

such application make the election in a Congressional district, or even of the entire State, void? The logical application of the rule would only make void the election in the district where such illegal voting was proved, and nowhere else, and the remaining unchallenged districts by their vote should determine the result of the election.

Second—Apply the second rule or alternative that is “divide the illegal votes between the candidates in proportion to the whole vote of each,” and observe the result.

The returns from Washington county show that A. W. Weeks received 313 votes, and that J. D. Martin received 275 votes, making a total of 588 votes cast for both in Washington county. The evidence before the committee shows that in Washington county 156 illegal votes were cast, but does not show for whom they were cast. The illegal vote thus shown is 26.53 per cent. of the entire vote cast for both.

The result of this method is thus illustrated:

Total vote for A. W. Weeks..... 313
26.53 per cent. of 313 (Week's total vote)..... 83.03

Legal vote for Weeks..... 229.97
Total vote for J. D. Martin..... 275
26.53 per cent. of 275 (Martin's total vote).... 72.35

Legal vote for Martin..... 202.05

By this Weeks' majority is 27.92 votes.

Add to this the unchallenged majority of 10 in Calhoun county, and Week's majority in the district is 37.92 votes.

Third. The third alternative, and last also, mentioned by McCreary, is, “Deduct the illegal vote from the candidate having the highest vote.” Let us apply this rule, thus:

District.	Weeks.	Martin.	Illegal vote.	Weeks.	Martin.
1	90	19	19	71	19
2	22	26	6	22	20
3	33	15	21	12	15
4	1	15	1	1	14
5	17	18	8	17	10
6	10	24	5	10	19
7	42	108	49	42	59
8	65	3	21	44	3
9	3	11	5	3	6
10	8	14	7	8	7
11	12	9	10	2	9
12	10	13	4	10	9

Total after purging, 242 190

This method shows Weeks' majority in Washington county to be 52 votes, and with the unchallenged majority of 10 in Calhoun county, Weeks' total majority is 62 votes.

From these facts alone, and there are many more of strong force, the minority of your committee insists that the contestee was elected, and is entitled to retain the office to which the returns show he was elected.

Respectfully submitted,

W. J. BORDEN,

Member of the Committee.

The Senate thereupon, on motion of Mr. Williamson, adjourned until 10 o'clock A. M. Thursday, May 4, 1893.

Confirmations.

W. H. Milton, Marianna, Florida, to be State's Attorney in and for the First Judicial Circuit of the State of Florida.

THURSDAY, MAY 4, 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, Summers, Thomas, Wadsworth, Whidden, Williamson and Wolfe—31.

A quorum present.

Prayer by the Chaplain.

The Journal was approved

On motion of Mr. Borden, Mr. Weeks was excused until Monday next.

The following communication was read for the information of the Senate:

JACKSONVILLE, FLA., May 2, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

DEAR SIR: At a meeting of directors held this P. M., the following resolutions were passed:

Resolved, That the directors of the Florida Fruit Exchange believe it to be the interest of the people of Florida, that the present Legislature of this State pass a conservative bill establishing a Railroad Commission.

Resolved, That a copy of this resolution be sent by the Secretary to the President of the Senate, and the Speaker of the House of Representatives.

The above is respectfully referred with the request that you place it before the honorable body over which you preside

Very respectfully,

M. P. TURNER,
Secretary.

Introduction of Resolutions, Petitions and Memorials.

By Mr. Wolfe:

Petition from citizens of various sections of the State of Florida relative to the establishment of a reformatory and industrial prison house for juvenile criminals;

Which was read as follows:

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

We, the undersigned citizens of the State, beg leave to present one feature of our system of criminal justice which seems to tend more to perpetuate than to arrest and prevent crime. We refer to our practice of associating all ages and all grades of criminals in one prison life and service. If the young and less hardened criminals could be separated from the more abandoned class, and be subjected to remedial and moral influences, many of them might be rescued from vice and crime, and be saved to the State and to lives of industry and usefulness. We, therefore, humbly petition your honorable bodies to consider the propriety of establishing one reformatory and

industrial prison home for juvenile criminals; and your petitioners commit this great project of reform into your hands.

Signed by Mrs. Martha E. L. Webb (State Superintendent Legislation and Petitions) and 517 other citizens of Florida.

