

WEDNESDAY, APRIL 17, 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 16th District, Bielby, Brett, Bryant, Coulter, Drake, Hammond, Hardee, Hendry, Hind, Houstoun, Jenkins, Kirk, King, Pirrong, Randell, Rogers, Rosborough, Smith, Stapleton, Swearingen, Tompkins, Tuten, Wilkinson and Yancey—25.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

Senator Swearingen was called to the Chair.

On motion of Mr. Hardee, the courtesies of the Senate Chamber were extended Mr. Saunders, of Titusville.

Mr. Kirk resumed the chair.

Mr. Rogers moved that in compliance with the request of the House, the Chair appoint a committee of two from the Senate upon the Joint Enrolling Committee;

Which was agreed to, and Messrs. Jenkins and Tompkins were appointed on said Committee on the part of the Senate.

INTRODUCTION OF BILLS.

By Mr. Hendry:

Senate Bill No. 74:

To be entitled an act to reward persons who shall kill certain beasts of prey;

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

By Mr. Houstoun:

Senate Bill No. 75:

To be entitled an act to amend an act for the better protection of animals running at large;

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

By Mr. Smith:

Senate Bill No. 76:

To be entitled an act providing for a farm fence option law, Which was read the first time by its title, and referred to Committee on Agriculture.

Mr. Wilkinson, Chairman of the Engrossing Committee, submitted the following report:

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

HON. J. B. WALL,

President of the Senate:

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

Substitute for Senate Bill No. 9:

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

Also,

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,

Also,

Senate Bill No. 31:

A bill to be entitled an act to provide for levies upon and sale of stock in corporations;

Also,

Senate Bill No. 33:

A bill to be entitled an act providing for the contest of the probate of wills before the same are probated,

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

Very respectfully,

JOHN WILKINSON,
Chairman Committee.

The courtesies of the Senate Chamber were extended to General Anderson.

A message was received from the House of Representatives.

Mr. King, chairman of Committee on Education, submitted the following report:

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

HON. J. B. WALL,

President of the Senate :

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

Senate Bill No. 40,

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

Very respectfully,

Z. KING,

Chairman Committee on Education.

CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 36:

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

Was read the second time.

Mr. Tuten offered the following amendment:
Strike out section 3.

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

Mr. Smith offered the following amendment:
Amend by striking out last three words in tenth line of first section, and insert "five hundred dollars;"
Which was adopted,

Mr. Hendry offered the following amendment:
Amendment to section 4, after "gaming houses," in printed bill, that "it shall be unlawful for any person or persons to sell or dispose of any gaming utensil in the State of Florida;
Which was not agreed to.

So the amendment was lost.

Mr. Randell offered the following amendment:
In section 1, line 9, after the word "shall," strike out "on," and insert "be deemed guilty of a misdemeanor, and, upon conviction."

Mr. Bielby moved that the amendment be adopted;

Which was agreed to.

And the amendment was adopted.

There being no further amendments to Senate Bill No. 36, it was ordered to be engrossed.

Senate Bill No. 32:

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

Was read the second time.

Pending the consideration of which a message was received from the House of Representatives.

Mr. Hind offered the following amendment:

In section 1, line 2, after the word "executed," insert "and acknowledged;" in line 3 strike out all after the word "attorney;" in line 4, insert after the words "the," "execution and;"

Which was agreed to and the amendment adopted.

Mr. Hind offered the following amendment:

In section 2, line 2, insert after the word "executed," "and acknowledged;" in line 4, after the word "the" insert "execution and;"

Which was agreed to and the amendment adopted.

Mr. Hind moved that the further consideration of Senate Bill No. 32 be indefinitely postponed.

By permission, Mr. Hind withdrew the motion to indefinitely postpone the further consideration of Senate Bill No. 32.

Mr. Randell offered the following amendment:

Strike out section 3;

Which was not agreed to;

So the amendment was lost.

Mr. Hind offered the following amendment:

"SEC. 3. Whenever any mortgage debt is overdue and payable, and the amount due shall be tendered to the holder of the mortgage, and he shall refuse to deliver to the person tendering the debt a discharge of such mortgage, as above provided, then all interest on such mortgage debt shall cease."

Mr. Hind moved that the amendment be adopted;

Which was agreed to, and the amendment was adopted.

Mr. Tuten moved that—

Senate Bill No. 32,

Remain on its second reading and be made the special order for 11 o'clock to-morrow;

Which was agreed to and the consideration of—
Senate Bill No. 32,

Was made the special order for 11 o'clock to-morrow.

On motion of Mr. Rogers, 100 copies of Senate Bill No. 32 were ordered to be printed.

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,

Was read the second time.

