

3, Revised Statutes, relative to the records of marks and brands,

Was read the second time in full.

Mr. Myers offered the following amendment:

In Section 1, strike out the words "Revised Statutes of Florida," and insert the words "of the Laws of Florida."

In the title, strike out the words "Revised Statutes of Florida," and insert the words "of the Laws of Florida."

Mr. Myers moved that the amendment be adopted;

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

Mr. Weeks offered the following amendment:

After Section 7 insert:

Provided, That the county commissioners of any county may, at their discretion, fail to comply with the provisions of this act.

Mr. Weeks moved that the amendment be adopted;

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

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

By permission Mr. Calhoun introduced—

Senate Bill No. 157:

A bill to be entitled an act to punish contractors and sub-contractors who shall fail or refuse to pay laborers, employes and material men when the principal pays the said contractors or sub-contractors.

Mr. Calhoun moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

Also,

Senate Joint Resolution No. 158:

Proposing to amend Section 12, Article 4 of the Constitution.

Mr. Calhoun moved that the rule be waived and that the Joint Resolution be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the Joint Resolution was read the first time by its title and referred to the Committee on Constitutional Amendments.

The following report from the Committee on Enrolled Bills was submitted:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

An act to authorize the County Commissioners of Escambia county, State of Florida, to erect an addition or annex to the court house of Escambia county, to be used as an armory for the State militia of said county and for other county purposes, and to authorize the issuance of bonds for the purpose of raising funds to pay for the same,

Beg leave to report the same correctly enrolled.

Very respectfully,

F. B. GENOVAR,

Chairman Committee.

The act was ordered referred to the Joint Committee on Enrolled Bills for signature.

The Senate thereupon, on motion of Mr. Summers, adjourned until 10 o'clock A. M. Monday, April 24, 1893.

Confirmations.

Geo. W. Walker of Tallahassee, to be State Attorney in and for the Second Judicial Circuit of the State of Florida, for the term of four years.

MONDAY, APRIL 24, 1893.

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, Blitch, Borden, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson,

Marks, McKay, McKinne, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, St. Clair Abrams, Summers, Thomas, Wadsworth, Weeks, Whidden, Williamson and Wolfe—29.

A quorum present.

Prayer by the Rev. W. M. Poage, of Tallahassee.

The Journal was approved.

On motion of Mr. Summers Mr. Genovar was excused for the day.

On motion of Mr. McKinne Mr. Bristol was excused until to-morrow morning.

On motion of Mr. Summers Mr. McKinney, was excused on account of sickness in his family.

The President announced the illness of Mr. Smith, and on motion he was excused from attendance on the Senate.

Introduction of Resolutions, Petitions and Memorials.

By Mr. Wolfe:

Petition from sundry citizens of Escambia county;

Which was read as follows:

To the Honorable, the Senate and House of Representatives of Florida:

We, the undersigned members of "The Helping Hand Circle of King's Daughters" of Pensacola, do hereby petition your honorable bodies to enact a law forbidding or prohibiting any one, not excepting parents, from keeping children in houses of ill-fame, whether licensed or otherwise.

Signed by

Mrs. Mary E. Spencer,

And thirty-three other ladies of the city of Pensacola.

Laid over under the rules.

By Mr. Blich:

Petition from sundry citizens of Levy county;

Which was read as follows:

We, the undersigned citizens of Levy county, respectfully petition the Legislature of Florida to amend the game law so as to allow the people to kill game at any time for their own use, but not to sell game at any time.

Signed by Wm. E. Yearitty and 157 others.

The petition was referred to the Committee on Judiciary.

Also the following:

We, the undersigned citizens of Levy county, respectfully

ask the Legislature of Florida that the penalty provided by law for burning the forests is inadequate to the accomplishment of the designs, and ask that the law be so amended as to make burning or allowing fire to get out from camp or otherwise into the forests a felony punishable by imprisonment in the State's prison for not less than five years.

Signed by Wm. E. Yearitty and 151 others;

Which was referred to the Committee on Agriculture.

Also the following:

The petition of the undersigned citizens of Levy county respectfully asks the Legislature of Florida to provide for an amendment to the Constitution so as to allow the election of county commissioners.

Signed by Wm. E. Yearitty and 151 others.

Which was referred to the Committee on Constitutional Amendments.