Referred to Committee on State Affairs:

By Mr. Browne:

Senate Resolution No 33;

Which was read as follows:

Resolved, That the Committee on Australian Ballot be authorized to employ clerical aid in drafting bill.

Introduction of Bills.

By Mr. Marks:

Senate Bill No. 196:

A bill to be entitled an act to encourage and promote immigration in the various counties of Florida, and to provide for the assessment and collection of revenue for these purposes.

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

Which was agreed to by a two-thirds vote.

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

Consideration of Resolutions.

Mr. Browne moved that the resolution offered by him authorizing the Committee on Australian Ballot System to employ clerical aid, be adopted;

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

Reports of Committees.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 4, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 191:

A bill to be entitled an act declaring Bruce Creek, in Walton county, State of Florida, navigable.

Recommend that the same do pass.

Very respectfully,

J. E. GRADY,

Chairman Committee.

And the bill was placed on the calendar of bills on second reading.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 4, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 146:

To be entitled an act to amend section 8 of an act to incorporate the Chipola and Chippewa Lake Railroad Company, approved June 5, 1891.

Also,

House Bill No. 21:

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

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

Very respectfully,

J. H. MCKINNE,

Chairman of Committee on Railroads.

Which was placed among the orders of the day.

Mr. Bristol, Chairman of Committee on City and County Organization, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 4, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 193:

Being a bill to incorporate the Marianna Improvement Company.

Have had the same under consideration, and have directed their chairman to report the same favorably, and recommend that it do pass.

Very respectfully,

W. H. BRISTOL,

Chairman of Committee.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 4, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 146:

Being a bill to be entitled an act to make sections 12 and 13, township 9, south range 22 east, and all of section 18, township 9, south of range 23 east, that lies south of the old Bellamy or Federal Road, a part of Clay county.

Have had the same under consideration, and have directed the chairman to report the same unfavorably, and recommend that the same do not pass.

Very respectfully,

W. H. BRISTOL,

Chairman Committee.

Which were placed among the orders of the day.

Unfinished Business.

The eleventh and twelfth amendments offered by the Committee on Constitutional Amendments to Senate Joint Resolution No. 18; which were pending on adjournment yesterday, were taken up for consideration.

The eleventh amendment was read as follows:

Article 24. Amend by striking out Article 24, a similar amendment having been already reported favorably.

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

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

The twelfth amendment was read as follows:

Amend by changing numbers of the articles so that they may be numbered consecutively.

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

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

The joint resolution, with amendments, was ordered engrossed for its third reading.

Senate Joint Resolution No. 163:

Proposed amendment to section 6, article 16, of the Constitution of the State of Florida,

Was read the second time in full, and ordered engrossed for its third reading.

Senate Joint Resolution No. 158:

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

Was read the second time in full, and ordered engrossed for its third reading.

Senate Joint Resolution No. 164:

Proposing amendment to section 25, article 3, of the Constitution of the State of Florida,

Was read the second time in full, and ordered engrossed for its third reading.

Senate Joint Resolution No. 170:

A joint resolution proposing an amendment to Section 1, Article 9, Constitution of the State of Florida,

Was read the second time in full, and ordered engrossed for its third reading.

One hundred copies of all the joint resolutions, after being engrossed, were ordered printed.

Mr. McKay moved that Senate Bill No. 162 be taken up for consideration;

Which was agreed to, and so ordered.

Whereupon,

Senate Bill No. 162:

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

Was again read the second time in full.

Mr. McKay 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. Genovar, Marks, McKay, Morrow, Rosborough, St. Clair Abrams, Wadsworth, Whidden and Williamson—9.

Nays—Messrs. Baya, Blich, Bristol, Browne, Calhoun, Farmer, Fleming, Grady, Johnson, McKinne, McKinney, Myers, Perrenot, Thomas and Wolfe—15.

Excused from voting—Messrs. Borden, McLeran, Reeves and Smith—4.

So the bill failed to pass.

Mr. Reeves moved that the order by which Senate Bill No. 172 had been made the special order for 4 o'clock this afternoon be rescinded, and that the bill remain on its second reading subject to call;

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

Mr. Williamson, in accordance with notice previously given, moved that the Senate reconsider the vote by which Senate Bill No. 10 was made the special order for Wednesday next;

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

Mr. Williamson moved that Senate Bill No. 10 be made the special order for 11 o'clock A. M. on Tuesday next;

Which was agreed to, and so ordered.

