

MONDAY, MAY 29, 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, McKinney, McLeran, Morrow, Myers, Reeves, Rosborough, Summers, Smith, St. Clair Abrams, Thomas, Whidden and Wolfe—29.

A quorum present.

Prayer by the Chaplain.

The Journal was approved.

Introduction of Bills.

By Mr. Broome:

Senate Bill No. 311:

A bill to be entitled an act to authorize the town of Quincy to issue bonds to an amount not to exceed the sum of twenty thousand dollars for waterworks and sewerage.

Mr. Broome 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.

Mr. Broome moved that the rules be further waived, and that the bill be read the second time by its title, and passed to the calendar of bills on third reading without reference;

Which was agreed to by a two-thirds vote.

Whereupon the bill was read the second time by its title and passed to the calendar of bills on third reading.

Mr. Broome moved that the rules be further waived, and that the bill be read the third time and put upon its passage;

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, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Myers, Reeves, Rosborough, Smith, Thomas and Whidden—29.

Nays—Mr. Borden—1.

So the bill passed, title as stated.

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

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

By Mr. Calhoun:

Senate Bill No. 312:

A bill to be entitled an act to incorporate the Peninsular and Oriental Express company.

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 Corporations.

Messages from the Governor.

The following message from the Governor was read:

STATE OF FLORIDA, EXECUTIVE DEPARTMENT, }
TALLAHASSEE, May 27, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—I have the honor to inform you that I have signed the following:

An act to incorporate the Palm Beach Railway and Power Company.

An act to compel drovers to have the marks and brands of their herds inspected before swimming or driving them across the Caloosahatchie, or any other river in this State which is the boundary line of any county or counties.

Senate concurrent resolution, for the purpose of ascertaining status of land grant companies, under Diston sale.

An act concerning the county boards of health, and to provide for the disposition of funds and effects in possession of county boards of health.

And,

An act to incorporate the Western Peninsular Railroad Company and to grant certain aid in the construction thereof.

And I have filed the same with the Secretary of State.

Very respectfully,

HENRY L. MITCHELL,

Governor.

Messages from the House of Representatives.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 27, 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. 95:

To be entitled an act relative to the receipt, shipment and delivery of freight by railroad companies and other common carriers, and to compel railroad companies to transport and return cars received from connecting lines, and to require connecting lines of railroads to construct sidings and connections with each other lines.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Reeves moved that the rules be waived and that House Bill No. 95 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 message was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 27, 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—

Senate Concurrent Resolution:

Relative to the payment for services of a bookkeeper in investigating State Insane Asylum.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Senate Resolution No. 57, transmitted with the message, was referred to the Committee on Enrolled Bills to be enrolled.

Reports of Committees.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 27, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—
Senate Bill No. 4:

Entitled an act to provide for the formation of grand and petit jurors.

Also,

Senate Bill No. 5:

Entitled an act to prescribe the mode of drawing and selecting grand and petit jurors.

Also,

Senate Bill No. 17:

Entitled an act relating to jurors.

Also,

Senate Bill No. 30:

Entitled an act relating to jurors.

Also,

Senate Bill No. 35:

Entitled an act that the payment of a poll tax shall not be a prerequisite to jury duty.

Also,

Senate bill No. 68:

Entitled an act to repeal section 2802, chapter 2, article 5, part 5, of the Revised Statutes of Florida, regulating the number of grand jurors, and to amend sections 3 and 5, of

chapter 4015, laws of Florida, approved June 8, 1891, entitled an act relating to jurors.

Also,

Senate Bill No. 138:

Entitled an act to amend section 1, chapter 4015, laws of Florida, approved June 8, 1891, entitled an act relating to jurors.

Beg leave to report the same back to the Senate without recommendation, for the reason that the subject matter contained therein is incorporated in House Bill No. 317, which has already been reported favorably to the Senate.

Very respectfully,

FRED. T. MYERS,

Chairman of Committee.

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

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 29, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 297:

To be entitled an act to increase the facilities and improve the transportation throughout the State, and to incorporate the Florida Grand Trunk Railway Co.

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

Add to section 7 the following: "Grade, crosstie and lay with fifty-six pound steel rails."

Very respectfully,

J. H. MCKINNE,

Chairman Committee.

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

Mr. McKay, Chairman of the Committee on Fisheries, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 29, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 383:

A bill to be entitled an act to amend sections 2761, 2766, and 2770, of the Revised Statutes of Florida.

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

In the title after the word "2761," insert "referring to persons not residents for twelve months, catching food fishes for exportation."

In the title after the word "2766," insert "referring to fishing without a license."

In the title after the word "2770," insert "referring to citizens of the State of Florida combining with non-residents to evade fishing license law."

In section 1, after the word "State," insert the words "of Florida."

Very respectfully,

JAMES MCKAY,

Chairman Committee.

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

Mr. Wolfe, Chairman of Special Committee to investigate books of Internal Improvement Board, submitted the following report;

Which was ordered spread upon the Journal:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 27, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR: Your Committee appointed under House Concurrent Resolution No. 12, to investigate the books and records of the Internal Improvement Fund of Florida, beg leave to submit the following report:

The Act of Congress of September 28th, 1850, known as the Swamp Land Act, provides, "That to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of these swamp and overflowed lands made unfit thereby for cultivation, which shall remain unsold at the passage of this Act, shall be, and the same are hereby granted to said State.

"That it shall be the duty of the Secretary of the Interior as soon as may be practicable after the passage of this Act, to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the Governor of the State of Arkansas, and, at the request of said Governor, cause a patent to be issued to the State therefor; and on that patent, the fee simple to said lands shall vest in the said State of Arkansas subject to the disposal of the Legislature thereof; *Provided, however,* That the proceeds of lands, whether from sale or direct appropriation in kind, shall be applied, exclusively as far as necessary, to the purpose of reclaiming said lands by means of the levees and drains aforesaid.

"That in making out a list and plats of the land aforesaid, all legal subdivisions, the greater part of which is "wet and unfit for cultivation," shall be included in said list and plats; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom.

"That the provisions of this act be extended to and their benefits conferred upon, each of the other States of the Union in which such swamp and overflowed lands, known and designated as aforesaid may be situated." Approved September 28th, 1850. Florida being one of the "States of the Union in which such swamp and overflowed lands" were situated became entitled to lands under the provisions of said act and in 1855 the Florida Legislature passed "An Act to provide for and encourage a liberal system of Internal Improvements in this State," which was approved January 6th, 1855.