Mr. Wolfe moved that hereafter when petitions are presented only the subject matter of the petition, followed by the first name signed thereto and a statement of the number of the petitioners, be printed in the Journal;

Which was agreed to, and so ordered.

By Mr. Williamson:

Senate Resolution No. 9;

Which was read as follows:

Resolved, That the Committee on Railroads is hereby instructed to report to this Senate at once, Senate Bill No. 10, for consideration.

Mr. Williamson moved that the resolution be adopted.

Mr. St. Clair Abrams offered the following amendment:

After the words "this Senate" strike out "at once" and insert the words "on Thursday next," and after the words "for consideration" add the words "and that the committee have 100 copies of the bill printed for the use of the Senate;"

Which was accepted.

Mr. Williamson moved that the resolution as amended be adopted;

Which was agreed to, and the resolution as amended was declared adopted.

By Mr. Marks:

Petition from sundry citizens of South Florida,

Which was read as follows:

To the Legislature of the State of Florida:

We, the undersigned citizens and stock owners of South Florida, would respectfully petition your honorable body to pass laws at the present session of the Legislature for our relief and the relief of one of the oldest and most important industries in the State.

We would respectfully show that millions of acres of land in this State can be used only for cattle and stock growing, and when that industry is impeded by law and left unprotected by other laws, the people and the State alike suffer seriously in one of its most important and one of its largest revenues.

We have some laws in our favor, some of which are adequate for the purposes intended, but many are worthless, and unless we are protected from thieves, railroads and like municipal corporations, our business must go to ruin.

The laws we ask for will be submitted by our honorable Representatives and will be entitled as follows:

No. 1. An act to amend the statute relative to impounding cattle and other stock.

No. 2. An act to provide a penalty for stealing domestic animals.

No. 3. An act to require railroads to pay costs before appeal shall be allowed in certain cases.

No. 4. An act to establish a whipping post.

We humbly pray that the same may be enacted and we will see to it that they are enforced by the courts.

Respectfully submitted,

Jacob Sumerlin, President of Stock Men's Association, (representing 8,000 head;) and 53 others.

The petition was referred to the Committee on Judiciary.

Mr. Summers moved that Senate Bill No. 3 be made the special order for Thursday next at 11 o'clock;

Which was agreed to, and so ordered.

Introduction of Bills.

By Mr. Marks:

Senate Bill No. 159:

A bill to be entitled an act to fix the penalty for stealing domestic animals.

Mr. Marks moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Agriculture.

Also,

Senate Bill No. 160:

A bill to be entitled an act relative to pay of costs prior to appeal in stock killing cases by railroads.

Mr. Marks moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Railroads.

Also,

Senate Bill No. 161:

A bill to be entitled an act to amend the statutes of Florida relative to impounding cattle or other stock by municipal corporations.

Mr. Marks moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on City and County Organization.

By Mr. McKay:

Senate Bill No. 162:

A bill to be entitled an act to amend Section 948 of the Revised Statutes of Florida.

Mr. McKay moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Commerce and Navigation.

By Mr. Perrenot:

Senate Bill No. 163:

A bill to be entitled an act to amend Section 1606 Revised Statutes, relating to the terms of justice of the peace courts.

Mr. Perrenot moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Myers:

Senate Joint Resolution No. 164:

Proposed amendment to Section 25, Article 3 of the Constitution of the State of Florida.

Mr. Myers moved that the rule be waived and that the joint resolution be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the joint resolution was read the first time by its title and referred to the Committee on Constitutional Amendments.

Also,

Senate Joint Resolution No. 165:

Proposing amendment to Section 6, Article 16 of the Constitution of the State of Florida.

Mr. Myers moved that the rule be waived and that the joint resolution be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the joint resolution was read the first time by its title and referred to the Committee on Constitutional Amendments.

Also,

Senate Bill No. 166:

A bill to be entitled an act to amend Section 936 of the Revised Statutes of Florida relating to the protection of ports and harbors.

Mr. Myers moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Commerce and Navigation.

By Mr. Summers:

Senate Bill No. 167:

A bill to be entitled an act for the protection of discharged employes and to prevent black listing and for other purposes.

Mr. Summers moved that the rule be waived and that the bill be read the first time by its title;

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

Whereupon the bill was read the first time by its title and referred to the Committee on Corporations.

