

To be members of Board of Health for Franklin county:  
 John G. Ruge, J. D. Rush and J. H. Lockwood.  
 To be members of Board of Health for Levy county:  
 James S. Bodiford and Jas. O. Andrews.  
 To be members of County Board of Health for Orange  
 county:  
 Frank H. Caldwell and J. W. Hicks.  
 To be members of County Board of Health for St. John's  
 county:  
 Wm. T. Shine and A. L. Rogers.  
 To be members of County Board of Health for Escambia  
 county:  
 Robt. W. Hargis, F. G. Renshaw and D. G. Brent.  
 To be members of the County Board of Health for Nassau  
 county:  
 J. L. Horsey, G. V. Hillyer and H. J. Baker.  
 To be members of the County Board of Health for Alachua  
 county:  
 R. A. Lancaster, J. B. Matherson and H. F. Dutton.  
 To be County Commissioner for Gadsden county:  
 H. J. Davis, vice A. J. Rice.  
 To be County Commissioner for District 5, Brevard county:  
 C. E. Chaffee.  
 To be members of the Board of Health for Leon county:  
 L. D. Blocker, R. B. Carpenter and D. B. Meginnis, jr.  
 To be County Commissioners for Walton county:  
 Dr. A. McLean, H. P. Miller, A. R. Jones, J. H. Richbourg  
 and Samuel Rustan.

WEDNESDAY, June 3, 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, Byrant, Calhoun, Coulter, Crosby, Drake, Ham-  
 mond, Johnson, Kirk, McKinne, Myers, Pirrong, Rogers, Ros-  
 borough, Smith of 30th, Smith of 31st, Summers, Swearingen,  
 Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey  
 —29.  
 A quorum present.  
 Prayer by the Chaplain.

MESSAGES FROM THE HOUSE OF REPRESENTA-  
 TIVES.

The following message from the House of Representatives  
 was read:

HOUSE OF REPRESENTATIVES,  
 TALLAHASSEE, FLA., June 2, 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—

Senate bill No. 9:

To be entitled an act to prohibit the sale and disposing of  
 cigarettes, smokettes and cigarette paper to persons under  
 eighteen years of age.

Very respectfully,

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

Senate bill No. 9 referred to in the message was ordered en-  
 rolled.

Also the following:

HOUSE OF REPRESENTATIVES,  
 TALLAHASSEE, FLA., June 2, 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—

Senate bill No. 187 :

To be entitled an act to incorporate the Chipola and Chipewa Lake Railroad Company.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

Senate bill No. 187 referred to in the message was ordered enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., June 2, 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—

Senate bill No. 202 :

To be entitled an act to extend the time for the construction of the Alabama, Florida and Atlantic Railway, with amendments thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

Mr. Yancey moved that the amendments of the House be concurred in ;

Which was agreed to, and the amendments were concurred in.

The bill with amendments was ordered enrolled.

Also the following :

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., June 2, 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. 221 :

To be entitled an act concerning foreign building and loan associations and associations of like character.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

House bill No. 221 was read first time by its title only and passed to its second reading under the rules, without reference.

Also the following :

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., June 2, 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. 337 :

To be entitled an act to provide for the leasing of prisoners sentenced to the State prison,

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

House bill No. 337 was read first time by its title only and passed to its second reading under the rules, without reference.

Also the following :

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., June 2, 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. 160 :

To be entitled an act making appropriations for the expenses of the State government for nine months of the year 1891 and for the year 1892 and for six months of the year 1893.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

Respectfully report that they have duly considered said bill and recommend that it do pass.

Very respectfully,  
T. F. SWEARINGEN,  
Chairman of Committee.

Mr. Calhoun, chairman of the committee appointed under and in pursuance of House Concurrent Resolution No. 10, submitted the following report:

SENATE CHAMBER,  
TALLAHASSEE, FLA., JUNE 2, 1891. }

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Joint Committee to whom was referred—  
House Concurrent Resolution No. 10,

Beg leave to submit the accompanying report and request that the same be printed without the exhibits.

Very respectfully,  
BENJ. P. CALHOUN, Chairman.  
D. H. YANCEY,  
FRANK CLARK,  
LIVINGSTON VANN,  
Committee.

#### REPORT OF THE JOINT COMMITTEE TO INVESTIGATE THE INDIAN WAR CLAIM OF FLORIDA.

Report of the Joint Committee under House Concurrent Resolution No. 10, to investigate the status of the Indian War Claim of the State of Florida:

TALLAHASSEE, FLA., JUNE 3, 1891.

To the Honorable Jefferson B. Browne, President of the Senate:

SIR—The Committee under House Concurrent Resolution No. 10, providing for the appointment of a joint committee of seven, four from the House and three from the Senate, to take into consideration and investigate the claim of the State of Florida for reimbursements of expenditures incurred in the suppression of Indian hostilities, and to report the origin and condition of the claim and the action taken by Congress and and the Senators and Representatives in Congress in reference

thereto, beg to state that they have given the matter entrusted to them the most careful study and thorough investigation, and respectfully submit the following report with accompanying exhibits as the result of their labors:

The resolution referred to is as follows:

#### CONCURRENT RESOLUTION No. 10.

[Exhibit I, on file in office of Secretary of State.]

*Resolved by the House of Representatives, the Senate concurring,*

WHEREAS, There is due from the United States to the State of Florida, a large sum of money on account of expenditures of the State in the suppression of Indian hostilities, and,

WHEREAS, The Congress of the United States has given this matter consideration at various times without reimbursing the State in any particular for said expenditures, and

WHEREAS, There exists a deficit of \$185,000 in the revenue up to December 1, 1890, which the payment of the money so due would more than cover, and

WHEREAS, There are outstanding warrants for services rendered in the suppression of said hostilities which have not been paid, owing to the failure of the Government of the United States to reimburse the State; Therefore, be it

*Resolved,* That a committee of seven, four from the House and three on the part of the Senate, be appointed to take into consideration and investigate the claim of the State for reimbursement of expenditures incurred in the suppression of Indian hostilities, and also claims against the State;

*Resolved,* That such committee shall have power to send for persons and papers, shall report the origin, condition of the claim and the action taken by the Congress and of the Senators and Representatives in the Congress from this State, with reference thereto.

Immediately after the adoption of this resolution, your committee met and organized, and that the said committee have held meetings almost daily in the investigation of this matter contemplated under the resolution up to the time of the making of this report, that they have availed themselves of all papers and Congressional records which were accessible to them in the prosecution of this investigation, but have experienced considerable difficulty because of the absence of

many volumes of Congressional records bearing upon, or presumed to bear upon, the matter under investigation.

The account originated in a claim set up by the State for moneys expended in military operations for the defense of her people during the Seminole war in the years 1855, 1856 and 1857. There were reasons why the general government could not reimburse the State for these expenditures without the express authority of the Congress, and a bill was introduced in the Senate by Mr. Yulee, then Senator from Florida, March 31, 1860, during the session of the 36th Congress, for the purpose of effecting a settlement. This bill was referred to the Committee of Military Affairs of the Senate, but no report was made upon it. Prior to this, during the session of the 35th Congress, all the papers on file in the War Department relating to the manner in which the troops employed by the State in these operations were called into service, were sent to the House of Representatives through the Hon. Geo. S. Hawkins, then a Representative from Florida, and on the 11th day of January, 1859, were referred to the Committee on Ways and Means and printed as House Executive Document No. 38, but it seems to have led to no further action at that time. The war followed and the Congressional records show no further action until the second session of the 46th Congress; joint resolutions were then introduced into both houses of Congress directing the Secretary of War to investigate the matter and report the results. The House resolution was referred to the Committee on Claims, and the Senate resolution to the Committee on Military Affairs, and reports followed from both houses. The Senate report was offered by the Senator from Kansas, Mr. Plumb. This report briefly states the fact upon which the Claim rests and upon this statement both houses pronounced their judgment and passed a joint resolution in the shape which it recommended. (See report of Mr. Pasco from the Committee on Claims to accompany S. 3044, 51st Congress, first session.) [Exhibit V, on file in office of Secretary of State.]

In accordance with the requirements of the joint resolution of Congress approved March 3d, 1881, the Secretary of War investigated, audited and made report to Congress May 23, 1882, of the amount of the claim of the State of Florida for expenditures made in suppressing Indian hostilities between the 1st day of December 1855 and the 1st day of January, 1860. In this report the Secretary of War stated the claim of the State to be \$224,648.09. (See report No. 367, 50th Congress, first session, of Mr. Dougherty from the Committee on Claims to accompany H. R. 3255.) [Exhibit III, on file in the

Secretary of State's office.] But your committee find upon further investigation, that other and different accountings have been made, based upon a larger and broader scope of accounting than that contemplated by the report of the Secretary of War May 23, 1882, as to the amount due the State of Florida. The Secretary of the Treasury, in a letter under date of December 16, 1889, in compliance with section 5 of the Deficiency Act of March 2, 1889, states two methods of accounting and settlement of the mutual claims of the State of Florida and the general government on account of Indian hostilities and other claims of the State.

First, by computing interest on each side to January 1, 1890, and there striking a balance, thus:

Aggregate due the State,	\$261,934 31
Interest thereon at 7 per cent., Jan. 1, 1858 to Jan. 1, 1890,	586,732 85
	\$848,667 16

Principal of bonds held by the United States,	\$132,000 00
Interest from Nov., 1873, to which date interest had been paid, to January 1, 1890,	148,712 66— 280,712 66

Balance,	\$567,954 50
----------	--------------

2. By computing interest on the aggregate due the State to include November 26, 1873 (to which date, inclusive, the interest on the bonds held by the United States has been paid), and striking a balance as of that date, viz:

Principal due the State,	\$261,934 31
Interest at 7 per cent., January 1, 1858, to Nov. 26, 1873,	\$291,634 74
Deduct bonds held by the United States,	132,000 00

Leaving a balance due as interest,	159,634 74
------------------------------------	------------

	\$421,569 05
--	--------------

If Congress deems proper to allow interest on the principal (\$261,934.31) from November 21, 1873, to January 1, 1890, the interest at 7 per cent. would be \$295,098.10; or, at 6 per cent., \$252,941.23. (See Executive Document No. 68, 51st Congress, first session, letter of the Secretary of the Treasury.)

As to the action taken by the Congress and of the Senators and Representatives in Congress from this State with reference

to the Indian War Claim of the State, we submit the following summary taken from such Congressional records as have been accessible to your committee:

(10.) January 26, 1882, 47th Congress, first session, page 5399, in the Senate Senator Jones obtained unanimous consent of the Senate and introduced S. 2098, authorizing the Secretary of the Treasury to settle the Indian War Claims of the State of Florida, which was referred to the Committee on Military Affairs.

(9.) March 3, 1883, 47th Congress, second session, page 3664, Senator Jones offered an amendment to settle this claim on the basis of \$92,648.09, but this amendment was not here agreed to, it being lost on a point of order raised by Mr. Hale.

(6.) Index, 49th Congress, first session, shows Senator Call in the Senate introduced 1293 by request, and 1294, to settle this claim, which was referred to the Committee on Military Affairs and reported back adversely, also S. 1729 as a substitute. (See Ex. VII on file in office of Secretary of State.)

(11.) June 8, 1886, 49th Congress, first session, page 5405, in the Senate Senator Call moved reconsideration of S. 1729 which was to settle this claim on the basis of \$92,648.09 in order that he might offer an amendment, which was agreed to.

(13.) January 27, 1887, 49th Congress, second session, page 1086 in the House H. R. 3877 was under consideration, being advocated by Representatives Dougherty and Davidson, and the same was passed.

(14.) March 3, 1887, 49th Congress, second session, page 2655, in the Senate Senator Call moved to proceed to the consideration of the bill to authorize the Secretary of the Treasury to pay this claim (H. R. 3877) which was objected to by Mr. Hoar that the bill had been reported adversely. (See Ex. II, Report No. 1962 Report of Senator Jones of Arkansas on file in office of Secretary of State.)

(7.) Index, page 465, 50th Congress, first session, shows in the Senate Senator Pasco introduced S. 746 to settle this claim, which went to the Committee on Claims, page 55.

(15.) January 25, 1889, 50th Congress, second session, page 1164, Senator Pasco in the Senate from the Committee on Claims reported S. 746 with amendments, which was objected to by Senator Jones of Arkansas, stating that he did not concur in the report, reserving the right to present a minority report when prepared. (See Ex. IV Report of Senator Pasco No. 2482, 50th Congress, second session, on file in office of Secretary of State.)

(16.) February 20, 1889, 50th Congress, second session, page 2135, in the Senate Senator Pasco submits telegram from

the Governor of Florida, stating that the Legislature of that State now in session had just adopted a unanimous resolution urging Florida Representatives at Washington to use all means to secure the payment of this claim, stating that he desired to get the claim in an appropriation bill and moved that the paper be referred to the Committee on Appropriations, which was agreed to.

(16.) February 21, 1889, 50th Congress, second session, page 2142, in the Senate Senator Call asked unanimous consent of the Senate to allow consideration of S. 746, which was objected to by Mr. Hoar.—Speech of Senator Call.

(16.) February 29, 1889, 50th Congress, second session, page 2324, in the Senate Senator Call stated that the next order of business was the consideration of S. 746, objected to by Mr. Blackburn and Mr. Cockrell, Senator Call acquiescing upon condition that with the unanimous consent of the Senate, the bill might be called up for consideration at the conclusion of House bills on the calendar.

(16.) February 28, 1889, 50th Congress, second session, page 2426, in the Senate Senator Call presented joint resolution of the Legislature of Florida, in relation to the payment of this claim, and moved that inasmuch as a bill to pay the claim had been reported favorably from the Committee on Claims and was now on the Senate calendar, that the paper lay on the table, which was agreed to. (See Ex. V, Report No. 1530, report of Mr. Pasco on file in office of Secretary of State.)

(16.) February 28, 1889, 50th Congress, second session, page 2434, in the Senate Senator Call urged consideration of S. 746 at the conclusion of the consideration of pending amendments of the inter-State commerce bill.

(16.) March 1, 1889, 50th Congress, second session, page 2506, in the Senate Senator Call pressed consideration of S. 746 for which unanimous consent had been repeatedly given.

(16.) March 1, 1889, 50th Congress, second session, page 2531, in the Senate Senator Pasco submitted an amendment to include the principal and interest of this claim in the general appropriation bill, same being supported by Senator Call, which was agreed to.

(19.) December 4, 1889, 51st Congress, first session, page 96, in the Senate Senator Call introduced S. 8 for the payment of this claim, which was read by its title twice and referred to the Committee on Claims.

(17.) March 10, 1890, 51st Congress, first session, page 2068, in the Senate Senator Pasco introduced S. 3044 under authority of an act, approved March 2, 1889, known as the

deficiency appropriation act, for the settlement of this claim, which was read twice and referred to the Committee on Claims.