This act provides among other things that "all the swamp land or lands subject to overflow, granted to this State by an act of Congress approved September 28, 1850, together with all the proceeds that have accrued to the State from the sale of lands, are hereby set apart and declared a distinct and separate fund, to be called the Internal Improvement Fund of the State of Florida, and are to be strictly applied according to the provisions of this act. That for the purpose of assuring a proper application of said fund for the purposes herein declared, said lands and all the funds arising from the sale thereof, after paying the necessary expenses of selection, man-

agement and sale, are hereby irrevocably vested in five Trustees, to-wit: The Governor of this State, the Comptroller of Public Accounts, the State Treasurer, the Attorney-General, and the Register of the State Lands (now known as the Commissioner of Agriculture) and their successors in office, to hold the same in trust for the uses and purposes hereinafter provided, with the power to sell and transfer said lands to the purchasers and receive payment for the same * * * and to pay out of said fund agreeably to the provisions of this act, the interest from time to time, as it may become due on the bonds to be issued by the different railroad companies under authority of this act; also, to receive and demand semi-annually, the sum of one-half of one per cent (after each separate line of railroad is completed), on the entire amount of the bonds issued by said railroad company."

Under this act it was specifically declared, "That a line of railroad from the St. Johns River, at Jacksonville, and the waters of Pensacola Bay, with an extension from suitable points on said line to St. Marks river, or Crooked at White Bluff, on Apalachicola Bay, in West Florida, and a line from Amelia Island, on the Atlantic, to the waters of Tampa Bay, in South Florida, with an extension to Cedar Key, in East Florida; also a canal from the waters of St. Johns river on Lake Harney to the waters of Indian river, are proper improvements to be aided from the Internal Improvement Fund."

Since that time numerous acts have been passed by the Legislature declaring other railroads and canals to be improvements to be aided from the Internal Improvement Fund and under the act of Congress the lands are all "subject to the disposal of the Legislature;" *Provided,* that so much thereof "as may be necessary" are applied to the purpose of reclaiming said lands, and the act of 1855, after providing first for the expenses of "selection, management and sale" declares that the construction of railroads and canals accomplishes the purpose of reclamation of the lands. Where a large portion of land has been reclaimed by the construction of canals or otherwise at a cost of only a part of such lands it is entirely within the power of the Legislature to make such disposition of the remainder thereof as it may desire.

We recommend that the Trustees of the Internal Improvement Fund set apart as much of the lands, as it is possible for them to do under the law, within the territory drained by the operations of the Okeechobee Drainage Company, after deducting the number of acres due or to become due to said company, for the purpose of conveying the same to actual set-

tlers, and such other uses and purposes as the necessities of the trust may require, or the Legislature may direct, except for the purpose of satisfying railroad land grants.

Bonds were issued by the various lines of railroad under the act of 1855, as follows:

The Florida, Atlantic & Gulf Central Railroad Company, \$555,000.

The Tallahassee Railroad Company, \$206,000.

The Florida Railroad Company, \$1,614,000.

Of these there are now apparently outstanding:

Florida Railroad bonds amounting to \$159,000.

Florida, Atlantic & Gulf Central Railroad bonds, amounting to \$31,000.

Tallahassee Railroad bonds, amounting to \$46,600.

It is proper to state in connection with the statement of bonds supposed to be outstanding that a number of them doubtless have been in the hands of the railroads, and should be considered as cancelled. This matter, however, is now before the courts.

When these bonds were issued the Trustees of the Internal Improvement Fund of the State of Florida, were required by the act of the Legislature of 1855, to guarantee the payment of the interest thereon, and the fund was to be reimbursed by the contributions of one-half of one per cent. that said railroads were required to make to the Sinking Fund, but such contributions were not made as required by the act, and the proceeds of the sale of lands in the ordinary way were entirely inadequate to pay the interest as it became due, and the creditors brought suit in the United States Court, and applied for the appointment of a master. A. Doggett was appointed by the Court as such master, and all the proceeds of the lands sold were turned over to him, but the indebtedness kept on increasing, and in February, 1881, A. Doggett, master as aforesaid, reported that there were judgments against the fund amounting in the aggregate to eight hundred and forty-five thousand, five hundred and sixty-eight dollars and forty-two cents (\$845,568.42), which were drawing interest at the rate of seven per cent. per annum.

In addition to this there were other claims not then in judgment but which were afterwards adjudged against the fund. An application was then pending to have an order passed di-

recting the master to sell at public outcry all of the lands belonging to the fund and the State was powerless to protect this vast interest unless a sale could be made as the Constitution of the State would not allow the issue of bonds for that purpose. This was the condition of affairs that confronted the Trustees in February 1881, and they realizing the gravity of the situation and the necessity for raising funds immediately to prevent the sacrifice of all the lands to pay the indebtedness, commenced negotiations with Hamilton Disston, who by reason of a recent contract made to drain Lake Okeechobee and the adjacent territory was supposed to be interested in Florida lands. The price at which the Trustees offered to sell was the same as that at which the same lands, had been previously offered by the Trustees, but Mr. Disston being interested as before stated in the Okeechobee drainage operations decided to make the purchase of four million acres which brought into the hands of the Board of Trustees, one million dollars of which over nine hundred thousand dollars, were applied to the payment of judgments already obtained and the interest thereon and the balance was paid out on claims adjudicated by the court under the following and subsequent orders:

In the Circuit Court of the United States, 5th Circuit, Northern District of Florida.

Chas. P. Greenough, Admr., of Francis Vose, vs. Trustees of the Internal Improvement Fund of the State of Florida, et al.—In Equity.

This cause coming on to be heard, it is ordered, adjudged and decreed, that the Trustees of the Internal Improvement Fund, defendants, be, and are hereby authorized, to pay, through their treasurer, the claims adjudicated against said fund in this cause, and for this purpose to use any money they have or may receive as the proceeds of lands sold, or to be sold, belonging to such fund; that the amount adjudged in favor of the late Francis Vose for costs and expenses in this cause, in so far as the same remain unpaid, shall first be paid, subject to the terms and conditions of the orders allowing them; that after the payment of such amounts remaining due for costs and expenses, the coupons adjudged to be legal claims against said fund shall be paid by the Trustees through their treasurer, the same payments to be made on a *pro rata* basis as to all claims so adjudged and payable. It is further ordered that such payments shall be made to the Solicitors of Record in all cases, when there are such solicitors, and when there are not, then to the parties claimant.

Done and ordered and adjudged and decreed this 8th day of July, A. D. 1881, in open court.