By Mr. Williamson:

Senate Bill No. 168:

A bill to be entitled an act relating to fire insurance policies, prescribing a rule of evidence and measure of damage in case of loss.

Mr. Williamson moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Whidden:

Senate Bill No. 169:

A bill to be entitled an act to organize a county court in DeSoto county, Florida.

Mr. Whidden moved that the rule be waived and that the bill be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

Messages from the House of Representatives.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

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 the request of the Senate relative to the Senate and House committees holding joint sessions to consider all matters pertaining to fisheries.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House memorial to Congress for an appropriation to deepen the water at mouth of Crooked river,

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Laid over under the rules.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 21, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House Joint Resolution relative to an appropriation to improve the mouth of Peace creek and Charlotte harbor.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Laid over under the rule.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

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. 21:

To be entitled an act to incorporate the Withlacoochee Railway Company,

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Wolfe moved that the rule be waived and that House Bill No. 21 be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Railroads.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

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. 68:

To be entitled an act in relation to paying certain witnesses who appear before grand juries and for other purposes.

And would respectfully ask the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Myers moved that the rule be waived, and that House Bill No. 68 be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

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. 93:

To be entitled an act to prevent the sale of public property by the superintendents of public institutions,

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Mr. Myers moved that the rule be waived and that House Bill No. 93 be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 21, 1893. }

HON. W. H. REYNOLDS,

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. 98:

To be entitled an act to provide for cancellation and satisfaction of mortgages, liens and judgments.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Mr. Wadsworth moved that the rule be waived and that House Bill No. 98 be read the first time by its title;

Which was agreed to by a two-thirds vote,

Whereupon the bill was read the first time by its title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

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. 39:

To be entitled an act to authorize the appointment of acting county solicitors of the Criminal Courts of Record in the various counties of this State wherever there shall be a vacancy in the office of county solicitor, or in the absence from the county of the solicitor or his inability to perform the duties of his office.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Senate Bill No. 39 accompanying the message was ordered referred to the Committee on Enrolled Bills for enrollment.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

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. 72:

To be entitled an act to declare the first Monday in September of each year Labor Day and a legal holiday,

With the action of the House endorsed thereon.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Senate Bill No. 72 accompanying the message was ordered referred to the Committee on Enrolled Bills for enrollment.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

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. 48:

To be entitled "An act to amend Section 2125, Article 2, Chapter 2, of the Revised Statutes of the State of Florida, providing for the issue and delivery of letters patent;"

With amendments thereto,

And would respectfully request the concurrence of the Senate to the amendments as proposed by the House of Representatives.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Which was placed among the orders of the day.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 21, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the following acts having been reported by the Joint Committee on Enrolled Bills as being correctly enrolled, have been signed by the Speaker and Chief Clerk:

An act to provide for the levy by the County Commissioners of the counties of this State annually of a tax to pay interest upon and raise a sinking fund to meet the principal of county bonds issued for the purpose of erecting county court houses, jails, armories or other county buildings.

Also,

An act to empower the Governor, Treasurer and Comptroller to borrow money for State purposes.

Also,

An act to be entitled an act to incorporate the Marianna and Greenwood Telephone Company.

Also,

An act to be entitled an act to incorporate the Jackson County Mill Company.

Also,

Memorial to the Secretary of the Treasury of the United States, Relative to a lighthouse at East Pass, Apalachicola Bay, Fla.

And beg leave to report the same to the Senate for action thereon.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

The acts referred to were ordered referred to the Joint Committee on Enrolled Bills.

Reports of Committees.

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

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 143:

A bill to be entitled an act to permit accused persons held to bail to deposit a sum of money in cash equal to the amount of bail required in lieu of obtaining personal security and to legalize all deposits heretofore made in such cases,

Beg leave to report that they have examined the same, and recommend that it do pass, with the following amendments, to-wit:

Strike out all after the enacting clause, and insert the following:

Section 1. That from and after the passage of this act in all cases where a person is held to bail for appearance to answer a criminal charge in any court of this State, such person shall have the right, upon entering into his personal recognition for his appearance, to deposit with the judge or clerk of such court a sum of money equal to the bail required, instead and in lieu of obtaining personal security for his appearance.

Sec. 2. That wherever any deposit has been heretofore made and accepted by any court in this State in lieu of personal security, as provided in the first section, the same is hereby ratified and legalized.

Sec. 3. That this act shall go into effect upon its approval by the Governor.