April 15, 1890, in the House Mr. Davidson introduced H. R. 9347, which was read twice and referred to the Committee on Claims. (See exhibit X on file in office of Secretary of State.)

September 20, 1890, 51st Congress, first session, page 10,275, S. 3044, was reported from the Committee on Claims in the Senate, with amendments, the bill was passed over without prejudice. (See Ex. IX Waile's report to Governor Fleming, March 11, 1891, on file in office of Secretary of State.)

February 17, 1891, recommitted to the committee of the whole House on the State of the Union and ordered printed. (See Ex. A, Mr. Laidlaw's report No. 3839, 51st Congress, second session. Also Mr. Waile's report to Governor Fleming, March 11, 1891, exhibit IX on file in office of Secretary of State.)

Your committee further report, that to throw such other and further light upon the subject of their investigation as might be afforded by the statements of the Hon. Wilkinson Call and the Hon. Charles Dougherty, the said gentlemen being at hand and accesable to them, they requested the said Wilkinson Call and Charles Dougherty to come before them and make their respective statements in the premises, with which request the gentlemen named complied, which testimony is hereto attached and made a part of this report. And your committee upon investigation and examination of the records and the testimony of Mr. Call and Mr. Dougherty, deemed it unnecessary to take other testimony.

Now, on this 11th day of May this committee met at 3:30 P. M., when the following proceedings were had. Present, Mr. Calhoun, Chairman; Messrs. Clark, Yancey, Atkinson, Vann and Borden. Hon. Chas. Dougherty here present was introduced as a witness, who, being duly sworn, testifies as follows:

By Mr. Calhoun—Please state your name and occupation?

Mr. Dougherty—Charles Dongherty. Occupation a farmer, a member of the Legislature of the State of Florida, session 1891.

Q. By Mr. Calhoun—Will you please state whether or not you have represented the State of Florida in Congress? If so, when and at what time did you become a member?

Mr. Dougherty—Yes, sir; I became a member of the 49th Congress. Was also a member of the 50th Congress.

Q. By Mr. Calhoun—Please state dates, if you recollect?

Mr. Dougherty—I took my seat on the first Monday in December, 1885, and continued until the 4th of March, 1889. Was elected in November, 1884. My term expired March 4th, 1889.

Q. By Mr. Calhoun—Please state who your colleagues from Florida were at this time?

Mr. Dougherty—The Hon. R. H. M. Davidson in the House and Senators Call and Jones in the Senate. Towards the latter portion of my term Senator Jones was succeeded by Senator Pasco.

Q. By Mr. Calhoun—When you took your seat in Congress, state what bills or measures, if any, were pending relative to the Indian War Claims of the State of Florida, in the House or in the Senate?

Mr. Dougherty—When I first began to look into the matter, all that I could find of record was a bill in the Senate to pay the State \$92,000, to which the delegation, at least the two Senators, had objected, Senators Jones and Call, particularly Senator Jones. I understood his objection of record to be that the \$92,648 was not in satisfaction of the claim. The bill was a Senate bill to pay the claim of the State of Florida. The committee took into consideration all the facts, and while admitting the facts, illogically decided to pay \$92,648.09, and no more. The bill, as I remember it, stated no particular amount, but the committee decided on \$92,648.09 as full settlement. My recollection is that this was the Committee on Military Affairs of the Senate; either that or the Committee on Claims. I am not clear as to which one it was.

Q. By Mr. Calhoun—After becoming a member of Congress, state what steps you took, if any, in relation to the settlement of the Indian War Claims of the State of Florida, and who your colleagues were from time to time and your full connection therewith, in narrative form, and also state further what disposition was made of the Senate bill you found pending when you took your seat?

Mr. Dougherty—When I got to Washington in the spring of 1885, I went to the War Department to see the record, if any, of these Indian War Claims. I was handed a letter from the Hon. Robert T. Lincoln, transmitting to the House of Representatives a statement of the claim as appeared upon the books of that department. I found that a resolution had prior to that time been passed, asking for such information. I think that resolution was offered by Mr. Davidson of Florida in the House and by Senator Jones in the Senate, but I will state here, Mr. Chairman, that these matters cover so great a length

of time that I speak from memory and cannot be positive as to papers or dates, but will give as near as possible the general outline.

Q. By Mr. Borden—Have you any papers, or do you know of any papers or data that will establish the dates of these occurrences?

Mr. Dougherty—The Congressional Records of the 47th, 48th, 49th and 50th Congresses will give the history of the transaction so far as I was connected with it; those of the 49th and 50th Congresses. (Mr. Dougherty here resumes his narrative statement.) I called upon Senator Call and Representative Davidson to have a talk with them with reference to these claims; in my conference with Col. Davidson I told him that I had ascertained from these letters transmitting the information to Congress as to the status of the claim, that it was in existence; we talked the matter over but he seemed to have little hope of its collection, I then talked with Senator Call about the matter, but he gave me no more encouragement or information than I had received from Col. Davidson. That summer being frequently in Washington, being called there with reference to appointments, gave some time to looking this matter up further, and among the other gentlemen with whom I talked was the Hon. David L. Yulee, who told me about the matter from its inception, cited me to different records, and upon this and the information which he gave me together with what was obtained from the State agent, Mr. S. I. Wailes, I based the report upon which I brought the bill from the Committee on Claims before the House; the bill when reported went upon the calendar of the Committee of the Whole House on the State of the Union, where all appropriation bills must go. This bill provided for the payment of the claim to the State upon the basis of settlement suggested by the Secretary of War, the bill was taken up and considered without action. The next time I was enabled to get consideration for it; I think it passed the House. Report No. 303, 49th Congress, first session, February 3rd, 1886, is the report upon which the bill to pay the claim passed the House of Representatives.

Q. By Mr. Atkinson—What was the amount of the claim as stated in this bill which passed the House.

Mr. Dougherty—At that time the State would have received under the terms of that bill about \$500,000. (Mr. Dougherty here resumes his narrative statement.) The bill passed the House and went to the Senate and was referred to the Committee on Claims; this was House bill No. 3877. I was notified by the Chairman of the committee, Mr. Spooner,

that the committee would, on the next morning, hear me in the Florida case; I went to Senator Call's seat in the Senate, and repeated to him what Senator Spooner had said to me. The next morning I went to the Senate committee room on Claims, was admitted, and made the same argument, or as near as possible the same argument, before that committee, that I had made before the Committee on Claims of the House.

Q. By Mr. Vann—Do you remember the names and number of the committee of the Senate at this time?

Mr. Dougherty—All that I can recollect now were Messrs. Spooner, Dolf, Hoar, Whittborn and Jones of Arkansas. (Mr. Dougherty here resumes his narrative statement.) The committee made a divided report, the majority of the committee reporting adversely to the passage of the bill, Mr. Whittborn, constituting the minority, gave his views as favorable to the passage of the bill.

Q. By Mr. Calhoun—You say that you appeared before the Committee on Claims of the Senate and argued this bill asking its passage, and that you used the same manner of argument that you had before the Committee on Claims of the House; now will you please state at whose request you went before this committee and who accompanied you, and whether any one else argued this case with you before that committee?

Mr. Dougherty—I had been asked by Governor Perry and the State agent, Mr. S. I. Wailes, to appear before the committee; but when I made the argument there were no persons in the committee room except the committee, its secretary and myself, and as far as I know that was the only meeting of that committee to consider the Florida case, and if any presentation of the case was made other than that made by myself I am not aware of it.

Q. By Mr. Calhoun—State whether or not Governor Perry or Mr. Wailes, or either of them, attended with you any meeting of the Committee on Claims of the Senate at that time?

Mr. Dougherty—They did not at this time or at any other time appear with me before that committee.

Q. By Mr. Yancey—Did Governor Perry or Mr. Wailes appear before that committee at any other time within your knowledge before it made its report?

Mr. Dougherty—Not to my knowledge.

Q. By Mr. Atkinson—Was Senator Call in Washington at the time you appeared before this committee?

Mr. Dougherty—He was, sir.

Q. By Mr. Borden—Was Senator Jones in Washington at the time you appeared before this Committee?

Mr. Dougherty—He was not.

Q. By Mr. Clark—You say, Mr. Dougherty, that this bill which passed the House of Representatives would have paid, had it become a law, to the people of Florida about \$500,000. Will you please state what you understood to be the principal of the debt at that time due the people of Florida by the government on account of the Indian War Claim?

Mr. Dougherty—The principal has never changed, the principal debt is \$224,648.09.

Q. By Mr. Clark—Then your bill or the bill that passed the House of Representatives provided for the payment of the interest on that principal?

Mr. Dougherty—It did, sir.

Q. By Mr. Clark—Did the general government hold any claim against the State of Florida that was contended to be a set-off pro tanto against the claim of the State of Florida against the general government?

Mr. Dougherty—It did, sir.

Q. By Mr. Clark—Did that alleged indebtedness on the part of the State to the general government bear interest?

Mr. Dougherty—A portion of it did. That alleged indebtedness consisted of the \$132,000 of the bonds of the State of Florida hypothecated with the Indian Trust Fund for the money with which these troops had been paid, in addition thereto the government had credited itself with moneys of the State of Florida which had come from other sources and also a balance of the direct tax due by the State.

Q. By Mr. Clark—I will get you to state at the time of the passage of this bill, what was the amount, as near as you can come at it, of the indebtedness of the State of Florida, both principal and interest, to the general government?

Mr. Dougherty—Upon the basis of settlement first proposed by the Secretary of War, which, however, was not official, I did not think the indebtedness would reach as high as \$132,000, but it was found that when a settlement was had it would be had upon a basis as then established by the government. At that time the bill refunding the direct tax had not become a law. Then, too, there are other moneys which the State will ultimately get, coming from other funds with which the State should be credited, but I could not get these items included in the letter of the Secretary of War, and found that such letter would have to be the basis for the bill.

Q. By Mr. Atkinson—Were the various sums retained by the general government and which were due the State, arising from various sources, applied to the payment of the interest on the \$132,000 of bonds?

Mr. Dougherty—They had been, sir.

Q. By Mr. Atkinson—Did these sums aggregate the full amount of interest?

Mr. Dougherty—They did not. (Mr. Dougherty here proceeded with his narrative statement.) As soon as I found that the majority of the committee of the Senate would report adversely to the claim, and before Senator Jones of Arkansas, who had been requested to make the report, had done so, I ventured to ask him if he would not state to me the ground upon which he proposed to report adversely. We discussed these grounds somewhat at length. I showed him different authorities bearing upon the subject and parallel cases in which claims identical with this had been paid to other States. He said that he had made up his mind, but he thought that there would be a minority report. And the case went to the Senate as before stated with a divided report. The bill went upon the calendar and died upon the calendar with the adverse report against it at the expiration of the 49th Congress, as well as I remember.

Q. By Mr. Vann—What was the dominant political sentiment in the Senate and in the House of the 49th Congress?

Mr. Dougherty—In the House it was Democratic by 30 odd majority; in the Senate it was Republican; can not state exactly what the majority was, but it was five or six according to my recollection.

Q. By Mr. Vann—What was the politics of Senator Jones of Arkansas?

Mr. Dougherty—He was a Democrat.

Q. By Mr. Yancey—How many Democrats and how many Republicans composed the Senate Committee on Claims at this time?

Mr. Dougherty—I do not remember the number of the committee; the majority of the committee was Republican.

Q. By Mr. Yancey—Is it not a fact that there was a strong prejudice at that time among the Republican members of the Senate against any appropriation bill passed by a House consisting of a majority of Southern Democrats?

Mr. Dougherty—Not that I know of—the Senate is a much more liberal body in the matter of appropriations than the House. This Indian War Claim is the only measure appropriating money for the relief of a State where the State has incurred expenses on behalf of the Government that I have ever known to pass the House and be defeated in the Senate. The same Congress, or the subsequent one, I forget now which, paid the State of Texas about a million dollars, which expenditure the State of Texas had sustained for purposes al-

most identical with the purposes of the expenditure of this money by the State of Florida, as I was informed.

Q. By Mr. Yancey—What committee reported the bill to pay the State of Texas this million dollars, and was the report of the committee adverse or favorable?

Mr. Dougherty—When the money was paid the State of Texas it was paid in a general appropriation bill and came from the Committee on Appropriations.

Q. By Mr. Yancey—Then there was no adverse report against such payment of the claims as to the State of Texas?

Mr. Dougherty—None that I know of.

Q. By Mr. Yancey—Do you think it was possible, considering the political complexion of both Houses of Congress at this time, and the fact, if it is a fact, that this matter had been previously on several occasions adversely reported to the Senate, to pass that bill in the teeth of the adverse report made at that session?

Mr. Dougherty—I am not aware that, up to the time that Senator Jones made his adverse report, that the matter had ever been adversely reported. A report had been made to pay the State \$92,000, but as a matter of opinion, I believe that had the matter been presented as it might have been done to the committee, the report would not have been adverse, but I do not believe that the bill could have been passed at that session of Congress over the report of that committee. I base my opinion as to the procuring of a favorable report, upon the fact that since Senator Pasco has been in the Senate, he has been authorized by the Committee on Claims to favorably report to the Senate a bill almost if not quite identical in its terms and provisions with the one adversely reported. I do not think the political complexion of the Senate had or would have any bearing upon this case.

Q. By Mr. Yancey—Is it not a fact that the Senate committee had on different occasions prior to this time, reported adversely on this claim as far as the interest of the claim by the State of Florida was concerned?

Mr. Dougherty—The Senate committee had reported in favor of not claiming any interest on the part of the government on the hypothecated bonds of the State, and unfavorable on these grounds to allowing interest to the State.

Q. By Mr. Yancey—The report of the Committee on Claims of the Senate made by Senator Jones of Arkansas, on the bill introduced by yourself in and passed by the House was adverse both as to principal and interest, was it not?

Mr. Dougherty—As I read the report of Senator Jones of Arkansas, he denies the liability of the government at all,

upon the grounds that these troops, who were paid by the State, had not been mustered into the service of the United States and had not been called for by the President. The views of the minority, Mr. Whitthorn's took the position that the Governor being on the ground was the best judge of the emergencies of the case. The report of Senator Jones is adverse both as to principal and interest of the claim.

Q. By Mr. Borden—What is the political complexion of the committee, of which Senator Pasco is now a member, that made the favorable report you refer to, and what changes, if any, had occurred in that committee up to that time and subsequent to the former unfavorable report?

Mr. Dougherty—As I understand the matter, Senator Pasco succeeded Mr. Whitthorn as a member of that committee, that is the only change that I am aware of, the majority of that committee is still Republican.

Q. By Mr. Atkinson—Did you request Senator Call to appear with you before that committee?

Mr. Dougherty—I did.