W. B. Woods,
Circuit Justice.

THOMAS SETTLE,
Judge.

We consent to the above order.

Henry B. Jackson, for E. C. Anderson, et al.

C. D. Willard, Solicitor for Vose Decree.

Fleming & Daniel, W. D. Ellis, et al.

John A. Henderson, for himself.

B. C. Lewis.

Edward Lewis.

Cochran & Co., et al.

Cockrell & Walker, for National Bank Carolina.

Geo. P. Raney, Sol. Trustees I. I. Fund.

In the Circuit Court of the United States.

Fifth Circuit, Northern District of Florida.

Chas. P. Greenough, Administrator of Francis Vose, vs. Trustees of the Internal Improvement Fund of Florida, et al.

It is ordered and decreed in this cause that interest at the rate of seven per cent. per annum shall be allowed on all coupons adjudged to be a valid claim against the Internal Improvement Fund in this cause, from their maturity to the date of payment.

Done and ordered in open court this July 8, 1881.

W. B. Woods,
Circuit Justice.

It will be seen that the order of the court only permitted the Treasurer of the Board to pay such sums as were adjudged against the fund by the court and it was not until after the payment of all the claims adjudicated that the Trustees were enabled to have the Master, appointed by the court, discharged and the entire management turned over to them.

There were a number of bonds issued by the Florida Railroad Company and the Florida Atlantic and Gulf Central Railroad Company under the act of 1855, which were not paid out of the proceeds of the sale of said railroads and as they were outstanding with coupons attached constantly maturing the Trustees have had to pay them from time to time, and a suit is now pending against the present owners of the Florida Railroad, the Florida Atlantic and Gulf Central Railroad

and the Tallahassee Railroad, to compel them to contribute the amount of sinking fund which said railroad companies were required by the act of 1885 to contribute to pay the interest on the bonds issued under said act, and which the said companies had failed to contribute. This suit involves the sinking fund to pay the interest on the bonds for a number of years. There are also suits pending against the Trustees by the J. T. & K. W. Railway Company and the Plant Investment Company, as to land grants made by the Legislature, and other suits involving coupons and interest thereon.

The Trustees have been successful in a number of suits, notably the Littlefield four million dollar bond case, and the Union Trust Company bond case, involving one hundred and three thousand dollars.

A portion of the lands granted to the Pensacola and Atlantic and other railroads claiming lands under grants made by the Legislature prior to the Disston sale, have been reserved by the Trustees pending an adjudication of the indebtedness of the fund; and in order that the matter may be adjusted, we would recommend that sufficient land be withheld by the Trustees from the railroads having land grants made prior to the Disston sale to cover the *pro rata* amount of the indebtedness resting on the lands so granted at the time of the grant, and that the Trustees cause suit to be commenced at once against such railroads as may have received more land than they would have been entitled to had the *pro rata* proportion of the indebtedness of the Fund existing at the time of the grant to such railroads been deducted.

The Trustees have to pass upon and determine the right of the various railroads to the alternate sections granted by the amendment to the Internal Improvement act and to land grants made by the Legislature. To do this it is necessary that an engineer be sent to inspect the work of the construction and upon his report the Trustees act. No lands are conveyed to railroads until after such inspection and favorable report by the engineer.

The lands granted to the State by the Act of Congress of March 3, 1845, are known as the Internal Improvement lands proper, and such portion of said lands as remained unsold were set apart by the act of the Legislature of 1883, for the relief of the city of Jacksonville, and the counties of Baker, Bradford, Columbia, Suwannee, Madison, Jefferson and Leon to take up certain bonds issued to aid in the building of the Rail-

road from Jacksonville to Tallahassee. None of this class of lands were ever conveyed to the railroads.

The lands granted to the State under the act of Congress of September 28th, 1850, commonly called the swamp land act, constitute the lands out of which railroad and canal land grants are satisfied, and they also form the basis for all drainage and reclamation operations.

These swamp lands are selected by engineers and others under the control and direction of a State agent appointed for the purpose of selecting lands under contracts of which the following are copies:

Extract from minutes of Board of Internal Improvement page 517.

"TALLAHASSEE, FLA., October, 19th, 1878.

"It is unanimously agreed by the board that they will allow as compensation to Mr. Wailes for procuring the confirmation of swamp lands selected for the State since the war, two cents per acre for every acre patented to the State to be paid in lands at the current price for such lands at the date of any payment."

"TALLAHASSEE, FLA., March 15th, 1884.

"The Commissioner of Lands and Immigration having been requested to employ a suitable and competent person as agent of the board to make further selection of land granted to the State by act of Congress September 28th, 1850, and to procure the proofs required by the regulations of the United States Land Department for the approval of such selections, reported that he had employed Col. John A. Henderson for that purpose and that he was to incur all the expense necessary to make the selections and proof required and to receive as compensation for such service not exceeding two cents per acre upon the amount of such selections which may be patented to the State and to be paid in such lands at schedule prices, which was approved by the board."

When the lands are selected a list is prepared by the agent and filed in the United States Surveyor-General's Office, and that office furnishes a list to be filed in the General Land Office at Washington.

After such lists are filed in the General Land Office, an agent of the United States Government is sent out to investigate and report whether or not the lands selected by the State agent are really swamp and overflowed lands within the meaning of the act of Congress and the report of such agent of the United States Government is used as the basis for the decision of the General Land Office as to whether or not a patent shall issue.

If the decision is in favor of the State then the land is in a condition to be patented.

The State authorities have no knowledge of the contents of the lists of land selections made by the State agents nor of the reports made thereon by the United States agents, and are therefore in no way responsible for the issuing of patents, hence the General Land Office at Washington is responsible for such conveyances of lands under the act of September 28th, 1850, as were not swamp and overflowed within the meaning of said act.

In this connection we call attention to an expired contract which was made with S. I. Wailes for procuring patents from the General Land Office and we endorse the action of the Trustees in refusing to renew said contract, which is as follows:

Extract from minutes of the Board of Int. Imp. page 495.

"TALLAHASSEE, FLA., April 13, 1878.

