike out "one hundred" in line 7, and insert "twenty-five."

Mr. Hind moved that the amendment be adopted;

Which was agreed to, and the amendment was adopted.

Mr. Bryant moved that the section as amended be adopted;

Which was agreed to, and section 1 as amended was adopted.

Section 2 was read.

Mr. Yancey moved that it be adopted as read;

Which was agreed to, and section 2 was adopted as read.

Section 3 was read.

Mr. Parkhill offered the following amendment:

In section 3, line 3, after the word "members," strike out

"appointed by the Governor," and insert "elected by the registered voters of said city."

Mr. Hammond moved that the amendment be adopted.

Pending its consideration the Senate, on motion of Mr. Bryant, took a recess until 3 o'clock P. M.

CONFIRMATIONS.

To be County Commissioners for Polk county :

H. Schipman for District One.

E. J. Hilliard for District Two.

T. W. Anderson for District Three.

Harrison Jones for District Four.

A. C. Thompson for District Five.

THREE 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 22d District, Bailey 16th District, Bielby, Brett, Bryant, Coulter, Dismukes, Drake, Dunn, Hammond, Hardee, Hendry, Jenkins, Kirk, Pirrong, Randell, Rosborough, Schumacher, Smith, Stapleton, Tompkins, Tuten, Wilkinson and Yancey—25.

A quorum present.

The Senate resumed the consideration of—

House Bill No. 4.

Mr. Parkhill's amendment to section 3, in line 3, to strike out, after the word "members," "Appointed by the Governor," and insert "elected by the registered voters of said city,"

Was still pending.

Mr. Yancey having the floor, Mr. Tuten moved that the Senate reconsider the vote by which Mr. Dunn's amendment to—

House Bill No. 73 :

To be entitled an act to establish the municipality of Key West, provide for its government, etc.,

Was adopted, to-wit :

Amend section 6, in line 9, by adding after the word "Com-

missioners," and before the word "are" the words "upon an affirmative vote of the registered voters of said city ;"

Which was agreed to,

And the vote was reconsidered.

A message was received from the Governor.

Mr. Swearingen 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.

Mr. Hind moved that the Senate adjourn, and that Senator Parkhill, who was addressing the Senate upon House Bill No. 4, should resume his remarks in the morning session ;

Which was agreed to, and the Senate stood adjourned until 10 o'clock to-morrow morning.

FRIDAY, MAY 3, 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, Dismukes, Drake, Dunn, Hammond, Hendry, Hind, Houston, Jenkins, Kirk, Parkhill, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Stapleton, Swearingen, Tompkins, Tuten, Wilkinson and Yancey—29.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

INTRODUCTION OF BILLS.

By Mr. Hind :
Senate Bill No. 154 :

To be entitled an act to provide for the adoption of children in this State ;