Very respectfully,

FRED. T. MYERS,
Chairman Committee.

Also the following :

SENATE CHAMBER,
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred Senate Bill No. 126:

A bill to be entitled an act to declare the effect of an answer in chancery as evidence.

Also,

Senate Bill No. 151:

A bill to be entitled an act relating to judgments.

Also,

Senate Bill No. 153 :

A bill to be entitled an act to provide for and regulate the publication of legal notices.

Also,

Senate Bill No. 156:

A bill to be entitled an act concerning the verification of the record of deeds and other instruments of writing.

Beg leave to report that they have examined the same, and recommend that they do not pass.

Very respectfully,

FRED. T. MYERS,
Chairman Committee.

Also the following :

SENATE CHAMBER,
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—
Senate Bill No. 157:

A bill to be entitled an act to punish contractors and sub-contractors who shall fail or refuse to pay laborers, employes and material men when the principal pays the said contractor or sub-contractor.

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

Very respectfully,

FRED. T. MYERS,
Chairman Committee.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 22, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 67:

To be entitled an act to regulate the manner in which writs of scire facias shall be served,

Beg leave to report that they have examined the same, and recommend that it do pass with the following amendment, to-wit:

In line 2 of section 1, strike out the word "receiving" and insert the word "reviving" in lieu thereof.

Very respectfully,

FRED. T. MYERS,
Chairman of Committee.

Which were placed among the orders of the day.

Mr. Perrenot, Chairman of Committee on Public Health, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 24, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 46:

A bill entitled an act to amend Section 7 of an act approved May 31, 1889, entitled an act to regulate the practice

of medicine, etc., the same being Section 806, Chapter 4, Title 3, Division 1, of the Revised Statutes of Florida,

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

Very respectfully,

C. J. PERRENOT,

Chairman of Committee.

Which was placed among the orders of the day.

Mr. McKinne, Chairman of Committee on Railroads, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 24, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 100:

An act to incorporate the Tampa Suburban Railroad Company.

Beg leave to report that they have examined the same and beg leave to return the same to the Senate without recommendation.

Very respectfully,

J. H. MCKINNE,

Chairman of Committee on Railroads.

Which was placed among the orders of the day.

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

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 24, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 6:

Entitled an act for the protection and preservation of certain song birds and birds of plume.

Also,

Senate Bill No. 130:

Entitled an act to amend Chapter 4048, Section 3, of the Laws of Florida, relative to inspection of marks and brands of beef cattle.

Also,

Senate Bill No. 61:

Entitled an act to compel railroad companies to construct and provide suitable station accommodations for passengers at the stations on the lines of their roads.

Beg leave to report that they have carefully examined the same, and find them correctly engrossed.

Very respectfully,

J. EMMET WOLFE,

Chairman of Committee on Engrossed Bills.

Which was placed among the orders of the day.

Mr. Summers, Chairman of Committee on Canals and Telegraphs, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 24, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 135:

A bill to be entitled an act to amend Section 4 of an act entitled an act in relation to the land grant of the Florida Coast Canal and Transportation Company and prescribing the duties of the Trustees of the Internal Improvement Fund of the State of Florida in relation thereto, the right of settlement thereon, and the specifications for the construction of its waterways and the time of its completion from St. Augustine to Biscayne Bay, approved May 29, 1889,

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

Very respectfully,

O. J. H. SUMMERS,

Chairman Committee.

Which was placed among the orders of the day.

Special Order of the Day.

The hour of 11 o'clock having arrived, the President announced that the Senate would proceed to the consideration
18s

of Senate Bill No. 63 which was the special order of the day.
Whereupon,

Senate Bill No. 63 :

A bill to be entitled an act to repeal Chapter 3, Part 1, Title 11 of the Revised Statutes of Florida, regulating appointment and duties of the county boards of health, and to repeal an act, being Chapter 4041, Laws of Florida, approved June 10, 1891, entitled an act to amend Sections 4, 6, 7 and 10 of 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.

Was read the second time in full.

Mr. Browne offered the following amendment:

Add the following as Section 3:

That all funds in possession of any County Boards of Health derived from taxation, shall be turned into the general revenue fund of the respective counties from which said funds were collected, and all funds and effects in the possession of said county boards derived from quarantine fees shall be turned over to the State Board of Health.

Amend title by adding:

"And to provide for the disposition of funds and effects in possession of County Boards of Health."

