

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blitch, Borden, Browne, Farmer, Fleming, Johnson, Marks, McKinne, McKinney, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Wadsworth, Weeks, Whidden, Williamson and Wolfe—22.

Nays—None.

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

Pending consideration of bills on their third reading,

Mr. Browne, Chairman Committee on Privileges and Elections, moved that consideration of the report of the committee in the contested case of Martin vs. Weeks be made the special order 10:15 o'clock A. M. Wednesday, May 10, 1893;

Which was agreed to, and so ordered.

Senate Bill No. 188 was passed informally, the introducer of the bill not being present in the chamber.

Senate Bill No. 31:

Entitled an act to dispense with seals and scrawls upon instruments of writing, and to validate instruments heretofore made without them,

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blitch, Borden, Farmer, Fleming, Johnson, Myers, Weeks and Williamson—8.

Nays—Messrs. Marks, McKay, McKinne, McKinney, McLeran, Morrow, Perrenot, Rosborough, Smith, St. Clair Abrams, Wadsworth, Whidden and Wolfe—13.

So the bill failed to pass.

Mr. Wolfe moved that the Senate reconsider the vote by which the Senate refused to pass Senate Bill No. 31;

Which went over under the rules.

Mr. Browne moved that the Senate adjourn until 10 o'clock A. M. Tuesday, May 9, 1893.

Upon which the yeas and nays were demanded.

Upon call of the roll the vote stood:

Yeas—Messrs. Borden, Browne, Farmer, Fleming, Johnson, Marks, McLeran, Morrow, Rosborough and Wolfe—10

Nays—Messrs. Blitch, McKay, McKinne, McKinney, Myers, Perrenot, Reeves, Smith, St. Clair Abrams, Wadsworth, Weeks, Whidden and Williamson—13.

So the motion was not agreed to, and the Senate refused to adjourn.

Senate Bill No. 124:

A bill to be entitled an act prescribing the punishment for receiving, removing, buying or otherwise disposing of personal property upon which a lien exists,

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blitch, Borden, Browne, Fleming, Johnson, Marks, McKinne, McKinney, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Wadsworth, Whidden and Williamson—19.

Nays—Messrs. Weeks and Wolfe—2.

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, May 9, 1893.

TUESDAY, MAY 9, 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, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Whidden, and Wolfe—29.

A quorum present.

Prayer by the Chaplain.

The Journal was approved.

Introduction of Resolutions, Petitions and Memorials.

By Mr. Myers:

Senate Concurrent Resolution No. 43;

Which was read as follows:

Resolved, By the Senate, the House of Representatives concurring, that a joint committee be appointed consisting of

three members of the Senate and four members of the House of Representatives, and that said committee be required to report at the earliest practicable moment,

First—Whether by reason of the payment of the debts of the Internal Improvement Fund by a sale of a portion of the lands of such fund commonly known as the “Disston sale,” if any obligation thereby devolved upon any “Land Grant” Railroad or Canal Company in this State to contribute, pay back into, or to re-deed to said Internal Improvement Fund any lands, or the value thereof, which prior to said sale had been deeded to said Railroad or Canal Companies, or would subsequent thereto inure to said Land Grant Railroad or Canal Companies by reason of their said respective land grants under the statutes or laws of this State; and whether said Internal Improvement Fund has by reason of the payment of said indebtedness, any claim in law against said Railroad and Canal Companies for any lands or the value thereof?

Second—That said committee make such recommendation, if any, as they may deem necessary for the institution and conduct of any litigation that may be considered proper.

Laid over under the rules.

Introduction of Bills.

By Mr. Baya:

Senate Bill No. 223:

A bill to be entitled an act limiting the charges of telegraph companies and other companies operating telegraph lines within the limits of the State of Florida.

Mr. Baya 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 Canals and Telegraphs.

By Mr. Morrow:

Senate Bill No. 224:

A bill to be entitled an act to appropriate money to carry out a joint resolution setting apart land for Indians in South Florida.

Mr. Morrow 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 Indian Affairs.

By Mr. McLeran:

Senate Bill No. 225:

A bill to be entitled an act to prevent the sale or use of immoral or obscene pictures and literature.

Mr. McLeran 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. Rosborough:

Senate Bill No. 226:

A bill to be entitled an act for the relief of C. A. Butler, guardian for Martha Willis, a deceased lunatic.