Q. By Mr. Atkinson—What reason did he assign for failing or refusing to attend?

Mr. Dougherty—I cannot now remember, I simply said to him as I have before stated, that on to-morrow morning there would be a meeting of the Committee on Claims to consider the Florida case, would he be present, I cannot now say what his answer was. I will state that Senator Call was at that time busy at his desk. I do not pretend now to quote myself verbatim, but this is the gist of what I said to him.

Q. By Mr. Atkinson—Was Senator Call ill the day that that committee met?

Mr. Dougherty—I cannot say, he was in the Senate chamber when the committee adjourned.

Q. By Mr. Calhoun—State whether or not while that committee was in session on this particular morning that you refer to, you were informed as to whether or not Senator Call was occupied in the Senate upon matters of importance, which might have prevented his attendance upon that committee?

Mr. Dougherty—While I was before that committee the Senate was not in session, the committee meeting was in the morning and adjourned when the Senate was called to order.

Q. By Mr. Yancey—Is it usual or customary for Senators to argue matters coming before committees of which they are not members?

Mr. Dougherty—I am unable to say what the custom is. But I have heard Senators present cases to committees of the

Senate of which they were not members and argue the same. It was not an unfrequent occurrence for Senators to appear before the Committee of Claims of the House of which I was a member. As also before the Committee on Pensions. (Mr. Dougherty here resumes his narrative statement). As I have said, my recollection is that the bill which passed the House of Representatives died upon the Senate calendar with the adverse report against it. In the next Congress an identical bill with one or two verbal changes only, that is in the 50th Congress, was introduced in the House by Representative Davidson or myself, I forget now which, and went to the Committee on Claims of which I was still a member. That committee made a somewhat fuller report than the first one. This report, No. 367, made by myself February 9, 1888, again recommended the passage of the bill. The bill failed of consideration by the House according to my recollection. But an offer was made in the Senate to put the settlement of the claim in the general appropriation bill. That is to include it in what is known as the "Deficiency Bill." Which was a general appropriation bill in the 51st Congress. The Chairman of the Committee in the House made the point of order against that item that it had not been audited by the Comptroller. The point was sustained and the House upon it struck out the amendment. The bill was then referred to the Committee on Claims. This was in the 51st Congress. I do not know that anything more was done with this claim until about Feb. 17, 1891, when happening to be in Washington I asked Mr. Davidson what the condition of the Indian War Claim was. He told me what had been done in the House. I asked him if he knew why it was that the bill was still in the hands of the Committee on Claims. He said that he did not know how it could be gotten out, or words to that effect; that General Bullock had been sick and absent. Two or three days after this conversation with Col. Davidson, I again met the State Agent, Mr. S. I. Wailes, and repeated to him about what Col. Davidson had said to me. He asked me if I knew any way to get the bill out of the committee, that if it remained there it might handicap the measure in the next Congress. He asked me if I would not go before the committee and see if I could not get the bill out and back into the House. I told him that I would try. The next day I went into the House; went to Mr. Laidlaw, Chairman of the Committee on Claims, and asked him if he would make a request of the committee that I have a few minutes before it, with reference to the Florida Indian War Claim. He said that the committee would have its last meeting that morning,

and that it would be to take up unfinished business. I represented to him that this was a matter, in my judgment, of the greatest importance to the State of Florida. He went down in the committee room with me and made a request of the committee to allow me to make a statement. I stated the facts as concisely as I could, with reference to the bill, and the committee asked me to write a report which would put the matter back into the House without prejudice to the claim of the State. I sat down at a table in the committee room, looked over the Journal and found exactly how the claim had gotten back into the Committee on Claims, then I wrote the following report:

#### CLAIMS OF THE STATE OF FLORIDA.

February 17, 1891, committed to the committee of the whole House on the State of the Union and ordered to be printed.

Mr. Laidlaw, from the Committee on Claims, submitted the following report, (to accompany H. R. 9347).

The Committee on Claims to whom was referred the bill (H. R. 9347) for relief of the State of Florida, submit the following report: A bill to pay the claim of the State of Florida, passed the House during the 49th Congress. This committee reported favorably a similar bill during the 50th Congress. During a session of the present Congress the bill was transferred from the Committee on Appropriations to this committee, the point being made that the claim had not been audited by the Comptroller. Therefore your committee recommend that the subject matter be referred to the Secretary of the Treasury to be further audited by the Comptroller, and the result reported to the next Congress. This is the last I ever had to do with this bill.

(The report above set out and referred to, No. 3830, 51st Congress, second session, is here introduced in evidence filed and marked exhibit "A," filed in office of Secretary of State).

Q. By Yancey—Toward the close of the 49th Congress did not Senator Call make a motion to take up the adverse report of the Committee on Claims on Mr. Dougherty's bill and was prevented from doing so by objections being made by Senator Cockrell of Missouri, on the ground that the bill had been twice adversely reported to the Senate?

Mr. Dougherty—I cannot be exact as to the time. Senator Call did make such a motion and the consideration of the matter was objected to. I cannot be positive by whom but think it was Senator Crockrell. But I have not so understood the matter that the reasons for the objection were that the claim had been twice reported unfavorably, because I am not

aware of any report of this nature except that made by Senator Jones of Arkansas. The other reports of which I have any knowledge were adverse in this only, that they report a much smaller amount than that now found by the accounting officers to be due the State. I will state further that the report to pay the State \$92,000 was one made from the committee of which Senator Cockrell was a member.

The further taking of testimony and deliberations of the committee was here adjourned to 3:30 P. M. May 12.

The committee met at 3:30 P. M. this May 12th, pursuant to adjournment yesterday. Present: Mr. Calhoun, chairman, Messrs. Atkinson, Clark, Vann, Borden and Yancey, and the following proceedings are now had:

Hon. Chas. Dougherty here present and further testifies as follows:

Q. By Mr. Calhoun—In your examination of yesterday you were asked what steps you had taken after becoming a member of Congress in relation to the settlement of the Indian War Claims of the State of Florida, and whether or not when you took your seat you found a Senate bill pending on this subject; now please state what disposition was made of the Senate bill referred to, and state if you have refreshed your memory as to whose bill it was?

Mr. Dougherty—My recollection is that I did not know positively as to who introduced the bill. Senator Jones, I think, and I do not remember exactly what disposition the Senate made of the bill. But I remember some correspondence in connection with that bill stating that the amount carried was not sufficient to pay the claim. My recollection is that the amount sought to be appropriated by that bill was \$92,000. I speak now from memory, that the bill was either allowed to die from non-action by the Senate or was postponed, but my memory is not clear as to the exact disposition of this bill. I will state further that when I took my seat in the House of Representatives there was no bill with reference to this matter pending in the House.

Q. By Mr. Calhoun—Who was your colleague in the House at this time?

Mr. Dougherty—The Hon. R. H. M. Davidson.

Q. By Mr. Calhoun—If there was no bill pending in the House when you took your seat, state what action, if any, had ever been taken in the House prior to the introduction of your bill by any of the members of the House from the State of Florida in relation to the Indian War Claim?

Mr. Dougherty—I had been informed that one Mr. Hawkins, a member of Congress from this State about the time of

the breaking out of the war, had brought this matter to the attention of the House, but I did not go back as far as that to look up the record. The only thing that I found on record as far as any action on the part of the House was concerned was the resolution calling upon the Secretary of War for a statement of the claim of the State. There was no record for eight years prior to my taking my seat to show that the matter had been before the House in the shape of a bill making an appropriation to pay the claim.

Q. By Mr. Calhoun—Then I understand that prior to your taking your seat neither Senator Jones nor Mr. Davidson had taken any further action in relation to the Indian War Claims of the State of Florida other than the introduction of the bill in the Senate, introduced as you suppose by Senator Jones, as far as you know?

Mr. Dougherty—No, sir, not to my knowledge, except the bill in the Senate and the resolution in the House.

Q. By Mr. Calhoun—Who was Governor of the State of Florida when you first became a member of Congress from that State?

Mr. Dougherty—Governor E. A. Perry.

Q. By Mr. Calhoun—Who was Governor of the State of Florida before Governor Perry?

Mr. Dougherty—Governor W. D. Bloxham.

Q. By Mr. Calhoun—Did you upon becoming a member of Congress confer with Senator Jones in relation to his bill pending in the Senate looking to the settlement of the Indian War Claims of the State of Florida?

Mr. Dougherty—No, sir.

Q. By Mr. Calhoun—Then if you knew that Senator Jones, the senior member of the Senate of the State of Florida had a bill pending in the Senate at that time relative to the settlement of the Indian War Claims of the State of Florida, why did you not confer with him on that subject, and do I understand you to say that your bill in the House was introduced independent of Senator Jones' bill in the Senate and without conference with him on that subject?

Mr. Dougherty—The bill which Senator Jones had introduced was well understood to be practically dead. I undertook to have a consultation with Senator Jones about the matter of these War Claims, but he would not discuss it with me. At the time I went to Congress the bill introduced by Senator Jones, or the Senate bill, I do not state positively that it was introduced by him, was practically a dead letter. It had died as I have stated, either through non-action upon it by the Senate or by postponement. The visit I made to Senator

Jones for the purpose of talking with him in reference to these War Claims were made before Congress met in December, 1845. After the meeting of Congress in December, 1885, I never saw Senator Jones.

Q. By Mr. Calhoun—Do you know whether or not prior to your becoming a member of Congress from the State of Florida Governor Bloxham had written to Senator Jones advising him in the interest of the State not to accept or permit a settlement on behalf of the State on the basis of \$92,000 in cash?

Mr. Dougherty—I do know that Governor Bloxham at some time—but from memory I cannot give the exact date—did write to Senator Jones to that effect, because I found a copy of such correspondence in the Congressional Record relating to the case.

Q. By Mr. Yancey—In answer to question 23, propounded by myself, a part of your answer is to this effect; “This Indian War Claim as a measure appropriating money for the relief of a State where the State has incurred expenses on behalf of the government is the only one I have ever known to pass the House and be defeated in the Senate.” Will you state to the committee what has been the extent of your search of the past records of Congress upon which you base this answer?

Mr. Dougherty—When the claim was discussed in the Committee on Claims I was directed by that committee to prepare a report. I looked up as far as I was able all of the acts of Congress making appropriations in cases which I considered parallel. I also looked up the records as far as I was able to inform myself as to what proceedings would be proper to get the bill in as good a shape as possible before the House. I made as careful a search as I could make in four or five weeks, and found no instance parallel with this, where favorable action upon the part of the House had been defeated in the Senate. I asked Messrs. Holman of Indiana, Kelley of Pennsylvania, Randall of Pennsylvania and Buckhannan of New Jersey if they knew of any authorities or precedents adverse to my case. If they did I would like to examine them. They told me that they knew of none. I will state further in answer to Senator Yancey, that the report made by myself from the Committee on Claims, gives all the authorities that I could find bearing upon cases parallel with this, and it will be noted that of all the authorities cited in the way of acts of Congress to pay State's claims identical with this, that they all originated in the House of Representatives and were agreed to in the Senate.

Q. By Mr. Yancey—I will ask you to state what are the points of similarity between the bill reimbursing the State of Texas particularly, and the bill covering the case of the State of Florida, introduced by yourself?

Mr. Dougherty—I did not examine closely the Texas bill, but was informed by a member of the Committee on Appropriations that it was a bill to reimburse the State of Texas for moneys expended by her in behalf of the government of the United States.

Q. By Mr. Yancey—Do you remember the period of time elapsing between the expenditure on the part of the State of Texas and the passage of the bill reimbursing the State?

Mr. Dougherty—I do not, sir. I will state that the impression made upon me at that time was that the expenditure incurred by the State of Texas was of much more recent date than those made by the State of Florida in this present matter.

Q. By Mr. Yancey—Will you state, if you know the facts, if the claim of the State of Texas arose from payments by that State to its own troops in suppressing Indian war hostilities?

Mr. Dougherty—I do not know, sir.

Q. By Mr. Yancey—Then the only thing that you can state positively in regard to the similarity of the two claims, that of the State of Florida and the State of Texas, is upon information given you by the member of the committee to whom you have alluded?

Mr. Dougherty—No, sir. I heard the reading of the amendment, and without undertaking to quote the same, distinctly remember that the gist of the amendment was that an appropriation was made to reimburse the State of Texas for moneys expended by her in behalf of the United States. The information which I received from the member of the Committee on Appropriations was from Mr. Sayers of Texas, which was to the effect that the case of his State was very similar to that of the State of Florida.

Q. By Mr. Yancey—Do you remember any of the particulars of the claim of the State of Texas?

Mr. Dougherty—Only as far as I have above stated. I will state further that this Texas case came up, according to my recollection, after my bill which passed the House and was defeated in the Senate.

Q. By Mr. Yancey—I understand you to have said on yesterday that the bill to reimburse the State of Texas passed the same Congress of which yours had passed the House. I now ask you if you can produce the record which could throw

any light upon the matter involved in the question just propounded as to the similarity between the two bills?

Mr. Dougherty—I have no such records in my possession. The records of the 49th and 50th Congress would furnish such light. I will now state as at the beginning that as to dates, speaking from memory, I cannot be positive, but do make the positive statement that the money was appropriated to pay the State of Texas in an appropriation bill, as I have above stated.

Q. By Mr. Vann—Was Mr. Jones of Arkansas a member of the Senate Committee on Claims from which Mr. Pasco got his last favorable report?

Mr. Dougherty—I cannot be positive, but think he is still a member of that committee and was at that time.

Q. By Mr. Vann—How long has it been since your official connection with the House of Representatives terminated?

Mr. Dougherty—The 4th of March, 1889.

Q. By Mr. Vann—Do you know whether a bill similar to this has passed the House since you left?

Mr. Dougherty—I do not, sir. The bill was in the committee until I got it out last February.

Q. By Mr. Vann—Do you know whether Governor Bloxham, when he was chief executive of the State, ever approved of accepting \$92,000 for the Indian War Claims?

Mr. Dougherty—I know nothing of the attitude of Governor Bloxham towards this matter officially, except the letter from him suggesting that the \$92,000 be not accepted.

The further deliberation of the committee and the taking of testimony in this case was here adjourned to 3:30 P. M., May 13th.

Now on this May 14th, pursuant to adjournment this committee met at 3:30 P. M.; present Mr. Calhoun, Chairman; Messrs. Yancey, Vann, Mann, Atkinson and Clark, when the following proceedings were had:

Senator Call here present being duly sworn testifies as follows:

Q. By Mr. Yancey—Will you please state to the committee in narrative form what has been your connection with the claim of the State of Florida known as the Indian War Claim since you have been U. S. Senator?