"The following resolution was unanimously adopted:

"Be it resolved by the Board of Trustees of the Internal Improvement Fund of Florida, That as compensation for the services of Sidney I. Wailes, Esquire, agent and attorney for the State of Florida before the Department of the Interior at Washington in procuring an adjustment of the claims of the State for lands granted by Congress under the act of September 28, 1850, the Board will pay to said S. I. Wailes, twenty per cent of all moneys paid over to the State on account of swamp lands purchased from the United States prior to the third day of March 1857, under the acts of Congress of March 27, 1855, and March 3, 1857, and also twenty per cent. of all warrants or certificates issued to the State under said acts on account of lands located by warrants or scrip prior to said third day of March 1857, and upon the receipts of patents for any lands selected by the State as swamp lands prior to 1861, which have not yet been patented to the State for any reason; this Board will convey to said S. I. Wailes eight per cent. thereof in consideration of his services in procuring said patents, and for procuring the approval and confirmation of the lands selected for the State as swamp lands since 1861, the Board will pay such reasonable compensation as may be hereafter agreed upon."

We deem it unnecessary to have an agent to procure patents as it is the duty of the General Land Office to issue patents when the law has been complied with.

Under the contract for selecting and procuring patents for lands there has been conveyed to the agents 360,962.81 acres of land as follows:

L. G. Dennis, 5,800.27.
Williams, Swann & Corley, 46,713.22.
Williams, Swann & Corley, 14,851.24.
S. I. Wailes, 229,154.54.
John A. Henderson, 64,443.54.

Patents have been issued to the State for swamp lands amounting to 16,573,957.95 acres. Of which there has been conveyed by the State to State agents for selecting and procuring patents as above, 360,962.81 acres.

H. L. Hart, for removing obstruction from Ocklawaha river, 23,356.18 acres.

Lands twice patented.....	31,218.26 acres
Railroads and canals as per attached list.....	10,414,089.77 acres
H. Disston.....	3,966,079.68 acres
H. Disston, which were sold and money paid him.....	33,939.31 acres
Lands sold other persons.....	443,458.40 acres
Balance on hand.....	1,300,855.54 acres
	16,573,959.95 acres

This leaves a balance of 1,300,855.54 acres of land to meet the land grants made to railroads and canals, and for drainage and reclamation.

Statement showing the number of acres of land already conveyed to railroads and canals.

RAILROADS.

1. St. Johns Railway Company.....	42,085.92
2. Fla., Green Cove & Melrose Ry. Co.....	7,781.48
3. St. Johns & Lake Eustis Ry. Co.....	14,765.92
4. St. Johns & Halifax Ry. Co.....	102,496.44
5. Blue Springs, Orange City & Atlantic Ry Company.....	118,498.99
6. Alabama & Florida Ry. Co.....	27,613.32
7. Pensacola & Georgia Ry. Co.....	65,561.77
8. Fla., Atlantic & Gulf Central R. R.....	164,568.21
9. Pensacola & Atlantic Ry. Co.....	2,174,312.61

10. Florida Southern Ry. Co.....	2,756,966.47
11. J., T. & K. W. Ry. Co.....	1,365,118.45
12. East Florida Ry. Co.....	19,264.73
13. Peninsular R. R. Co.....	31,424.22
14. Tavares, Orlando & Atlantic R. R. Co.....	4,002.44
15. Tropical Florida R. R. Co.....	4,183.34
16. Live Oak & Rowland Bluff R. R. Co.....	3,253.21
17. Fernandina & Jacksonville R. R. Co.....	19,250.92
18. Western Railway of Florida.....	22,118.20
19. Jacksonville, Mayport & Pablo Beach Ry. Company.....	7,021.81
20. Jacksonville & Atlantic Ry Co.....	12,067.14
21. Florida Ry Co.....	286,348.59
Also amt. deeded to S. A. Swann, Trustee.....	11,443.50
22. Florida Midland Ry. Co.....	12,856.79
23. Palatka & Indian River Ry. Co.....	539,318.95
24. Augusta, Tallahassee & Gulf Ry. Co.....	108,971.18
25. South Florida R. R. Co.....	65,433.69
26. Silver Springs, Ocala & Gulf R. R. Co.....	395,541.92
27. Florida Railway & Navigation Co.....	133,594.03
28. F. C. & P. Ry. Co.....	34,090.84
29. Orange Belt R. R. Co.....	88,688.47
30. St. Augustine & Palatka R. R. Co.....	35,822.68
31. Jacksonville, St. Augustine & Halifax River R. R. Co.....	56,466.69
32. Sanford & Indian River Railroad Co.....	6,192.88
33. H. L. Hart.....	23,356.18
34. Live Oak, Tampa & Charlotte Harbor R. R. Company.....	3,442.58

CANALS.

1. Atlantic, Gulf Coast Canal and Okeechobee Land Company.....	1,174,702.76
2. Florida Coast Line Canal & Transportation Company.....	475,461.45
	10,414,089.77

In 1856, Congress passed "An act granting public lands in alternate sections, to the States of Florida and Alabama, to aid in the construction of certain railroads in said States," which provides that there be and is hereby granted to the State of Florida for the purpose of aiding in the construction of railroads from St. Johns river at Jacksonville, to the waters of Escambia Bay, at or near Pensacola; and from Amelia Island, on the Atlantic, to the waters of Tampa Bay, with a branch to Cedar

Key, on the Gulf of Mexico, and also a railroad from Pensacola to the State line of Alabama, in the direction of Montgomery, every alternate section of land designated by odd numbers, for six sections in width on each side of each of said roads and branch, and that the lands granted and to be located under said act shall in no case be further than fifteen miles from the lines of said roads and branch, and selected for and on account of each of said roads and branch. Said act limited the benefits thereof to such railroads as should be completed within ten (10) years from the date of the act.

The lands inuring to the railroads under this act are derived direct from the United States Government and the right to land thereunder and all questions pertaining thereto are passed upon by the General Land Office.

The Trustees of the Internal Improvement Fund have no connection whatever with such lands as the acts of the Legislature of 1855 only placed in their charge such lands as were granted to the State by the acts of Congress of 1845 and 1850.

The Pensacola and Atlantic Railroad was built under a special act of the Legislature, approved March 4th, 1881, and not as a part of the Pensacola and Georgia Railroad or its successors, and as said Pensacola and Atlantic Railroad was built after the expiration of the ten years limit placed in the act of 1856, it is not entitled to lands from the United States under said act of 1856.

In 1881 the Legislature passed an act for the relief of the City of Pensacola, which provides that two hundred and fifty thousand (250,000) acres of indemnity lands received or to be received, or moneys to be received from the settlement of the indemnity lands by the State of Florida or from the United States, be and they are hereby set apart for the payment of the funded bonds of the City of Pensacola, which were issued in lieu of the bonds issued by said City to aid in the construction of the Alabama and Florida Railroad in the years 1857 and 1858.

