

MONDAY, MAY 4, 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, Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Hammond, Hardee, King, Myers, Pirrong, Rogers, Rosborough, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—26.

A quorum present.

Prayer by Rev. Poag.

The Journal was approved.

A message was received from the House of Representatives.

INTRODUCTION OF RESOLUTIONS.

The following resolution was offered by Mr. Farmer :

Resolved, That hereafter that bills upon their second and third reading shall be considered in the order as they are numbered, *i. e.* consecutively.

INTRODUCTION OF BILLS.

By Mr. Thomas :

Senate Memorial No. 158 :

To be entitled a memorial to the Congress of the United States in reference to the passage of an act to define lawful money, and to establish its legal tender character with respect to all debts and obligations hereafter made and entered into.

Mr. Thomas moved that the rules be waived and that Senate Memorial No. 158 be read first time by its title ;

Which was agreed to by a two-thirds vote and Senate Memorial No. 158 was read first time by its title and referred to the Committee on Finance and Taxation.

CONSIDERATION OF RESOLUTIONS.

The resolution previously offered by Mr. Farmer was read second time.

Mr. Coulter moved that the resolution be adopted.

Pending consideration of which Mr. Farmer withdrew the resolution.

The following message, from the House of Representatives, was read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 4, 1891. }

HON. J. B. BROWNE,

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. 117 :

To be entitled an act empowering the Governor to place the name of Isaac N. Lamb, of Madison county, Florida, upon the State soldiers pension roll at a yearly sum of \$100, and respectfully ask the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the House of Representatives.

Also, the following :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 4, 1891. }

HON. J. B. BROWNE,

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. 94 :

To be entitled an act to amend an act entitled an act to grant lands to the Western Railway Company of Florida, to aid the construction of a railroad from a point at the western terminus of the railroad constructed by the Green Cove Spring and Melrose Railroad Company to Melrose, with branches to Starke and Hawthorne, approved May 31, 1889.

And respectfully ask the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk of the House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 4, 1891. }

HON. J. B. BROWNE,

President of the Senate :

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

form the Senate that the House of Representatives has passed—

House bill No. 141 ;

To be entitled an act making atheists, agnostics and persons who do not believe in the doctrine of future rewards and punishments competent witnesses, and providing penalty for testifying falsely.

And respectfully ask the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

House bill No. 94 :

To be entitled an act to amend an act entitled an act to grant lands to the Western Railway Company of Florida to aid the construction of a railroad from a point at the western terminus of the railroad constructed by the Green Cove Spring and Melrose Railroad Company to Melrose, with branches to Starke and Hawthorne, approved May 31, 1889.

Mr. Bryant moved that the rules be waived, and that House bill No. 94 be read first time by its title ;

Which was agreed to by a two-thirds vote, and House bill No. 94 was read first time by its title and referred to the Committee on Railroads and Telegraphs.

House bill No. 117 :

To be entitled an act empowering the Governor to place the name of Isaac N. Lamb, of Madison county, Fla., upon the State soldiers' pension rolls at a yearly sum of \$100.

Mr. Wolfe moved that the rules be waived, and that House bill No. 117 be read first time by its title ;

Which was agreed to by a two-thirds vote, and House bill No. 117 was read first time by its title and referred to the Committee on Finance and Taxation.

House Bill No. 141 :

To be entitled an act making atheists, agnostics and persons who do not believe in the doctrine of future rewards and punishments competent witnesses and providing penalty for testifying falsely.

Mr. Wolfe moved that the rules be waived and that House bill No. 141 be read first time by its title ;

Which was agreed to by a two-thirds vote and House bill No. 141 was read first time by its title and referred to the Committee on Judiciary.

CONSIDERATION OF BILLS ON SECOND READING.

Senate bill No. 53 :

To be entitled an act to fix the rate of interest,
Which had been previously informally passed,

Was again read the second time in full, together with the amendment offered by the Committee on Finance and Taxation, to whom the bill had been recommitted.

Mr. Baya moved that the amendment offered by the committee be adopted,

Pending which—

Mr. Myers offered the following amendment to the amendment offered by the Committee on Finance and Taxation :

That this law shall not apply to any series of stock now in existence of building and loan associations incorporated under the laws of this State.

Mr. Myers moved the adoption of the amendment to the amendment.

Upon which the yeas and nays were called.