Mr. Rosborough 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 Claims.

By Mr. McKay:

Senate Bill No. 227:

A bill to be entitled an act to amend an act to amend chapter 4062, prescribing the time and places for holding circuit court in the sixth circuit.

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 Judiciary.

By Mr. Rosborough:

Senate Bill No. 228:

A bill to be entitled an act to consolidate the Florida Agricultural College, and the East and West Florida Seminaries under the name of the Agricultural University of Florida, and to provide for its maintenance and government.

Mr. Rosborough 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 Education.

By Mr. McKay:

Senate Bill No. 229:

A bill to be entitled an act to establish the municipality of Port Tampa, provide for its government and prescribe its jurisdiction and powers.

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 City and County Organization.

Reports of Committees.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 9, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 166:

Entitled an act to amend Section 936 of the Revised Statutes of Florida, relating to the protection of ports and harbors.

Also,

Senate Bill No. 160:

Entitled an act to require railroad companies to pay costs prior to appeals in stock killing cases, when the railroad is not fenced.

Also,

Senate Bill No. 205;

Entitled an act for the assessment and collection of taxes on bank stock.

Also,

Senate Bill No. 147:

Entitled a joint resolution to amend Section 6, Article 8, of the Constitution of the State of Florida.

Also,

Senate Bill No. 190:

Entitled an act to provide for the appointment of county

solicitors, in certain cases, in counties where Criminal Courts of Record are established.

Also,

Senate Bill No. 191:

Entitled an act to be entitled an act making navigable Bruce Creek, in Walton county.

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

Very respectfully,

J. EMMET WOLFE,
Chairman Committee.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 9, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate amendments to
House Bill No. 161:

Entitled an act to establish the present municipal government of the city of Sanford, Orange county, Florida, and to organize a city government for the same, and to provide its jurisdiction and powers.

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

Very respectfully,

J. EMMET WOLFE,
Chairman of Committee.

The accompanying bills were placed among the orders of the day.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 8, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 14:

A bill to be entitled an act to punish the carrying of certain descriptions of firearms without license.

Also,

The amendment offered by the Judiciary Committee to said Senate Bill No. 14.

Also,

The amendment offered by Senator Williamson to said Senate Bill No. 14.

Also,

The amendments offered by Senator Baya to said Senate Bill No. 14.

Also,

The amendment offered by Senator St. Clair Abrams to said Senate Bill No. 14.

Also,

The amendment offered by Senator Marks to said Senate Bill No. 14.

Beg leave to report the same back to the Senate without recommendation.

Very respectfully,

FRED T. MYERS,

Chairman of Committee.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 8, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 32:

A bill to be entitled an act to prevent lawlessness, and to regulate carrying, ownership and use of all kinds of pistols and repeating rifles in this State.

Beg leave to report the same back to the Senate without recommendation.

Very respectfully,

FRED. T. MYERS,

Chairman Committee.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 8, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 81:

A bill to be entitled an act to prescribe the conditions under which a certain class of firearms may be carried,

Beg leave to return the same to the Senate, and recommend the passage of the following substitute in lieu thereof:

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

Section 1. That from and after the passage of this act it shall be unlawful for any person to carry within this State any long-range repeating firearms, without first obtaining from the county judge of some county of the State a permit for that purpose.

Sec 2. Such permit shall be issued by the county judge under his official seal to the person applying for the same upon his filing with such judge a bond in the penal sum of five hundred dollars, with two good and sufficient sureties, to be approved by said judge; conditioned, that the said firearms are not to be used in violation of or in preventing the execution of the laws of this State. The person to whom such permit is issued shall have the right to bear such firearms anywhere in the State.

Sec. 3. The county judge shall keep a record of the permits so issued, and shall receive a fee of fifty cents for issuing each permit.

Sec. 4. Sheriffs, deputy sheriffs and constables are hereby required to cause every person found bearing long-range repeating firearms in this State to produce a permit issued to him as aforesaid, and in case such permit cannot be produced, to arrest and disarm the person so unlawfully carrying such arms; and the arms so taken shall be sold by the sheriff at public auction after giving thirty days' notice of the sale in a newspaper published in the county or by posting at the court house door. The moneys accruing from such sale, after paying the cost of arrest and publication, shall be turned over to the State treasurer on account of the school fund.