Chapter 3608 of the Laws of Florida, passed in 1885, provides for the appointment by the Governor of three Trustees, residents of Pensacola, for the purpose of carrying out the provisions of the act of 1881 granting the lands to the City of Pensacola.

The "indemnity" lands referred to in the act of 1881, for the relief of the City of Pensacola, are such lands as may be given to the State of Florida in lieu of lands included in grants made by Congress to the State which were disposed of

by the United States after the passage of the act granting the lands and before patents were issued to the State.

Whenever any person applies for a homestead on lands selected by the State agents for approval under the grant made to the State by the act of Congress of September 28th, 1850, the General Land Office causes a notice to be served on the Governor of the State to appear at Gainesville and defend the right of the State to such land, but in every case the Governor permits the applicant to have the homestead without contest.

The committee appointed by the Legislature of 1889, examined and reported upon the receipts and disbursements of the board prior to January 1st, 1889, and our investigation on that line has extended over the four years since that time to December 31st, 1892. We have carefully examined all of the receipts and vouchers showing disbursements by the Treasurer of the Board of Trustees during that period, and find them correct in every particular.

All of the numerous records showing land sales and conveyances to agents and corporations since the passage of the act of 1855 and all of the patents issued to the State by the United States have been thoroughly examined, checked and lists prepared, only the result of which in condensed form could be incorporated in this report.

The records show that the Trustees are ever watchful of the rights of actual settlers and that in all reservations of the alternate sections of lands for railroads the rights of actual settlers are fully protected. Lands are sold to actual settlers when they comply with Chapter 3451 of the Laws of Florida, at twenty-five cents per acre. Every "actual settler" that procures a home in this way becomes more thoroughly identified with the interests of the State and contributes to its progress and prosperity.

We recommend that the good work in behalf of the actual settler be continued by the Trustees in future and that every means at their command be used to encourage the settlement of the lands and for the benefit and protection of those who are already located thereon, as against all corporations of whatever kind.

Respectfully submitted,

A. C. BERRY,
Chairman of Joint Committee.
E. A. WILSON,
J. B. DELL.
J. EMMET WOLFE,

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 27, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate amendment to—

House Bill No. 318:

Entitled an act to amend sections 891, 893, 897, 898, 899, 900, 902, 906, 907 and 910 and to repeal sections 892, 894 and 901, of the Revised Statutes of Florida, relating to the inspection of fertilizers.

Also,

Senate Bill No. 245:

Entitled an act to establish an industrial college for the education of white girls and to appropriate money for the same.

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.

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

Also the following:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 27, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 284:

Entitled an act for the assessment and collection of revenue.

Beg leave to report that we have carefully examined same and find it correctly engrossed.

Very respectfully,

J. EMMET WOLFE,

Chairman of Committee.

Mr. Wolfe moved that the rules be waived and that Senate Bill No. 284 be read the third time and put upon its passage; Which was agreed to by a two-thirds vote.

Whereupon the bill was read the third time.

Mr. Browne asked and was granted unanimous consent to amend the bill as follows:

In section 48, line 30, page 2 of said section after the word "appurtenances" strike out "including all Pullman, Mann, Wagner, or other sleeping and palace cars hauled by them on their respective lines," and at the end of said section insert the following:

"That all Pullman, Mann, Wagner, and other sleeping or parlor car companies operating their cars in this State, shall on or before the first day of October 1893, and annually thereafter report to the State comptroller the amount of their gross receipts from business done exclusively within the State of Florida, for the preceding year ending June 30, which report shall be sworn to by the secretary or other authorized officer of said companies, and all such companies shall pay to the treasurer of the State of Florida, a tax of ten per cent. upon such gross receipts."

The bill was then put upon its passage:

Upon its passage the vote was:

Yeas—Messrs. Baya, Blitch, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Myers, Reeves, Rosborough, Smith, St. Clair Abrams, Summers, Thomas and Whidden—25.

Nays—Mr. McKinne—1.

So the bill passed, title as stated.

Mr. Baya moved that the rules be further waived, and that the bill be immediately certified to the House of Representatives.

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

On motion of Mr. Calhoun, Mr. Williamson was excused until Wednesday.

Mr. Marks moved that the rules be waived and that the Senate take up House Bill No. 318 on its second reading;

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

House Bill No. 318:

A bill to be entitled an act to amend sections 891, 893, 897

898, 899, 900, 902, 906, 907 and 910, and to repeal sections 892, 894 and 901 of the Revised Statutes of the State of Florida, relating to the inspection of fertilizers,

Was taken up for the purpose of amendment, the same having been previously read and passed and put back on its second reading.

Mr. Marks offered the following amendment:

In section 8, line 6, strike out the words "unless inspected."

Mr. Marks moved that the amendment be adopted;

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

Mr. Marks offered the following amendment:

In section 10 strike out line 5 and insert line 4.

Mr. Marks 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.

Mr. St. Clair Abrams moved that the rules be waived and that the Senate take up Senate Bill No. 212 out of its regular order, on its second reading;

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

Senate Bill No. 212:

A bill to be entitled an act making appropriations for the expenses of the State government for six months of the year 1893 and for the year 1894, and for six months of the year 1895,

Was read the second time in full, together with the amendments offered by the Committee on Appropriations;

Which were read as follows:

In section 1, after the words "for contingent expenses of State \$1,500," add the words "for paying sheriffs for executing writs of habeas corpus, one thousand dollars."

In section 1, after the words "for librarian supreme court under sections 1321, Revised Statutes, one hundred and fifty dollars," add the words "for librarian supreme court, average of salary for the year 1891, 1892, and first six months of 1893, two hundred and twenty-five dollars."

In section 1, after the words "for expenses State troops," strike out the words "one thousand (\$1,000) dollars" and insert the words "three thousand (\$3,000) dollars."

In section 2, after the words "for contingent expenses at capitol \$3,000" insert the words "for paying sheriffs for executing writs of habeas corpus one thousand dollars."

In section 2, after the words "for expenses State troops," strike out the words "two thousand dollars (\$2,000)," and insert the words "three thousand dollars (\$3,000)."

Mr. St. Clair Abrams moved that the amendments of the committee be adopted.

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

Mr. St. Clair Abrams offered the following amendment:

On page 2, lines 2 and 3, strike out "five hundred dollars (\$500)" and insert "six hundred (\$600)."

On page 4, lines 4 and 5, strike out the words "one thousand (1,000)" and insert the words "twelve hundred (\$1,200)."

On page 6, lines 5 and 6, strike out the words "five hundred dollars (\$500)" and insert "six hundred (\$600)."