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

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, Broome, Browne, Fleming, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Myers, Rosborough,

Smith, St. Clair Abrams, Thomas, Wadsworth, Whidden, Williamson and Wolfe—24.

A quorum present.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 4, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—The special joint committee appointed to consider the financial condition of the State and report, by bills or otherwise, plans for liquidating its floating indebtedness and meeting its current expenses, beg leave to submit the following report:

There is no question before the Legislature of more vital importance than the financial condition of the State. The people are confidently looking for steps to be taken by this Legislature which will result, in the near future, in securing a lighter taxation. Animated with a desire to accomplish something in that direction, your committee pushed the investigation in two opposite directions.

First—What expenses now paid by the State can, without impairing the efficiency of administration, be curtailed.

Second—What new sources of revenue can be secured and looked to as a means of permanent increase in the State's income.

In the investigation of the first inquiry looking to a decrease of expenditure, your committee's attention was at once claimed by the large amounts annually expended for jurors and witnesses and criminal prosecutions. The estimates for 1893 and 1894 call for appropriations amounting to \$225,000 annually for those three items of expenditure. This sum is fully $2\frac{1}{2}$ mills upon the net assessed valuation of the State. Our total State tax proper is $4\frac{1}{4}$ mills. To consume $2\frac{1}{2}$ mills of this for those items alone is entirely disproportionate, and so greatly at variance from the past financial history of the State, that the suggestion forces itself upon us that the curtailment should come chiefly from those sources.

In a more detailed investigation, we find that the appropriation for jurors, whose pay was raised in 1889 from \$1.25 per day to \$2 per day, has been considerably augmented by the compensation of parties who never serve. While allow-

ing the \$2 per diem for jurors to remain, we do not deem it proper that parties drawn on the original panel should be allowed mileage and a day's pay, when excused with their consent. Neither have we considered it a hardship to limit the pay of jurors summoned to complete a jury to those who actually serve.

In the case of witnesses summoned by the State, considering that it is one of the accidents of life to be thus summoned, we do not think that the compensation should be so large as to create a desire for such service. We therefore propose that the pay of State witnesses be placed at \$1 per day, and that five cents per mile be allowed both jurors and witnesses for traveling expenses.

In looking over the laws of other Southern States, we find, as a general rule, that no defendants' witnesses are paid by the State. The defendants are entitled to have subpoena issued and served as a part of the costs, but their witnesses are not paid by the State. This is the case in Alabama, Georgia, Mississippi, Arkansas and Tennessee, and we are informed is the case in other states. The United States government never pays defendants' witnesses, and the State of Florida did not until the present constitution went into operation in 1887.

We therefore think it advisable to eliminate that expense. We have also placed the per diem of jurors and witnesses in justices' and county judges' courts and in coroners' inquests at 50 cents per day, and 5 cents mileage. In closing with these suggested changes in the laws relating to jurors and witnesses, we will say, that we still leave the compensation of the citizens, who by chance or accident are called to perform these duties, as great, if not greater, than in other states. There are no valid reasons why the tax payers of Florida should be burdened for these expenses more than those of her sister commonwealths.

Our next detailed investigation was as to the distribution among the county officers of the \$92,162.09, paid last year by the State to county officers for criminal prosecutions. As a result of that investigation, we reached the conclusion that the fees of county judges, clerks of the circuit and criminal courts and justices of the peace should remain as they are. We find that \$65,305.10 of the \$92,162.09 paid to county officers for costs in criminal prosecutions for 1892, were paid to sheriffs and their deputies. This is over two-thirds of the entire amount paid by the State to county officers for costs in criminal prosecutions, and we naturally

examined to ascertain if some saving could not be made, without injustice to our worthy sheriffs. From the best information obtainable, we are satisfied that 30 cents per day, or \$9.00 per month, for feed of prisoners, when paid by the State, furnished a full margin of profit for that expense; and that contracts can be let for feeding prisoners at a much smaller rate. We therefore recommend that for the first 5 prisoners, 35 cents per day be allowed for each, and that 25 cents per day be allowed for each prisoner over that number. As to mileage, we propose leaving it the same as it is now, except where the State pays the bill, then let it be placed at 5 cents per mile, where it always stood until a few years ago. These are slight changes, and we think should be accepted at once as just and reasonable.