Sec. 5. Any person so unlawfully carrying any long-range repeating firearms shall, upon conviction thereof, be punished

by imprisonment in the State prison for not more than one year or by a fine of not less than one hundred dollars nor more than one thousand dollars.

Very respectfully,

FRED. T. MYERS,
Chairman Committee.

The accompanying bills were placed among the orders of the day.

Mr. Myers, Chairman of Joint Committee on Financial Condition of the State, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 8, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Special Joint Committee on the Financial Condition of the State, to whom was referred—

Senate Bill No. 96:

A bill to be entitled an act to regulate the fees and per diem of certain officers herein designated,

Beg leave to report the same back to the Senate without recommendation.

Very respectfully,

FRED T. MYERS,
Chairman Committee.

The accompanying bill was placed among the orders of the day.

The motion of Mr. Wolfe made yesterday, that the Senate reconsider the vote by which the Senate refused to pass Senate Bill No. 31,

Was called up for consideration.

The motion was agreed to, and the vote by which the Senate refused to pass Senate Bill No. 31, was reconsidered.

Mr. Genovar moved that the rules be waived, and that the Senate recur to the consideration of messages from the House of Representatives;

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

Whereupon,

The following

Message from the House of Representatives,

was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 9, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

An act to prescribe the manner of payment of jurors and witnesses to be paid in this State,

Having been reported by the Joint Committee on Enrolled Bills as correctly enrolled, has been signed by the Speaker and Chief Clerk of the House, would respectfully request the signatures of the President and Secretary of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 9, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

An act to incorporate the Savings and Trust Bank of Florida and to confer certain rights and privileges thereon,

Having been erroneously enrolled and referred to the Joint Committee on Enrolled Bills for correction, and reported by the committee as being correctly enrolled, has been signed by the Speaker and Chief Clerk, and is respectfully reported to the Senate for signatures of the President and Secretary thereof.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 9, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

An act to incorporate the Most Worshipful Grand Lodge of Free and Accepted Masons of Florida, and all subordinate or particular lodges Masonically chartered thereby,

Having been reported by the Joint Committee on Enrolled Bills as being correctly enrolled, has been signed by the Speaker and Chief Clerk of the House, and respectfully request the signatures of the President and Secretary of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 9, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

An act to prevent the sale of public property by the superintendents of public institutions,

Having been reported by the Joint Committee on Enrolled Bills as correctly enrolled has been signed by the Speaker and Chief Clerk of the House.

And would respectfully request the signatures of the President and Secretary of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 9, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

An act to incorporate the town of Carrabelle, Franklin county, Florida.

Having been reported by the Joint Committee on Enrolled Bills as being correctly enrolled, has been signed by the Speaker and Chief Clerk of the House, and would respectfully request the signatures of the President and Secretary of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 19, 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. 217:

To be entitled an act to incorporate the East and South Florida Muck Mining and Improvement company.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Browne moved that the rule be waived and that House Bill No. 217 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 Phosphate and Mining.

Pending consideration of messages from the House of Representatives,

Mr. Browne moved that the rules be waived and that the Senate recur to the

Consideration of Bills on Second Reading.

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

Senate Bill No. 195:

A bill to be entitled an act concerning county boards of health, and to provide for the disposition of funds and effects in possession of county boards of health,

Was read the second time in full.

Mr. Grady offered the following amendment:

In section 1 of the substitute, strike out after the words "786, appointment of board," and insert the following:

The Governor shall appoint at the request of the county commissioners of said county, by and with the advice and consent of the Senate, for each county of the State of Florida, in which is situated a port into which have come during the year from May 1, 1892, to May 1, 1893, from foreign ports, 100 sailing vessels of 200 tons burden, and upwards, according to the records of the United States custom house, at or nearest the port situated in the county, for which such appointments are made, a board of health, consisting of three discreet persons: Provided, That the county board of health now established in any county coming under the provisions of this section, shall remain so established, and the members of each county board of health now holding commissions, shall be and continue members of such board until the expiration of their commissions, and until their successors are appointed and qualified.

Mr. Myers moved that the amendment be adopted;

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

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

Enrolled Bills.