Mr. St. Clair Abrams moved that the amendment be adopted;

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

Mr. St. Clair Abrams, offered the following amendment:

In section 1, page 2, last line, and page 3, first line, strike out the words "three thousand dollars (\$3,000)" and insert the words "thirty-five hundred dollars (\$3,500)."

In section 2, page 5, lines 1 and 2, strike out the words "six thousand dollars (\$6,000)" and insert the words "seven thousand dollars (\$7,000)."

In section 3, page 7, lines 1 and 2, strike out the words "three thousand dollars (\$3,000)" and insert the words "thirty-five hundred dollars (\$3,500)."

Mr. St. Clair Abrams moved that the amendment be adopted;

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

Mr. Rosborough offered the following amendment:

On page 3, line 1, after the figures "(\$3,000)," insert the following: "For expenses of East Florida Seminary, one thousand dollars (\$1,000), for expenses of West Florida Seminary, one thousand dollars (\$1,000)."

On page 5, line 2, after the figures "(\$6,000)," insert the following: "For expenses of East Florida Seminary, two thousand dollars (\$2,000), for expenses of West Florida Seminary, two thousand dollars (\$2,000)."

On page 7, line 2, after the figures (\$3,000), insert the following: "For expenses of East Florida Seminary one thousand dollars (\$1,000), expenses of West Florida Seminary one thousand dollars (\$1,000)."

Mr. Rosborough moved that the amendment be adopted.

Mr. Broome moved that the amendment be laid on the table;

Which was not agreed to.

The motion of Mr. Rosborough that the amendment offered by himself be adopted,

Was agreed to, and the amendment was declared adopted.

Mr. Reeves offered the following amendment:

In section 1, page 3, line 2, after the words "\$600," insert the following:

"For clerk of State Superintendent \$450, to be paid out of interest on common school fund."

Mr. Reeves moved that the amendment be adopted.

Mr. Blitch moved that the amendment be laid on the table;

Which was not agreed to.

The motion of Mr. Reeves that the amendment offered by himself be adopted,

Was agreed to, and the amendment was declared adopted.

Mr. Reeves offered the following amendment:

In section 2, line 5, after the word "\$1200" insert the following: "for clerk State superintendent \$900 to be paid out of interest on common school fund."

Mr. Reeves moved that the amendment be adopted;

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

Mr. Reeves offered the following amendment:

In section 2, page 5, after the words "\$600," insert the following, "for clerk state superintendent \$900, to be paid out of the interest on common school fund."

Mr. Reeves moved that the amendment be adopted;

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

By permission—

Mr. Marks introduced:

Senate Bill No. 313:

A bill to be entitled an act to encourage dogs and promote the Pulex Irritans industry in Florida.

Mr. Marks 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 Immigration.

Mr. Summers moved that the rules be waived, and that the Senate proceed to the

Consideration of Bills on Second Reading.

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

The roll being called, Mr. Bristol called up:

Senate Bill No. 122:

A bill to be entitled an act providing for the discharge and relief of bondsmen of county officers;

Which was read the second time in full, and passed to the calendar of bills on third reading.

Mr. Borden called up:

House Bill No. 97:

A bill to be entitled an act to provide for the election of members of the county board of public instruction, and to provide for their compensation;

Which was read the second time in full, and passed to the calendar of bills on third reading.

Mr. Baya called up:

Senate Bill No. 272:

A bill to be entitled an act to aid in the maintenance and support of a home for disabled and indigent ex-Confederate soldiers and sailors;

Which was read the second time in full and passed to the calendar of bills on third reading.

Mr. Browne called up:

Senate Bill No. 292:

A bill to be entitled an act to provide for the registration of voters in the several counties of the State, and to provide for the holding of elections in the State of Florida;

Which was read the second time.

Mr. Browne, Chairman of Special Committee on Australian Ballot, to whom the bill had been recommitted with instructions to strike out all the sections providing for voting on what is known as the Australian ballot system, and sub-

stitute the system of voting now the law, with such amendments and modifications as will facilitate voting, and make fair and pure elections, offered the following substitute amendment in lieu of sections referred to in the original bill:

Strike out all of sections 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and 46, and insert in lieu thereof the following sections:

Sec. 30. Thirty days prior to any general, special or municipal election to be held in this State, the collectors of revenue of each county shall furnish to the commissioners of election in each of their respective counties a list of all persons who have paid their capitation taxes for two years next preceding the year in which any general, special or municipal election is to be held.

Sec. 31. The commissioners of elections shall note on the registration books, which he shall furnish to the inspectors of the different election districts, the names of all persons registered therein who shall have paid, at least thirty days before the day of election, their poll or capitation taxes for two years next preceding such election as shown by the lists furnished to the commissioners by the tax collector, and only such persons shall be deemed qualified voters or authorized to vote at any general, special or municipal election; Provided, That no person shall be prevented from voting on account of not having so paid a poll tax, for any year, which shall not have been lawfully assessable against him by reason of his not being a resident of the state, or not having been of age, and who shall have obtained from such commissioners a certificate to that effect, and shall at the time of offering to vote exhibit such certificate to the inspectors of election; and it shall be the duty of such commissioners, upon such proof being made to them, to give such certificate to such person, without cost to such person, provided he is otherwise a duly qualified and registered voter; Provided, further, that if any person whose name does not appear upon the books as furnished to the inspectors by the commissioners of election as having paid his poll tax, shall present to the inspectors his poll tax receipts for the two years next preceding the last election, he shall be permitted to vote.

Sec. 32. There shall be in each and every election district in each county two separate and distinct polling places, presided over and managed by separate and distinct boards of

inspectors and clerks of election, as provided for by law, one of which shall be a polling place for the election of a congressman and presidential electors, or either of said officers, and the other to be a polling place for such State and county officers as are required to be elected by the constitution of this State, which polling places in each election district shall be separated, but not more than four hundred yards apart. At each of said polling places a space or inclosure, such as the inspectors of election shall deem fit and sufficient, shall be railed off, boarded up or otherwise constructed, with an opening at one end or side for the entrance of the voter and an opening at the other for his exit, as a polling place in which to hold the election. But one voter shall be allowed to enter any polling place at a time, and no one except the inspectors of the election shall be allowed to speak to the voter while in the polling place casting his vote; and no inspector shall speak to or interfere with any voter concerning the manner of his voting or any ballot he may vote, otherwise than to perform his duties as such inspector specified herein.