Mr. Call—When I went to the Senate, I think it was March or April, 1879, Mr. Jones was my colleague, had been there for four years, I found Mr. Jones in charge of the Indian War Claim of the State of Florida; he was an intimate friend and acquaintance of Mr. Wailes and all the connection I had with the matter was to support whatever action Senator Jones

or the committee to whom it was referred reported. Senator Jones had first introduced a resolution asking for a statement by the War Department of the amount of these expenses and also to obtain from the State of Florida such evidence of payments as they could obtain in the shape of vouchers and other matters, and in pursuance of that resolution and investigation by the War Department a report was made upon a letter from the Secretary of War. I do not remember exactly, but think this was about 1882; but all these things will appear in the Record and in the letter of the Secretary of War referred to, this matter was referred to the Committee on Military Affairs, and on the 16th of February, 1883, as it appears from the Record, Mr. Hampton, from the Committee on Military Affairs, submitted a report recommending the passage of Senate bill No. 2098 with amendments. That bill, or the report of the committee rather, reported the balance of the claim made by the State at \$442,268, after crediting the interest and the principal on the bonds of the State of Florida \$132,000, held by the trustee of the Indian trust fund, principal and interest amounting to \$327,790. They reported therefore the balance of the State claim at that date at \$442,268.54. On the 16th of February, 1883, the committee amended the bill in accordance with their views, recommending the payment to the State of Florida of \$92,648 as full payment to the State of all the Indian War Claims, that being the difference after deducting the sum due to the Indian trust fund without interest from the amount claimed by the State \$224,648 without interest, they further recommended the delivery to the State of all the bonds and coupons held by the State by the trustee of the Indian trust fund, that bill was placed upon the calendar of the Senate and when called up Senator Jones asked that it be passed over informally, stating that he had received a telegram from Governor Bloxham (Exhibit C, on file in the office of the Secretary of State), requesting that the bill should be passed over until he could be heard from; subsequently Senator Jones exhibited to me the following letter which he said he had received from Governor Bloxham and which bore his signature:

EXECUTIVE OFFICE,  
TALLAHASSEE, FLA., April 11, 1884.

DEAR JONES—Your favor of the 7th has been received and considered. After advising with many members of our State government I sent the telegram about the Indian War Claim. Now my dear Senator I will give you our reasons according to the settlement proposed in the Hampton report. The

State would receive the difference between the \$224,000 allowed by the Secretary of War and of the \$132,000 of our bonds held by the Indian trust fund or \$92,000 in cash and our 132 bonds. Governor Drew made a contract with Mr. Wailes to allow him 15 per cent. upon the money we received, but Mr. Wailes claims the 15 per cent. on the money and on the \$132,000 bonds and on the interest due on those bonds or the coupons representing said interest. When in Jacksonville last February Mr. Wailes and myself called upon Governor Drew and he interpreted the contract as Mr. Wailes did; now take \$132,000 in bonds interest you see at once after deducting his commission from the cash we receive, there would be but an insignificant sum to turn into the treasurer. It would be too small to be satisfactory; I think it had better go over than practically for all we receive in cash to go in the shape of commissions.

[Signed.]

W. D. BLOXHAM.

To Hon. C. W. Jones, United States Senate.

(Exhibit D, on file in the office of the Secretary of State.)

Under that letter from the Governor Senator Jones declined to take any further action in the matter and the bill ended with the expiration of the session. Senator Jones remained in Congress in charge of this bill; all communications from the State authorities here directed to him alone and not to me. In December, 1885, I believe it was, Senator Jones left the Senate and returned no more. The subsequent history of the bill, or the claim rather, will show that bills were introduced and pending in Congress for the settlement of this claim continuously without any change in the action of the Committee on Military Affairs, which, as will be seen by the Record, had adversely reported against charging interest on the claim against the State and against allowing interest on the State's claim against the Government. I read from Hampton's report, Senate report No. 995, 47th Congress, second session, February 16th, 1883. In the 40th Congress, if I am not mistaken, Mr. Dougherty introduced a bill for interest on the \$224,000, together with a small claim from 1849, which was passed by the House and which allowed the State interest upon the amount of her claim, that is \$224,000. That bill came to the Senate, Governor Perry and Mr. Dougherty came upon the floor of the Senate and urged its passage; Governor Perry particularly spent some time in Washington and at his request, I introduced him to different Senators for the purpose of enabling him to lay the matter before them and, at his and Mr. Dougherty's request I moved the reference of the

bill to the Committee on Claims instead of Military Affairs; I have a very distinct recollection of either one or both of them requesting me to go to the Chairman on Claims and ask him to refer the bill to Senator Jones of Arkansas, as a sub-committee of the Senate. I went to Senator Spooner and he agreed to make this reference of the bill and it was so referred to Senator Jones of Arkansas. I had frequent conferences with Senators and with Senator Jones on the bill and when informed by him that he had formed his opinion adverse to the bill and proposed to report it adversely both as to principal and interest, I urged upon him not to do so, but that if he could go no further, at least adopt the previous report of the Committee on Military Affairs and leave the question open for the Senate. This he, however, declined to do and made the adverse report, which is found in the record, only one member of the committee, Senator Whitthorn, dissenting. I tried to have this adverse report taken up for consideration in deference to the wishes of the Governor and Mr. Dougherty, and at the solicitation of Mr. F. John Ellis, an ex-member of Congress, and a number of other influential persons who were interested as lobbyists in the contract with Mr. Wailes for a fee, as I was informed, but it was impossible for me to obtain any consideration of the bill after its adverse report by the committee with but one dissenting member. At a subsequent session, Mr. Pasco had been elected to the Senate—this was the 50th Congress, I think—and being a member of the Committee on Claims, obtained a favorable report on the bill, substantially in all respects the same as that previously passed by the House and adversely reported in the Senate, and upon this favorable report of Mr. Pasco, the bill, with an amendment, was placed upon the general deficiency bill of March 2, 1889, providing for the payment of the sum due the State with interest. This amendment was offered by Senator Pasco and advocated in a speech before the Senate, which will be found in the record, and also by a speech made by myself which will in like manner be found in the record, and passed the Senate, but was stricken out in the disagreeing votes of the House and Senate, and the following clause inserted in its place: "That the Secretary of the Treasury be and he is hereby authorized and directed to examine the claim of the State of Florida, reported in the letter of the Secretary of War, dated May 22, 1882, and under previous acts of Congress and to make a report upon the same to the next regular session of Congress, and in connection therewith to report the amount of all claims in favor of the general government

against the State of Florida, and in said report to state the account between the general government and the State of Florida," which requires a statement of account and audit, and report to Congress of the amount required to be appropriated for the settlement of this claim. In the 51st Congress in a general appropriation bill, I think, the deficiency bill, Senator Pasco and myself again endeavored to get a favorable consideration of the amendment appropriating money for the payment of this claim, but owing to the length of time consumed in the discussion of the force bill and the great accumulation of business in the Committee on Appropriations, in the passage of the great appropriation bills for the support of the government, the time was too short to obtain consideration for it. The only time the bill for principal and interest has ever been favorably considered in the Senate and an appropriation made for its payment, was when Senator Pasco and myself obtained the amendment referred to and succeeded in obtaining favorable consideration for it, the Senate had upon several previous occasions, as will be shown by the record, reported in effect, adversely to the State's claim for interest; the claim had been pending, as stated by Mr. Pasco, and evidenced by the records of Congress from '56 to the present date without any favorable action with respect to the interest except that referred to. Mr. Yulee and Mr. Mallory before the war were in Congress during the inception of this claim, and afterwards several other Senators, including Senator Jones, and no favorable action was ever had by the Senate with respect to the interest of the claim, except the single occasion when Senator Pasco and myself had it placed upon an appropriation bill. It now stands in a favorable position for passage by the Senate, and if passed by the Senate, in all probability it will pass the House. The only adverse report in toto as to principal and interest of the Indian war claims of the State of Florida, was the report made by Senator Jones of Arkansas referred to. These statements are made from the records and various reports and data I have before me and they conform to my own recollection of the facts and the order of proceedings in relation to this claim since I have been in Congress.

The further deliberations of the committee and the taking of testimony in this matter was here adjourned to 3:30 P. M., May 15th.

Committee met at 3:30 P. M. this May 15th, pursuant to yesterday's adjournment. Present Mr. Yancey in the chair, Messrs. Clark, Borden, Vann and Atkinson, when the following proceedings were had:

Mr. Dougherty being recalled, testifies as follows:

Q. By Mr. Borden—Did your colleague in the House assist you in the collection of this claim while you were in Congress?

Mr. Dougherty—He did, sir.

Q. By Mr. Borden—Please state in what way?

Mr. Dougherty—He cited me to the resolution which I found in the Congressional Record, argued the case with me on the floor of the House whenever the matter was up for consideration and gave me every assistance that he was called upon to render.

Q. By Mr. Borden—Did Mr. Davidson aid you before the Senate committee in the way of argument?

Mr. Dougherty—He did not, sir, but I will state that he was not requested to do so. He said that if I presented it to the Senate committee as it had been presented to the House, that that would be sufficient, and he considered his assistance would be unnecessary.

Q. By Mr. Borden—In answer to question No. 5, page 3, in your testimony of the 11th, you say that he (speaking of Senator Call) gave you no more encouragement or information than you had received from Col. Davidson. Did these gentlemen show any disposition not to aid you in attempting to collect this claim?

Mr. Dougherty—They did not.

I desire to state here, Mr. Chairman, that I hold in my hand a memorandum taken from the records which I desire to submit as follows: On June 9, 1886, in the Congressional Record, page 5657, the bill to pay the 92,000 odd dollars passed the Senate, and Mr. Call asked that the vote be reconsidered. The reconsideration upon that motion was obtained and that bill died on the calendar. In my former testimony I stated that my memory was not clear as to what disposition had been made of that bill, whether it had been postponed or had died upon the calendar, and find that it died, as above stated. On January 29, 1886, Mr. Call introduced, at the request of Governor Perry, a copy of my bill then pending in the House and had it referred to the Committee on Military Affairs. On the 29th of January, 1887, the House bill went to the Senate, page 1204, record 49th Congress, second session, and was referred to the Committee on Claims. The adverse report made by Senator Jones of Arkansas, upon the House bill, was made to the House February 26, 1887.

Q. By Mr. Yancey—Mr. Dougherty, will you state what was his reason for having the vote by which the bill to pay the \$92,000 passed by the Senate reconsidered?

Mr. Dougherty—The reason was that the bill providing for

a settlement with interest (my bill) was pending in the House. It was a proper motion to make, because it was the only method of retaining the bill in the Senate while my bill was pending in the House. The object of the motion was to prevent the Senate bill coming in conflict with the bill in the House.

Senator Call here present, further testifies as follows:

It is not the custom in the Senate for Senators to appear before committees and discuss the merits of bills pending before the committee. I have never known of a single instance except the case of river and harbor bills which are composed of a multitude of items in reference to which special information is possessed by the Senators from different States, where Senators have appeared before committees to engage in the formal discussion of bills pending before them. I recollect but a single instance in my whole experience of twelve years where I have been permitted to appear before a committee of the Senate to make suggestions and discuss the merits of a bill pending before them. I mean committees of which I was not a member.

Q. By Mr. Yancey—Does the fact that a Senator is a member of a committee before which a bill is pending give him superior opportunities and advantages in securing a favorable report upon the bill?

Mr. Call—Very great advantages, and this is especially true of the Committee on Claims, and where claims from different States are pending a favorable consideration may be obtained from one Senator of a claim from his State by according the same consideration for a claim of his State. There is necessarily a reciprocity in these matters which conciliates members towards each other.

Q. By Mr. Yancey—Do you think the fact that this bill—alluded to by us as the Dougherty bill—has first passed and come from a Democratic House, being a Southern claim, to a Republican Senate was in any way prejudicial to the bill in the Republican Senate?

Mr. Call—I have always thought that this was fatal to the bill for several reasons, first because the House—a large majority of it—was from the ex-Confederate States, that is the Democrats, and for that reason it was a matter of party policy to discredit Southern claims that had passed the House, secondly because the Committee on Military Affairs, to which the bill had been referred under the management of Senator Jones and Senator Hampton had, on several occasions taken unfavorable action on the bill so far as the interest was concerned, and upon several other occasions the matter had been

brought to the Senate in an attempt to put it upon an appropriation bill, and both Democratic and Republican members of the Senate were therefore committed to some extent to opposition to this feature of the bill—I refer to the interest of the claim; and for these reasons I was of the opinion that it was a fatally unwise proceeding to rush the bill through the House where the controlling political power was largely composed of members from the Southern States.

Q. By Mr. Atkinson—Did any other bill appropriating money which had passed the House, pass the Senate during that session?

Mr. Call—I cannot speak from memory, perhaps there was such bills as appropriated money for the ordinary expenses of the government, and not only appropriating money for expenses for the government, but claims on the treasury. Numbers of bills passed the Senate appropriating money which had come from the House, but I know of no bill appropriating money for any Southern State on account of an anti-war claim, which passed the Senate at that session, but I speak from memory entirely.

Q. By Mr. Yancey—Have you any recollection or knowledge of a bill passing that Congress similar to the Indian War Claim bill of Florida appropriating a million of dollars to pay a claim of the State of Texas?

Mr. Call—No, sir, there was no such bill. I am very confident no bill that bore any resemblance to this. I am very confident that there never was any such bill, either then or at any previous time.

Q. By Mr. Yancey—Do you remember of any bill passing the Senate during the Congress which had reported favorably on the Dougherty bill, reimbursing the State of Texas for expenditures made on behalf of the government?

Mr. Call—I am very confident there was no such bill passed the Senate which bore any resemblance whatever to the claim of the State of Florida. My remembrance of the bill which passed the Senate to reimburse the State of Texas was that it was a claim on the part of the State accruing since the war for reimbursement of expenses incurred in the suppression of Indian hostilities and Mexican raids for troops regularly authorized and regularly mustered into the service by the United States, and if that were not so, a claim, which had not only been favorably considered and reported from the War Department, but had also been favorably considered and reported from both Houses of Congress, and which was a measure without objection.

Q. By Mr. Atkinson—Do you consider the bill known as the Dougherty bill, was prejudiced from the fact that it was an anti-bellum claim of the State of Florida?

Mr. Call—I do, the longer a claim remains without favorable consideration, the older it is, the greater the difficulty in obtaining its passage. The additional reason is that one of the most formidable objections to the Dougherty bill in the Senate it had previously been considered was probably that the State had seceded from the Union and deprived the United States of the power of paying and settling the claim by her own voluntary act. That certainly was, so far as the interest was concerned, a ground of objection to it. This was the more forcible from the fact that there was then and now pending before the Congress of the United States, claims for large amounts of money for interest due to the loyal States, as they are called, for money expended in the suppression of the civil war, which expenditures were made under the direct authority and act of Congress with the pledge for its repayment to the States expending this money, and it is evident that, until this money was refunded, until this interest was paid to the loyal States under this act of Congress, members of Congress from the Northern States would not favorably consider the claim for interest from one of the seceding States for an anti-war debt or claim. For these reasons it was, and is now, my opinion that the fact that the claim was an anti-war claim was to some extent prejudicial to it.