Mr. Swearingen moved that the further consideration of Senate Bill No. 59 be indefinitely postponed;

Which was withdrawn.

Mr. Tuten moved that Senate Bill No. 59 be recommitted to the Committee on Claims;

Which was agreed to, and Senate Bill No. 59 was recommitted to the Committee on Claims.

Senate Bill No. 40 :

To be entitled an act to create a Bureau of Colored Work of Education,

Was read the second time.

Mr. Hind moved that Senate Bill No. 40 remain on its second reading, and that 200 copies be printed, and that it be made the special order for Friday at 11 o'clock;

Which was agreed to, and the order made.

CONSIDERATION OF BILLS ON THIRD READING.

Senate Bill No. 31 :

To be entitled an act to provide for levies upon and sale of stock in corporations,

Was read the third time and placed upon its passage.

Upon the passage of Senate Bill No. 31,

The vote was :

Yeas—Messrs. Bailey of 16th District, Bielby, Bryant, Drake, Hammond, Hardee, Hendry, Houstoun, Jenkins, Kirk, King, Pirrong, Randell, Rogers, Rosborough, Smith, Stapleton, Swearingen, Tompkins, Tuten Wilkinson and Yancey—22.

Nays—None.

So Senate Bill No. 31 :

To be entitled an act to provide for levies upon and sale of stock in corporations,

Passed, title as stated.

Mr. Tuten 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. Bielby, Brett, Bryant, Coulter, Drake, Dunn, Hardee, Hendry, Hind, Jenkins, Kirk, King, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Stapleton, Swearingen, Tompkins, Tuten, Wilkinson and Yancey—24.

A quorum present.

A message was received from the Governor.

Archie Lovelace, a page of the Senate, was excused on account of sickness.

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

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

HON. J. B. WALL,

President of the Senate :

Your Committee on—

Senate Joint Resolution No. 22,

Relating to the appointment of a commission of the citizens of the State of Florida to examine the oyster beds of this State, and their past and present condition, and of suitable waters in this State for oyster farming, and to report all information gained concerning the same at the next session of the State Legislature,

Beg leave to report a hearty concurrence in the aims and objects of said resolution, and recommend its adoption.

In support of the above recommendation, the following is respectfully submitted, to-wit. :

It is a lamentable fact that notwithstanding the great abundance of fish and oysters which nature has so lavishly bestowed upon Florida, so little care and attention have been paid to

their preservation, and such wanton and wholesale destruction prevail in many places and at nearly all times as to threaten the annihilation of those most valuable and the utter ruin or prevention of thriving and highly profitable industries, conducive to the prosperity of the people, and also to the revenues of the State.

The waters of Florida cover vast areas of ground suitable for oyster farming, so favorably located and so well adapted to oyster culture, that if these areas were properly protected by law, and utilized, as they can and doubtless would be, this industry would of itself, in a short while, bring hundreds of millions of dollars annually into the State. From the best information attainable, there is little, if any, question, that our oyster beds are deteriorating to an alarming extent, and unless proper legislation is interposed they are in danger of total destruction, their natural fertility and exposed condition not being sufficient to withstand the constant drain upon them, and at the same time replace the myriads of young oysters destroyed and taken away by unseasonable handling.

The rapidly increasing demand for oysters makes it necessary, both for the preservation of the oyster from utter annihilation, and for its production in sufficient quantities to furnish a reasonable supply for the demand, that some measures be taken to prevent wanton destruction and improvident waste, and also to encourage and protect the culture and increase the production of what is now regarded as one of the necessities of life.

If one-fourth the waters and grounds in Florida which are suitable for oyster planting could be made as profitable per acre as the oyster grounds of Maryland now are, they would be worth more than mines of gold or mountains of silver to us, yet it is an admitted and indisputable fact that nowhere does the oyster reach perfection quicker, increase more rapidly or attain a richer flavor than in the warm and generous waters of the Florida coasts—indeed, an old Jersey oysterman, now engaged in the business on the Gulf coast, says that an oyster planted and cultivated in our Florida waters grows and fattens as much in three weeks as it would in an entire season in New Jersey or Rhode Island waters.

The total lack of suitable legislation for the protection of oyster farming in this State has prevented those familiar with the business from engaging in it; although it would require the outlay of comparatively little, they could not afford to risk the loss of their plants in wild waters and the failure to meet engagements.