Sec. 33. The voting shall be by ballot, which ballot shall be of plain white paper, of not more than two and one-half inches in width, nor more than six inches long, clear and even cut, without ornament, designation, mutilation, symbol or work of any kind whatsoever, except the name or names of the person or persons voted for and the office to which such person or persons are intended to be chosen, which name or names, and office or offices, shall be written or printed or partly written and partly printed thereon in black ink, or with black pencil, and such ballot shall be so folded as to conceal the name or names thereon, and, so folded, shall be deposited in a box, to be constructed, kept and disposed of as hereafter provided, and no ballot of any other description found in any election box shall be counted.

Sec. 34. There shall be separate and distinct ballots and ballot boxes as follows:

1. A separate ballot and box for governor.
2. A separate ballot and box for administrative officers of the executive department.
3. A separate ballot and box for state senator.
4. A separate ballot and box for members of the House of Representatives.
5. A separate ballot and box for a justice or justices of the Supreme court.
6. A separate ballot and box for county officers.
7. A separate ballot and box for representatives to the Congress of the United States.

8. A separate ballot and box for presidential electors.

On each ballot shall be the name or names of the person or persons voted for as such officers, respectively, and the office for which they are voted; Provided, That whenever a vote is to be taken on any special question or questions, a box shall be provided and properly labeled for that purpose, and separate ballots therefor shall be deposited therein. And in the event of any such election on any such special question or questions, including all questions as to amendments to the Constitution of this State, the election thereon, and the ballot box therefor provided, shall be presided over by the inspectors of the election at the polling places for State and county offices.

Sec. 35. The board of county commissioners in each county in this State shall provide for each election district in such county a sufficient number of ballot boxes to meet the requirements of the foregoing section. An opening shall be made in the side of each box not larger than sufficient for a single ballot to be inserted therein at one time through which each ballot received, proper to be placed in such box shall be inserted by the person voting and by no other. Each box shall be provided with a sufficient lock and key and each box shall be publicly opened and exhibited to show that it is empty and secure, and locked just before the opening of the poll and the keys turned over to the inspectors, and shall not be opened during the election. Each box shall be labeled in plain and distinct Roman letters, or in a plainly written handwriting, with the office or offices to be therein voted for. Such names of offices shall be printed in English, Spanish and German, when deemed necessary by the board of county commissioners of any county, and no vote for any office other than that for which such box shall be designated and labeled shall be counted.

Sec. 36. When any person shall have voted, his name shall be checked on the margin of the page opposite thereto upon the registration book by one of the inspectors, and the clerk of the election shall keep a poll list, which shall contain one column headed "Names of Voters," and the name of each elector voting shall be entered by the clerk in such column as he votes. And the inspectors of election shall have the authority and power to prevent all repeating, and to prevent any person from voting the second time at the same election when they have good reason to believe such person has already voted. They shall have full power to refuse to allow any person to vote who is not a qualified elector, or who has become disqualified for any cause to vote in such election district. They may also prevent any elector from consuming more

time than three minutes in voting. But no inspector shall examine, read or handle the ballot being voted, or about to be voted by any elector, or interfere in any way with the voting of any elector otherwise than as herein provided; but the said inspectors may render any necessary assistance in voting to an elector who is unable otherwise to vote, on the request of such elector, and a majority of said inspectors finding such assistance to such elector necessary.

The inspectors shall possess full authority to maintain good order at the polls and to enforce obedience to their lawful commands during an election and during the canvass and estimate of the votes. There shall be at each polling place in each election district a deputy sheriff, to be deputized for such purpose by the sheriff of the county, who shall be required to be present during the whole time that the polls are kept open and until the election is completed, who shall be subject to all lawful commands of the inspectors, and who shall prevent all interference with the inspectors, and who shall see that there is no interruption of good order. Such deputy sheriff shall have power, when necessary to maintain the peace, to summon a posse from among the bystanders to aid him in maintaining the peace and good order at the polls. Any person, when so summoned or called upon, by such deputy sheriff, who shall fail or refuse to assist him in maintaining the peace and good order at the polls, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not to exceed two hundred and fifty dollars, or be imprisoned in the county jail not to exceed six months. If any person shall refuse to obey any lawful order of the inspectors, or by disorderly conduct in their presence or hearing shall interrupt or disturb their proceedings, such inspectors may command such deputy sheriff or other person present to take such disorderly person into custody and to confine him during the election and canvass; and it shall be the duty of such sheriff or other person to obey said order. Any deputy sheriff who shall wilfully neglect or refuse to perform any duty imposed on him by this act at the time, or within the time herein specified, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than five hundred dollars, or by imprisonment in the county jail not more than six months, or by both such fine and imprisonment,

Mr. Browne moved that the amendment be adopted;

Mr. Broome offered the following amendment to the committee substitute amendment:

In section 34, paragraph 3, strike out all of paragraph and add to paragraph 4 the following words: "And State senator."

Mr. Broome moved that the amendment to the committee amendment be adopted;

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

Mr. Browne offered the following amendments to the committee substitute amendment:

In section 26, line 4, after the word "and" strike out "two clerks of elections hereinafter mentioned as clerks" and insert "a clerk" in lieu thereof.

Also,

In section 29, line 9, after the word "voters" insert "nor in anywise assist them in voting" also in the same section line 12, after the word "law" strike out all that follows in said section.

Mr. Browne moved that the amendments to the committee amendment be adopted;

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

Mr. Wolfe offered the following amendment to the committee's substitute amendment:

In section 48, line 3, after the word "ballots," also in line 8, after the word "together," strike out the words "or if any ballot shall have been voted with the numbered stub attached."

Mr. Wolfe moved that the amendment be adopted;

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

Mr. Wolfe offered the following amendment to the committee substitute amendment:

Add as an additional section, "Section 60. The provisions of this act so far as they are applicable, shall apply to all municipal elections hereafter held in the cities, towns and provisional municipalities of this State."

Alter section numbers to read consecutively.

Mr. Wolfe 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.

The regular order was resumed, and

Mr. Calhoun called up:

Senate Bill No. 300:

A bill to be entitled an act to provide for the speedy settlement and distribution of estates which are not indebted; Which was read the second time in full and passed to the calendar of bills on third reading.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 29, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 318:

Entitled an act to amend sections 891, 893, 897, 898, 899, 900, 906, 907, 910, and to repeal sections 892, 894 and 901, of the Revised Statutes of the State of Florida, relating to the inspection of fertilizers.

Beg leave to report that same have been examined and found correctly engrossed.

Very respectfully,

J. EMMET WOLFE,

Chairman of Committee on Engrossed Bills.

