

Which request was granted and the Secretary directed to make the insertion.

Mr. Broome moved an amendment that the committee consist of one member from the Senate and two from the House; Which was not agreed to.

Mr. Swearingen moved that the rules be further waived and that the resolution be read a third time;

Which was agreed to and the rules were further waived and the resolution was read a third time.

Mr. Kirk moved that the vote be reconsidered by which the rules were waived and the resolution was read a third time;

Which motion was agreed to and the reconsideration ordered. The bill was placed back upon its second reading and ordered engrossed.

A message was received from the Governor.

House Joint Resolution relative to joint committees and expenses of the same;

Was read in full first time.

Mr. Hammond moved that the Senate do now go into executive session;

Which motion was agreed to and at 11:14 A. M. the Senate was cleared and the doors closed.

At 1:20 P. M. the doors were opened and the regular business of the Senate was resumed.

Mr. Rogers moved that the Senate adjourn until 10 o'clock Monday, April 13, 1891;

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

MONDAY, April 13, 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, Kirk, Myers, Pirrong, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wilkinson, Wolfe and Yancey—28.

A quorum present.

Prayer by the Chaplain.

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

Mr. Rosborough 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.

Mr. Wall was excused on account of indisposition.

On motion of Mr. Yancey, the Journal of Friday, April 10, 1891, was approved.

INTRODUCTION OF BILLS.

By Mr. Broome:

Senate Bill No. 44:

To be entitled an act to amend an act to change the terms of the Circuit Court of the Second Judicial Circuit of the State of Florida.

Mr. Broome moved that the rules be waived and that Senate Bill No. 44 be read by its title only;

Which was agreed to by a two-thirds vote and Senate Bill No. 44 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Calhoun:

Senate Bill No. 45:

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

Mr. Calhoun moved that the rules be waived and that Senate Bill No. 45 be read first time by its title only;

Which was agreed to by a two-thirds vote, and Senate Bill No. 45 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Summers:

Senate Bill No. 46:

To be entitled an act to fix the times of holding the terms of the Circuit Court in the Fourth Judicial Circuit.

Mr. Summers moved that the rules be waived and that Senate Bill No. 46 be read first time by its title only;

Which was agreed to by a two-thirds vote, and Senate Bill No. 46 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Coulter:

Senate Bill No. 47:

To be entitled an act to protect the public money in the hands of County Treasurers.

Mr. Coulter moved that the rules be waived and that Senate Bill No. 47 be read by its title only;

Which motion was agreed to, and the rules were waived and Senate Bill No. 47 was read by its title and referred to the Committee on Finance and Taxation.

By Mr. Hammond:

Senate Bill No. 48:

To be entitled an act to amend an act entitled an act to prescribe a mode whereby counties may erect court houses and other public buildings, approved February 28, 1883, Chapter 3421 Laws of Florida.

Mr. Hammond moved that the rules be waived, and that Senate Bill No. 48 be read the first time by its title only;

Which was agreed to by a two-thirds vote, and Senate Bill No. 48 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Kirk:

Senate Bill No. 49:

To be entitled an act to repeal section 2 of 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 property of said company shall be exempt from taxation.

Mr. Kirk moved that the rules be waived and that Senate Bill No. 49 be read first time by its title only;

Which was agreed to by a two-thirds vote, and Senate Bill No. 49 was read first time by its title and referred to the Committee on Public Lands.

By Mr. Thomas:

Senate Bill No. 50:

To be entitled an act to repeal Chapter 3997 of the Laws of Florida, approved May 31, 1889.

Mr. Thomas moved that the rules be waived, and that Senate Bill No. 50 be read first time by its title only:

Which was agreed to by a two-thirds vote, and Senate Bill No. 50 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Wolfe:

Senate Bill No. 51:

To be entitled an act for the relief of Wm. H. Trimmer, Supervisor of Registration for Escambia county.

Mr. Wolfe moved that the rules be waived, and that Senate Bill No. 51 be read the first time by its title only;

Which was agreed to by a two-thirds vote, and Senate Bill No. 51 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Swearingen:

Senate Bill No. 52:

To be entitled an act to continue the rights, privileges, powers, franchises and grants of the Carrabelle, 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.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 52 be read by its title only;

Which was agreed to by a two-thirds vote and Senate Bill No. 52 was read first time by its title and referred to the Committee on Railroads and Telegraphs.

CONSIDERATION OF RESOLUTIONS.

House joint resolution relative to the appointment of joint committees to visit State institutions and expenses of same was read a second time.

Mr. Swearingen moved that the resolution be passed informally and remain upon its second reading;

Which motion was agreed to and the resolution was ordered passed informally and to remain on its second reading.

House concurrent resolution relative to the appointment of a joint committee to visit the agricultural colleges, which was passed informally on the 11th inst., was read second time.