The oyster farmer wants the same protection for his oyster

beds as the planter has for his cotton fields or the orange grower for his groves, no more and no less; he wants to acquire as permanent and transferable a title to forty, sixty, a hundred or five hundred acres of oyster grounds as the planter does to his hammock or the mill man to his timber land, and if he can be assured of the same protection in his rights and property as are accorded to land owners, there is no doubt hundreds of valuable oyster farms will be opened and our bays and inlets will be dotted with innumerable canning factories, and short line railroads built for the quick transportation of their products to market. In view of this it becomes imperative for the State to make some provision of law whereby its citizens may enter, lease or purchase, and acquire *bona fide* titles to and have surveyed and registered such oyster grounds, and with definite boundaries, to secure them in their ownership, and in such quantities as may be desired and agreed upon, and may be to the best interests of the State; the entry price to be fixed by the State, say at one dollar per acre for those engaging extensively in the business, and allowing the head of any family to enter and hold for his own private use the amount of five acres, on proper application and the payment of fixed entry fees; also that suitable laws be passed to punish any trespass upon such property, or the infraction upon the rights of any owner thereof. These grounds would rapidly increase in value and should be subject to the same rate of taxation as other property, thus adding largely to the revenues of the State, besides furnishing employment and food to vast numbers of people, and more money would in a few years be derived from this source alone than is now realized from any other half dozen, thus relieving to a great extent the burdens of the taxpayers in the interior.

In view of the vast importance of this measure, the following recommendations are added, to-wit:

First. That such legislation be had as will prevent the offering for sale of immature oysters at any time.

Second. The prevention of the taking and offering for sale of oysters out of season and at such times and in such manner as will tend to damage or destroy the fertility and productiveness of the beds, whether the beds be on farms or in "wild" waters.

Third. The requiring of all oysters to be culled at the place where taken, and also the distribution of shells in the locality from which wild oysters are taken.

It is further recommended that the Commission be instructed to examine diligently into the oyster laws of other States, and formulate therefrom, and in accordance with the foregoing suggestions, such laws as in its judgment are best calcu-

lated to promote and encourage the culture of oysters and the protection of those so engaged, and to present the same as part of the report for the consideration of the Legislature.

This extract from a report of Dr. W. K. Brooks, of Maryland, will give some idea of the immense value and rapid increase of the oyster crop when properly handled :

"The industry is profitable almost beyond conception, and we are told on official authority that a crop of oysters valued at eight million dollars was raised in this way upon a French farm of 492 acres, while upon another French farm of 500 acres, 16,000,000 oysters were taken in six tides, although there were no oysters to be found when the farm was established five years before.

"Ingersoll, in his 'Report on the Oyster Industry of the United States,' says that twenty bushels of shells laid down anywhere in Barnegat Bay, New Jersey, will produce one hundred bushels of oysters, and a Connecticut writer gives the following account of the result of three years of oyster farming under the wise laws in that State:

"Fifty thousand acres of entirely barren ground covered thirty, forty and fifty feet deep by the waters of Long Island Sound, have been made into productive oyster beds, and have multiplied by an hundred fold the production of native oysters. Ten years ago tens of thousands of bushels of oysters were imported from New York, New Jersey and Rhode Island, and now hundreds of thousands of bushels are yearly exported to these States and to Massachusetts. Millions of dollars are now invested in the industry, thousands of men and women are employed, millions of bushels are in growing crops and hundreds of thousands of dollars yearly come into the State as proceeds of exported oysters.

"According to Ingersoll, 515,000 bushels of seed oysters were in 1879 taken from the Chesapeake bay to be planted in Connecticut, and three years of wise management have produced such a change that one firm shipped to San Francisco in the spring of 1883, 15,000,000 young oysters which had been reared on the Connecticut oyster farms, and were used for planting on the Pacific coast. This State is now able to sell seed oysters to the planters of adjacent States, besides sending an immense supply to Europe."

When we take into consideration the fact that Florida has about 1000 miles of sea and Gulf coast, with bays, bayous, inlets and coves innumerable, it will be seen that the possible growth and money value of her oyster trade can not be computed, and that it behooves her Legislature to use every en-

deavor to foster an industry which will thus add untold wealth to our already favored and rapidly improving State.

W. R. COULTER,

Chairman of Committee on Fisheries.

Mr. Rogers moved that the rules be waived, and that Senate Bill No. 4 be taken up and read the third time ;

Which was agreed to by a two-thirds vote.

The Secretary reported bill in the hands of the Engrossing Committee.

CONSIDERATION OF BILLS ON THIRD READING.

Senate Bill No. 33 :

To be entitled an act providing for the contest of wills before the same are probated.

Was read the third time and put upon its passage.

Upon the passage of Senate Bill 33,

The vote was :

Yeas—Messrs. Bailey of 16th District, Bielby, Bryant, Coulter, Drake, Dunn, Hammond, Hardee, Hendry, Hind, Kirk, King, Pirrong, Randell, Rosborough, Smith, Stapleton, Swearingen, Tompkins, Tuten, Wilkinson and Yancey—22.