The vote was :

Yeas—Messrs. Bristol, Hammond, Hardee, King, Myers, Smith of 31st, Summers, Wadsworth, Wall, Wilkinson and Yancey—11.

Nays—Messrs. Baya, Borden, Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Pirrong, Rogers, Rosborough, Thomas and Wolfe—14.

So the amendment to the amendment was lost.

The question recurred upon the adoption of the committee amendment, upon which the yeas and nays were called.

The vote was as follows :

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, King, Pirrong, Rogers, Rosborough, Summers, Swearingen, Thomas, Wadsworth, Wilkinson, Wolfe and Yancey—19.

Nays—Messrs. Hardee, Myers, Smith of 31st and Wall—4.
So the amendment offered by the Committee on Finance and Taxation to Senate bill No. 53 was adopted, and the bill, with amendment, was ordered engrossed for its third reading.

By permission, Mr. Summers, Chairman of the Committee on City and County Organization, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, FLA., May 4, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—Your Committee on City and County Organization, to whom was referred—

Senate bill No. 153 :

A bill to be entitled an act to define the boundaries of Dade county, in the State of Florida,

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

Very respectfully,

O. J. H. SUMMERS,
Chairman of Committee.

House bill No. 52:

To be entitled an act to legalize the location of the county seat of Dade county, Florida,

Was read second time in full.

Mr. Hardee moved that the rules be waived, and that—

House bill No. 52:

To be entitled on act to legalize the location of the county seat of Dade county, Florida.

Be read second time;

Which was agreed to by a two-thirds vote, and—

House bill No. 52:

To be entitled an act to legalize the location of the county seat of Dade county, Florida,

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Borden, Bristol, Bryant, Calhoun, Crosby, Hardee, King, Myers, Rogers, Rosborough, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wolfe and Yancey—18.

Nays—None.

So the bill passed, title as stated.

Mr. Hardee moved that the rules be further waived and that House bill No. 52 be certified to the House of Representatives at once;

Which was agreed to by a two-thirds vote, and so ordered.

Senate bill No. 134:

To be entitled an act to prohibit the burning of woods and to provide a penalty for violation of the same,

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

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

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

Senate bill No. 140:

To be entitled an act to establish a bureau of vital statistics in and for the State of Florida,

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

Mr. Summers offered the following amendment to the bill:

After section 9 add "*Provided*, That in counties having a population of over sixteen thousand the fees allowed county judges for the services herein required shall be fifteen cents in each case."

Pending consideration of which—

Mr. Rogers (by unanimous consent), Chairman of the Committee on Agriculture, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., May 4, 1891. }

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Committee on Agriculture, to whom was referred—

Senate bill No. 83:

To be entitled an act to declare Eau Gallie river, formerly known as Elbow creek, in Brevard county, navigable within certain limits,

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

Also,

Senate bill No. 141:

To be entitled an act to establish an agricultural experiment station for the State of Florida and to grant certain lands for the endowment of the same,

Beg leave to report that we have duly considered the same and recommend that it do pass.

Very respectfully,

R. F. ROGERS,
Chairman of Committee.

The consideration of the amendment offered by Mr. Summers, to Senate bill No. 140, was resumed.

Mr. Wolfe moved that the amendment be adopted;

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

By permission, Mr. Calhoun introduced—

Senate bill No. 159:

To be entitled an act to appropriate \$700, or so much thereof as may be necessary, to carry out the purpose of Senate Concurrent Resolution No. 77.

Mr. Calhoun moved that the rules be waived and that Senate bill No. 159 be read first time by its title;

Which was agreed to by a two-thirds vote and Senate Bill No. 159 was read first time by its title and referred to the Committee on Appropriations.

Pending further consideration of bills on their second reading—

A committee from the House of Representatives appeared at the bar of the Senate and notified the Senate that the House was ready to receive them in joint session.

The committee thereupon retired.

The President announced that the hour of 12 M. had arrived and the Senate would now proceed to the House of Representatives' hall.

The Senate thereupon marched in a body to the hall of the House of Representatives.

TWELVE O'CLOCK M.

JOINT SESSION, May 4, 1891.

At 12 o'clock the Senate entered the hall of the House of Representatives and was received by the House.

President Browne in the chair.

The President ordered the Secretary of the Senate to call the roll of the Senate.

Upon call of the roll the following Senators answered to their names:

Mr. President, Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Hardee, King, Myers, Pirrong, Rogers, Rosborough, Smith of 31st, Summers, Swearingen, Thomas, Wall, Wilkinson, Wolfe and Yancey—26.