Q. By Mr. Borden—Do you know what action had been taken upon the part of the State of Florida to collect this claim prior to the civil war?

Mr. Call—I have examined the records. My present recollection is that there was a resolution introduced either by Mr. Yules or Mr. Mallory, for the settlement of the claim, and I think a considerable amount of money was appropriated by Congress for the payment of a portion of it. I think this was about the year 1860, just before the war, but that was not for interest, but on an account stated in relation to the basis of the claim. (See Senator Jones' report).

The further deliberation of the committee and the taking of testimony was here adjourned to 3:30 P. M., May 16th.

Committee met at 3:30 P. M., May 16th, when the following proceedings were had. Present, Mr. Yancey, in the chair, Messrs. Atkinson, Clark and Borden:

Senator Call, here present, further testifies as follows:

Q. By Mr. Atkinson—Do you know of any instance when an appropriation for the relief of a State which had passed

the House had failed in the Senate except this bill for the State of Florida?

Mr. Call—I have no remembrance of any such bill but I have no doubt there are thousands of them. There is no reason why it should not be objected to in the Senate. I consider the suggestion as unreasonable upon the face of it. The records must exhibit many such instances. It is manifest that such bills must have passed one house and failed in the other. There is no possible reason why such a bill should not be voted against for the relief of a State as much as for an individual.

Q. By Mr. Atkinson—I see from the Record that you introduced Senate bill 1293, first session of the 49th Congress, January 29th, 1886, entitled a bill to authorize the Secretary of the Treasury to settle and pay the claim of the State of Florida on account of expenses incurred in suppressing Indian hostilities and for other purposes. Was this bill an exact copy of the bill introduced by Mr. Dougherty which passed the House?

Mr. Call—(Handed copy of bill S. 1293). I do not know that this is an exact copy, I think this bill was introduced by request of the Governor and that it contains substantially the same provisions in what is called the Dougherty bill or the Dougherty-Wailes bill rather. I think it is also substantially the same as the Jones bill providing for the auditing of the claim and the payment of interest. There is no material difference between them. Substantially they all have the same design, to obtain interest for the State. I will state that there is nothing new in either of these bills. They are all the same. A school boy ten years old could write any of them. They simply provide for the audit of the claim and the payment of interest on the same.

Q. By Mr. Atkinson—Who was Governor of the State of Florida at this time, at the time you introduced that bill, January 29, 1886?

Mr. Call—Governor Perry was Governor.

Q. By Mr. Atkinson—In the discussion that arose on this bill did you not state in a speech in connection with the bill that you proposed that a condition should be attached to it that the money should first be applied to the payment of the surviving soldiers who had not been paid and to their widows and children in preference to the payment of 15 per cent. upon an enormous claim to an alleged State agent.

Mr. Call—I do not think there was ever any discussion on the bill. As well as I remember I do not think the bill was

ever reported favorably. From my recollection I am quite confident that it was not.

Q. By Mr. Atkinson—If this money had been paid under the bill which passed the House, would it not have been paid to the order of the Governor of the State and gone into the State Treasury—I mean the Dougherty bill?

Mr. Call—My opinion is that if the Governor had made a contract and given a power of attorney under it for the collection of the money thereunder the party holding it would have the right to deduct whatever fee or consideration had been agreed to be paid him and if the draft was in the name of the Governor of the State, under this power of attorney, in my opinion, he would have a legal right to hold the draft until he was paid the consideration agreed upon. If the draft was made payable to the order of the Governor he would have the right to retain possession of it until his fee was paid.

Q. By Mr. Atkinson—Then you think the contract with Wailes could have been enforced with an act of the Legislature with reference thereto?

(Question objected to by Mr. Clark for the reason that it seeks for an expression of an opinion from the witness as to the construction of a contract between the Governor of this State and a State agent, with the construction of which the witness has nothing to do, which his opinion could not affect, and which does not bear upon the subject matter under investigation by this committee.)

Mr. Call—I do not think anything about it. I never saw the contract with Mr. Wailes.

Q. By Mr. Borden—Did you appear before the Committee on Claims when the House bill was being considered by the Senate Committee—that is, this Dougherty bill?

Mr. Call—It was neither necessary nor permissible for me to appear before the Committee on Claims, nor was I requested to do so, so far as I have any recollection; nor do I recollect of any intimation ever being given to me from the committee or any member of it that it was desirable to hear from me upon the subject. Most exhaustive reports and arguments had been made upon the subject with respect to the settlement of the interest by both Senator Jones and Senator Hampton, which were in writing before that committee with all the facts attendant upon the matter.

Q. By Mr. Borden—Did you not, during the last Congress, advocate the payment of interest on that claim under consideration upon the same basis of settlement as that carried by the House bill which was defeated in the Senate?

Mr. Call—The report of Senator Hampton and the state-

ments of Senator Jones shows that from my first entrance into Congress until the expiration of the last session I have continuously advocated such bill for claim of interest and voted for it, and you may add that I have never voted or supported any other bill.

Q. By Mr. Borden—Did you ever say in Congress that the efforts to collect interest on the claim would defeat it?

Mr. Call—I am quite confident that I never made any such remark in Congress. The Record shows that I have always supported the State claim for interest. The first resolution introduced by Senator Jones of Florida, and referred to the Committee on Military Affairs, is shown by the report of Senator Hampton to have been for interest. I had no connection with that bill, but the statements of Senator Jones and Senator Hampton show that I supported it, and did all in my power for it. So with every bill for interest that has been introduced or considered in the Senate. It is, therefore, very evident that I could not have made such a statement.

Q. By Mr. Borden—Did you in a speech or an interview at any time say that interest could not be collected by the State, that you thought that only the \$92,000 could be collected?

(Objected to by Mr. Clark, for the reason that it is a question foreign to the subject matter under investigation; that it seeks to elicit information as to alleged declarations of opinion by the witness at some time other than when in the discharge of his official duties, and for the reason that it does not call specifically to the witness' attention the time and place of the alleged declaration.)

Mr. Call—In reference to the circumstances under which the bill for the payment of the State's claim for interest failed in the Senate, I have been of the opinion that the State's claim for interest would at some date be paid. But I am of the opinion and have been advised by the statements of Governor Bloxham made before the committee of the Legislature—of which you have a copy, which I have seen recently as well as formerly—that Governor Bloxham, Mr. Wailes and the State administration, as also was Senator Jones and Senator Hampton of the opinion, that it was not practicable at the time when the Hampton report was made to obtain any other payment than that reported by that committee, which was for the balance of the principal after deducting the principal of the debt due from the State to the Indian Trust Fund. I have never had any connection with that report or with the management of the claim on the part of the State, it having been entrusted to my colleague predecessor and senior in the Senate, C. W. Jones.

My official connection has been that of advocating and urging, as the records will show, the consideration and passage of the various bills for interest on the State's claim. At this time in the interview referred to, I said that objection had been made because the claim was for interest, that interest had not been allowed to the loyal States upon their claims for money expended in the suppression of the Civil War, also the fact that the adjusted claims of the States of Virginia, New York, Pennsylvania, Delaware and South Carolina for moneys expended during the war with Great Britain for the preservation of the independence of the country had not been allowed and paid, but not any personal opinions of my own in reference to the right of the State to have such payment.

Q. Did you at any time when you had the floor in the Senate call up for consideration a bill referring to the inspection of the custom house at Baltimore or any other place, instead of calling up the Indian War Claims bill, I mean the Dougherty bill?

(Question objected to by Mr. Clark, for the reason that it is altogether and absolutely foreign to the question under investigation by this committee.)

Mr. Call—This is another old charge of the Times-Union made five or six years ago when C. H. Jones was editor. After having repeatedly moved for the consideration of the adverse report of the Senate on the Dougherty bill and the passage of the bill, notwithstanding the adverse report. After having moved for the consideration of that bill and finding that objection was made to it as a bill adversely reported with but one dissenting member in favor of it, I did on the last night of the session, when there was no possible chance of obtaining consideration of an important bill and claim that had been thirty-five years before the Senate, and adversely reported, after making an effort both that night and on other previous occasions, moved to take up a bill for a charitable object and destitute family, who were represented in a report of a committee to have a just claim. I did make this motion at the request of a Senator from Maryland who had some temporary engagement out of the Senate chamber.

Q. By Mr. Yancey—As Senator Borden's question is intended to convey more than it expresses, I will ask you this question: Did you subordinate your privilege to call up the Florida Indian War Claim bill to the bill for the inspection of the custom house at Baltimore?

Mr. Call—No, I did not. It never was possible, as the record shows, to have obtained consideration of the bill for the payment of the State's claim after its adverse report, but I

had moved for its consideration and sought to obtain action upon it in obedience to the request of the Governor and the wishes of the representatives in the House, but the least discernment and familiarity with the proceedings of Congress or of any legislative body will show to any reasonable person that a claim for interest thirty-five years old, adversely reported by the leading members of both political parties, with the claims of the States of Virginia, New York, Maryland, Delaware and South Carolina for interest and expenditures under the authority of Congress during the war with Great Britain, adjusted and allowed in executive departments of the government and recommended by the President still unpaid and disallowed by Congress, with such favorable action ahead of it, precluded any reasonable probability of a consideration of the State's interest claim adversely reported, until the report of the committee should be revised and a favorable report made. Therefore I say in answer to this question, that not only I did not subordinate the State's claim for interest and its consideration and passage to any other claim, but that I used repeated earnest efforts both then and on previous occasions to obtain its favorable consideration, but for the reasons stated it was impossible to obtain it.

The further taking of testimony and deliberations of the committee was here adjourned to 3:30 P. M., May 18th.

Committee met at 3:30 P. M., this 19th of May, pursuant to last adjournment, when the following proceedings were had. Present, Mr. Calhoun in the chair, Messrs. Yancey, Clark, Vann, Borden and Atkinson, constituting a quorum.

A motion by Mr. Atkinson, seconded by Mr. Borden, was made that ex-Representative R. H. M. Davidson be summoned to testify before the committee in the matter under investigation. The yeas and nays being called resulted as follows: Those voting in the affirmative were Messrs. Atkinson and Borden; those voting in the negative were Messrs. Yancey, Clark and Vann. Whereupon the motion was declared lost. A motion was made by Mr. Borden that Senator Pasco be summoned before the committee to testify in relation to the status of the Indian War Claim of the State of Florida under the resolution under which the committee is now acting, which being seconded by Mr. Atkinson, the yeas and nays being called for, resulted as follows: Those voting in the affirmative were Messrs. Atkinson and Borden; those voting in the negative were Messrs. Clark, Yancey and Vann. Whereupon the motion was declared lost.

Mr. Borden stated in support of his motion that he did not think that the committee were carrying out the full intent of

the letter and spirit of the resolution without having before the committee ex-Representative Davidson and Senator Pasco as they had had Senator Call and Mr. Dougherty.

Mr. Yancey in explanation of his vote on the motions here made stated that he voted not to summon these gentlemen for the reason that upon being asked if they desired to direct the examination of Mr. Davidson and Senator Pasco to any particular point or fact in the testimony, not already covered, Messrs. Atkinson and Borden replied "no," and believing that the spirit of the resolution was an investigation only of Senator Call's record, and that the record and the testimony of Messrs. Dougherty and Call, covered this matter pretty fully, and the committee having been at work a long time upon this matter and further delay being likely to defeat a report of the committee, I voted no.

Mr. Clark, in explanation of his vote on the motions here made, stated that he voted no for the reasons assigned by Senator Yancey and for the further reason that it is not contended or intimated that Messrs. Davidson or Pasco or either of them are in possession of any facts other than those already in the possession of the committee, or any facts that tend to elucidate any part of the record, or that there was, nor is it contended that there is, any part of the record that needs any elucidation or explanation.

Mr. Vann, in explanation of his vote on the motions here made, stated that he voted no because he did not think there was anything in the record or in the testimony, as given before the committee, that in any way implicates either Mr. Pasco or Mr. Davidson, and for the reason that there is sufficient data before the committee upon which to submit a just report.

(A paper purporting to be a copy of Senate bill 1293 is here offered in evidence by Mr. Atkinson, filed and marked exhibit B, on file in the office of the Secretary of State.)

By Mr. Atkinson—I offer to prove by Mr. Dougherty, here present, that the bill presented and marked exhibit B is a bill identical with that introduced by Mr. Dougherty in the House of Representatives, which subsequently passed the House with the exception of some unimportant amendments and the head lines of the bill.

By Mr. Calhoun, the Chairman—Mr. Atkinson is now permitted, if he so desires, to introduce Mr. Dougherty as a witness as to the identity of this copy of bill marked exhibit B with the bill introduced by Mr. Dougherty in the House.

By Mr. Atkinson—(Handing exhibit B to Mr. Dougherty. the following questions are asked : ) Is that bill identical with

the bill introduced by you which passed the House with the exceptions above noted?

Mr. Dougherty—It is, sir.

By Mr. Calhoun—You state that Exhibit B is a copy of the Senate bill introduced by Senator Call in the Senate. Now, do you know whether Senator Call prepared this bill himself or whether it was prepared by Governor Perry and introduced by Mr. Call at the request of Governor Perry?

Mr. Dougherty—I only know that it was introduced by request because it is a matter of record. I was in the Senate Chamber when it was introduced. I was told by Governor Perry and by Senator Call that it was introduced at the request of Governor Perry. I will state further, Mr. Chairman, that when printed as a Senate bill I procured a copy of it and compared it with the bill introduced by myself in the House, and that the copy which I hold in my hand marked Exhibit B, is the copy which I compared with the House bill, and has not been out of my possession until I placed it in the possession of this committee. The only change in the bill from turning it into a Senate bill from the House bill is the change in the head lines. All after the enacting clause inclusive is identical with the House bill. I do not know who changed the head lines, whether Senator Call or Governor Perry. As to who prepared the bill, I do not know whether it was Senator Call or Governor Perry.

Upon motion of Mr. Yancey, duly seconded and carried, the Chairman was requested to prepare as soon as practicable a report and to submit the same to the committee for its approval.

The further deliberations of the committee was here adjourned until 3:30 P. M., May 20th.