We recommend that where no true bill is found, or information filed, in the circuit or criminal court, that no expenses incurred before a committing magistrate should be paid by the State. Wherever this principal has been acted upon a most salutary check has been placed upon frivolous prosecutions, which are the bane of our unnecessary extravagant system. We think also that in some cases the jurisdiction of justices of the peace should be enlarged; and that they should have jurisdiction in cases of carrying concealed weapons in counties where criminal courts of record or county courts have not been established. We are satisfied that this change would be a large saving to the State.

In dismissing this question of lessening the expenses of criminal prosecutions, we may be pardoned for calling attention to the fact that Florida pays more than twice as much, in proportion to her taxable resources, and twice as much per capita for these expenses as her sister States. This is neither just to the tax payers nor an invitation to the immigrant.

It is an easy task to contend for the existing demoralizing and expensive system, so far as it relates to each proposed change; but let those who do so present a remedy for our financial troubles.

Specious arguments are abundant why any proposed reduction should not be made in a particular case, but let those who make them propose a tangible, practicable remedy that will be effectual at once. Under our present laws, we are rapidly becoming a charitable institution, in which the tax payers are over-burdened for the criminal portion of the community. Let us all call a halt, and retrace our steps to an extent that will at least do away with the inducements now offered for petty prosecutions, often times superinduced by self-seeking witnesses.

Our second inquiry led us to an investigation of sources

for increased revenue for the purposes of relieving the burthens of local taxation. As a result of such investigation we recommend:

First—That the shares of stock in banks located in this State (National as well as State) be taxed. The shares of National banks are taxed in States where the banks are located, and such methods of taxation have been sustained by the courts of the country. We know of no good reason why Florida should deprive herself of this source of revenue.

Public moneys deposited in banks should be made to bring some return to the State. We therefore recommend that the Governor, Comptroller and Treasurer, be authorized to deposit said moneys upon proper security, in such banks as will offer the best inducements.

We recommend that fire insurance companies be required to pay one per cent. of their gross earnings to the State treasurer. Some of the states require as high as two per cent. on their gross earnings, and are still abundantly supplied with good companies. We cannot believe that the intelligent and accomplished insurance agents of this State will exercise less judgment in placing policies than they do in other states, and if they do not, there is no valid reason why their companies should not pay similar taxes.

Life insurance companies should pay more. They received from this State during the year 1892, the sum of \$556,607.96, and paid out in this State the sum of \$132,986.70, showing an actual gain of \$433,621.26 for one year's business in Florida. This is more than the entire tax levied on property for the general revenue of the State for that year. Two per cent. on their gross earnings would be a small tax for such profits, as it cannot be contended that life risks are greater in Florida than in other states.

We believe also that guarantee companies should be made to contribute a small portion of the harvest they reap from the State.

It is an acknowledged fact, that the public and private securities held by individuals, and estates, do not bear their just proportion of the burthens of government. We therefore recommend that the treasurer of each county, and of each incorporated town or city, assess the taxes provided for State and county purposes, upon the nominal value of all evidences of debt issued by the county, town or city, said tax to be deducted by the said treasurer on the payment of any interest or dividend to the holders of the securities, and paid into the State treasury. The same principal should be made

to apply to the treasurer of each and every private corporation, and a wilful violation of the law by the treasurer of any county, town, city or private corporation, should be a violation of our criminal laws.

We respectfully report bills covering various suggestions contained in this report. The tax upon the receipts of insurance companies and guarantee companies, and the duty of treasurers of public and private corporations, can be more appropriately included in the general revenue bill now being prepared by the finance committee, and consequently we have not prepared bills on those subjects, but recommend them to the careful consideration of the regular Committee on Finance and Taxation.

We present these remedies for our financial troubles with confidence, and most earnestly commend them to the favorable consideration of the Legislature. If they are adopted as a whole, the State will be benefited at least \$65,000. More than that if these measures promptly become laws, a very small proportion, if any, of the \$100,000 authorized to be borrowed for State purposes, will be necessary. To accomplish such a gratifying result, the scheme presented should be adopted as a whole, and we trust that none of the measures suggested will be eliminated, thereby defeating the purposes in view.