The President gave notice that he was about to sign

An act to prescribe the manner of payment of jurors and witnesses to be paid in this State.

An act to incorporate the Savings and Trust Bank of Florida and to confer certain rights and privileges thereon.

An act to incorporate the Most Worshipful Grand Lodge of Free and Accepted Masons of Florida and all subordinate or particular lodges masonically chartered thereby.

An act to prevent the sale of public property by the superintendents of public institutions.

An act to incorporate the town of Carrabelle, Franklin county, Fla.

The acts were thereupon duly signed by the President and Secretary of the Senate, and ordered returned to the chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

By permission —

Mr. Reeves introduced—

Senate Bill No. 230:

A bill to be entitled an act providing a penalty for the larceny of logs or timber of less than one hundred dollars in value.

Mr. Reeves moved that the rules 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.

Mr. Rosborough asked that Senate Bill No. 228, which had been referred to the Committee on Claims, be referred to the Committee on State Affairs;

Which was granted.

Prior to taking up the special order of the day,

Mr. Williamson asked and was granted unanimous consent to amend Section 1 of Senate Bill No. 107, by changing the word "hereafter" to "hereinbefore," and the Secretary was directed to make the change accordingly.

Special Order of the Day.

The hour of 11 o'clock having arrived, the President announced that the Senate would proceed to the consideration of Senate Bill No. 10, which was the special order of the day.

Whereupon,

Senate Bill No. 10:

A bill to be entitled an act to provide for the regulation of railroad schedules, freight and passenger tariffs and location and building of passenger and freight depots in this State; to prevent unjust discrimination in the rates charged for the transportation of passengers and freights, and to prohibit railroad companies, corporations, persons and all common carriers in this State from charging other than just and reasonable rates, and to punish the same, and to prescribe a mode of procedure and rules of evidence in relation thereto; to appoint commissioners and to prescribe their duties and powers,

Was read the third time.

Pending its passage—

Mr. St. Clair Abrams moved that further consideration of the bill be postponed until 8 o'clock this evening;

Which was agreed to, and so ordered.

The President announced that the hour of 12:30 o'clock had arrived, and that the Senate would go into executive session under the rule.

Whereupon the chamber was cleared, and the doors closed.

At 1:06 o'clock the doors were opened.

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

Mr. President, Messrs. Baya, Blitch, Borden, Bristol, Broome, Browne, Calhoun, Fleming, Genovar, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Weeks, Whidden, Williamson and Wolfe—30.

A quorum present.

Mr. Calhoun moved that the Senate take a recess until 8 o'clock P. M.

Upon which the yeas and nays were demanded.

Upon call of the roll the vote was:

Yeas—Messrs. Baya, Borden, Bristol, Broome, Calhoun, Farmer, Fleming, Genovar, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, Thomas, Wadsworth, Weeks, Whidden, Williamson, Wolfe—26.

Nays—Mr. Blitch—1.

So the motion was agreed to, and the Senate took a recess until 8 o'clock.

EVENING SESSION.

8 o'clock.

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

A quorum present.

Consideration of—

Senate Bill No. 10:

A bill to be entitled an act to provide for the regulation of railroad schedules, freight and passenger tariffs and location and building of passenger and freight depots in this State; to prevent unjust discrimination in the rates charged for the transportation of passengers and freights, and to prohibit railroad companies, corporations, persons and all common carriers in this State from charging other than just and reasonable rates and to punish the same, and to prescribe a rule of procedure and rules of evidence in relation thereto; to appoint commissioners and to prescribe their acts and powers.

Pending its further consideration, Mr. Myers moved that the Senate adjourn until 10 o'clock A. M., Wednesday, May 10, 1893;

Upon which the yeas and nays were demanded.

Upon call of the roll the vote was:

Yeas—Messrs. Baya, Blitch, Bristol, Farmer, Fleming, Johnson, Marks, McKay, McKinne, McLeran, Morrow, Myers, Perrenot, Reeves, Smith, Thomas and Whidden—17.

Nays—Messrs. Borden, Broome, Browne, Calhoun, Genovar, McKinney, Rosborough, St. Clair Abrams, Wadsworth, Weeks, Williamson and Wolfe—12.

So the motion was agreed to, and the Senate adjourned until 10 o'clock A. M., Wednesday, May 10, 1893.