Your committee would further state that an investigation of the subject matter of the Indian War Claims of the State of Florida had already been made under a resolution introduced by Mr. Mann of Hernando, in the Senate of Florida, session of the Legislature of 1885 (see Senate Journal of 1885, page 53), and the committee of the Senate appointed under said resolution made their report, which may be found on pages 124 and 125, Senate Journal, 1885, and said committee made its further and additional report to the Senate on February 12, 1885 (see Senate Journal 1885, pages 522, 523, 524 and 525), and your committee finds that the two reports above cited refer only to the auditing of the claims of the State by the Secretary of War of the United States, and to questions relating to the amount due the State and to the tes-

timony taken under said investigation of S. I. Wailes, Wilkinson Call, W. D. Bloxham and S. B. Conover. After a full and thorough investigation of the records of Congress as above cited, the testimony of Mr. Call and Mr. Dougherty and the Senate Journal of 1885 giving the report of the committee appointed to make this investigation at that time, your committee is of the opinion and finds that the Senators and Representatives from Florida in the Congress have used all proper efforts and diligence in the prosecution of the claims of the State on account of Indian War expenditures, and their failure to effect a settlement between the State and general government thus far was due to causes beyond their control, and we, the committee, find no fault in them.

BENJ. P. CALHOUN, Chairman,  
D. H. YANCEY,  
FRANK CLARK,  
LIVINGSTON VANN.

REPORT OF A PART OF THE JOINT COMMITTEE,  
APPOINTED UNDER HOUSE CONCURRENT  
RESOLUTION NO. 10.

We, the undersigned members of the joint committee appointed to investigate the claims of the State of Florida against the government of the United States for reimbursement, on account of expenditures made in suppressing Indian hostilities in this State, and also to investigate the conduct of the Senators and Representatives of the State of Florida, in the Congress with reference to said claim, beg leave to submit the views of the minority as follows:

We concur in the opinion of the majority of the committee as to the origin, condition and present status of this claim, as embodied in the majority report, but we cannot concur in their conclusion as to the action of the Senators and Representatives in the Congress from this State with reference thereto.

We find that up to the time of the meeting of the 49th Congress nothing of a practical nature had been done to bring the matter to a settlement between the government of the United States and the State of Florida.

Up to the time above mentioned, nothing had been pending in either House of Congress which could become law, except a bill in the Senate by which it was proposed to pay the State \$92,648.09.

Said bill had been introduced by Chas. W. Jones, then a Senator, and was reconsidered because it did not propose a settlement fair to the State.

In the 49th Congress a bill was introduced in the House of Representatives by Mr. Dougherty, providing for a settlement upon the basis of the letter of the Secretary of War, dated May 23, 1882.

That bill proposed that the State be paid the full amount due with interest, and the bonds of the State held by the United States government aggregating \$132,000 should be surrendered to the State.

We do not deem it necessary to cite dates and pages of the Congressional Record, but do state that such record shows that bill to have failed in the Senate after having passed the House of Representatives.

Various bills were introduced in the Senate touching this matter after the introduction of the bill in the House by Mr. Dougherty, and a reference to some of them and their provisions is deemed proper. The number of the bill introduced in the House was H. R. 3877.

After the introduction of bill H. R. 3877, all of the bills introduced in the Senate were by Mr. Call.

Senate bill No. 467, provided for the payment of soldiers who were mustered into the service of the United States, who had not received their pay. Had that bill passed, the State would not have received any money.

The next bill was Senate bill 1293, a verbatim copy of the House bill 3877, except the headlines changing it into a Senate bill, as will be seen from the testimony accompanying the majority report, and that bill, the only one under which a settlement could have been effected, was the one defeated in the Senate after having passed the House.

The record shows that Senator Call introduced that bill by request, and the testimony shows that the request was made by E. A. Perry, at that time Governor of the State.

The next was Senate bill 1294, which provided for the payment of "soldiers who had not received their pay," which would not, had it passed, have put one dollar into the State treasury.

From the records and the testimony we gather the fact that the government of the United States does not recognize any claim where a State owes money expended on behalf of the government, and will only settle with a State when such State shall have paid the money claimed to be due. The report of the Committee on Claims of the House of Representatives, which was submitted to the committee with other public

documents, states the facts, and, as above stated, there is no difference of opinion with relation thereto, but the testimony of the only witnesses summoned before the committee is upon some points conflicting.

We asked that Senator Pasco and ex-Representative Davidson be summoned to appear before the committee, which request was denied. We desired that ex-Governor Bloxham and others should be summoned, but refrained from making the request for the reason that the majority agreed that sufficient testimony had been taken upon which to base a report.

We submit the bare facts of record as follows:

The Secretary of War made a report to the 47th Congress (Ex. Doc. 203).

In the 49th Congress a bill H. R. 3877 was introduced and passed the House to settle this claim.

When a copy of the bill was introduced in the Senate, a speech made by Senator Call who introduced it, shows that he did not understand the facts of the case. The State had paid the troops and had borrowed a portion of the money with which to make such payment, and that speech of Senator Call, pages 965 and 966, Congressional Record, January 29, 1886, shows that he claimed that he wanted the money to go to the widows and orphans of these soldiers, when the soldiers themselves had been paid by the State.

The House bill failed in the Senate, and the testimony shows that Senator Call did not appear before that Senate Committee on Claims, when a matter in which his State was interested was pending.

Therefore we conclude that the matter was not properly represented in the Senate by Senator Call, and that he is responsible for the failure of the government to audit and settle the claims of the State.

W. J. BORDEN,  
A. S. MANN,  
H. F. ATKINSON,  
Members of Committee.

Mr. Yancey moved that 500 copies of the report be printed in pamphlet form and be printed in the bound copy of the Journal;

Which was agreed to and so ordered.

Mr. Borden gave notice that he would submit a minority report and ask that it be printed.

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

Consideration of reports of committees was then resumed. Mr. Bryant, Chairman of the Committee on Public Printing submitted the following report:

SENATE CHAMBER,  
TALLAHASSEE, FLA., June 3, 1891. }

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Committee on Public Printing, to whom was referred—

Senate bill No. 234:

Entitled an act to provide for the reprinting of volumes 3 and 10 of Florida Supreme Court Reports,

Beg leave to report that we have had the same under consideration and report it back without action.

Very respectfully,

J. W. BRYANT,  
Chairman of Committee.

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

SENATE CHAMBER,  
TALLAHASSEE, FLA., June 3, 1891. }

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—  
Senate bill No. 255:

To be entitled an act to prescribe the fees for recording certain chattel mortgages."

Also,

House bill No. 56:

To be entitled an act to prescribe the fees of abstractors, and to require the same to give bond,

Have had the same under consideration and report the same back without recommendation.

Very respectfully,

D. H. YANCEY,  
Chairman of Committee.

Also the following:

SENATE CHAMBER,  
TALLAHASSEE, FLA., June 3, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 211 :

To be entitled an act prescribing the mode of procedure for the exercise of the right of eminent domain by water works companies.

Also,

Senate bill No. 251 :

To be entitled an act to punish the breaking and entering, or the entering without breaking, in the day time or night time, of a building, ship or vessel, with intent to commit a misdemeanor, and to repeal Chapter 3463, Laws of Florida,

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

Very respectfully,

D. H. YANCEY,  
Chairman of Committee.

Also the following,

SENATE CHAMBER, }  
TALLAHASSEE, FLA., June 3, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—Your Committee on Judiciary, to whom was referred—  
House bill No. 252 :

To be entitled an act to make the killing, catching or hunting with dogs unmarked hogs in certain cases a misdemeanor,

Have had the same under consideration, and recommend that it do pass with the following amendment, to wit : In line 18, section 1, strike out the words "of such county."

Very respectfully,

D. H. YANCEY,  
Chairman of Committee.

#### SPECIAL ORDER OF THE DAY.

The hour having arrived for the special consideration of—  
Senate bill No. 257 :

To be entitled an act for the assessment and collection of revenue,

It was taken up and read second time by sections. All amendments to be offered with reference to printed bills.

Section 1 was read.

On motion of Mr. Baya section 1 was adopted as read.

Section 2 was read.

On motion of Mr. Baya section 2 was adopted as read.

Section 3 was read.

On motion of Mr. Crosby section 3 was adopted as read.

Section 4 was read.

Mr. Yancey offered the following amendment to section 4 :  
Add to the end of sub-section 2, of section 4, "including property, both real and personal, of all fire, hose and hook and ladder companies."

On motion of Mr. Yancey the amendment was adopted.

Mr. Baya offered the following amendment to section 4 :

In section 4, line 22, after the words value of, strike out "two" and insert "four."

On motion of Mr. Baya the amendment was adopted.

On motion of Mr. Rogers, section 4 as amended was adopted.

Section 5 was read and adopted.

Section 6 was read and adopted.

Section 7 was read and adopted.

Section 8 was read.

Mr. Yancey offered the following amendment :

Add to section 8 "provided that such stock is returned for assessment by such company."

On motion of Mr. Yancey the amendment was adopted.

On motion of Mr. Yancey section 8, as amended, was adopted.

Pending reading of section 9, on motion of Mr. Yancey, section 9 was read by paragraphs.

Paragraph 1 was read.

Mr. Yancey offered the following amendment :

Insert after the word "judge" in line 5, the words "and have the county judge's seal upon it."

On motion of Mr. Yancey the amendment was adopted.

Paragraph 1, as amended, was adopted.

Paragraph 2 was read and adopted.

Paragraph 3 was read.

Mr. Browne offered the following amendment :

In section 9, paragraph 3, line 74, after the word "sundry," strike out all that follows in said paragraph.

Mr. Browne moved that the amendment be adopted ;

Which was not agreed to, and the amendment was lost.

Mr. Wolfe offered the following amendment :

In section 9, paragraph 3, line 77, after the word "fifty," insert "nor more than one thousand."

On motion of Mr. Wolfe the amendment was adopted.

Mr. Calhoun offered the following amendment :

In section 9, line 55, strike out "quart" and insert "pint."

Mr. Calhoun moved that the amendment be adopted ;

Which was not agreed to and the amendment was lost.

Mr. McKinne offered the following amendment :

In section 9, line 57, after the word "further," strike out lines 57, 58, 59 to "dealers."

Mr. McKinne moved that the amendment be adopted ;  
Which was withdrawn.

Paragraph 3, as amended, was adopted.

Paragraph 4 was read.

Mr. Browne offered the following amendment :

In section 9, paragraph 4, line 87, after the word employ, strike out all that follows in said paragraph and insert "more than fifty workmen shall pay a license tax of forty dollars for each factory, establishment or place of business in each county."

Mr. Browne moved that the amendment be adopted.

Mr. Rogers offered the following amendment to the amendment :

Strike out "fifty" and insert "twenty-five ;"

Which was withdrawn.

The amendment offered by Mr. Browne was withdrawn.

Mr. Broome offered the following amendment :

In section 9, paragraph 4, line 87, strike out all in line 87, to and including line 91, and insert "tobacco who shall employ more than twenty-five workmen, shall pay a license tax of twenty-five dollars, and manufacturers of cigars who shall employ more than twenty-five cigar makers shall pay a license tax of twenty-five dollars for each factory, establishment or place of business in each county."

Mr. Browne moved that the amendment be adopted ;

Which was not agreed to and the amendment was lost.

Mr. Wolfe offered the following amendment :

In sub-section 4, line 38, strike out "ten" and insert "five" in lieu thereof.

Mr. Wolfe moved the adoption of the amendment ;

Which was not agreed to and the amendment was lost.

Mr. Browne offered the following amendment :

In section 9, paragraph 4, line 87, after the word "employ" strike out all that follows in said paragraph and insert "more than ten workmen shall pay a license tax of ten dollars for each factory, establishment or place of business in each county."

Mr. Broome moved that the amendment be adopted ;

Which was not agreed to and the amendment was lost.

Paragraph 4, as amended, was adopted.

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

Paragraph 5 was read.

Mr. Myers offered the following amendment :

In section 9, line 98, after the word premiums insert the words "from policy holders in this State."

And in line 99 insert after the word holder the words "in this State."

Mr. Myers moved that the amendment be adopted ;

Which was agreed to, and the amendment was adopted.

Paragraph 5, as amended, was adopted.

Paragraph 6 was read.

Mr. Wall offered the following amendment :

Amend paragraph 6, section 9, line 108, after the word "dollars," insert "book agents shall pay a license tax of ten thousand dollars ;"

Which was withdrawn.

Mr. Myers offered the following amendment :

In section 9, line 110, after the word "them," insert the words "but where the sale is of personal property of a traveling dealer, trader, merchant or salesman, they shall pay 5 per cent. on the gross amount of such sale."

Mr. Myers moved that the amendment be adopted.

Mr. Baya offered the following amendment to the amendment :

Strike out "five" and insert "twenty-five."

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

Which was not agreed to and the amendment to the amendment was lost.

The question recurring upon the motion of Mr. Myers to adopt the amendment offered by himself,

The same was agreed to, and the amendment was adopted.

Paragraph 6, as amended, was adopted.

Mr. McKinne offered the following amendment :

In section 1, paragraph 7, line 122, after the word pay, insert "in each county."

Mr. McKinne moved that the amendment be adopted ;

Which was not agreed to and the amendment was lost.

Mr. Yancey offered the following amendment :

Strike out the words "in each county" in line 123.

On motion of Mr. Yancey the amendment was adopted.

Mr. Rogers offered the following amendment :

Strike out "less" in line 121, paragraph 7, and insert "not more."

Mr. Rogers moved that the amendment be adopted ;

Which was agreed to, and the amendment was adopted.

Paragraph 7, as amended, was adopted.

Pending further consideration of the bill—  
 Mr. Summers moved that the Senate do now go into executive session;  
 Which was agreed to, and at 1:05 the Senate was cleared and the doors closed.  
 At 1:15 o'clock the doors were opened.  
 Mr. Kirk, Chairman of the Committee on Engrossed Bills, submitted the following report:

SENATE CHAMBER,  
 TALLAHASSEE, FLA., June 3, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 247:

A bill to be entitled an act to incorporate the city of Arcadia,  
 Beg leave to report that they have examined the same and find it correctly engrossed.

Very respectfully,  
 BENJ. F. KIRK,  
 Chairman of Committee.

Mr. Wall moved that the rules be waived and the messages from the House of Representatives be read;  
 Which was agreed to and so ordered, so—  
 The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,  
 TALLAHASSEE, FLA., June 3, 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—

Senate bill No. 93:

To be entitled an act to amend section 2 of an act entitled an act to amend an act entitled an act to abolish the corporations of Tampa and North Tampa to provide a municipal government for the city of Tampa and to define the boundaries thereof.

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

Mr. Wall moved that the rules be waived and that Senate bill No. 93 be ordered enrolled;

Which was agreed to and so ordered.

By permission Mr. Borden, Chairman of Joint Committee on Enrolled Bills, submitted the following report:

Which was ordered spread upon the Journal without being read.

SENATE CHAMBER,  
 TALLAHASSEE, FLA., June 3, 1891. }

HON. J. B. BROWNE,

President of the Senate:

SIR—The Joint Committee on Enrolled Bills, to whom was referred—

House bill No. 61:

To be entitled an act to amend Chapter 3124 of the Laws of Florida so as to authorize both husband and wife to testify in civil actions in which either may be interested.