Very respectfully,

FRED. T. MYERS,
JEFFERSON B. BROWNE,
W. H. BRISTOL,
BENJ. P. CALHOUN,
F. A. FLEMING,
Senate Committee.

Which was placed among the orders of the day.

Introduction of Bills.

By permission—

Mr. Rosborough introduced:

Senate Bill No. 197:

A bill to be entitled an act to organize and establish a county court in and for Alachua county, and to provide for the appointment of a prosecuting attorney for said court.

Mr. Rosborough moved that the rule be waived and that the bill be read the first time by its title, and passed to the calendar of bills on second reading without reference;

Which was agreed to by a two-thirds vote,

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

By permission—

Mr. McKinne introduced:

Senate Bill No. 198:

A bill to be entitled an act to incorporate the Gulf and Florida Northern Railroad Company.

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

Which was agreed to by a two-thirds vote,

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

By permission—

Mr. Myers introduced:

Senate Bill No. 199:

A bill to be entitled an act to prescribe the compensation to be paid jurors and witnesses serving in the courts of this State and to provide for summoning defendants' witnesses.

Mr. Myers moved that the rule be waived, and that the bill be read the first time by its title, and passed to the calendar of bills on second reading without reference;

Which was agreed to by a two-thirds vote,

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

By permission—

Mr. Marks introduced:

Senate Bill No. 200:

A bill to be entitled an act to create a corporation to be named the Industrial Insurance and Banking company and to confer certain privileges thereon.

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

Which was agreed to by a two-thirds vote,

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

By permission—

Mr. Myers introduced:

Senate Bill No. 201:

A bill to be entitled an act prescribing the mileage to be allowed sheriffs, constables and other officers, when such mileage is paid by the State.

Mr. Myers moved that the rule be waived, and that the bill be read the first time by its title, and passed to the calendar of bills on second reading without reference;

Which was agreed to by a two-thirds vote,

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

Also,

Senate Bill No. 202:

A bill to be entitled an act prescribing the compensation to be allowed sheriffs for feed of prisoners when payable by the State.

Mr. Myers moved that the rule be waived, and that the bill be read the first time by its title, and passed to the calendar of bills on second reading without reference;

Which was agreed to by a two thirds vote,

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

Also,

Senate Bill No. 203:

A bill to be entitled an act disallowing fees in cases before committing magistrate where informations are not filed nor indictments found.

Mr. Myers moved that the rule be waived and that the bill be read the first time by its title, and passed to the calendar of bills on second reading without reference;

Which was agreed to by a two-thirds vote,

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

Also,

Senate Bill No. 204:

A bill to be entitled an act to authorize the Governor, Comptroller and Treasurer to deposit public moneys with banks in this State.

Mr. Myers moved that the rule be waived and that the bill be read the first time by its title, and passed to the calendar of bills on second reading without reference;

Which was agreed to by a two-thirds vote,

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

Also,

Senate Bill No. 205:

A bill to be entitled an act for the collection of taxes on bank stock.

Mr. Myers moved that the rule be waived and that the bill be read the first time by its title, and passed to the calendar of bills on second reading without reference;

Which was agreed to by a two-thirds vote.

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

Also,

Senate Bill No. 206:

A bill to be entitled an act to amend Sections 2421, 2423 and 2425, and to repeal section 2422 of the Revised Statutes of the State of Florida, relating to the carrying of concealed weapons.

Mr. Myers moved that the rule be waived and that the bill be read the first time by its title, and passed to the calendar of bills on second reading without reference;

Which was agreed to by a two-thirds vote.

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

Consideration of Bills on Second Reading.

Senate Bill No. 175:

A bill to be entitled an act to amend an act entitled an act to protect certain kinds of game, approved May 19, 1891, and designated as Chapter 4049, Laws of Florida,

Was read the second time in full.

Mr. Baya offered the following amendment:

In section 1, line 18, after the word "venison," insert "for the period of five years after the passage of this act."

Mr. Baya moved that the amendment be adopted;

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

Mr. Baya offered the following amendment:

In section 2, line 1, after the word "wild turkey," strike out "quail or partridge," and insert "for the period of five years after the passage of this act."

