

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

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 lands,

Beg leave to report that they have presented the same to the Governor for his consideration.

Very respectfully,

W. J. BORDEN,  
Chairman of Joint Committee.

Also the following :

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—

Senate bill No. 193 :

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

Also,

Senate bill No. 207 :

To be entitled an act to incorporate the Lakeland, Mohawk and Tavares Railroad Company and to grant lands to the same.

Also,

Senate bill No. 214 :

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,

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 an act entitled an act to establish the municipality of Key West and provide for its government and prescribe its jurisdiction and powers.

Also,

An act to incorporate the Lakeland, Mohawk and Tavares Railroad Company and to grant lands to the same.

Also,

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,

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.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

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 inform the Senate that the House of Representatives has passed—

House bill No. 89 :

To be entitled an act relating to jurors,

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

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

House bill No. 89 was read first time by its title only and passed to the special calendar.

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. 173 :

To be entitled an act to incorporate the Homosassa and Withlacoochee Railroad Company and to grant certain lands to aid in the construction of said railroad.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

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

House bill No. 173 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 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—

House Joint Resolution No. 64 :

Amendments to section 1, article 16 of the Constitution of the State of Florida,

Passed by the requisite vote as required by the Constitution.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

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

House Joint Resolution No. 64 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 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 declined to pass—

Senate bill No. 35 :

To be entitled an act relative to the fees of sheriffs in this State.

Very respectfully,

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

Also the following :

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 Joint Resolution No. 108 :

Providing for the equitable distribution of the fund provided for the complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts.

Very respectfully,

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

Senate Joint Resolution No. 108, 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. 204 :

To be entitled an act to amend an act entitled an act to re-

voke and abolish the present municipal government of the city of Palatka in certain respects and to re-organize a city government therefor, approved May 31, 1889, and to extend the powers of the government thereof.

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

Senate bill No. 204 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. 170:

To be entitled an act to provide for the collection of taxes assessed under and in pursuant of an act to provide for the assessment and collection of taxes on railroads and the properties thereof for the years 1879, 1890 and 1891, as to which there was no assessments, being Chapter 3558, Laws of Florida.

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

Senate bill No. 170, referred to in the message, was ordered enrolled.

Also the following:

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 request the return to the House of Senate bill No. 39, for further consideration.

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

Senate bill No. 39, referred to in the message, was ordered returned as requested by the House.

Also the following:

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 concurred in—

Senate amendment in section 2, page 5, line 1, to strike out the word "four" and insert the word "ten" in lieu thereof, and declined to concur in Senate amendment in section 2, page 4, line 7, to strike out the word "three" and insert the word "four" in lieu thereof to—

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, and respectfully request the Senate to recede therefrom.

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

Mr. Broome moved that the Senate insist upon the amendment to strike out "three" and insert "four" in lieu thereof; which was agreed to, and the Senate refused to recede from the amendment.

Mr. Yancey moved that the House be requested to appoint two members to meet two members from the Senate as a committee of conference on disagreement between Senate and House on said amendment;

Which was agreed to and so ordered.

Mr. Wolfe moved that the action of the Senate be communicated to the House at once;

Which was agreed to and so ordered.

Also the following:

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. 77:

To be entitled an act in relation to obtaining money or any

other personal property under false promises or for violation of contracts and providing penalties therefor.

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

Senate bill No. 77 referred to in the message, was ordered enrolled.

Also the following:

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—

House bill No. 208:

To be entitled an act to abolish private seals to instruments. And respectfully request the concurrence of the Senate thereto.

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

House bill No. 208 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 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. 147:

To be entitled an act to prevent adulteration in food and medicinal products.

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

Senate bill No. 147, referred to in the message, was ordered enrolled.

Also the following:

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 declined to pass—

Senate Joint Resolution:  
Proposing an amendment to section 9, Article 18, of the Constitution of Florida.

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

Which was ordered enrolled.

Also the following:

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

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 200:

To be entitled an act fixing and regulating the time for holding the terms of the Circuit Courts in and for the Third Judicial Circuit of the State of Florida.

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

Senate bill No. 200, referred to in the message, was ordered enrolled.

Also the following:

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

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 61 :  
To be entitled an act to protect public bridges from injury  
by floating logs and drifts.

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

Senate bill No. 61, referred to in the message, was ordered  
enrolled.

Also the following :

HON. J. B. BROWNE, }  
HOUSE OF REPRESENTATIVES,  
TALLAHASSEE, FLA., June 4, 1891. }

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. 138 :

To be entitled an act making appropriation for East Florida  
Seminary, with amendments.

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

Mr. Rosborough moved that the Senate concur in the  
House amendments ;

Which was agreed to and the House amendments were con-  
curred in and the bill, as amended, was ordered enrolled.

Also the following :

HON. J. B. BROWNE, }  
HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., June 4, 1891. }

President of the Senate :

SIR—I am directed by the House of Representatives to in-  
form the Senate that the House of Representatives has  
passed—

House bill No. 243 :

To be entitled an act to authorize Duval county to improve  
the navigation of the St. Johns river within said county and  
issue bonds in aid thereof,

And respectfully request the concurrence of the Senate  
thereto.

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

House bill No. 243 was read first time by its title only.  
Mr. Summers moved that the rules be waived and that  
House bill No. 243 be read second time by its title only and  
passed to its third reading ;

Which was agreed to by a two-thirds vote and House bill  
No. 243 was read second time by its title and passed to its  
third reading.

Also the following :

HON. J. B. BROWNE, }  
HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., June 3, 1891. }

President of the Senate :

SIR—I am directed by the House of Representatives to in-  
form the Senate that the House of Representatives has con-  
curred in Senate amendment to—

House bill No. 31 :

To be entitled an act to provide for the redemption of real  
estate sold under execution, and for other purposes therein  
named.

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

Also the following :

HON. J. B. BROWNE, }  
HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., June 3, 1891. }

President of the Senate :

SIR—I am directed by the House of Representatives to re-  
turn to the Senate by request—

House bill No. 358 :

To be entitled an act to enact the revised statutes of the  
State of Florida, and to provide for the printing, sale and dis-  
tribution thereof.

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

A message was received from the House of Representa-  
tives. In accordance with the notice given yesterday, to recon-  
sider the vote by which House bill No. 358 was defeated.

Mr. Wall moved that the vote by which the bill was de-  
feated be now reconsidered.

Mr. Swearingen moved to lay the motion to reconsider on the table;

Which was withdrawn.

Mr. Calhoun moved that the further consideration of the motion to reconsider be postponed until 4 o'clock this afternoon;

Which was not agreed to and the motion was lost.

Mr. Yancey moved to lay the motion of Mr. Wall to reconsider on the table.

Upon which the yeas and nays were called for.

The vote was as follows:

Yeas—Messrs. Broome, Bryant, Calhoun, Coulter, Crosby, Pirrong, Rosborough, Smith of 30th, Summers, Swearingen, Thomas, Wadsworth, Wolfe and Yancey—14.

Nays—Messrs. Baya, Borden, Bristol, Brett, Drake, Farmer, Hammond, Johnson, King, Kirk, McKinne, Myers, Rogers, Smith of 31st, Wall and Wilkinson—16.

So the motion to lay on the table was lost.

Mr. Calhoun moved that further consideration of the motion to reconsider be postponed until 4 o'clock this afternoon;

Which was withdrawn.

The question recurred upon the motion of Mr. Wall to reconsider the vote by which House bill No. 358 was defeated.

The yeas and nays were called.

The vote was as follows:

Yeas—Messrs. Baya, Borden, Bristol, Brett, Drake, Farmer, Hammond, Johnson, King, Kirk, McKinne, Myers, Rogers, Smith of 31st, Wall and Wilkinson—16.