Mr. McKay moved that the amendment be adopted;

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

Mr. Wolfe offered the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. That Section 786 of the Revised Statutes of the State of Florida be and the same is hereby amended so as to read as follows:

786. Appointment of Board—The Governor, with the advice and consent of the Senate may appoint for any county in this State, the board of county commissioners of which shall, by resolution duly entered upon their minutes, ask for the appointment of such board, a board of health consisting of three discreet persons; Provided, That the boards of health now established in any county shall remain so established if the county commissioners of such county shall within thirty days after the passage of this act by resolution, duly entered upon their minutes, ask for the retention of such

board, and the members of such county board of health now holding commissions shall be members of such board until the expiration of their commission and until their successors are appointed and have qualified.

Sec. 2. That Section 791 of the Revised Statutes of the State of Florida be amended so as to read as follows:

791. The President and Secretary—Every such board of health shall annually elect from its members a president and a secretary, who shall constitute the executive committee of said board; the secretary shall also act as treasurer, and may receive for his services such additional compensation not exceeding seventy-five dollars per month to the per diem allowance, and give such bond for the faithful discharge of his duties to the board as the board may deem proper; Provided, That such additional compensation, not exceeding one hundred dollars per month, may be paid to the president of said boards in counties in which are located seaport cities having a population of five thousand and upwards as may meet the approval of the State Board of Health, to be paid out of any other funds than those raised by taxation.

Sec. 3. That section 792 of the Revised Statutes of the State of Florida, be amended so as to read as follows:

792. Powers to Abate Nuisances Appoint Inspectors, Etc. Every Board of Health thus created shall have full power to abate nuisances prejudicial to the public health, to appoint and suitably compensate health inspectors and port sanitary inspectors, and such other officers and agents as they may find necessary, including an attorney for the board to be paid a salary not exceeding thirty dollars per month; who shall be removable at the pleasure of the board; Provided, The appointment of all port sanitary inspectors, must be approved by the State Board of Health before said inspectors enter upon the duties of their office.

Sec. 4. That Section 795 of the Revised Statutes of the State of Florida be amended so as to read as follows.

795. Rules of County Boards—Every county board of health thus created may adopt such rules and regulations as may be needful for the preservation of the public health of the county and for the surveillance, inspection or disinfection of vessels, baggage or cargoes, and the collection of fees for such services, and which shall not be in conflict with the rules and regulations of the State Board of Health or the law establishing said State Board of Health; and any person or any officer of any chartered city or town or any corporation who shall violate any such rule or regulation after the same shall have been published ten days in

some newspaper printed in the county shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not to exceed one thousand dollars or by imprisonment in the county jail not to exceed six months; Provided, That under such rules and regulations no vessel coming from a healthy port and with a healthy crew shall be subjected to any detention in quarantine or expense other than such as may be absolutely necessary for the ascertainment of her sanitary condition by the port inspector; Provided, That in all cases under the provisions of this act the executive committee of the county board of health shall, upon proper representations, review the decision of the port inspector ordering a vessel into quarantine and cancel, modify or confirm the same. And provided further, That before any rules and regulations of such county boards of health are adopted they must be formally approved by the State Board of Health.

Section 5. That Section 796 of the Revised Statutes of the State of Florida be amended so as to read as follows:

796. Fees for Disinfecting Vessels—The fees originating from the disinfection and fumigation, and the proceeds of ballast fees shall be turned over to the county board of health to be used by them solely for the strict and proper maintenance of their quarantine regulations; Provided, each of said county boards of health shall, on or before the first day of November, in each and every year hereafter, make to the board of county commissioners, in the county where such board of health is established, a full and exact statement of its financial receipts and disbursements for the preceding year, including a specification of all amounts received for fumigation, inspection, ballast discharge and other quarantine service rendered by said board, and all sums by said board expended, and the person or persons to whom and the purposes for which the same were paid. The county commissioners shall cause said statement to be published one time in some newspaper printed in said county, or to be posted in a conspicuous place at the county court house.

Sec. 6. That Chapter 4041 of the Laws of Florida, being an act entitled "an act to amend Sections four (4), six (6), seven (7) and ten (10) of an act to amend 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," approved June 10, 1891; and

Sections 798 and 800 of the Revised Statutes of the State of Florida, and all other laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Sec. 7. This act shall take effect immediately upon its

passage and approval by the Governor or upon its becoming a law without his approval.