Mr. Swearingen asked that the resolution be again passed informally and remain upon its second reading, and that Senate Joint Resolution No. 9, referring to the same subject matter, be taken up for consideration;

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 10, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

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;

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

Also,

Senate Bill No. 21 :

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

And recommend that it do pass with the following amendments :

In the enacting clause, after the word "of" insert "the State of."

And in line 3 of section 4, after the word "provisions" insert "hereof."

Very respectfully,

J. EMMET WOLFE,

Chairman Railroad and Telegraphs Committee.

Mr. Swearingen, Chairman of Committee on Temperance, submitted the following report :

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 10, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—Your committee to whom was referred—

Senate Bill No. 9 :

Entitled an act to prohibit the sale and disposing of cigarettes to persons under eighteen years of age and to prohibit persons under eighteen years of age from smoking cigarettes, beg to report that they have considered said bill and recommend that the bill do pass with the following amendments :

In section 1, line 5, after the word "whatsoever," insert "cigarette tobacco or cigarette paper, when prepared for the purpose of making cigarettes," also, in same section, line 6, after the word "not" insert "less than twenty-five dollars, nor more than one hundred dollars." And strike out the words in lines 6 and 7, "to exceed one hundred dollars," and in line 3 of section 2, after the word "punished," strike out the words, "as provided in section 1 of this act," and add the words "by a fine of not less than five nor more than ten dollars, or imprisonment not to exceed ten days."

Very respectfully,

T. F. SWEARINGEN,
Chairman Committee on Temperance.

Also,

SENATE CHAMBER,
TALLAHASSEE, FLA., April 10, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—Your committee to whom was referred—

Senate Bill No 4 :

Entitled an act to prohibit the sale or giving or furnishing or providing to minors of cigarettes, cigarette tobacco, snuff or cigarette paper, or any substitute, and to provide penalties for the violation of the same,

Beg to report that we have examined said bill and recommend that it do not pass.

Very respectfully,

T. F. SWEARINGEN,
Chairman Committee on Temperance.

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

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 11, 1891, }

HON. J. B. BROWNE,

President of the Senate :

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

Senate Bill No. 28 :

An act to provide for the issue and return of executions upon judgments of courts of record :

Have had the same under consideration, and recommend that it do pass, with the following amendment, to-wit: In line five, section two, after the word "directly" add "by the judgment creditor or his attorney."

Very respectfully,

D. H. YANCEY,
Chairman of Committee on Judiciary.

Also,

SENATE CHAMBER, }
TALLAHASSEE, Fla., April 11, 1891. }

HON. J. B. BROWNE,

President of the Senate :

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

Have had the same under consideration and recommend that it do pass with the following amendments, to-wit:

Strike out, in the 6th and 7th lines of the bill, the words "list of registered voters in their respective counties, and," and insert in lieu thereof the following: "Persons in their respective counties liable to jury duty."

Very respectfully,

D. H. YANCEY,
Chairman Judiciary Committee.

Also,

SENATE CHAMBER,
TALLAHASSEE, FLA., April 11, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate Bill No. 12:

To be entitled an act regulating appeals from municipal and recorders' courts in this State;

Also,

Senate Bill No. 13:

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

Also,

Senate Bill No. 39:

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

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

Very respectfully,

D. H. YANCEY,
Chairman of Committee.

Also,

SENATE CHAMBER,
TALLAHASSEE, FLA., April 11, 1891. }

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred Senate Bill No. 22:

An act to authorize the sale of real estate belonging to foreign lunatics,

Have had the same under consideration and recommend that it do pass with the following amendments, to-wit:

Amend section 2 by adding at the close of the section, the following:

"*Provided*, That the said judge may require of the said guardian, curator, committee or conservator, such bond for the proper application of the funds arising from such sale, as, in his discretion, may seem to be necessary to protect the interests of the lunatic; and

"*Provided further*, That no authority shall be granted to sell said real estate, as provided for in this section, unless the curator, guardian, committee or conservator shall have given at least thirty days' previous notice in one or more newspapers printed in the county in which such real estate may be, or if there be no newspaper published in said county, then in some newspaper published in the next nearest county, of his intention to apply to the said Circuit or County Court for authority to sell said real estate; setting forth in said notice the time and place and before what judge said application shall be made."

Amend section 3 by striking out the following words in the third line:

"In the name of said lunatic."

Very respectfully,

D. H. YANCEY,
Chairman Judiciary Committee.

By permission, Mr. Yancey offered—

Senate Concurrent Resolution No. 16:

Resolved, That a joint committee, consisting of three from the Senate and three from the House, be appointed to take into consideration questions relating to the number and pay of visiting committees, and that said committee be requested to report at as early a day as practical;

Which was laid over under the rules.

Mr. Hardee asked that

Senate Bill No. 23:

To be entitled an act to provide for the redemption of land sold for taxes since 1886, and for the cancellation of tax deeds in certain cases,

Be returned to the Senate by the Committee on Finance and Taxation, and that the same be referred to the Committee on Judiciary;

Which request was granted and the bill ordered returned and referred to Committee on Judiciary.