Also,

House bill No. 111:

To be entitled an act declaring the town of Saint Leo in the county of Pasco, to be a legally incorporated town.

Also,

House bill No. 64:

To be entitled an act to regulate the continuance of criminal cases by the prosecution.

Also,

House bill No. 66:

To be entitled an act to prescribe a form for warranty deeds of conveyance to land,

Beg leave to report that they have examined the same and find them correctly enrolled, and respectfully request your signature thereto.

Very respectfully,  
 W. J. BORDEN,  
 Chairman of Joint Committee.

ENROLLED.

An act to amend Chapter 3124 of the Laws of Florida so as to authorize both husband and wife to testify in civil actions in which either may be interested.

Also,

An act declaring the town of St. Leo, in the county of Pasco, to be a legally incorporated town.

Also,

An act to regulate the continuance of criminal cases by the prosecution.

Also,

An act to prescribe a form for warranty deeds of conveyance to land.

Were signed by the Hon. Jeff. B. Browne, President, and C. A. Finley, Secretary of the Senate, and the same returned to Mr. Borden, Chairman of the Joint Committee on Enrolled Bills, for presentation to the Governor.

On motion of Mr. Summers the Senate adjourned until 3 o'clock.

### AFTERNOON SESSION.

3 O'CLOCK, WEDNESDAY, June 3, 1891.

The Senate resumed its session.

President Browne in the chair.

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

Mr. President, Messrs. Baya, Borden, Myers, Smith of 30th, Smith of 31st, Wadsworth and Wolfe—8.

Not a quorum present.

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

Mr. President, Messrs. Baya, Borden, Brett, Broome, Bryant Calhoun, Drake, Johnson, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers, Wadsworth, Wall, Wolfe and Yancey—21.

A quorum present.

By permission, Mr. Borden, in accordance with notice given this morning, submitted the minority report of the committee appointed in accordance with House Concurrent Resolution No. 10;

Which was ordered printed with the majority report in pamphlet form.

Mr. McKinne moved that the rules be waived and that the Senate take up Senate bill No. 241 out of its regular order;

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

Senate bill No. 241:

To be entitled an act in relation to landlords' liens.

Was taken up out its order, read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Brett, Broome, Byant, Cal-

houn, Drake, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers and Wadsworth—16.

Nays—Messrs. Wolfe and Yancey—2.

So the bill passed, title as stated.

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

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

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

SENATE CHAMBER,  
TALLAHASSEE, FLA., June 3, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 214:

A bill to be entitled an act to provide for establishing, working, repairing and maintaining the public roads and bridges of the several counties of this State, and to provide penalties for the failure thereof.

Also,

Senate bill No. 193:

A bill to be entitled an act to amend an act to establish the municipality of Key West and provide for its government and prescribe its jurisdiction and powers,

Respectfully report that they have examined the same and find them correctly enrolled.

Very respectfully,

FRED T. MYERS,  
Chairman of Committee.

Mr. Wolfe moved that the rules be waived and that the Senate take up bills upon their second reading;

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

Mr. Wolfe moved that the rules be further waived and that the Senate take up House bill No. 294 out of its regular order;

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

House bill No. 294:

To be entitled an act to fix the pay of the members, officers and attaches of the Legislature A. D. 1891,

Was taken up out of its regular order and placed on its second reading.

Mr. Yancey moved that the bill be read by sections;

Which was agreed to and so ordered.

Section 1 of the bill was read and adopted as read.

Section 2 was read, together with the amendments offered by the committee, as follows:

Amendment by the Committee on Legislative Expenses to House bill No. 294:

In section 2, page 4, line 7, strike out the word "three" and insert word "four" in lieu thereof.

Also, in section 2, page 5, line 1, strike out the word "four" and insert the word "ten" in lieu thereof.

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

Which was agreed to and the amendments to the bill were adopted.

Section 2, as amended, was adopted.

Section 3 was read and adopted as read.

The Senate amendments to House bill 294 were ordered engrossed, and the bill was passed to its order on Calendar of bills on the third reading.

Mr. Wolfe moved that the rules be waived and that the Senate take up bills on their third reading:

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

Mr. Wolfe moved that the rules be further waived and that the Senate take up House bill No. 294 out of its regular order.

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

House bill No. 294:

To be entitled an act to fix the pay of the members, officers and attaches of the Legislature of A. D. 1891,

Was taken up out of its regular order, read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Brett, Calhoun, Crosby, Drake, Johnson, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers, Wilkinson, Wolfe and Yancey—17.

Nays—Messrs. Broome, Bryant, Coulter, McKinne, Myers and Wadsworth—6.

So the bill passed, title as stated.

Mr. Wolfe moved that the rule be further waived, and that the bill be certified to the House of Representatives at once;

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

By permission, Mr. Borden, Chairman of the Joint Committee on preferred Calendar, submitted the following report:

HON. J. B. BROWNE,

President of the Senate:

SIR—Your joint committee to select the bills in the Senate and House of importance to be brought up for consideration at this session, report the following as the order of business:

1st. Revenue bill.

2nd. Appropriation bill.

3rd. Legislative expense bill.

4th. Revised statutes.

5th. House bill No. 90—Usury bill.

6th. House bill No. 31—Redemption bill.

7th. House bill No. —Jury bill.

8th. Bill referring to railroad commission and all bills relating to said bill as soon as Senate acts on railroad commission bill.

9th. Senate Joint Resolution No. 240.

10th. House Joint Resolution No. 31—Amending section 2.

11th. Bills changing judicial circuits.

12th. House bill No. 287—Fencing railroad lines.

13th. House bill No. —Amending local option law.

14th. Senate bill No. 147.

15th. House bill No. —Phosphate bill.

16th. Senate bill No. 56—On elections.

17th. House bill No. 177—U. S. liquor license (now in the Senate).

18th. Senate bill No. 125—now in the House.

19th. House bill No. 269—Pilot commissioners.

20th. Joint resolution with reference to acceptance of money appropriated by Congress for schools.

21st. House bill No. 342.

And your committee recommend that when a bill shall be taken up it shall be disposed of by a waiver of the rules.

W. J. BORDEN,  
Chairman of Committee.

F. E. BOGUE,  
Secretary Committee.

Mr. Broome moved that the report be adopted;

Which was agreed to and the report was adopted.

Mr. Rogers gave notice that he would on to-morrow move to reconsider the vote by which House bill No. 358 was defeated.

Consideration of Senate bill No. 257 was resumed.

Paragraph 8 was read.

Mr. Wolfe offered the following amendment :

In sub-section 8, line 126, strike out "one hundred" and insert "twenty" in lieu thereof.

Mr. Wolfe moved that the amendment be adopted ;

Which received no second.

Mr. Yancey offered the following amendment :

In sub-section 8 of section 9, after the words "circus or show" strike out "in which horses are ridden or displayed in a riding ring or under tent."

Mr. Yancey moved that the amendment be adopted :

Which was agreed to, and the amendment was adopted.

Paragraph 8, as amended, was adopted.

Paragraph 9 was read.

Mr. Yancey offered the following amendment :

In sub-section 9 of section 9, line 141, after the word "virtues" strike out all down to word "who" in line 142.

Mr. Yancey moved that the amendment be adopted ;

Which was agreed to, and the amendment was adopted.

Paragraph 9, as amended, was adopted.

Paragraph 10 was read.

Mr. Summers offered the following amendment :

In section 9, sub-section 10, line 150, printed bill, strike out the word "one" and insert "three."

Mr. Summers moved that the amendment be adopted ;

Which was agreed to and the amendment was adopted.

Paragraph 10, as amended, was adopted.

Paragraph 11 was read.

Mr. Baya offered the following amendment.

In section 9, line 175, after the word "any" insert "express company violating this provision and any."

Mr. Baya moved that the amendment be adopted ;

Which was agreed to and the amendment was adopted.

Mr. Calhoun offered the following amendment :

That section 11 be amended by adding after the word pay, in line 169, on page 9, the words "to the Comptroller a license tax of one thousand dollars, which shall be in lieu and in the place of all other taxes of every kind and character whatsoever," and strike out all that follows in paragraph 11, after the word "pay," in line 169, down to the word "any," in line 175.

Mr. Summers moved that the amendment be adopted ;

Which was not agreed to and the amendment was lost.

Mr. Wall offered the following amendment :

In section 11, line 163, after the word "dollars," strike out all and insert "having a capital stock of less than twenty-five thousand dollars, shall pay a."

Mr. Yancey moved that the amendment be adopted ;  
Which was agreed to and the amendment was adopted.

Paragraph 11, as amended, was adopted.

Paragraph 12 was read and adopted as read.

Paragraph 13 was read and adopted as read.

Paragraph 14 was read.

Mr. Summers moved to strike out paragraph 14 ;

Which was not agreed to.

Paragraph 14 was adopted as read.

Paragraph 15 was read.

Mr. Wall offered the following amendment :

In section 9, paragraph 15, line 197, after the word "of" strike out "all" and insert the words "at the rate of fifty dollars for every one hundred miles of telegraph lines operated by said company in this State, in lieu of all other license taxes."

Mr. Wall moved that the amendment be adopted ;

Which was agreed to, and the amendment was adopted.

Paragraph 15, as amended, was adopted.

Paragraph 16 was read.

Mr. Yancey offered the following amendment :

Add to sub-section 16 of section 9 the following: "Provided telephone lines of less than twenty-five miles long shall pay a license tax of \$25."

Mr. Yancey moved that the amendment be adopted ;

Which was agreed to, and the amendment was adopted.

Mr. Summers offered the following amendment :

In section 9, paragraph 16, line 203, after the words electric light, strike out "water works."

Mr. Summers moved that the amendment be adopted ;

Which was not agreed to and the amendment was lost.

Mr. Myers offered the following amendment :

In section 9, line 205, strike out "one hundred" and insert "fifty."

Mr. Myers moved that the amendment be adopted ;

Which was not agreed to and the amendment was lost.

Paragraph 16 as amended was adopted.

Section 10 was read and adopted as read.

Section 11 was read and adopted as read.

Section 12 was read.

Mr. Yancey offered the following amendment :

In section 12, line 10, after the word court, add "or to the clerk of the circuit court, when no grand jury is ordered, which shall be filed in said clerk's office."

Mr. Yancey moved that the amendment be adopted ;

Which was agreed to and the amendment was adopted.

Section 12, as amended, was adopted.

Section 13 was read and adopted.

Section 14 was read.

Section 14 was adopted as read.

Section 15 was read.

Mr. Myers moved to amend by striking out section 15 ;

Which was not agreed to.

Mr. Wolfe offered the following amendment :

In section 15, line 10, after the word "listed" insert "together."

Mr. Wolfe moved that the amendment be adopted ;

Which was agreed to and the amendment was adopted ;

Section 15, as amended, was adopted.

Section 16 was read.

Mr. Wolfe offered the following amendment :

In section 16, at the end of said section, insert "and the assessor shall assess all land and the improvements thereon separately, setting down in one column the value of the land and in another the value of the improvements thereon."

Mr. Wolfe moved that the amendment be adopted ;

Which was not agreed to and the amendment was lost.

Mr. Yancey offered the following amendment :

In section 16, line 2, after the word "be," strike out "nominated by the assessor and."

Mr. Yancey moved that the amendment be adopted ;

Which was agreed to and the amendment was adopted.

Section 16, as amended, was adopted.

Section 17 was read and adopted as read.

Section 18 was read.

Mr. Yancey offered the following amendment :

In section 18, line 3, after the word "the," at end of line, insert "real and."

Mr. Yancey moved that the amendment be adopted ;

Which was agreed to and the amendment was adopted.

Section 18, as amended, was adopted.

Section 19 was read and adopted as read.

Section 20 was read and adopted as read.

Section 21 was read and adopted as read.

Section 22 was read.

Mr. Baya offered the following amendment :

In section 22, lines 19 and 20, after the word "platted," strike out the words "and which grants are," and insert "or of which plats are not."

Mr. Baya moved that the amendment be adopted ;

Which was agreed to and the amendment was adopted.

Section 22, as amended, was adopted.

Section 23 was read and adopted as read.

Section 24 was read and adopted as read.

Section 25 was read.

Mr. Yancey offered the following amendment :

In section 25, line 4, after the word "time," strike out "upon the nomination of the assessor."

Mr. Yancey moved that the amendment be adopted ;

Which was agreed to, and the amendment was adopted.

Section 25, as amended, was adopted.

Section 26 was read and adopted as read.

Section 27 was read and adopted as read.

Section 28 was read and adopted as read.

Section 29 was read and adopted as read.

Section 30 was read and adopted as read.

Section 31 was read and adopted as read.

Section 32 was read and adopted as read.

Section 33 was read.

Mr. Baya offered the following amendment :

In section 33, line 5, after the word "apart" strike out the balance of the section.

Mr. Baya moved that the amendment be adopted ;

Which was agreed to, and the amendment was adopted.

Section 33 as amended was adopted.

Section 34 was read and adopted as read.

Section 35 was read.

Mr. Wolfe offered the following amendment :

In section 35, line 2, strike out "including the county school taxes," and insert "except for school purposes."

Mr. Wolfe moved that the amendment be adopted ;

Which was agreed to and the amendment was adopted.

Section 35 as amended was adopted.

Section 36 was read and adopted as read.

Section 37 was read and adopted as read.

Section 38 was read and adopted as read.

Section 39 was read and adopted as read.

Section 40 was read and adopted as read.

Section 41 was read.

Mr. Yancey moved to strike out section 41 ;

Which was agreed to and section 41 was stricken out.

Section 42 was read.

Mr. Wolfe moved to strike out section 42 ;

Which was agreed to and section 42 was stricken out.

Section 43 was read and adopted as read.

Section 44 was read and adopted as read.

Section 45 was read and adopted as read.

Section 46 was read and adopted as read.  
 Section 47 was read and adopted as read.  
 Section 48 was read and adopted as read.  
 Section 49 was read.

Mr. Wolfe offered the following amendment:

In section 49, line 5, strike out "and" and insert "in."

Mr. Wolfe moved that the amendment be adopted;

Which was agreed to, and the amendment was adopted.

Mr. Yancey offered the following amendment:

In section 49, line 7, strike out all down to the word "the" in line 8.

Mr. Yancey moved that the amendment be adopted;

Which was agreed to, and the amendment was adopted.

Section 49, as amended, was adopted.

Section 50 was read and adopted as read.

Section 51 was read and adopted as read.

Section 52 was read.

Mr. Wolfe offered the following amendment:

In section 52, line 23, after the word in line 22, change "corporeal" to "corporeal;" strike out "proper" and insert "property."