A quorum present.

By request of the President, the Speaker of the House ordered the roll of the House called.

Upon call of the roll the following members answered to their names:

Mr. Speaker, Messrs. Baltzell, Bates, Berry, Bethel, Beville, Blich of Marion, Blich of Levy, Bogue, Brown, Buford, Burford, Canty, Carleton, Carter, Carson, Clark, Coulter, Dimick, Dougherty, Dykes, Goode, Haddock, High, Hocker, Hollinger, Hutchinson, Johns, Lavender, Mann of Baker, McCaskill, McRae, Morgan, Morris, Overstreet, Pittman, Richbourg, Saulsbury, Shine, Sparkman, Summerlin, Thompson, Turnbull, Vann, Whitehurst, Whitner, Wilson and Young—49.

A quorum present.

Mr. Wolfe moved that the reading of the Journals of the

Senate and House in joint session, held May 2, 1891; be dispensed with;

Which was agreed to, and so ordered.

Mr. Dougherty moved that the joint session proceed to vote for United States Senator;

Which was agreed to, and so ordered.

The vote of the Senate was:

For Hon. Wilkinson Call—Messrs. Bryant, Calhoun, Coulter, Crosby, Swearingen, Thomas and Wolfe—7.

For Hon. J. G. Speer—Messrs. Baya, Borden, Farmer, Hardee, Rogers and Rosborough—6.

For Hon. T. A. LaFar—Mr. President, Messrs. Broome, King, Myers, Pirrong, Wall and Wilkinson—7.

For Hon. C. F. A. Bielby—Smith of 31st—1.

On call of roll Mr. Bristol stated that he was paired with Mr. King of Alachua, Mr. Summers stated that he was paired with Mr. Kirk and Mr. Yancy stated that he was paired with Mr. Hammond.

The vote of the House was:

For Mr. Call—Mr. Speaker, Messrs. Berry, Bethel, Blich of Levy, Bogue, Brown, Buford, Canty, Carson, Dykes, Goode, Haddock, Johns, Langford, Lavender, McCaskill, Saulsbury, Summerlin, Thompson and Wilson—20.

For James G. Speer—Messrs. Baltzell, Beville, Blich of Marion, Burford, Carter, Dougherty, High, Hocker, Mann of Baker, Mann of Hernando, Sparkman and Turnbull—12.

For T. A. LaFar—Messrs. Carleton, Clark, Dimick, McRae, Monroe, Morgan, Morris, Overstreet, Richbourg, Robertson, Shine, Vann, Whitehurst, Whitner and Young—15.

For Mr. Saulsbury—Mr. Hutchinson—1.

On call of roll Mr. Bates stated that he was paired with Mr. Atkinson, Mr. Coulter stated that he was paired with Mr. Usina, Mr. Johns stated that he was paired with Mr. Robertson, Mr. Pittman stated that he was paired with Mr. McSwain, and Mr. Trammell stated that he was paired with Mr. Hicks.

The Secretary announced that the total number of votes cast for United States Senator was 68.

Of which—

Mr. Call received 27 votes.

Mr. Speer received 18 votes.

Dr. LaFar received 22 votes.

Mr. Saulsbury received 1.

Mr. Bielby received 1 vote

The President declared there was no election.

Mr. Rosborough moved that the joint session adjourn until 12 o'clock Tuesday, May 5, 1891.

Which was agreed to.

Whereupon the Senate withdrew to its chamber.

12:12 O'CLOCK.

At 12:12 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. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Hammond, King, Myers, Pirrong, Rogers, Rosborough, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wolfe and Yancey—23.

Consideration of bills on second reading was resumed.

Mr. Calhoun moved that the rules be waived, and that Senate bill No. 140 be recalled from the Engrssing Committee and placed back on its second reading for further amendments;

Which was agreed to by a unanimous vote, and the bill was placed back on its second reading.

Mr. Summers moved that the bill be passed informally;

Which was agreed to, and so ordered.

Senate bill No. 146:

To be entitled an act for extending the authority of the railroad commissioners of Florida, so as to give them jurisdiction of joint rates where the haul is wholly by railroad or partly by railroad and partly by water, and for prescribing the powers and duties of said commissioners, and for prescribing penalties for violations of said act, and for defining the rights of parties making claims for damages arising from violations of said act,

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

Senate bill No. 116:

To be entitled an act to amend certain sections and repeal others of an act entitled an act to establish a uniform system of common schools and county high schools,

Was read second time in full.