Amendment B:

Amend title to read as follows: "An act concerning county boards of health."

Pending consideration of the bill—

A message from the Governor was received.

The regular order of business was then resumed,

The question being upon the consideration of the amendment offered by Mr. Wolfe to Senate Bill No. 63.

Mr. St. Clair Abrams offered the following amendment to the amendment offered by Mr. Wolfe:

Section 1, line 4, after the word "State" insert the words "in which is situated a port of entry;"

Which was accepted.

Pending further consideration of the bill—

A message from the House of Representatives was received.

The regular order of business was then resumed,

The question being upon the consideration of the amendment offered by Mr. Wolfe, as amended, to Senate Bill No. 63.

Mr. Wolfe moved that the amendment as amended be adopted.

Upon which the yeas and nays were demanded.

Upon call of the roll the vote was as follows:

Yeas—Messrs. Baya, Blitch, Grady, Johnson, Marks, McKinne, Myers, Perrenot, Reeves, Wadsworth, Whidden and Wolfe—12.

Nays—Messrs. Broome, Browne, Calhoun, Farmer, Fleming, Mc'lay, McLeran, Morrow and Thomas—9.

Mr. Williamson stated that he would vote aye, but that he was paired with Mr. Bristol who, if present, would vote nay.

Mr. St. Clair Abrams stated that he would vote aye, but that he was paired with Mr. Summers who, if present, would vote nay.

Excused from voting—Messrs. Borden, Rosborough and Weeks.

Before the vote was announced Mr. Browne asked to have his vote changed from nay to yea, in order that he might move a reconsideration of the vote if the amendment should be adopted.

Which was granted.

So the vote first stood: Yeas, 13; nays, 8; and

The amendment as amended was declared adopted.

Mr. Browne gave notice that he would on to-morrow move a reconsideration of the vote by which the first amendment offered by Mr. Wolfe to Senate Bill No. 63 was adopted.

Mr. Wolfe moved that Amendment B, to amend the title of Senate Bill No. 63, to read as follows:

An act concerning County Boards of Health, be adopted; Which was agreed to, and the amendment was declared adopted.

On motion of Mr. Calhoun Mr. Summers was excused from further attendance on the Senate until Thursday.

Mr. Morrow moved that the rules be waived and that the Senate take up Senate Bill No. 150 out of its regular order.

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

Senate Bill No. 150:

A bill to be entitled an act to regulate the taking of fish in certain salt waters of the State of Florida,

Was read the second time in full.

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

Which was agreed to by a two-thirds vote and the bill was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Baya, Blich, Borden, Browne, Calhoun, Fleming, Grady, Johnson, Marks, McKay, McKinne, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, St. Clair Abrams, Thomas, Wadsworth, Weeks, Williamson—22.

Nays—None.

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

The Senate thereupon, on motion of Mr. Browne, adjourned until 10 o'clock A. M. Tuesday, April 25, 1893.

TUESDAY, APRIL 25, 1893.

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, Blich, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Weeks, Whidden, Williamson and Wolfe—30.

A quorum present.

Prayer by the Chaplain.

The Journal was approved

Introduction of Resolutions, Petitions and Memorials.

By Mr. Baya:

Senate Memorial No. 21;

Which was read as follows:

A memorial to the Congress of the United States asking for an appropriation for the better equipment and support of the Agricultural Colleges of the United States.

Whereas, the students of the agricultural colleges must, in conformity with the acts of Congress establishing such colleges, receive instruction in military science and tactics; and whereas, the successful prosecution of studies in military science and tactics renders necessary the purchase of uniforms, flags and equipments, and whereas, this instruction is designed to educate and prepare material for the State and National Guards: Therefore, the people of the State of Florida, represented by the Legislature of the State of Florida do resolve as follows:

That our Senators and Representatives in Congress be requested to take immediate steps towards securing the passage of a bill providing for an appropriation by Congress to furnish said agricultural colleges with the arms, ammunition, equipments, camp and garrison equipage and uniforms necessary for the students in the military department of said colleges; and also to provide for the appointment as cadets at the U. S. Military Academy of a limited number of the most worthy students from those favorably mentioned by competitive examination and—

That the Secretary of State cause copies of this memorial to be sent to each of our Senators and Representatives in Congress.