Mr. Wolfe moved that the amendment be adopted;

Which was agreed to, and the amendment was adopted.

Section 52, as amended, was adopted.

Section 53 was read and adopted as read.

Section 54 was read.

Mr. Wolfe offered the following amendment:

In section 54, line 1, after the word "town," insert "unless otherwise provided in their charters."

Mr. Browne moved that the amendment be adopted;

Which was agreed to and the amendment was adopted.

Section 54, as amended, was adopted.

Section 55 was read and adopted as read.

Section 56 was read and adopted as read.

Section 57 was read.

Mr. Bristol offered the following amendment:

In section 57, line 2, after the word "to-wit," strike out all of line 2 and line 3, and insert "on the first four thousand dollars five per cent., on the next four thousand dollars two per cent."

Mr. Bristol moved that the amendment be adopted;

Which was not agreed to and the amendment was lost.

Section 57, as amended, was adopted.

Section 58 was read.

Mr. Myers offered the following amendment:

Strike out section 59 and insert the following:

Section 59. That nothing in this act shall be so construed as to impair the validity of any assessment of taxes assessed prior to the first day of January, 1892, nor of any proceedings had or done, or that may hereafter be had or done by any collector for the collection of any taxes assessed before that time, nor shall this act relieve any person from any penalty incurred by reason of a violation of the law now in force.

Mr. Myers moved that the amendment be adopted:

Which was agreed to and the amendment was adopted.

Section 59 was read.

Mr. Myers offered the following amendment:

Add the following section for section 60:

All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Mr. Myers moved that the amendment be adopted;

Which was agreed to and the amendment was adopted.

Mr. Wolfe offered the following amendment to section 35:

In section 35, line 4, after the word taxes insert "including such rate as may have been levied by the county board of education for school purposes."

Mr. Wolfe moved that the amendment be adopted;

Which was agreed to and the amendment was adopted.

Mr. Wall moved that the vote by which the last amendment offered by Mr. Browne to paragraph 4, of section 9, was lost, be reconsidered;

Which was agreed to by a two-thirds vote and the amendment was reconsidered.

The question recurred upon the adoption of the amendment offered by Mr. Browne to paragraph 4, section 9.

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Mr. President, Messrs. Calhoun, Crosby, Farmer, Johnson, Rosborough, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—15.

Nays—Messrs. Baya, Borden, Bristol, Broome, Bryant, Drake, Hammond, Kirk, McKinne, Myers, Pirrong, Rogers and Smith of 30th—13.

So the amendment was adopted.

Mr. Calhoun offered the following amendment to section 9.

In section 9, line 169, page 9, subdivision 11, after the word "pay," strike out all that follows to the word "any" in line 175 and insert "to the Comptroller \$1,500, which shall be in lieu and place of all other taxes and licenses of every kind and character whatsoever."

Mr. Wall moved that the amendment be adopted;

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Messrs. Calhoun, Hammond, Johnson, Myers, Summers, Thomas, Wadsworth, Wall, Wilkinson and Yancey—10.

Nays—Messrs. Baya, Borden, Bristol, Broome, Bryant, Crosby, Drake, Farmer, Kirk, McKinne, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Swearingen and Wolfe—17.

So the amendment was lost.

Mr. Rogers offered the following amendment to paragraph 7, of section 9:

Strike out paragraph 7, of section 9, and insert the following:

“Keepers of livery, sale or feed stables when not less than four nor more than eight horses or mules are kept for hire, sale or feed, shall pay a license tax of five dollars; when not less than eight nor more than twelve horses or mules are kept for hire, sale or feed, shall pay a license tax of fifteen dollars; when more than twelve horses or mules are kept for hire, sale or feed, shall pay a license tax of twenty dollars.”

Mr. Rogers moved that the amendment be adopted;

Which was agreed to and the amendment was adopted.

Mr. Borden offered the following amendment to section 17:

In section 17, line 10, page 12, after the word “notes,” insert “mortgages, except given for the purchase money.”

Mr. Borden moved that the amendment be adopted;

Which was agreed to and the amendment was adopted.

On motion of Mr. Myers the Engrossing Clerk was authorized to make necessary corrections in the numbering of the sections of Senate bill No. 257.

All the sections as read and amended were adopted as a whole, and the bill as amended was ordered engrossed for its third reading.

On motion of Mr. Baya the chairman of the Committee on Engrossed Bills be authorized to employ such additional clerical aid as might be necessary to have the bill engrossed immediately.

Mr. Wall moved that the vote by which House bill No. 358 was indefinitely postponed, be reconsidered and that the motion to reconsider be made the special order for 10:30 to-morrow morning;

Which was agreed to and so ordered.

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

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Messrs. Baya, Broome, Calhoun, Farmer, Hammond, Johnson, Pirrong, Rogers, Smith of 31st, Thomas, Wilkinson and Yancey—12.

Nays—Messrs. Borden, Bristol, Bryant, Crosby, Kirk, McKinne, Myers, Rosborough, Smith of 30th, Summers, Swearingen, Wadsworth, Wall and Wolfe—14.

So the Senate refused to adjourn until that time.

Mr. Yancey moved that the Senate adjourn until 9 o'clock to-morrow;

Upon which the yeas and nays were called for.

The vote was:

Yeas—Messrs. Broome, Calhoun, Farmer, Hammond Johnson, Pirrong, Smith of 30, Smith of 31st and Yancey—9.

Nays—Messrs. Baya, Borden, Bristol, Bryant, Coulter, Crosby, Kirk, McKinne, Myers, Rogers, Rosborough, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, and Wolfe—18.

So the Senate refused to adjourn until that time.

On motion of Mr. McKinne, the Senate adjourned until 8:30 this evening.

## EVENING SESSION.

8:30 O'CLOCK.

The Senate met pursuant to adjournment.

President Browne in the chair.

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

Mr. President, Messrs. Baya, Borden, Bristol, Brett, Bryant, Calhoun, Coulter, Crosby, Farmer, Hammond, Johnson, Kirk, McKinne, Myers, Pirrong, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wolfe and Yancey—25.

A quorum present.

Mr. Wolfe moved that the action of the Senate in adopting the report of the joint committee on the calendar, be reconsidered.

Mr. Kirk moved to lay the motion on the table;

Which was agreed to and the motion was laid on the table.

Regular order of business was proceeded with.

House bill No. 90:

To be entitled an act to fix the legal rate of interest in the State of Florida, to define usury and to provide for forfeitures on usurious contracts,

Was taken up in its order, read second time in full, together with the amendment to the title.

Mr. Wolfe moved to lay on the table.

Upon which the yeas and nays were called.

The vote was:

Yeas—Messrs. Bristol, Hammond, Summers and Wolfe—4.

Nays—Messrs. Baya, Borden, Bryant, Calhoun, Coulter, Crosby, Johnson, Kirk, Myers, Pirrong, Rosborough, Smith of 30th, Smith of 31st, Swearingen, Thomas, Wadsworth and Yancey—17.

So the motion to lay on the table was lost.

Mr. Wolfe moved that the rules be waived and that House bill No. 90 be passed to its third reading;

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

House bill No. 90 :

To be entitled an act defining usurious contracts, and prescribing penalties and forfeitures on same (amended title),

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bryant, Calhoun, Coulter, Crosby, Farmer, Johnson, Kirk, McKinne, Myers, Pirrong, Rosborough, Smith of 30th, Swearingen, Thomas, Wadsworth, Wolfe and Yancey—19.

Nays—Messrs. Bristol, Smith of 31st and Summers—3.

So the bill passed, title as stated.

Mr. Yancey moved that the rules be further waived, and that the bill be ordered certified to the House of Representatives at once.

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

House bill No. 31 :

To be entitled an act in relation to the redemption of real estate sold under execution, decree, mortgage or deed of trust,

Was taken up in its order, read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Bryant, Calhoun, Coulter, Crosby, Kirk, Pirrong, Rogers, Rosborough, Smith of 30th, Swearingen, Thomas, Wolfe and Yancey—16.

Nays—Messrs. Brett, Farmer, Hammond, Johnson, Myers, Smith of 31st and Wadsworth—7.

So the bill passed, title as stated.

Mr. Borden moved that the rules be waived, and that the bill be certified to the House of Representatives once;

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

Mr. Calhoun moved that the rules be waived and that the Senate take up House bill No. 298 out of its regular order;

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

House bill No. 298 :

To be entitled an act to extend and enlarge the boundaries and powers of the municipality known as Ocala, in Marion county, Florida,

Was taken up out of its regular order, read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Bryant, Calhoun, Coulter, Crosby, Farmer, Hammond, Johnson, Kirk, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wolfe and Yancey—23.

Nays—None.

So the bill passed, title as stated.

Mr. Borden moved that the rules be waived and that the bill be certified to the House of Representatives at once;

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

Mr. Rosborough moved that the rules be waived and that the Senate recur to bills on their second reading;

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

Mr. Rosborough moved that the rules be further waived and that the Senate take up Senate bill No. 256 out of its regular order;

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

Senate bill No. 256 :

To be entitled an act to prescribe the conditions under which a certain class of firearms may be carried, to provide a license for the same and for other purposes,

Was taken up out of its order and read second time in full.

Mr. Kirk moved that the rules be further waived and that the bill be placed upon its third reading;

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

Senate bill No. 256 :

To be entitled an act to prescribe the conditions under which a certain class of firearms may be carried, to provide a license for the same and for other purposes,

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Bryant, Johnson, Kirk,

Rogers, Rosborough, Smith of 30, Smith of 31st and Yancey—11.

Nays—Messrs. Calhoun, Coulter, Crosby, Farmer, McKinne, Myers, Pirrong, Summers, Swearingen, Thomas, Wadworth and Wolfe—12.

So the bill failed to pass.

Mr. Coulter moved that the rules be waived and that the Senate take up House bill No. 234 out of its regular order;

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

House bill No. 234 :

To be entitled an act to amend sections 4 and 5 of an act entitled an act to regulate the sale of liquor, wines and beer in the State of Florida by the board of county commissioners of the several counties;

Was taken up out of its regular order and read second time in full.

Mr. Coulter moved that the rules be further waived and that the bill be placed on its third reading;

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

House bill No. 234 :

To be entitled an act to amend sections 4 and 5 of an act entitled an act to regulate the sale of liquors, wines and beer in the State of Florida by the board of county commissioners of the several counties,

Was read third time and put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Baya, Borden, Bryant, Coulter, Crosby, Farmer, Kirk, Pirrong, Rogers, Smith of 31st, Swearingen, Thomas, and Yancey—13.

Nays—Messrs. Bristol, Brett, Calhoun, Hammond, Johnson, McKinne, Myers, Smith of 30th, Summers, Wadsworth and Wolfe—11.

So the bill passed, title as stated.

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

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

Mr. Bristol moved that the rules be waived and that the Senate take up House bill No. 95 out of its regular order;

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

Mr. Kirk moved that the rules be waived, and that the bill be read second time by its title only and the amendments;

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

House bill No. 95 :

To be entitled an act relating to the Blue Spring, Orange City and Atlantic Railroad Company,

Was read second time in full, together with the amendment to the title.

Mr. Wolfe moved that the amendment to the title be adopted;

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

Mr. Kirk moved that the rules be further waived and that House bill No. 95 be placed on its third reading;

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

House bill No. 95 :

To be entitled an act relating to the Blue Spring, Orange City and Atlantic Railroad Company,

Was read third time and put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Borden, Bristol, Bryant, Calhoun, Crosby, Farmer, Johnson, Kirk, Myers, Pirrong, Rogers, Smith of 30th, Smith of 31st, Thomas, Wadsworth, Wolfe and Yancey—17.

Nays—none.

So the bill passed, title as stated.

Mr. Bristol moved that the rules be further waived, and that the bill be certified to the House of Representatives at once;

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

Mr. Smith of 30th moved that the rules be waived and that the Senate take up House bill No. 253 out of its regular order;

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

Mr. Kirk moved that the rules be further waived and that the bill be read second time by its title only;

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

House bill No. 253 :

To be entitled an act to amend section 1, Chapter 3964, Laws of Florida,

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

Mr. Myers moved that the amendments be adopted;

Which was agreed to and the amendments to the bill were adopted.

Mr. Smith of 30th moved that the rules be further waived and that House bill No. 253 be read third time in full;

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

House bill No. 253 :

To be entitled an act to amend section 1, Chapter 3964, Laws of Florida,

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Borden, Bristol, Bryant, Calhoun, Coulter, Crosby, Farmer, Johnson, Kirk, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Thomas, Wadsworth, Wolfe and Yancey—20.

Nays—None.

So the bill passed, title as stated.

Mr. Myers moved that the rules be further waived, and that the bill be certified to the House of Representatives at once;

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

On motion of Mr. Yancey, the Senate adjourned until 10 o'clock to-morrow morning.

9

THURSDAY, June 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, Brett, Broome, Calhoun, Coulter, Crosby, Farmer, Hammond, Johnson, Kirk, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wilkinson, Wolfe and Yancey—27.

A quorum present.

Prayer by the Chaplain.

#### INTRODUCTION OF RESOLUTIONS.

By Mr. Thomas: Senate resolution permitting Mr. E. B. Bailey to appear before the Senate and make a statement relative to State convicts' lease;

Which was read as follows:

*Resolved*, That Mr. E. B. Bailey be permitted to appear before the Senate to make a statement in reference to State convicts' lease.

The accompanying letter was also read:

*To the Honorable Members of the Senate of the State of Florida:*

I have the honor to ask the indulgence of your honorable body for a few minutes, in order that I may appear before you in defense of my rights as a citizen of the State of Florida. An attempt is made to influence your honorable body to do me an act of injustice. I am fortunately in a position to defend my rights, and if you will grant me the indulgence asked I will show cause why this effort to dissolve my contract with the Board of Public Institutions, giving me control of the convicts for the years 1892 and 1893, should not be entertained.

Begging your favorable consideration of this request for leave to appear before you, I am

Your obedient servant,  
E. B. BAILEY.

#### CONSIDERATION OF RESOLUTIONS.

Senate resolution permitting Mr. E. B. Bailey to appear before the Senate and make a statement relative to State convicts' lease,

Was read second time.

Mr. Thomas moved that the resolution be adopted.

Mr. Wolfe offered the following amendment:

Provided that the time allowed Mr. Bailey shall not exceed fifteen minutes;

Which was accepted.

The resolution as amended was then adopted.

A message was received from the House of Representatives.

A message was received from the Governor.

#### REPORTS OF COMMITTEES.

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

SENATE CHAMBER,  
TALLAHASSEE, FLA., June 3, 1891. }

HON. J. B. BROWNE,

President of the Senate:

SIR—The Joint Committee on Enrolled Bills, to whom was referred—

House bill No. 61:

To be entitled an act to amend Chapter 3124 of the Laws