Nays—Messrs. Broome, Bryant, Calhoun, Coulter, Crosby, Pirrong, Rosborough, Smith of 30th, Summers, Swearingen, Thomas, Wadsworth, Wolfe and Yancey—14.

So the vote by which House bill No. 358 was defeated was reconsidered.

Mr. McKinne moved that further consideration of House bill No. 358 be postponed until 4 o'clock this afternoon;

Which was agreed to and so ordered.

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

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

HON. J. B. BROWNE:

President of the Senate:

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

Senate bill No. 90:

A bill to be entitled an act to enable the city of Tampa to levy certain taxes and to provide for a more complete assessment of the property in said city for municipal purposes.

Also,

Senate bill No. 189:

A bill to be entitled an act to incorporate the Atlantic and Gulf Canal Company of Florida.

Also,

Senate bill No. 46:

A bill to be entitled an act to fix the time of holding the terms of the Circuit Court in the Fourth Judicial Circuit.

Also,

Senate bill No. 9:

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

Also,

Senate bill No. 202:

A bill to be entitled an act to extend the time for the construction of the Alabama, Florida and Atlantic Railway,

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

Very respectfully,

FRED T. MYERS,  
Chairman of Committee.

By permission Mr. Rogers, Chairman of Special Joint Committee to examine the books and vouchers of the office of the Commissioner of Agriculture and the departments of the several bureaus connected therewith, submitted the following report:

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

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Joint Committee appointed to investigate the office of the Commissioner of Agriculture and the various bureaus connected with his department, herewith submit a full and complete report of the land office, showing the amount of swamp lands received from the United States, the balance on hand, the quantity of swamp, internal improvement, school and seminary lands disposed of since January 1, 1889, and the amount received therefor.

Also,

A statement of lands due railroads, an itemized account of

lands conveyed to railroads and canals, the amount of coupons of the first mortgage bonds and interest on same paid by the board of trustees of the Internal Improvement fund.

Also,

A full account of the operations of the Bureau of Fertilizers.

And a complete statement of the State convicts, showing number on hand, sex, nativity, nature of crime for which committed, etc., etc.

Also,

Have investigated and examined the vouchers, warrants and papers connected with the Bureau of Immigration, and find that said department of immigration has been rather extravagantly managed in some particulars, and has not met with popular favor.

Also,

Have examined the books of the Bureau of Agriculture of said department, and find the system adopted for carrying on the business of said bureau as near perfect as can be devised. The system is similar to that used by the United States Department of Agriculture and the various agricultural departments of the several States in the Union, and is considered by them the best and most reliable means of collecting statistical information and disseminating the same. We find that the bureau has an efficient corps of correspondents who, understanding the methods adopted, are enabled to collect and formulate their report in so correct a manner that the work of the bureau becomes a success. For further information on this subject, we refer you to the published report of the Commissioner.

Respectfully submitted,

R. F. ROGERS,

Chairman of Joint Senate Committee.

J. W. BRYANT,

E. K. HOLLINGER,

Chairman of Joint House Committee.

Mr. Rogers moved that 500 copies of said report be printed in pamphlet form, including the facts submitted therewith;

Which was agreed to, and so ordered.

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

SENATE CHAMBER, }

TALLAHASSEE, FLA., June 4, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 257:

A bill to be entitled an act for the assessment and collection of revenue,

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

Very respectfully,

BENJ. F. KIRK,

Chairman of Committee.

By permission, Mr. Wall, Chairman of the Committee on Appropriations, submitted the following report:

SENATE CHAMBER, }

TALLAHASSEE, FLA., June 4, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

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,

Beg leave to report that they have had the same under consideration and recommend that it do pass with the following amendments:

In line 39, strike out "nine thousand dollars" and insert "one thousand one hundred and twenty-five dollars."

In line 45, strike out "six hundred and seventy-five dollars" and insert "nine hundred dollars."

In line 58, strike out "seven hundred and fifty dollars" and insert "nine hundred dollars."

In line 136, strike out "two hundred dollars" and insert "five hundred and forty dollars."

In lines 160 and 161, strike out "one thousand and two hundred dollars" and insert "one thousand five hundred dollars."

After one thousand two hundred dollars, in line 166, add "for stenographer in Governor's office seven hundred and twenty dollars."

In line 168, strike out "nine hundred dollars" and insert "one thousand two hundred dollars."

In lines 183 and 184 strike out "one thousand dollars" and insert "twelve hundred dollars."

In line 193 strike out "justice" and insert "janitor."

In line 240 strike out "three thousand dollars" and insert "four thousand dollars."

In line 271 strike out "six hundred dollars" and insert "seven hundred and fifty dollars."

After line 276 add "for stenographer in Governor's office three hundred and sixty dollars."

In line 290 strike out "four hundred and fifty dollars" and insert "six hundred dollars."

In lines 306 and 307 strike out "five hundred dollars" and insert "six hundred dollars."

In lines 362 and 363 strike out one thousand five hundred dollars" and insert "two thousand dollars."

Very respectfully,

J. B. WALL,

Chairman of Committee.

By permission, Mr. Borden, Chairman of 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—

Senate bill No. 193:

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

Also,

Senate bill No. 207:

To be entitled an act to incorporate the Lakeland, Mohawk and Tavares Railroad Company, and to grant lands to the same.

Also,

Senate bill No. 214:

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,

Beg leave to report that they have presented the same to the Governor for his consideration.

Very respectfully,

W. J. BORDEN,

Chairman of Joint Committee.

By permission, Mr. Thomas, Chairman of the joint com-

mittee appointed in accordance with House concurrent resolution of April 7, 1891, submitted the following report:

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

HON. J. B. BROWNE,

President of the Senate:

SIR—Your committee appointed under concurrent resolution of April 7th, 1891, authorizing an investigation of the books, records and accounts of the Comptroller's and Treasurer's offices, ask leave to report that they have carefully performed the duties required of them. We find the accounts correct, the books simply and neatly kept, and the vouchers conveniently arranged, affording facilities for reference that are at once easy and complete.

We submit the following balance sheet, showing the receipts and expenditures for the years 1889 and 1890:

RECEIPTS.

Balance on hand Jan. 1, 1889,	\$33,053 59
Licenses,	298,463 02
General revenue, 1887,	7,894 24
General revenue, 1888,	251,233 15
General revenue, 1889,	389,721 03
General revenue, 1890,	9,877 14
Auction tax,	1,043 53
Commission tax,	5,627 00
Criminal prosecutions,	2,995 66
Criminal prosecutions refunded,	8 40
Asylum pay patients,	600 00
Jurors and witness money refunded,	69 55
Received for sale of seals,	20 00
"    "    digests,	173 00
"    "    acts,	291 00
Revenue refunded,	14 30
Loan in New York,	95,500 00
Legislative printing refunded,	489 40
Rebate on New York loan,	42 70—\$1,097,116 71

DISBURSEMENTS.