Mr. Wolfe moved that the bill be indefinitely postponed;

Which was withdrawn.

Mr. Broome moved that the bill be passed informally, and that 100 copies of the same be printed;

Which was agreed to and so ordered.

House bill No. 103:

To be entitled an act to revoke and abolish the present municipal government of Gainesville in certain respects, and to organize a city government therefor,

Was read second time in full.

Mr. Pirrong moved that the rules be waived and that the bill be read third time;

Which was agreed to by a two-thirds vote and—

House Bill No. 103:

To be entitled an act to revoke and abolish the present municipal government of Gainesville in certain respects and to organize a city government therefor,

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Crosby, Farmer, Hardee, King, Myers, Pirrong, Rosborough, Smith of 31st, Summers, Thomas, Wolfe and Yancey—18.

Nays—None.

So the bill passed, title as stated.

Mr. Rosborough moved that the rules be further waived and that the bill be certified to the House at once;

Which was agreed to and so ordered.

Mr. Calhoun called up Senate bill No. 140, and offered the following amendment:

In section 8, lines 4 and 5, after the word judge, in line 4, strike out the words "to file in the office of the Secretary of State" and insert the words "to transmit to the President of the State Board of Health."

Mr. Calhoun moved that the amendment be adopted;

Which was agreed to, and the amendment was adopted.

The bill, as amended, was ordered engrossed for its third reading.

Senate bill No. 153:

To be entitled an act to define the boundaries of Dade county in the State of Florida,

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

Senate bill No. 83:

To be entitled an act to declare Eau Gallie river, formerly known as Elbow creek, in Brevard county, navigable within certain limits,

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

Senate bill No. 141:

To be entitled an act to establish an agricultural experiment.

station for the State of Florida, and to grant certain lands for the endowment of the same,

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

On motion of Mr. Yancy, Mr. Lamont Bailey, Assistant Secretary of the Senate, was excused for Tuesday forenoon.

On motion of Mr. King, the Senate adjourned until 10 o'clock Tuesday, May 5, 1891.

TUESDAY, May 5, 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, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—28.

A quorum present.

Prayer by Rev. Mr. Poag.

The Journal was approved.

INTRODUCTION OF RESOLUTIONS.

The following resolution was offered by Mr. Smith of 31st:
Resolved, That when the Senate adjourn to-day, it adjourn to Wednesday, May 6, at 9 a. m.

INTRODUCTION OF BILLS.

By Mr. Wolfe:

Senate bill No. 160:

To be entitled an act to punish false billing, false weighing, false classification of freight and other fraudulent practices by shippers and railroad companies.

Mr. Wolfe moved that the rules be waived, and that Senate bill No. 160 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 160 was read first time by its title and referred to the Committee on Railroads and Telegraphs.

By Mr. Wolfe:

Senate bill No. 161:

To be entitled an act relating to the construction and maintenance of switch and track connections between railroads, and providing for enforcing the same by proper penalties and proceedings.

Mr. Wolfe moved that the rules be waived, and that Senate bill No. 161 be read first time by its title;

Which was agreed to by a two-thirds vote, and Senate bill No. 161 was read first time by its title and referred to the Committee on Railroads and Telegraphs.

By Mr. Calhoun:

Senate bill No. 162:

To be entitled an act to consolidate the Florida Agricultural College, the Seminary East of the Suwannee river, the Normal School for whites and the Normal School for colored people into one corporation to be known as the University of Florida, to be controlled by a board of five regents, to define the duties of said regents, to turn over to them the State library, the historical archives and whatever specimens of plants, fossils, archeological and historical relics and minerals belonging to the State, for the preservation and increase of the same and for the use of the people of the State, and to set apart and appropriate one-fourth of the revenue accruing annually from the one mill tax for the support and maintenance of public free schools for the support of said university.

Mr. Wolfe moved that the rules be waived and that Senate bill No. 162 be read first time by its title;

Which was agreed to by a two-thirds vote and Senate bill No. 162 was read first time by its title and referred to the Committee on Education.

A communication was received from the Governor.

CONSIDERATION OF RESOLUTIONS.

Resolution of Mr. Smith of 31st was taken up, being Senate Resolution No. 28.

Mr. Smith moved its adoption.

The resolution was withdrawn.