Thereupon Senate Bill No 23 was returned by the Chairman of the Committee on Finance and Taxation and the bill referred to the Committee on Judiciary as directed.

CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 22:

To be entitled an act to authorize the sale of real estate belonging to foreign lunatics,

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

Mr. Yancey moved that the amendments of the committee to the bill be adopted;

Which was agreed to and the amendments were declared adopted and the bill was ordered engrossed.

Senate Bill No. 28:

To be entitled an act to provide for the issue and return of executions upon judgments of courts of record;

Which was read second time in full, together with the amendments offered by the Committee on Judiciary:

Mr. Wolfe moved that the amendments of the committee to the bill be adopted;

Which was agreed to, and the amendments were declared adopted, and the bill was ordered engrossed.

Senate Bill No. 13:

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

Which was read second time in full.

Mr. Myers offered the following amendment to the bill:

In section 2 strike out "thirty" and insert "ninety" in lieu thereof.

Pending which—

Mr. Myers moved that the bill remain upon its second reading;

Which was agreed to and so ordered.

Senate Bill No. 39:

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

Was read second time in full.

Mr. Swearingen moved that the bill remain upon its second reading for further consideration;

Which motion was agreed to and the bill ordered to remain upon its second reading.

Senate Bill No. 12:

To be entitled an act regulating appeals from municipal and recorders' courts in this State and ordered engrossed.

Was read second time in full,

Senate Bill No. 3:

A bill 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 the second time in full together with the amendments offered by the Committee on Judiciary,

Mr. Coulter moved that the Senate concur in the amendments offered by the committee to the bill;

Which was agreed to and the committee amendments adopted.

Mr. Coulter moved that 200 copies of the bill be printed with the amendments recommended by the committee and that the bill remain upon its second reading;

Which motion was agreed to and it was so ordered.

Senate Bill No. 4:

To be entitled an act to prohibit the sale or giving, or furnishing or providing to minors of cigarettes, cigarette tobacco, snuff or cigars, or any substitute therefor; and to provide penalties for violation of the same.

Mr. Coulter moved that the bill be passed over informally;

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

Senate Bill No. 9:

To be entitled an act to prohibit the sale and disposing of cigarettes to persons under eighteen years of age and to pro-

hibit persons under eighteen years of age from smoking cigarettes,

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

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

Which was agreed to, and the amendments offered by the committee were declared adopted, and the bill ordered engrossed.

Mr. Coulter moved that 200 copies of the bill as amended be printed, and that the bill remain upon its second reading.

Mr. Drake moved to amend by making the number of copies to be printed 50 instead of 200.

The amendment was accepted, and the motion as amended was adopted.

Senate Bill No. 16 :

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

Was read second time in full and ordered engrossed.

Senate Bill No. 21 :

An act to extend the line of the Palatka and Anclote Railroad,

Was read the second time in full, together with the amendments of the Committee on Railroads and Telegraphs.

Mr. Borden moved that the bill remain upon its second reading;

Which was agreed to, and the bill ordered to remain on its second reading.

Mr. Wolfe moved that the courtesy of the Senate be extended to Hon. J. E. Yonge, Dr. G. A. La Far and Messrs. John B. Jones and W. H. Trimmer;

Which was agreed to and so ordered.

Mr. Swearingen moved that the Senate do now go into executive session;

Which motion was agreed to and at 11:48 A. M. the Senate was cleared and the doors closed.

At 12:10 P. M. the doors were opened.

Mr. Kirk moved that the Senate adjourn until 10 o'clock Tuesday morning, April 14, 1890;

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

TUESDAY, April 14, 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, Farmer, Hammond, Hardee, Johnson, King, Kirk, McKinne, Myers, Pirrong, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—30.

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.

Mr. Yancey moved that the courtesy of the Senate be extended to Hon. C. G. Butt, of Orange county;

Which motion was agreed to, and the courtesy of the Senate was extended to Mr. Butt.

Mr. Summers moved that the courtesy of the Senate be extended to Mr. Dexter Hunter, of Duval county;

Which was agreed to and the courtesy of the Senate was extended to Mr. Hunter.

Mr. Broome moved that the courtesy of the Senate be extended to Mr. H. B. Coulter, of Levy;

Which was agreed to, and the courtesy of the Senate was extended to Mr. Coulter.

INTRODUCTION OF RESOLUTIONS.

By Mr. Wolfe:

Senate Resolution No. 17:

Which was read as follows:

Resolved, That A. C. Binkley, Clerk of the Committee on Railroads and Telegraphs, be made an attache of the Senate and placed upon the pay rolls of the same.

Mr. Wolfe moved that the rules be waived, and that the Senate proceed to consideration of the resolution;

Which motion was not agreed to.