Salaries of Executive Department,	42,380 30
Salaries of Judicial Department,	66,704 72
Contingent expenses of State,	8,023 20
Stationery, Executive and Legislative Departments,	2,934 89

Expenses collection of Revenue,	83,485 97
Pensions,	64,258 34
Post mortem examinations,	1,360 00
Printing,	14,827 81
Maintenance of lunatics,	85,543 83
Jurors and witnesses,	228,018 74
Contingent expenses of Supreme Court,	4,094 76
Criminal prosecutions,	137,484 50
Watchman at Capitol,	992 63
Janitor at Capitol,	600 00
Repairs of Capitol,	3,131 13
Reward apprehending criminals,	3,300 00
Salaries and expenses of R. R. Commission,	19,157 18
Contingent expenses of Capitol,	2,464 30
Expenses of Normal Schools,	15,714 12
Salary Librarian Supreme Court,	541 66
Expenses circuit judges acting as Supreme Court Judges,	130 65
Purchase books for Supreme Court library,	1,022 91
Expenses presidential election,	127 80
Contingent expenses of State troops,	492 65
Chaplain State convicts,	612 90
Institute Blind, Deaf and Dumb,	18,436 39
Stenographers,	2,048 05
Printing Supreme Court reports,	4,278 15
Expenses Constitutional Convention,	194 35
Expenses extra session Legislature 1889,	17,158 24
State Board of Health,	17,650 80
Amount paid for tax certificates improperly sold,	8 97
Township plats and list State and U. S. land entries,	579 60
Revenue refunded,	369 28
Expense of Teachers' Institute,	271 60
Legislative relief,	314 91
Expense annual encampment of State troops,	3,840 81
Expenses of Legislature 1889,	72,755 61
Janitor Supreme Court,	475 00
Salary of Adjutant-General,	2,591 67

Contingent expenses Superintendent Public Instruction,	1,009 87
Stenographer for Governor,	1,230 00
Cost adjudged against the State in civil cases,	32 54
Salary clerk Supreme Court Judges,	1,593 34
Insurance on State buildings,	2,083 50
Census 1885,	4,445 39
Clerk Bureau Agriculture,	2,125 00
Expenses, examination and settlement Indian War Claim,	733 10
Paid interest on bonded debt,	129,969 00
Appropriation for seminary west of the Suwannee,	749 98
Appropriation for purchase of digests of Supreme Court reports,	250 00
Appropriation for C. A. Davidson in re. suit in New York against State,	250 00
Revision and consolidation statutes of Florida,	1,250 00
Appropriation for Normal School building at DeFuniak Springs,	2,000 00
Appropriation for State Agricultural College,	10,800 00
Expenses Commissioners of Fisheries,	50 00
Building at Insane Asylum for lunatics,	2,043 56
Amount on hand January 1, 1891,	8,123 01—\$1,097,116 71

## BONDED DEBT OF STATE.

(Bonds of 1871.)

Seven per cent. bonds of 1871, interest payable January 1st,	350,000 00
amount issued,	82,300 00
Deduct amount in sinking fund,	\$267,700 00
Deduct amount in school, seminary and agricultural college funds,	174,300 00— \$93,400 00
Six per cent. bonds of 1873, interest payable semi-annually,	925,000 00

Deduct amount in sinking fund,	160,200 00	
	\$764,800 00	
Deduct amount in school, semi- nary and agricultural college funds,	499,200 00—	\$265,600 00
Total 7 and 6 per cent. bonds in hands of individuals,		\$359,000 00

At the session of the Legislature of 1889, the committee which investigated the books and accounts of the Comptroller, called the attention of that body to the necessity for more clerical aid in the Comptroller's office. For lack of time in the closing exercises of that body, no action was taken in the matter. Upon investigation we find that the duties of the office continue to increase, owing to the continued rapid growth of our State, both in population and wealth, and that the present clerical force is too small to perform in a satisfactory manner the duties of the office. The Comptroller has been forced to employ additional clerical force to properly dispose of the immense volume of work.

We heartily endorse the recommendation of the last committee and advise that at least one additional clerk be allowed the Comptroller.

In making our investigations every courtesy has been extended this committee by the Comptroller and Treasurer, as well as by the clerical aid in their respective offices.

Most respectfully submitted,

W. C. THOMAS,  
Chairman Senate Committee.  
G. L. BALTZELL,  
Chairman House Committee.  
J. F. STAPLER,  
E. K. HOLLINGER,

J. W. RHODES,  
F. C. HIGGINBOTHAM,  
Clerks of Committee.

On motion of Mr. Wolfe, a committee of three was appointed to confer with Miss E. Neilie Beck and Mrs. M. C. Bell, lady commissioners from Florida to the Columbian exposition.

The President appointed as such committee, Messrs. Borden, Johnson and McKinne.

By permission, Mr. Wall introduced—

Senate bill No. 260:

To be entitled an act to legalize the incorporation of the town of Plant City in the county of Hillsborough, Florida, and to declare the incorporation of Plant City valid and of full force and effect.

Mr. Wall moved that the rules be waived and that Senate bill No. 260 be read first time by its title;

Which was agreed to by a two-thirds vote and Senate bill No. 260 was read first time by its title and referred to the Committee on City and County Organization.

Mr. Baya asked and was granted unanimous consent to take up Senate bill No. 257 on its third reading, and—

Senate bill No. 257:

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

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

Upon its passage the vote was:

Yeas—Mr. President, Messrs. Baya, Borden, Bristol, Brett, Broome, Calhoun, Coulter, Drake, Farmer, Hammond, Johnson, King, Kirk, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 31st, Summers, Thomas, Wall Wilkinson, Wolfe and Yancey—26.

Nays—Messrs. Bryant, Crosby, Smith of 30th, Swearingen and Wadsworth—5.

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

Mr. Rogers moved that the rules be waived and that the bill be certified to the House of representatives at its afternoon session;

Which was agreed to by a two-thirds vote and so ordered. On motion of Mr. Yancey the Senate adjourned.

#### AFTERNOON SESSION.

4 O'CLOCK, THURSDAY, June 4, 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, Bristol, Broome, Calhoun, Crosby, Drake, Farmer, Hammond, Johnson, King, Kirk, Myers, Pirrong, Rogers, Rosborough, Smith of 30th,

Smith of 31st, Summers, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—26.

A quorum present.

Mr. Baya moved that the rules be waived and that the vote by which Senate bill No. 257 passed be reconsidered ;

Which was agreed to by a two-thirds vote and the vote was reconsidered and the bill was again put upon its passage.

Pending the vote upon the passage of the bill, Mr. Baya asked and was granted unanimous consent to amend the bill as follows :

In section 9, paragraph 4, line 4, 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."

The Secretary was authorized and directed to make the change accordingly.

The bill was then put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Baya, Bristol, Bristol, Crosby, Drake, Farmer, Hammond, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st and Yancey—14.

Nays—Mr. President, Messrs. Broome, Calhoun, Kirk, Summers, Wall and Wolfe—7.

So the bill passed, title as stated, and was ordered certified to the House of Representatives in accordance with the order previously made.

The regular order was proceeded with.

House bill No. 269 :

To be entitled an act to prescribe the powers of the boards of commissioners of pilotages and port wardens in and for the ports of this State,

Was read second time in full.

Mr. Swearingen offered the following amendment :

Strike out section 5.

Mr. Swearingen moved that the amendment be adopted ;

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

Mr. Wolfe moved that the rules be waived and that House bill No. 269 be placed upon its third reading ;

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

House bill No. 269 :

To be entitled an act to prescribe the powers of the boards of commissioners of pilotage and port wardens in and for the ports of this State,

Was read third time and put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Borden, Bristol, Brett, Bryant, Calhoun, Crosby, Drake, Johnson, King, McKinne, Myers, Pirrong, Rosborough, Smith of 30th, Smith of 31st, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—22.

Nays—Mr. Summers—1

So the bill passed, title as stated.

Mr. Wolfe 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.

Pending further consideration of the regular order—

A message was received from the House of Representatives.

By permission, Mr. Swearingen, Chairman of the joint committee to visit the seminary, submitted the following report :

TALLAHASSEE, FLA., June 4, 1891.

HON. J. B. BROWNE,

President of the Senate :

SIR—Your committee beg leave to make the following report herewith submitted on the conditions of the East and West Florida Seminaries, the Agricultural College, and the Experimental Station and the White and Colored Normal Schools :

Respectfully,

T. F. SWEARINGEN,

Chairman of Senate Joint Committee.

#### REPORT OF JOINT COMMITTEE

To Visit Gainesville and Examine into the Affairs of the East Florida Seminary.

HON. J. B. BROWNE,

President of the Senate :

SIR—Your joint committee appointed to visit the East Florida Seminary, located in Gainesville, Alachua county, Florida, beg leave to submit the following report :

The committee visited the above Seminary Friday, May 22, 1891, and made a thorough examination of the affairs of the school.

We found buildings as follows :

1. A handsome and commodious brick edifice, admirably adapted to the purpose for which it is intended, and well fur-

nished and equipped with educational appliances. This building was erected and furnished by the city of Gainesville, at a cost of about eighteen thousand dollars (\$18,000), and donated to the State for the use of the East Florida Seminary.

2. A wooden dormitory building, so planned and arranged as to secure to the greatest possible extent the comfort, convenience and health of boarding students. The building contains rooms for eighty (80) students, two in a room, and all necessary offices, besides the mess-hall and kitchen. The dormitory was erected by the State. The location of the seminary we find to be all that could be desired in healthfulness and accessibility;

The income of the East Florida Seminary for the session just ended is as follows:

1. Interest on State bonds, about,	\$2,900 00
2. Receipts from fees, about	2,000 00

Total	\$4,900 00
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The expenses of the school for the same time for all purposes were about \$5,000.

The attendance of students was as follows:

For session 1889-90, males 104; females 33.

For session 1890-91, males 84; females 28.

Among the students for the session 1890-91 were representatives from twenty counties of Florida, and from eight other States. The decreased attendance of session 1890-91 was caused in great measure by a severe epidemic of la grippe which visited the seminary in January, 1891 and was more or less prevalent throughout the State. In consequence of this epidemic but four students joined the school at the beginning of the second term. Usually about twenty per cent. of the whole number join the school at that time.

The number of students at the close of the session 1890-91 was, males 58; females 24. Of the entire number of students, thirty-nine were scholarship students, or county appointees, who pay no tuition, and seventy-three were pay students. About half the pay students registered from Alachua county.

The corps of teachers seems to be full and complete, and composed of gentlemen well educated and well trained for the work of teaching.

The course of study is so arranged as to meet the wants of the youth of Florida, and fully prepares them for the duties of business and of citizenship.

The school in its entirety we believe to be eminently worthy of the confidence and support of the State.

The Board of Education of the Seminary has contracted a

debt of about \$2,500 for the purpose of furnishing the rooms of students from other counties. This debt is seriously interfering with the finances of the school, and unless it can be paid will, to some extent, impair the usefulness of the seminary. This debt was contracted entirely in the interest of students who are not residents of Gainesville.

Your committee, in view of the debt that exists against the East Florida Seminary that is accumulating interest and growing every year, and in the interest of economy to the State, respectfully recommend that two thousand dollars be appropriated to the East Florida Seminary to liquidate in part the debt incurred in furnishing the dormitory for the year 1891.

Which we respectfully submit,  
 T. F. SWEARINGEN,  
 Chairman of Joint Committee.  
 R. F. ROGERS,  
 N. A. BLITCH,  
 I. J. BROWN.

#### REPORT OF THE JOINT COMMITTEE

Appointed to Visit the West Florida Seminary, located at Tallahassee, the Capital of the State.

HON. J. B. BROWNE,

President of the Senate:

SIR—Your committee visited the West Florida Seminary, located at the capital of the State, Tallahassee, and respectfully report on the condition of its affairs: We find the seminary most admirably located on College Heights, in the city of Tallahassee, commanding a magnificent view of the beautiful country for miles about it. The number of scholars that were in attendance for the year 1889-90 was 76. For the year 1890-91 was 70.

The faculty is composed of four teachers, including the president. The grounds belong to the seminary on which the seminary buildings are constructed. They contain about 12 acres, part of which are to be used for a parade ground, and part of which is in primitive forest for beauty and shade. The building is constructed of first-class brick, fronting the east, two stories with vestibule in the center. The study hall and reci-

tation rooms are well arranged for the purposes they were intended. The tuition is free, entrance fee of five dollars.

The cost of the new building was	\$13,554 00
City property,	2,200 00
Value of furniture,	1,350 00

Total,	\$17,104 00
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The seminary has a debt of Interest,	\$3,625 85
	561 00

Total,	\$4,186 85
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The seminary has an annual income per annum of And from the Judge Westcott endowment (interest),	\$3,000 00
	1,800 00

Total,	\$4,800 00
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The expense of the seminary is about per year,	\$5,000 00
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Your committee recommend that there be appropriated for the West Florida Seminary one thousand dollars for 1891, and for the year 1892 one thousand dollars, to be used in the liquidation of the outstanding indebtedness of said school.

Respectfully submitted,

T. F. SWEARINGEN,  
Chairman of Joint Committee.  
R. F. ROGERS,  
N. A. BLITCH,  
I. J. BROWN.

#### REPORT OF THE JOINT COMMITTEE

Appointed to Visit the White State Normal School at DeFuniak.

HON. J. B. BROWNE,

President of the Senate :

SIR—Your committee respectfully report on the condition of the State Normal College for the Whites.

The school is located at DeFuniak, in the county of Walton, in a high, rolling country that is picturesque to the eye, climate most healthful and salubrious, where are pretty lakes, and the tall pines with their long, resinous leaves sway in the breeze; and the fact that the "West Florida Chautauqua" is located at this place makes it especially conducive to the advancement of the youth of our country in learning.

1. The attendance for the year in which the school has been in existence is as follows: For the year 1887-8 total members enrolled, 58; for 1888-9, 65; for 1889-90, 90, and for 1890-91, 100.

2. The total number matriculated to date is one hundred and fifty-four, of which number seventy-four (nearly fifty per cent.) have been or are now engaged in teaching. A large percentage of the matriculates are still pursuing their studies in the school.

3. The total number of counties represented in the college since its organization is twenty-two, and at this time, eleven counties, as shown by the roll, have representatives in attendance.

4. The value of all property belonging to the school is given as follows:

College lot,	\$2,000 00
President's residence and lot,	1,500 00
College building and closets,	2,500 00
Dormitory and lot, actual cost,	2,000 00
Furniture and apparatus,	1,000 00

Total,	\$9,000 00
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Your committee respectfully recommend that fifteen hundred dollars be appropriated for the year 1891 and fifteen hundred dollars be appropriated for the year 1892 to the DeFuniak Normal School, located at DeFuniak, Walton county, Florida, for the support and maintenance of said school.

Respectfully submitted.

T. F. SWEARINGEN,  
Chairman of Joint Committee.  
R. F. ROGERS,  
N. A. BLITCH,  
I. J. BROWN.

#### REPORT OF THE JOINT COMMITTEE

To Visit the Colored Normal School at Tallahassee :

HON. J. B. BROWNE,

President of the Senate :

SIR—Your committee visited the Colored Normal School at Tallahassee and report that the buildings are entirely inadequate for their wants. The general government has made a conditional appropriation for the State of Florida, which provides that a certain part shall be given to the colored school when the State provides the necessary buildings

for their occupation. The committee has had under consideration for this institution the construction of these buildings.

The present building that is occupied by the Normal School is—

Valued at	\$1,300.00
Furniture,	600.00
	\$1,900.00

The number of scholars in attendance are 67, of which 35 are males and 32 females; there are 3 teachers.

Your committee recommend that fifteen hundred dollars be appropriated for the year 1891 and that fifteen hundred dollars be appropriated for the year 1892, for the Colored Normal School at Tallahassee, Florida, to be applied to the erection of suitable buildings to enable said school to secure the appropriation from the general government.

Respectfully submitted,  
 T. F. SWEARINGEN,  
 Chairman of Joint Committee.  
 R. F. ROGERS,  
 N. A. BLITCH,  
 I. J. BROWN.

#### REPORT OF THE JOINT COMMITTEE

Appointed to Visit the Agricultural College and the Experimental Station at Lake City.

HON. J. B. BROWNE,

President of the Senate :

SIR—Your special committee appointed to visit the State Agricultural College and Experimental Station at Lake City, Florida, beg leave to submit the following report :

We found the college buildings and grounds in neat condition. Number of students enrolled during the collegiate year ending June 10, 1890, 163. Number for term ending June 10, 1891, 109. Number of students in attendance, 63.

The appropriation of the Legislature of 1889, which amounted to \$10,800, was expended in the purchase of surveying instruments and horse and wagon, and furnishing rooms in laboratory, and the building and equipping a brick dormitory. Fourteen rooms of the latter building are yet unfinished and a sum of about \$800 will be needed with which to finish said building.

#### INCOME OF THE COLLEGE.

The annual income from the invested funds (interest on bonds) \$9,107; for the past two years	\$18,214 00
Receipts from tuition and incidental fees for the past two years	1,412 64
From the Morrill bill fund the College has received for the past two collegiate years, ending June 30, 1890-91	15,500 00
Total amount received by the College from the United States government for two years ending June 30, 1890-91	33,714 00
From entrance fees, tuition, etc.	1,412 64
<b>Total</b>	<b>\$35,126 64</b>

The above funds are used in payment of salaries of faculty and in the purchase of machinery, tools, seeds, fertilizer, chemicals and physical apparatus, text books of various kinds and pay of laborers and attaches.

Your committee finds the college in need of a building for the use of the classes in manual training, and in order to meet the requirements of the act of Congress commonly known as the Morrill bill, by which large sums of money are appropriated annually to the State, we would recommend that the sum of \$2,000 be appropriated with which to build a plain two-story house for the use of the mechanical department of said Agricultural College. Though we find that \$800 could be profitably expended in completing fourteen rooms in the new brick dormitory, yet when we consider the depleted condition of the State treasury your committee cannot recommend an appropriation by this Legislature of a sum sufficient to complete said work.

After diligent inquiry as to the condition of the college and efficiency of the faculty, we find no complaint against any except the president, and your committee would therefore recommend that the board of trustees of said college carefully investigate the causes of such complaint and apply as early as practicable the needed remedy.

Upon diligent inquiry we found the president energetic, kind and courteous to all connected with the college, and the only objection alleged was a lack of scholarship and executive ability.

The property of the college is estimated at a value of \$46,700.

In view of the large annual income of money from the United States government for the support of said college,

your committee would respectfully recommend that hereafter no entrance fee or tuition be charged to any pupil of this State, but that the tuition be extended to all the young men of Florida free of charge, so as to encourage the higher education of the youth of our State.

Respectfully submitted,

T. F. SWEARINGEN,  
Chairman of Joint Committee.  
R. F. ROGERS,  
N. A. BLITCH,  
I. J. BROWN.

#### REPORT OF THE JOINT COMMITTEE

To Visit the Agricultural College and Experimental Station at Lake City.

HON. J. B. BROWNE,

President of the Senate:

SIR—Your special committee appointed to visit the Agricultural Experimental Station at Lake City, respectfully submit the following report:

We found the farm in excellent condition and in a high state of cultivation. The experiments are varied, covering fruits of various kinds. We are informed by the director that he has on the station over sixty varieties of peaches, eighteen of oriental plums, fifteen oriental or Japan persimmons, over sixty of grapes, Satsuma oranges and other varieties.

Experiments in domestic and foreign grasses are being made; also in the standard crops of the State, such as corn, long and short cotton, oats, rye, barley, wheat, rice, potatoes, tobacco, sugar cane, peas, pindars and every variety of vegetable common to our State and country.

Dairy work is being experimented in, and from what we could observe from the hasty visit, promises beneficial results.

We were informed, and, in fact, witnessed investigations being made by the entomologist, which promises to be of much value to the fruit and vegetable growers of the State. The laboratory is being used for this purpose.

The property of the station consists of—

Dwelling for director and family, valued at	\$2,300 00
Dwelling for superintendent,	850 00
Laborers' cottages,	500 00
Horse stables,	125 00
Cow barn,	325 00

Dairy,	350 00
Fertilizer, tool and wagon house,	450 00
Hay barn,	175 00
Laboratory,	6,000 00

Stock consisting of horses, mules, cattle and hogs and poultry of various kinds.

The books of the station were submitted for our inspection, but owing to the short time we were there we could not inspect them to make anything like a correct report on them. We found the books neat in appearance.

Much complaint to your committee has been made against the director of the station and we would therefore recommend to the board of trustees that they make a thorough investigation of the acts and doings of the director in the management of the station and publish to the world the result of their findings.

Your committee is impressed with the importance of the station, in the advancement of practical and scientific agriculture in this State, and therefore desire its encouragement, care and protection.

All of which is respectfully submitted,

T. F. SWEARINGEN,  
Chairman of Joint Committee.  
R. F. ROGERS,  
N. A. BLITCH,  
I. J. BROWN.

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

SENATE CHAMBER, }  
TALLHASSEE, FLA., June 4, 1891. }

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 187:

A bill to be entitled an act to incorporate the Chipola and Chippewa Lake Railroad Company.

Also,

Senate bill No. 93:

A bill 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 the towns of Tampa and North Tampa, to pro-

vide a municipal government for the city of Tampa and to define the boundaries thereof.

Also,

Senate bill No. 200:

A bill to be entitled an act fixing and regulating the time for holding the terms of the Circuit Court in and for the Third Judicial Circuit of the State of Florida,

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

Very respectfully,

FRED T. MYERS,  
Chairman of Committee.

By permission, Mr. Wolfe, Chairman of the Committee on Public Health, submitted the following report:

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

HON. J. B. BROWNE,

President of the Senate:

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

House bill No. 36:

To be entitled an act to amend section 1 of an act entitled an act to provide for the appointment of county boards of health in and for the several counties of the State of Florida, and define their powers, being Chapter 3859, Laws of Florida, approved June 7, 1889,

Beg leave to report that they have considered the same and report it back without recommendation.

Very respectfully,

J. EMMET WOLFE,  
Chairman of Committee.

The Chair announced the appointment of Messrs. Broome and Bryant as a committee on part of the Senate to meet a similar committee from the House as a committee of conference on House bill No. 294.

Also,

The appointment of Messrs. Baya and Hammond as a committee on part of the Senate to provide for the equitable distribution of the fund between the white and colored schools in accordance with Senate Joint Resolution No. 108.

A message was received from the Governor.

House bill No. 358:

To be entitled an act to enact the revised statutes of the

State of Florida and to provide for the printing, sale and distribution of the same;

Which had been recalled from the House was read second time in full.

Mr. Myers offered the following amendment:

Add at the end of section 5 the following: In section 174 the words "who shall not all be of the same political party if practicable," and all of section 2974 of the Revised Statutes.

Mr. Hammond moved that the amendment be adopted;

Which was agreed to, and the amendment was adopted.

Mr. Wolfe moved to lay the bill on the table.

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Mr. President, Messrs. Broome, Bryant, Calhoun, Coulter, Crosby, McKinne, Pirrong, Rosborough, Summers, Swearingen, Wolfe and Yancey—13.

Nays—Messrs. Baya, Borden, Bristol, Brett, Drake, Farmer, Hammond, Johnson, King, Kirk, Myers, Rogers, Smith of 30th, Smith of 31st, Thomas, Wall and Wilkinson—17.

So the motion to lay on the table was lost.

Mr. Hammond asked unanimous consent to advance House bill No. 358 to its third reading;

Which was not granted.

By permission, Mr. Broome, Chairman of the Committee on Conference on Legislative Expenses, submitted the following report:

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

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Committee appointed to confer with House committee in regard to pay of pages, beg leave to report as follows:

That having given the matter serious consideration, unanimously recommend that the Senate recede from its amendment, to strike out the word "three" and insert the word "four" in lieu thereof.

Very respectfully,

JAMES E. BROOME,  
Chairman of Committee.

Mr. McKinne moved that the report be adopted;

Which was agreed to and so ordered.

Mr. McKinne moved that the Senate recede from its amendment to House bill No. 294 which the House had refused to concur in.

Which was agreed to and so ordered.

Mr. McKinne moved that the action of the Senate in receding from its amendment to House bill No. 294 be certified to the House at once.

Mr. Borden moved that the vote by which the report of the Joint Committee on Calendar was adopted, be reconsidered; Which was withdrawn.

Mr. Yancey moved that the action of the Senate in adopting the report of the Joint Committee on Calendar be rescinded.

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

Which was agreed to and the motion to lay on the table prevailed.

Mr. Kirk moved that the rules be waived and that House bill No. 358 be placed upon its third reading;

Which the Chair ruled was not a proper motion.

House bill No. 89:

To be entitled an act relating to jurors,

Was taken up in its order, read second time in full and placed in its order upon the special calendar.

House bill No. 5:

A bill to be entitled an act to repeal an act entitled an act to provide for the regulation of railroad freight and passenger tariffs in this State, to prevent unjust discrimination in the rates charged for transportation of passengers and freights and to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates, and to punish the same and prescribe a mode of procedure and rules of evidence in relation thereto, and to appoint commissioners and to prescribe their powers and duties in relation to the same, approved June 7, 1887, and to repeal all acts amendatory thereof,

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

Mr. Wolfe moved that the bill be indefinitely postponed.

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Messrs. Borden, Bristol, Calhoun, Kirk, Myers, Pirrong, Smith of 30th, Summers, Thomas, Wadsworth, Wolfe and Yancey—12.

Nays—Messrs. Baya, Brett, Bryant, Crosby, Farmer, Hammond, Johnson, King, McKinne, Rogers, Rosborough, Smith 31st, Swearingen, Wall and Wilkinson—15.

So the motion to indefinitely postpone was lost.

The bill was ordered placed in its order upon the special calendar.

By permission, Mr. Summers, Chairman of the Committee

on City and County Organization, submitted the following report:

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

HON. J. B. BROWNNE,

President of the Senate:

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

Senate bill No. 260:

A bill to be entitled an act to legalize the incorporation of the town of Plant City in the county of Hillsborough, Fla., and to declare the incorporation of Plant City valid and of full force and effect,

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

Very respectfully,

O. J. H. SUMMERS,

Chairman of Committee.

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

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

HON. J. B. BROWNE,

President of the Senate:

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

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.

Also,

Senate bill No. 202:

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

Also,

Senate bill No. 46:

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

Also,

Senate bill No. 90:

To be entitled an act to enable the city of Tampa to levy certain taxes and to provide for a more complete assessment of the property in said city for municipal purposes.

Also,  
Senate bill No. 189 :  
To be entitled an act to incorporate the Atlantic and Gulf Canal Company of Florida;  
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.

Also the following :

SENATE CHAMBER, }  
TALLAHASSEE, FLA., June 4, 1891. }  
HON. J. B. BROWNE,  
President of the Senate :

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

House bill No. 141 :

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

Also,

House bill No. 217 :

To be entitled an act to keep in repair all public roads and bridges and to open new roads in the county of Orange, State of Florida.

Also,

House bill No. 277 :

To be entitled an act to define the manner in which entrances to certain public buildings shall be constructed,

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

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

Mr. King asked and was granted unanimous consent to take up—

House bill No. 147 :

To be entitled an act to regulate the inspection and sale of beef and to repeal Chapter 3613, approved February 16, 1885 ; also Chapter 3897, approved May 31, 1889.

Mr. King moved that the rules be waived and that House bill No 147 be read second time by its title only ;

Which was agreed to by a two-thirds vote and House bill No. 147 was read second time by its title and passed to its third reading.

Mr. King moved that the rules be further waived and that House bill No. 147 be read third time and put upon its passage ;

Which was agreed to by a two-thirds vote and—  
House bill No. 147 :

To be entitled an act to regulate the inspection and sale of beef and to repeal Chapter 3613, approved February 16, 1885 ; also Chapter 3997, approved May 31, 1889,

Was read third time by its title only and put upon its passage.

Upon its passage the vote was :

Yeas—Messrs. Baya, Bryant, Drake, Hammond, King, Kirk, Smith of 30th, Wadsworth and Yancey—9.

Nays—Messrs. Borden, Broome, Calhoun, Coulter, Crosby, Johnson, McKinne, Myers, Pirrong, Rosborough, Smith of 31st, Summers, Swearingen, Thomas and Wolfe—15.

So the bill failed to pass.

Mr. Borden gave notice that he would to-morrow morning move to reconsider the vote by which the Senate refused to pass House bill No. 147 :

#### ENROLLED.

An act to prohibit the sale and disposing of cigarettes, smokettes, and cigarette paper to persons under eighteen years of age.

Also,

An act to extend the time for the construction of the Alabama, Florida and Atlantic Railway.

Also,

An act to fix the times of holding the terms of the Circuit Court in the Fourth Judicial Circuit.

Also,

An act to enable the city of Tampa to levy certain taxes and to provide for a more complete assessment of the property in said city of Tampa for municipal purposes.

Also,

An act to incorporate the Atlantic and Gulf Canal Company of Florida.

Also,

An act making atheists, agnostics and persons who do not believe in the doctrine of future rewards and punishments,

competent witnesses and providing penalty for testifying falsely.

Also,

An act to keep in repair all public roads and bridges, and to open new roads in the County of Orange, State of Florida.

Also,

An act to define the manner in which entrances to certain public buildings shall be constructed,

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.

The following message from the House of Representatives was read:

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

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 51:

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

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

Senate bill No. 51, referred to in the message, was ordered enrolled.

Also the following:

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

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 216:

To be entitled an act to legalize the incorporation of the town of Oakland in the county of Orange and declare the incorporation of the town of Oakland valid and in full force and effect.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

Senate bill No. 216, referred to in the message, was ordered enrolled.

Also the following:

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

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 191:

To be entitled an act to establish a criminal court of record in the county of Volusia, Florida.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

Senate bill No. 191, referred to in the message, was ordered enrolled.

Also the following:

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

HON. J. B. BROWNE,

President of the Senate:

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

Senate bill No. 223:

To be entitled an act to define the boundary of the county of Polk and to repeal all laws in conflict with the same.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

Senate bill No. 223 referred to in the message, was ordered enrolled.

Also the following:

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

HON. J. B. BROWNE,

President of the Senate:

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

House bill No. 155 :  
To be entitled an act to incorporate the town of Midway  
in the county of Gadsden.  
And respectfully request the concurrence of the Senate  
thereto.

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

House bill No. 155 was read first time by its title only, and  
passed to its second reading under the rules without refer-  
ence.

Also the following :

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

HON. J. B. BROWNE,

President of the Senate :

SIR—I am directed by the House of Representatives to in-  
form the Senate that the House of Representatives has  
passed—

House bill No. 272 :

To be entitled an act to prevent exorbitant and oppressive  
cost and attorney's fees in cases of foreclosure of mortgages,  
And respectfully request the concurrence of the Senate  
thereto.

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

House bill No. 272 was read first time by its title only and  
passed to its second reading under the rules without refer-  
ence.

Also the following :

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

HON. J. B. BROWNE,

President of the Senate :

SIR—I am directed by the House of Representatives to in-  
form the Senate that the House of Representatives has  
passed—

House bill No. 315 :

To be entitled an act for the relief of B. R. Pitt, A. Riera,  
T. W. Hutchinson, F. E. Richardson, P. M. Pritchett and E.  
G. Quina,

And respectfully request the concurrence of the Senate  
thereto.

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

House bill No. 315 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 4, 1891. }

HON. J. B. BROWNE,

President of the Senate :

SIR—I am directed by the House of Representatives to in-  
form the Senate that the House of Representatives has  
passed—

Senate bill No. 7 :

To be entitled an act to amend Chapter 3681 of the Laws  
of Florida, approved June 13, 1887, entitled an act for the as-  
sessment and collection of revenue, with amendments thereto,

And respectfully request the concurrence of the Senate  
therein.

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

Mr. Hammond moved that the House amendments to  
Senate bill No. 7 be concurred in ;

Which was agreed to and the House amendments were  
concurred in, and the bill with House amendments was or-  
dered enrolled and the concurrence certified to the House.

Also the following :

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

HON. J. B. BROWNE,

President of the Senate :

SIR—I am directed by the House of Representatives to in-  
form the Senate that the House of Representatives has  
passed—

Senate bill No. 109 :

To be entitled an act for the better prevention of riots or  
mobs, and providing for checking and suppressing the same.

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

Senate bill No. 109, referred to in the message, was ordered enrolled.

Also the following:

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

HON. J. B. BROWNE,

President of the Senate.

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has appointed Messrs. Dougherty and Shine a committee of conference on disagreement as to amendment in section 2, line 1, to strike out word "three" and insert the word "four" in—

House bill No. 294:

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

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

Also the following:

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

HON. J. B. BROWNE,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has appointed Messrs. Young, Buford and Hocker, a committee on part of the House on joint committee, pursuant to joint resolution, to provide for equitable distribution of fund provided for the complete endowment of colleges for benefit of agriculture and for other purposes.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk of the House of Representatives.

House Concurrent Resolution No. 32:

Relative to the improvement of the bar at St. Augustine;

Which had been laid over,

Was read second time.

Mr. Wolfe moved that the resolution be adopted;

Which was agreed to and the resolution was adopted and the action of the Senate ordered certified to the House at once.

Mr. Summers asked and was granted unanimous consent to take up House bill No. 243 out of its regular order, and—

House bill No. 243:

To be entitled an act to authorize Duval county to improve the navigation of the St. Johns river within said county and issue bonds in aid thereof;

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

Pending the vote upon the passage of the bill, Mr. Summers asked and was granted unanimous consent to amend the bill as follows:

Amend section 13 by inserting after the word "Bigelow," in line 31, the following: "Max Hirschman, W. A. Adams, David Kemp and E. W. Gillen.

Amend bill by adding section 15, as follows:

Section 15. This act shall take effect upon its passage and approval by the Governor,

And the Secretary was authorized and directed to make the change accordingly.

The bill was then put upon its passage.

Upon its passage, the vote was:

Yeas—Messrs. Baya, Bryant, Callhoun, Coulter, Drake, Hammond, Kirk, Myers, Pirrong, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wolfe and Yancey—18.

Nays—None.

So the bill passed, title as stated.

Mr. Summers moved that the rules be further waived and that the bill be certified to the House of Representatives at its evening session;

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

Mr. Yancey asked and was granted unanimous consent to take up Senate bill No. 259 out of its regular order, and—

Senate bill No. 259:

To be entitled an act to incorporate the Tavares, Atlantic and Tampa Railroad Company,

Was taken up out of its regular order.

Mr. Yancey moved that the rules be waived, and that Senate bill No. 259 be read second time by its title only;

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

Senate bill No. 259:

To be entitled an act to incorporate the Tavares, Atlantic and Tampa Railroad Company,

Was read second time by its title only, and ordered engrossed for its third reading.

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

Which was not agreed to.

Mr. Crosby moved that the Senate adjourn until 8:30 o'clock this evening;

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

### ENVENING SESSION.

8:30 O'CLOCK, THURSDAY, June 4, 1891.

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, Broome, Bryant, Calhoun, Coulter, Crosby, Drake, Farmer, Hammond, Johnson, King, Kirk, McKinne, Myers, Pirrong, Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wall, Wolfe and Yancey—31.

A quorum present.

Mr. McKinne moved that after the special calendar is exhausted that each Senator be allowed to call up one bill.

Mr. Wolfe offered the following substitute:

*Resolved*, That, commencing with to-night's session, each Senator be granted unanimous consent to call up one bill and dispose of same, the roll being called by senatorial districts.

Mr. McKinne withdrew his motion.

Mr. Wall offered the following as a substitute:

That debate on all measures before the Senate be limited to five minutes, and that no Senator be allowed more than two speeches on any one subject.

Mr. Yancey moved to lay the substitute on the table;

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Messrs. Borden, Kirk, Pirrong, Summers, Wolfe and Yancey—6.

Nays—Messrs. Baya, Bristol, Brett, Broome, Bryant, Calhoun, Coulter, Crosby, Drake, Farmer, Hammond, Johnson, King, McKinne, Myers, Rogers, Smith of 31st, Swearingen, Thomas, Wadsworth, Wall and Wilkinson—22.

So the motion to lay on the table was lost.

The question recurred upon the motion of Mr. Wall;

Which was agreed to and the motion of Mr. Wall prevailed.

A message was received from the House of Representatives—

Mr. Kirk asked unanimous consent to take up House bill No. 173;

Which was not granted.

The regular order of business was proceeded with.

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, for the year 1892 and for six months of the year 1893,

Was taken up.

Mr. Wall moved that the bill be considered by sections;

Which was agreed to and so ordered.

Section 1 was read.

Pending further reading of the bill Mr. Wall moved that the bill be made the special order for to-morrow at 11 o'clock;

Which was agreed to and so ordered.

House Bill No. 287:

To be entitled an act to require all railroad companies in this State to fence their roads and to erect suitable crossings over the same,

Was taken up in its order, read second time in full and passed to its third reading on special calendar.

Mr. McKinne moved that the rules be waived and that House bill No. 358 be read third time and placed upon its passage;

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

House bill No. 358:

To be entitled an act to enact the revised statutes of the State of Florida and to provide for the printing, sale and distribution of the same,

Was taken up in its order.

Pending the vote upon the passage of the bill, Mr. Myers asked and was granted unanimous consent to amend the bill on its third reading as follows:

Amend section 5, line 37, after the words "own costs" by inserting in section 174 the words "who shall not all be of the same political party if practicable."

And all of section 2974 of Revised Statutes.

The bill was then put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Brett, Drake, Farmer, Hammond, Johnson, King, Kirk, McKinne, Myers, Rogers, Smith of 31st, Wadsworth, Wall and Wilkinson—17.

Nays—Mr. President, Messrs. Broome, Bryant, Calhoun,

Coulter, Crosby, Pirrong, Rosborough, Smith of 30th, Summers, Swearingen, Thomas, Wolfe and Yancey—13.

Mr. Wall moved that the vote by which the bill passed be reconsidered.

Mr. McKinne moved to lay the motion to reconsider on the table;

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

Mr. Hammond 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. Rogers moved that the rules be waived and that the Senate take up House bill No. 89 out of its regular order;

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

House bill No. 89:

To be entitled an act relating to jurors,

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, Broome, Bryant, Calhoun, Coulter, Crosby, Drake, Farmer, Hammond, Johnson, King, McKinne, Myers, Pirrong, Rosborough, Smith of 30th, Summers, Swearingen, Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey—29.

Nays—None.

So the bill passed, title as stated.

Mr. Wolfe 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. Crosby moved that the rules be waived and that the Senate take up House bill No. 5 out of its regular order;

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Messrs. Baya, Bristol, Brett, Broome, Coulter, Crosby, Drake, Farmer, Hammond, Johnson, King, McKinne, Myers, Rogers, Rosborough, Smith of 31st, Thomas, Wadsworth, Wall, Wilkinson and Yancey—20.

Nays—Mr. President, Messrs. Borden, Bryant, Calhoun, Kirk, Pirrong, Smith of 30th, Summers, Swearingen and Wolfe—11.

So the motion was not agreed to.

Mr. Wall moved that the Senate adjourn.

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Messrs. Baya, Borden, Brett, Hammond, Johnson, King, Pirrong, Rogers, Smith of 31st, Wall, Wilkinson and Yancey—12.

Nays—Messrs. Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Drake, Farmer, Kirk, McKinne, Myers, Rosborough, Smith of 30th, Summers, Swearingen, Thomas, Wadsworth and Wolfe—18.

So the Senate refused to adjourn.

Mr. Borden moved that the rules be waived and that the Senate take up House bill No. 287 in its regular order, on third reading;

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

House bill No. 287:

To be entitled an act to require all railroad companies in this State to fence their roads and to erect suitable crossings over the same,

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

Upon its passage the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Johnson, King, McKinne, Pirrong, Rogers, Rosborough, Smith of 30th, Swearingen, Thomas, Wolfe and Yancey—20.

Nays—Mr. Kirk—1.

So the bill passed, title as stated.

Mr. Broome moved that the rules be further waived, and that the bill be certified to the House of Representative.

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

Mr. Kirk moved that the rules be waived and that the Chairman of the Finance Committee be permitted to submit a report;

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

Mr. Baya, Chairman of the Committee on Finance and Taxation, submitted the following report:

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

HON. J. B. BROWNE,

President of the Senate:

SIR—Your Committee on Finance and Taxation, to whom was referred—

Senate bill No. 239:

A bill to be entitled an act to provide for the levy of taxes for the years 1891 and 1892,

Beg to say that they have examined the same and recommend that it do pass.

Very respectfully,  
J. F. BAYA,  
Chairman of Committee.

Mr. Yancey moved that the rules be waived and that the Senate take up House bill No. 265 out of its regular order;

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

Mr. Yancey 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. 265:

To be entitled an act to continue the rights, privileges, powers, franchises and grants of the Florida Midland and Georgia Railroad Company and to extend the time for the completion of the railroad of said company,

Was read second time by its title only.

Mr. Myers offered the following amendment:

Amend by adding the following proviso to the bill:

“Provided, that the trustees of the Internal Improvement Fund shall not reserve any lands for said company until the first section of five miles of its road is completed and in operation; and then they may reserve the alternate sections within fifteen miles on each side of the next section of ten miles of said road, and so on, for each succeeding section of ten miles of said road, until the entire line is completed.”

Mr. Myers moved that the amendment be adopted.

Pending consideration of which Mr. Kirk moved that the Senate adjourn until 9 o'clock to-morrow morning;

Which was not agreed to.

Consideration of the amendment offered by Mr. Myers to House bill No. 265 was resumed.

The motion to adopt the amendment was not agreed to and the amendment was lost.

Mr. Yancey moved that the rules be further waived and that House bill No. 265 be read third time and put upon its passage.

Upon which the yeas and nays were called.

The vote was as follows:

Yeas—Messrs. Baya, Bryant, Calhoun, Coulter, Crosby, McKinne, Pirrong, Rosborough, Summers, Swearingen, Wadsworth, Wolfe and Yancey—13.

Nays—Messrs. Bristol, Farmer, Johnson, Kirk, Myers and Thomas—7.

So the motion to waive the rules was not agreed to.

Mr. Kirk moved that the Senate adjourn:

Which was withdrawn.

Mr. Bryant asked and was granted unanimous consent to take up House bill No. 145 out of its regular order.

Mr. Bryant moved that the rules be waived and that House bill No. 145 be read second time by its title only and passed to its third reading;

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

House bill No. 145:

To be entitled an act to revoke and abolish the present municipal government of the town of Lakeland and to organize a city government for said town,

Was read second time by its title only and passed to its third reading.

Mr. Bryant moved that the rules be further waived and that House bill No. 145 be read third time and put upon its passage;

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

House bill No. 145:

To be entitled an act to revoke and abolish the present municipal government of the town of Lakeland and to organize a city government for said town,

Was read third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Borden, Bryant, Calhoun, Crosby, Farmer, Kirk, McKinne, Myers, Pirrong, Rosborough, Smith of 31st, Summers, Swearingen, Thomas, Wadsworth, Wolfe and Yancey—17.

Nays—None.

So the bill passed, title as stated.

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

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

#### CONFIRMATIONS.

To be county commissioners for Duval county:  
George A. DeCottes, B. M. Baer, William S. Pickett, Benjamin R. Powell and John D. Kelly.

To be county commissioners for Lee county :  
 R. P. Gilbert, W. H. Towles, Thos. T. Eyre, F. J. Wilson  
 and B. W. Williams.  
 To be county commissioners for Dade county :  
 Joseph A. Wells, N. W. Pitts, Geo. W. Lainhart, E. L.  
 White and John T. Peacock.  
 To be county commissioners for Citrus county :  
 W. B. Edwards, E. A. Willard, J. W. Johns, J. J. Pyles  
 and J. D. Spooner.  
 To be county commissioners for St. Johns county :  
 J. W. David, Montgomery Corse, C. F. Bailey, R. J. Oliver  
 and B. Genovar.  
 To be members of county board of health for Bradford  
 county :  
 T. J. Burrin, Tate Powell and Sol. Newsom.

FRIDAY, June 5, 1891.

The Senate met pursuant to adjournment.  
 The President in the chair.  
 The roll was called and the following Senators answered to  
 their names:  
 Mr. President, Messrs. Baya, Borden, Bristol, Brett,  
 Broome, Bryant, Calhoun, Coulter, Crosby, Farmer, Ham-  
 mond, Johnson, King, Kirk, McKinne, Myers, Pirrong,  
 Rogers, Rosborough, Smith of 30th, Smith of 31st, Summers,  
 Thomas, Wadsworth, Wall, Wilkinson, Wolfe and Yancey  
 —27.  
 A quorum present.  
 Prayer by the Chaplain.  
 The Journal of June 2 was corrected and approved.  
 On motion of Mr. Wolfe, the Secretary was given authority  
 to correct the Journals of the Senate of June 3, 4 and 5 if  
 not delivered to the Senate before adjournment *sine die*.  
 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 4, 1891. }

HON. J. B. BROWNE,

President of the Senate :

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

Senate bill No. 9 :

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

Also,

Senate bill No. 202 :

To be entitled an act to extend the time for the con-  
 struction of the Alabama, Florida and Atlantic Railway,

Also,

Senate bill No. 46 :

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

Also,

Senate bill No. 90 :

To be entitled an act to enable the city of Tampa to  
 levy certain taxes and to provide for a more complete assess-  
 ment of the property in said city for municipal purposes.

Also,

Senate bill No. 189 :

To be entitled an act to incorporate the Atlantic and  
 Gulf Canal Company of Florida,

Beg leave to report that they have presented the same to  
 the Governor for his consideration.

Very respectfully,

W. J. BORDEN,  
 Chairman of Joint Committee.

Also the following :

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

HON. J. B. BROWNE,

President of the Senate :

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

House bill No. 141 :

To be entitled an act making atheists, agnostics and persons