Mr. Baya moved that the amendment be adopted;

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

Mr. Baya offered the following amendment:

In Section 4, line 8, after the words "his or her," insert "enclosed."

Mr. Baya moved that the amendments be adopted;

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

Mr. Baya offered the following amendment:

Section 6. That no person, transportation company or common carrier, shall transport any wild deer or venison, wild turkeys, partridges, or quail, outside the limits of the county in which such wild deer or venison, wild turkeys, partridges or quails, were entrapped or killed.

Mr. Baya moved that the amendment be adopted;

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

Mr. Baya offered the following amendment:

That sections 6 and 7 be stricken out and sections 7 and 8 be inserted in their stead.

Mr. Baya moved that the amendment be adopted;

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

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

Mr. Myers moved that after the bill had been engrossed that 100 copies of the same be printed;

Which was agreed to, and so ordered.

Mr. Whidden moved that the rules be waived, and that Senate Bill No. 169 be taken up out of its regular order;

Which was agreed to by a two-thirds vote.

Whereupon,

Senate Bill No. 169:

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

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

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

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

Upon its passage the vote was:

Yeas—Messrs. Baya, Blich, Borden, Browne, Calhoun, Farmer, Fleming, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Myers, Perrenot, Rosborough,

Smith, St. Clair Abrams, Thomas, Whidden, Williamson and Wolfe—23.

Nays—None.

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

Senate Bill No. 143:

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

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

Which were as follows:

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

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

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

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

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

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

Pending further consideration of bills on their second reading,

Mr. Wolfe moved that the Senate adjourn until 10 o'clock A. M. Friday, May 5, 1893.

Upon which the yeas and nays were demanded.

Upon call of the roll the vote stood:

Yeas—Messrs. Broome, Browne, Calhoun, Farmer, Fleming, Marks, Myers, Perrenot and Wolfe—9.

Nays—Messrs. Baya, Blitch, Borden, Johnson, McKay, McKinne, McKinney, McLeran, Morrow, Rosborough, Smith, Thomas, Wadsworth, Whidden and Williamson—15.

So the motion was lost.

The regular order of business was then resumed, and

Senate Bill No. 159:

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

Was read the second time in full.

Mr. Marks offered the following amendment:

After the word "hog" insert "turkey or chick."

Mr. Marks moved that the amendment be adopted.

Mr. Wolfe offered the following amendment to the amendment:

In Section 1, line 2, after the word "goat," insert "pigeon."

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

Mr. Baya moved to lay the amendment to the amendment on the table;

Which was not agreed to.

And the amendment to the amendment offered by Mr. Marks was adopted.

The amendment offered by Mr. Marks as amended was then adopted.

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

The Senate thereupon, on motion of Mr. Browne, adjourned until 10 o'clock A. M., Friday, May 5, 1893.

FRIDAY, MAY 5, 1893.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Baya, Blitch, Borden, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran,

Morrow, Myers, Rosborough, Smith, St. Clair Abrams, Summers, Thomas, Wadsworth, Whidden and Wolfe—26.

A quorum present.

Prayer by the Chaplain.

The Journal was approved.

Introduction of Resolutions, Petitions and Memorials.

By Mr. Wadsworth:

Senate Resolution No. 44;

Which was read as follows:

Senate Resolution, relative to the appointment of an assistant reading clerk and the election thereof.

Whereas, It having become apparent that for the purpose of expediting the business of the Senate and in the view of economy.

SECTION 1. Be it resolved, That an assistant reading clerk be elected by the Senate of the State of Florida by ballot.

Laid over under the rules.

Introduction of Bills.

By Mr. Williamson:

Senate Bill No. 207:

A bill to be entitled an act to amend Sections 1362 and 1364, of Chapter 2, of Title 2, of Revised Statutes of Florida.

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

Which was agreed to by a two-thirds vote,

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

By Mr. Williamson:

Senate Bill No. 208:

A bill to be entitled an act to amend Sections 1370, Article 1, Chapter 4, of Title 3, of Part 2d, of the Revised Statutes of Florida.

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 Judiciary.

By Mr. McKay:

Senate Joint Resolution No. 209: