

Sec. 2 That when no rate of interest is agreed upon the rate shall not exceed six per cent. per annum.

Sec. 3. That all laws and parts of laws in conflict with this act are hereby repealed.

Mr. Myers moved the adoption of the amendment.

Pending consideration of which, Mr. Hardee moved that the bill be made special order for 11 o'clock A. M. Wednesday, April 22, 1891;

Which was agreed to, and so ordered.

And, Senate Bill No. 53 was made special order for that day and hour.

Pending further consideration of bills upon their second reading,

By permission,

Mr. Myers, Chairman of the Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 17, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate Bill No. 11:

"A bill to be entitled an act to supply deficiencies in the appropriations for the years of 1889 and 1890,"

Beg leave to report that they have examined the same and find it correctly enrolled.

Very respectfully,
FRED. T. MYERS,
Chairman of Committee.

The President announced that he was about to sign—

Senate Bill No. 11:

To be entitled an act to supply deficiencies in the appropriations for the years 1889 and 1890.

The President and Secretary thereupon affixed their signatures to said bill.

Senate Bill No. 3:

To be entitled an act to amend section 1 of Chapter 3132 of the Laws of Florida, entitled "An act to amend section 1 of Chapter 3010 of the Laws of Florida, entitled an act to amend section 2, Chapter 1628, Laws of Florida, relating to jurors; and to repeal Chapter 2049, Laws of Florida," approved February 20, 1875,

Was read second time in full together with the amendments offered by the committee.

Mr. Smith of 31st moved that the bill remain upon its second reading and 100 copies of the bill and amendments be printed;

Which was agreed to and so ordered.

Senate Bill No. 55:

To be entitled an act making it unlawful to hunt deer in this State in the night time by firelight, and fixing a penalty therefor,

Was read second time in full, together with the amendment offered by the Committee on Judiciary.

Mr. Wolfe moved that the committee amendment be adopted.

Pending consideration of which,

Mr. Yancey offered the following amendment to the amendment offered by the Committee on Judiciary:

Amend by adding at the end of section 2 the following:

Provided that persons hunting opossums, coons, wildcats or other small game at night by the aid of a torch or lantern shall not be subject to the penalties prescribed by this act.

Strike out the word "deer" in line one of section 2;

Which was withdrawn.

The amendment offered by the Committee on Judiciary was thereupon adopted, and the bill, together with the amendment, was ordered engrossed for its third reading.

Mr. Wolfe asked and was granted unanimous consent to recall Senate Bill No. 13 from the Committee on Engrossed Bills, and have said bill put back on its second reading.

Mr. Hammond moved that the Senate adjourn until 10 o'clock Saturday morning, April 18, 1891;

Which motion was agreed to, and the Senate adjourned until that time.

SATURDAY, April 18, 1891.

The Senate met pursuant to adjournment.

The President *pro tem.* Swearingen in the chair.

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

Messrs. Baya, Borden, Bristol, Brett, Broome, Bryant, Calhoun, Coulter, Crosby, Hammond, Hardee, King, Kirk, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Swearingen, Thomas, Wadsworth, Wall, Wolfe and Yancey—26.

A quorum present.

Prayer by the Chaplain.

The Secretary proceeded to read the Journal of the preceding day.

Mr. Wolfe moved that further reading of the Journal be dispensed with;

Which motion was agreed to, and it was so ordered.

The Journal was corrected and approved.

The Journal of the 14th inst., was corrected to read as follows:

Mr. Calhoun offered the following amendment to—

Senate Bill No. 13:

In section 2 strike out the word "thirty," and insert "sixty" in lieu thereof.

On motion of Mr. Wall, Lonnie Hough, one of the pages of the Senate, was excused for the day on account of indisposition.

INTRODUCTION OF BILLS.

By Mr. Baya (by request):

Senate Bill No. 84:

To be entitled an act to require public officials receiving and disbursing public moneys to publish their reports.

Mr. Baya moved that the rules be waived, and that Senate Bill No. 84 be read first time by its title only;

Which was agreed to by a two-thirds vote, and Senate Bill No. 84 was read first time by its title and referred to the Committee on Finance and Taxation.

By Mr. Calhoun:

Senate Bill No. 85:

To be entitled an act to provide for the speedy settlement and distribution of estates which are not indebted.

Mr. Calhoun moved that the rules be waived and that Senate Bill No. 85 be read by its title only;

Which motion was agreed to, and the rules were waived and Senate Bill No. 85 was read by its title and referred to the Committee on Judiciary.

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 23;

Relative to the appointment of a committee to visit the East Florida Seminary,

Was read the second time.

Mr. Myers moved that the resolution be passed over informally;

Which was agreed to, and so ordered.

REPORTS OF COMMITTEES.

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

SENATE CHAMBER,
TALLAHASSEE, Fla., April 17, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate Bill No. 86:

A bill to be entitled an act to incorporate the Florida, Georgia and Western Railway Company and to grant certain lands to aid in the construction of said railway,

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

Very respectfully,

J. EMMET WOLFE,
Chairman of Committee.

Mr. Rosborough, Chairman of the Committee on State Affairs, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 17, 1891. }

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Committee on State Affairs, to whom was referred—

Senate Bill No. 65:

A bill to be entitled an act to change the name of Sand Fly Point in the county of Duval, State of Florida,
Have considered same and recommend its passage.

Also,

Senate Bill No. 75:

A bill to be entitled an act for the relief of the Gainesville Guards,

We have considered same and recommend its passage.

Very respectfully,

J. A. ROSBOROUGH,
Chairman of Committee on State Affairs.

Mr. McKinne, Chairman of the Committee on Commerce and Navigation, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 17, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate Bill No. 66:

A bill to be entitled an act regulating steam ferries, the trips of same, and tolls charged,

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

Also,

Senate Bill No. 76:

A bill to be entitled an act in relation to the placing, constructing or maintaining of obstructions in streams upon which there are mills,

And recommend that it do pass with the attached amendment.

Very respectfully,

J. H. MCKINNE,
Chairman of Committee.

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

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 18, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate Bill No. 36:

"A bill to be entitled an act to repeal section eleven (11) of Chapter 3707, of the Laws of Florida, approved June 8, 1887,"

Beg leave to report that they have had the same under consideration and found it correctly engrossed.

Very respectfully,

BENJ. F. KIRK,
Chairman of Committee.

CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 13:

To be entitled an act for the relief of persons imprisoned for the non-payment of fines and costs of court imposed by sentence of any of the courts of this State,

Was read second time in full.

Mr. Wolfe offered the following amendment:

In section 1, line 2, strike out "thirty" and insert "sixty" in lieu thereof.

Mr. Wolfe moved that the amendment be adopted;

Which was agreed to and the amendment was adopted, and the amendment was ordered engrossed for its third reading.

Senate Bill No. 3:

To be entitled an act to amend section 1, of Chapter 3132, of the Laws of Florida, entitled "an act to amend section 1, of Chapter 3010, of the Laws of Florida, entitled an act to amend section 2, Chapter 1628, Laws of Florida, relating to jurors and to repeal Chapter 2049, Laws of Florida, approved February 20, 1879,"

Was read second time in full, together with the amendments offered by the Committee on Judiciary.

Mr. Coulter moved that the amendments of the committee be adopted;

Which was agreed to and the amendments to the bill were adopted, and the bill with the amendments was ordered engrossed for its third reading.

Senate Bill No. 37:

To be entitled an act to insure the assessment and aid in the collection of taxes upon all bonds, mortgages, notes, certificates of deposit or other evidences of indebtedness subject to taxation,

Was read second time in full.

By unanimous consent, the Secretary was directed to insert the words "the State of" between the words "of" and "Florida" in the enacting clause.

Mr. Borden offered the following amendment:

In section 1, line 2, after the word indebtedness, insert, "bearing date after the passage of this bill."

Mr. Borden moved that the amendment be adopted;

Which was agreed to and the bill with the amendment was ordered engrossed for its third reading.

Senate Bill No. 72:

To be entitled an act to amend an act entitled an act to

provide an annuity for disabled soldiers and sailors of the State of Florida,

Was read second time in full.

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

Resuming consideration of Senate Bill No. 72 the same was ordered engrossed for its third reading.

By permission, Mr. Kirk, Chairman of the Committee on Engrossed Bills, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 18, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate Bill No. 13:

To be entitled an act for the relief of persons imprisoned for the non-payment of fines and costs of court, imposed by sentence of any of the courts of this State,

Beg leave to report that they have had the same under consideration and found it correctly engrossed.

Very respectfully,

BENJ. F. KIRK,
Chairman of Committee.

On motion of Mr. Smith, of 31st, Mr. John F. Dismukes, of St. Augustine, was invited to a seat within the bar of the Senate.

Senate Bill No. 35:

To be entitled an act to amend an act entitled an act to prescribe the fees that the several sheriffs in the State shall be allowed to charge and receive for services rendered in the performance of the duties of their offices, being Chapter 3860 of the Laws of Florida for the year 1889,

Was read second time in full, together with the substitute offered by the Committee on Judiciary.

Mr. McKinne moved that the substitute of the committee be adopted;

Which was agreed to and the substitute was adopted.

Mr. McKinne offered the following amendment to the substitute bill:

Amend section 1, line 9, (printed bill), after "return" strike out "ten" and insert "five" in lieu thereof.

Upon which the yeas and nays were called.

The vote was:

Yeas—Messrs. Borden, McKinne, Pirrong, Swearingen—4.

Nays—Messrs. Bristol, Bryant, Calhoun, Crosby, King, Kirk, Myers, Rosborough, Smith of 30th, Smith of 31st, Thomas, Wadsworth, Wall, Wolfe and Yancey—15.

So the amendment was lost.

Mr. Myers offered the following amendment to Substitute Senate Bill No. 35:

In section 1, line 39 (printed substitute), after the word State insert the words, "for keeping and feeding prisoners, forty cents per day," and strike out the same words after the word route in 41st line and insert the following: "and any sheriff or constable who shall charge for constructive mileage shall be deemed guilty of malfeasance in office," and on conviction, punished accordingly.

Mr. Wolfe moved that the amendment be adopted;

Which was agreed to and the amendment was adopted.

Mr. Baya offered the following amendment to Substitute Senate Bill No. 35:

In section 1, lines 11 and 12 (printed substitute), after the word cents, in line 11, strike out "hanging prisoner twenty-five dollars" and insert after the word gallows, in line 12 "and other services rendered in the execution of prisoners, twenty-five dollars;" and strike out "not more than fifteen dollars."

Mr. Mr. Baya moved that the amendment be adopted;

Which was not agreed to and the amendment was lost.

Mr. Baya offered the following additional amendment:

In section 1, line 41 (printed bill), after the word prisoners strike out "forty" and insert "thirty;"

Which was agreed to, and the amendment was declared adopted.

The substitute bill with the amendments was ordered engrossed for its third reading.

Senate Bill No. 6:

To be entitled an act to incorporate the Florida, Georgia and Western Railway Company and to grant certain lands to aid in the construction of said railway,

Was read second time in full, together with the amendment offered by the Committee on Railroads and Telegraphs.

Mr. Wolfe moved that the amendment of the committee be adopted;

Which was agreed to, and the amendment to the bill was adopted, and the bill with the amendment was ordered engrossed for its third reading.

By permission, Mr. McKinne, Chairman of the Committee on Commerce and Navigation, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 18, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate Bill No. 61:

Entitled "an act to protect public bridges against logs,"

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

Very respectfully,
J. H. MCKINNE,
Chairman of Committee.

On motion of Mr. King, Dr. J. Y. Porter was invited to a seat on the floor of the Senate.

On motion of Mr. McKinne, Mr. John E. Grady was invited to a seat on the floor of the Senate.

Mr. Wadsworth was excused until Monday afternoon.

Mr. Farmer was also excused.

Senate Bill No. 65:

To be entitled an act to change the name of "Sand Fly Point," in the county of Duval, State of Florida,

Was read second time in full and ordered engrossed for its third reading.

Senate Bill No. 75:

To be entitled an act for the relief of the Gainesville Guards,

Was read second time in full, and ordered engrossed for its third reading.

Senate Bill No. 66:

To be entitled an act regulating steam ferries, the trips of same, and tolls charged,

Was passed over informally.

Senate Bill No. 76:

To be entitled an act in relation to the placing, constructing or maintaining of obstructions in streams upon which there are mills,

Was read second time in full, together with the amendment offered by the Committee on Commerce and Navigation.

Mr. Calhoun moved that the amendment of the committee be adopted;

Which was agreed to, and the amendment to the bill was

adopted, and the bill with the amendment was ordered engrossed for its third reading.

Senate Bill No. 61:

To be entitled an act to protect public bridges against logs, Was read second time in full, together with the substitute offered by the Committee on Commerce and Navigation.

Mr. Broome moved that the substitute of the committee be adopted;

Which was agreed to, and the substitute to the bill was adopted and the bill, with the substitute, was ordered engrossed for its third reading.

By permission, Mr. Bryant introduced—

Senate Bill No. 86:

To be entitled an act to incorporate the Lakeland Improvement Association, of Lakeland, Florida.

Mr. Bryant moved that the rules be waived and that Senate Bill No. 86 be read by its title only;

Which was agreed to by a two-thirds vote and Senate Bill No. 86 was read first time by its title only and referred to the Committee on City and County Organization.

CONSIDERATION OF BILLS ON THIRD READING

Senate Bill No. 21:

To be entitled an act to extend the line of the Palatka and Anclote Railroad,

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Hardee, King, Kirk, McKinne, Myers, Pirrong, Rosborough, Smith of 30th, Smith of 31st, Swearingen, Thomas, Wolfe and Yancey—21.

Nays—None.

So the bill passed, title as stated, and was ordered certified to the House of Representatives.

Senate Bill No. 52:

To be entitled an act to continue the rights, privileges, powers, franchises and grants of the Carabelle, Tallahassee and Georgia Railroad Company, formerly the Augusta, Tallahassee and Gulf Railroad Company, and formerly the Thomasville, Tallahassee and Gulf Railroad Company and to extend the time for the completion of the same,

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Hardee, King, Kirk, McKinne, Myers,

Pirrong, Rosborough, Smith of 30th, Smith of 31st, Swearingen, Thomas, Wolfe and Yancey—21.

Nays—None.

So the bill passed, title as stated, and was ordered certified to the House of Representatives.

Senate Bill No. 16 :

To be entitled an act to continue the rights, privileges, powers, franchises and grants of the Suwannee and Gulf Railroad Company, and to extend the time for the completion of the same,

Was read third time and put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Hardee, King, Kirk, McKinne, Myers, Pirrong, Rosborough, Smith 30th, Smith 31st, Swearingen, Thomas, Wall, Wolfe and Yancey—22.

Nays—None.

So the bill passed, title as stated, and was ordered certified to the House of Representatives.

Senate Bill No. 45 :

To be entitled an act to prohibit the destruction and taking away the nests and eggs of birds in this State,

Was read third time and put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Hammond, Hardee, King, Kirk, McKinne, Myers, Pirrong, Rosborough, Smith of 30th, Smith of 31st, Swearingen, Thomas, Wolfe and Yancey—22.

Nays—None.

So the bill passed, title as stated, and was ordered certified to the House of Representatives.

Senate Bill No. 12 :

To be entitled an act regulating appeals from Municipal and Recorders' Courts in this State,

Was read third time and put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Hardee, King, Kirk, McKinne, Myers, Pirrong, Rosborough, Smith of 31st, Swearingen, Thomas, Wolfe and Yancey—20.

Nays—None.

So the bill passed, title as stated, and was ordered to be certified to the House of Representatives.

Mr. Smith, of 30th, was excused from attendance for the day.

Senate Bill No. 39 :

To be entitled an act to punish the larceny, killing, wounding or injuring of dogs and bitches,

Was read the third time and put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Baya, Borden, Bristol, Broome, Calhoun, Coulter, Crosby, Hardee, King, Kirk, Myers, Pirrong, Rosborough, Smith of 31st, Thomas, Wolfe and Yancey—17.

Nays—Messrs. McKinne and Swearingen—2.

So the bill passed, title as stated, and was ordered certified to the House of Representatives.

Mr. Yancey moved that the Senate adjourn until 10 o'clock Monday morning, April 21, 1891;

Which motion was agreed to and the Senate adjourned until that hour.

MONDAY, April 20, 1891.

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. Baya, Borden, Bristol, Brett, Broome, Bryant, Calhoun, Coulter, Crosby, Drake, Farmer, Hammond, Hardee, Johnson, King, Kirk, Myers, Pirrong, Rosborough, Smith of 31st, Summers, Swearingen, Thomas, Wall, Wilkinson, Wolfe and Yancey—29.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

On motion of Mr. Borden, Senator Rogers was excused for this morning's session.

On motion of Mr. Baya, Hon. J. Potsdamer, of Columbia county, was invited to a seat on the floor of the Senate.