Nays—None

So Senate Bill No. 33 :

To be entitled an act providing for the contest of wills before the same are probated,

Passed, title as stated.

Senate Bill No. 11 :

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

Was read the third time and put upon its passage

Upon the passage of Senate Bill No. 11, the vote was:

Yeas—Bailey of 16th District, Bielby, Bryant, Hammond, Hardee, Hendry, Hind, Kirk, King, Pirrong, Rosborough, Schumacher, Smith, Swearingen, Tuten, Wilkinson and Yancey—20.

Nays—None.

So Senate Bill No. 11 passed, title as stated.

Substitute for Senate Bill No. 9 :

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

and birds of song and plumage, and wild birds

Was read the third time and put upon its passage.
Upon the passage of Substitute for Senate Bill No. 9,
The vote was:

Yeas—Messrs. Bailey 16th District, Bielby, Hammond, Hardee, Hendry, Hind, Kirk, King, Pirrong, Rogers, Rosborough, Smith, Swearingen, Tompkins, Tuten, Wilkinson and Yancey—17.

Nays—Messrs. Dunn, Houstoun, Jenkins, Randell, and Schumacher—5.

So Substitute for Senate Bill No. 9:

To be entitled an act for the protection of game, wild birds and birds of song and plumage passed, title as stated.

By permission Mr. Hammond introduced Senate Joint Resolution No. 26:

To amend the Constitution so as to provide for ten Circuit Judges; also to provide that the State shall be divided into ten Judicial Circuits;

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

On motion of Mr. Swearingen,
The Senate went into executive session.
The doors were closed.

The doors were opened.

By permission Mr. King introduced—

Senate Bill No. 78:

To be entitled an act to repeal chapter 3721, Laws of Florida;

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

By permission Mr. Hammond introduced—

Senate Bill No. 79:

To be entitled an act for the prevention of cruelty to animals;

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

Mr. Drake, chairman of the Committee on Public Printing, submitted the following report:

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

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on Public Printing beg leave to report that after mature deliberation upon the matter of this

session's printing, would respectfully suggest that 500 messages of the Governor and accompanying documents, and 300 journals of the Senate in pamphlet form be printed; also, that when the body deems it necessary to print bills the order shall be for not less than 200 copies.

Very respectfully,

W. A. DRAKE,
Chairman Committee.

Mr. King, Chairman of the Committee on Education, submitted the following report:

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

HON. J. B. WALL,

President of the Senate:

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

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,

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

Very respectfully,

Z. KING,

Chairman Committee on Education.

Mr. Rogers moved that the rules be waived, and that Senate Bill No. 68 be taken up on its second reading;

Which was agreed to.

Mr. Hammond raised the point of order that there was not a two-thirds vote.

The President again put the vote upon the suspension of the rules, and it was not agreed to.

Mr. Rogers asked that he be excused as a member of the committees to visit the Agricultural College and the convict camp until the report of said committees.

Mr. Rogers was so excused.

By permission Mr. Randell introduced—

Senate Bill No. 80:

A bill to be entitled an act for the prevention of cruelty to animals.

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

Mr. Bryant moved to take up messages from the [House] of Representatives for consideration ;

Which was agreed to.

The following message from the House of Representatives was read :

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 16th, 1889. }

HON. J. L. GASKINS,

Speaker of the House of Representatives :

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

House Bill No. 26 :

A bill to be entitled an act to incorporate the city of New Augustine ;

And respectfully ask the concurrence of the Senate therein.

Also that House refuses to concur in—

Senate Concurrent Resolution No. 24 :

Relating to an invitation to Principal Terrell, of the Deaf and Dumb Institute, to come before the Legislature with four of his pupils,

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 26 :

A bill to be entitled an act to incorporate the city of New Augustine,

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

Also the following :

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., April 16, 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 adopted—

A resolution requesting the return by the Senate of House Bill No. 57 to the House of Representatives ; also,

That the House of Representatives has appointed on the part of the House the following members of Joint Committees :

To Visit State Normal School at De Funiak : Messrs. Norwood, Saunders and Buie.

Joint Committee on Roads and Highways : Messrs. Moore, Vaughn, Broad, Shine and Rives.

Committee to Visit State Normal School at Tallahassee : Messrs. Turnbull, Scott, Walker, Lewis and Blich, of Marion, And ask 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 16th, 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 Committee Substitute for House Bill No. 33 :

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

And respectfully ask concurrence of Senate therein.

Also that the House has indefinitely postponed consideration of—

Senate Bill No. 10 :

To be entitled an act to prescribe the per diem of jurors and witnesses in the Circuit Court ;

Also that House has passed—

Senate Joint Resolution No. 23.

Documents accompanying.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

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-