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

Mr. Genovar, Chairman Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 28, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

An act to require the clerk of the Supreme Court of this State to furnish the reports of the decisions of said court to the United States Circuit Court of Appeals for the Fifth Circuit.

Also,

An act to punish fishing in the lakes of this State with seines or nets for a term of years.

Also,

An act to establish the municipality of Port Tampa, provide for its government, and prescribe its jurisdiction and powers.

Also,

An act to re-enact an act entitled an act to incorporate the Arcadia, Gulf Coast and Lakeland Railroad Company, and to grant lands to the same.

Also,

An act to incorporate and organize a municipal government to be known as San Mateo City, and to prescribe its duties and powers.

Beg leave to report the same correctly enrolled.

Very respectfully,

F. B. GENOVAR,

Chairman of Committee on Enrolled Bills.

The acts accompanying the report were referred to the Joint Committee on Enrolled Bills for examination and signature.

By permission—

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

Which was ordered spread upon the journal:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 29, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 303:

A bill to be entitled an act to grant certain aid to the Bartow and Plant City Railroad company.

Beg leave to say that they have had the same under consideration and recommend that it do pass, with the following amendment:

Strike out section 1, and insert the following:

“Sec. 1. To the Bartow and Plant City Railway company

is hereby granted and confirmed the alternate sections of lands on each side and within six miles of their line of road, and when the railroad shall have been constructed, graded, crosstied and laid with fifty-six pound steel rails, to the lineal yard, and such evidence is filed with the Secretary of State they may select any vacant lands in the even or odd numbered sections, granted to this State by act of Congress, approved Sept. 28, 1850, to the extent of 3,840 acres to each mile of said road and said lands shall be deeded to said railroad company, provided they have not otherwise been appropriated.”

Very respectfully,

J. H. MCKINNE,

Chairman of Committee on Railroads.

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

Mr. Farmer called up.

House Bill No. 364:

A bill to be entitled an act to protect seamen from imposition and to provide for the appointment of shipping agents;

Which was read the second time in full, together with the amendments offered by the Committee on Commerce and Navigation;

Which were as follows:

Strike out section 4.

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

Which was agreed to, and the amendment to the bill was declared adopted, and the bill with the amendment was ordered engrossed for its third reading.

Mr. Fleming called up:

House Bill No. 265:

A bill to be entitled an act to incorporate the Protestant Episcopal Church in the missionary jurisdiction of Southern Florida;

Which was read the second time and passed to the calendar of bills on third reading.

Mr. Genovar called up:

House Bill No. 301:

A bill to be entitled an act to compel persons butchering beeves to exhibit the hides for inspection;

Which was read the second time in full and passed to the calendar of bills on third reading.

Mr. Grady called up:

House Bill No. 269:

A bill to be entitled an act to incorporate the Bethany Camp Ground, in Pasco county;

Which was read the second time in full.

Mr. Calhoun 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, Broome, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Reeves, Rosborough, Smith, St. Clair Abrams, Summers, Thomas, Whidden and Wolfe—24.

Nays—None.

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

Mr. Johnson called up:

Senate Bill No. 296;

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

Which were as follows:

In section 2 strike out after the words "for like reason," all that follows in said section and insert in lieu thereof the words, "the prosecuting officer shall proceed by attachment of the property of such absent defendant and by advertisement in a public newspaper published in the county in which said proceedings are had, and if no newspaper is published in the county, then by posting on the court house door and in two other public places, notifying the defendant of said attachment and citing him to appear and answer."

"Said notice shall be published or posted for a period of (60) sixty days, and should the defendant fail to appear and answer, judgment shall be had against him by default, and the property attached shall be sold to satisfy said judgment."

In section 3, strike out the words "and criminal courts of record."

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

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

Mr. McKinne offered the following amendment:

Amend title by striking out "criminal courts of record."

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 29, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Amendment to House Bill No. 364:

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

Very respectfully,

J. EMMET WOLFE,

Chairman Committee on Engrossed Bills.

By permission—

Mr. Rosborough, Chairman of Committee on Claims, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 29, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Claims, to whom was referred—
House Bill No. 264:

A bill to be entitled an act for the relief of B. C. Dupont.

Have examined the same and report it back without action.

Very respectfully,

J. A. ROSBOROUGH,

Chairman Committee.

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

Pending further consideration of bills on second reading—

Mr. Baya 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,

Messages from the House of Representatives

Were taken up.

The following message was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 29, 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 declined to pass—

Senate Bill No. 16:

To be entitled an act to repeal sections 2648, 2649 and 2651, Revised Statutes.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Also the following message was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 27, 1893. }

HON. W. H. REYNOLDS,

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. 231:

To be entitled an act to provide for the levy of taxes for the years 1893 and 1894.

With amendments thereto.

Amend section 2, after the word "board" in line 18, by striking out all down to the word "provided."

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Wolfe moved that the Senate concur in the House amendment to Senate Bill No. 231;

Which was agreed to, and the amendment was concurred in.

The Secretary was directed to inform the House of Representatives of the concurrence of the Senate to the House amendment to Senate Bill No. 231. The bill, as amended, was referred to the Committee on Enrolled Bills to be enrolled.

Also the following message was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 27, 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. 217:

To be entitled an act to incorporate the city of Bartow and to abolish the present incorporation of said city.

And return same with the action of the House endorsed thereon.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Also the following message was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 29, 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. 308:

To be entitled an act to amend section 1, article 6, of chapter 3972, laws of Florida, approved June 7, 1889, relative to the legislative powers of the city council and number of wards in the city of St. Augustine.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Also the following message was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 29, 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. 286:

To be entitled an act to amend sections 568 and 570 of the Revised Statutes concerning annuities for disabled soldiers and sailors of the State of Florida.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Senate Bills Nos. 217, 308 and 286, transmitted with the three foregoing messages, were referred to the Committee on Enrolled Bills to be enrolled.

The Senate thereupon, on motion of Mr. Summers, took a recess until 4 o'clock.

AFTERNOON SESSION.

4 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, Blich, Borden, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Myers, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Whidden and Wolfe—23.

A quorum present.

By permission—

Mr. Grady, Chairman of Committee on Commerce and Navigation, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 29, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Commerce and Navigation, to whom was referred—

House Memorial to Congress:

Asking that Alligator harbor, in Franklin county, be marked with buoys.

Recommend that it do pass.

Respectfully submitted,

J. E. GRADY,

Chairman Committee.

Mr. Baya, Chairman of Special Committee to visit the State Agricultural College and Experiment Station, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 26, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your committee appointed for the purpose of ex-