

Fifth vote passed, title as stated, and was ordered certified to the House of Representatives.

Senate Joint Resolution No. 18:

Proposing amendments to the Constitution of the State of Florida,

Was read the third time.

Mr. St. Clair Abrams asked unanimous consent to amend the joint resolution as follows:

ARTICLE 10.

All offences triable in the district criminal courts and circuit courts of the State, shall be prosecuted upon information under oath, to be filed by the prosecuting attorney in open court, except in cases punishable by death, when the same shall be prosecuted upon indictments presented by grand juries;

Which was granted, and the joint resolution was accordingly amended.

Mr. Browne moved that the rules be waived and that the joint resolution be put back on its second reading;

Which was agreed to, and so ordered.

Whereupon,

Senate Joint Resolution No. 18:

Proposing amendments to the Constitution of the State of Florida,

Was read a second time in full.

Mr. Browne moved that the joint resolution be considered by sections;

Which was agreed to, and so ordered, and the proposed amendments to each article were read separately.

Mr. Wolfe offered the following amendment to article 18:

Strike out all of article 18.

Pending consideration of which

By permission—

Mr. Reeves introduced—

Senate Bill No. 244:

A bill to be entitled an act to amend Sections 244 and 245 of Chapter I, Part I, of the Revised Statutes of the State of Florida.

Mr. Reeves 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.

Mr. Morrow gave notice that he would on to-morrow move a reconsideration of the vote by which the Senate refused to pass Senate Joint Resolution No. 99.

The Senate thereupon, on motion of Mr. St. Clair Abrams, adjourned until 10 o'clock A. M., Friday, May 12, 1893.

FRIDAY, MAY 12, 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, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Weeks, Whidden, Williamson and Wolfe—30.

A quorum present.

Prayer by the Chaplain.

The Journal was approved.

Introduction of Resolutions, Petitions and Memorials.

By Mr. Marks:

Senate Memorial No. 45;

Which was read as follows:

To our Representatives in the Legislature of Florida, now in Session:

We, the undersigned citizens and residents of Precinct No. 13, county of Orange, and State of Florida, and property owners along the line of the so-called Alabama, Florida and Atlantic Railroad, do respectfully represent that six years have passed since the promoters and incorporators of said railroad first obtained their franchise from the State, and that in that time no single mile of railroad has ever been built; and

Whereas, the building and maintenance of a railroad over or near the line now occupied by this so-called Alabama, Florida

and Atlantic railroad is absolutely necessary for the present and future welfare of this section of the State; and

Whereas, we have despaired of the present road ever being built, we ask you to use all honorable means to prevent any extension of time to the franchise of this Alabama, Florida and Atlantic railroad, but that instead, they be compelled to comply literally with the terms of their present franchise or relinquish the same to some company able to build and maintain a road.

A. STEWART, and 24 others.

Laid over under the rules.

Introduction of Bills.

By Mr. McKinne:
Senate Bill No. 245:

A bill to be entitled an act to establish an industrial college for the education of white girls, and to appropriate money for the same.

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 Education.

Messages from the House of Representatives.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 11, 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. 281:

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

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. McKinne moved that the rule be waived and that House Bill No. 281 be read the first time by its title and placed upon 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 calendar of bills on second reading in its order.

Also the following message was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 11, 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. 282:

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.

And request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. McKinne moved that the rule be waived and that House Bill No. 282 be read the first time by its title and placed upon 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 in its order.

Also the following message was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 11, 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. 283:

To be entitled an act prescribing the compensation to be allowed sheriffs for feed of prisoners when payable by the State or county.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Mr. Myers moved that the rule be waived, and that House Bill No. 283 be read the first time by its title and placed upon 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 placed on calendar of bills on second reading in its order.

Also the following message was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 11, 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. 284:

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.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

Mr. Myers moved that the rule be waived, and that House Bill No. 284 be read the first time by its title and placed upon 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 placed on calendar of bills on second reading in its order.

Reports of Committees.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 12, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Memorial to Congress:

Asking for an appropriation to deepen the channel of the St. Johns river.

Also,

House Bill No. 148:

Declaring Spring Creek in Lake county, Florida, navigable.

Recommend that the same do pass.

Very respectfully,

J. E. GRADY,

Chairman of Committee.

The memorial and bill accompanying the report were placed among the orders of the day.

Mr. Whidden, Chairman of Committee on State Affairs, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 12, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on State Affairs, to whom was referred—

Senate Bill No. 228:

Entitled an act to consolidate the Florida Agricultural Col-

lege, and the East and West Florida Seminaries under the name of the Agricultural University of Florida, and to provide for its maintenance and government.

Beg leave to say that we have considered the same and recommend that it do not pass.

Very respectfully,

J. W. WHIDDEN,

Chairman Committee.

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

Mr. Thomas, Chairman of the Committee on Agriculture, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 11, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 219:

An act entitled an act to require persons killing hogs or sheep for market, to exhibit the mark of such hogs or sheep.

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

Very respectfully,

W. C. THOMAS,

Chairman Committee on Agriculture.

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

Mr. Wadsworth, Chairman of the Committee on Indian Affairs, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 11, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Indian Affairs, to whom was referred—

Senate Bill No. 241:

Entitled an act to appropriate money for the purpose of locating and setting apart lands for the Seminole Indians.

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

Very respectfully,

B. D. WADSWORTH,

Chairman of Committee.

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

On motion of Mr. Myers, Mr. Farmer was excused on account of absence on a visiting committee of the Senate,

Mr. McKinne moved that the rules be waived, and that the Senate take up Senate Bill No. 198 out of its regular order, the same being on its third reading;

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

Senate Bill No. 198:

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

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blich, Borden, Bristol, Broome, Calhoun, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinne, McKinney, McLeran, Morrow, Perrinot, Reeves, Smith, St. Clair Abrams, Thomas, Wadsworth, Weeks, Whidden and Wolfe—24.

Nays—None.

So the bill passed, title as stated.

Mr. McKinne 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.

Mr. Marks moved that the rules be waived and that the Senate take up House Bill No. 161 out of its regular order, the bill being on its third reading;

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

House Bill No. 161:

A bill to be entitled an act to abolish the present municipal government of the city of Sanford, in Orange county, Florida,

and to organize a city government for the same, and to provide its jurisdiction and powers,

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blitch, Borden, Bristol, Broome, Calhoun, Genovar, Grady, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Perrenot, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Williamson and Wolfe—21.

Nays—None.

So the bill passed, title as stated.

Mr. Marks 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.

Mr. Morrow, in accordance with notice given yesterday, moved that the Senate do now reconsider the vote by which the Senate refused to pass Senate Joint Resolution No. 99;

Which was agreed to by a two-thirds vote, and the vote by which the joint resolution failed to pass was reconsidered.

Mr. Broome moved that the rules be waived, and that the Senate take up Senate Joint Resolution No. 99 out of its regular order, and that the same be read a third time and put upon its passage;

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

Senate Joint Resolution No. 99:

A joint resolution proposing an amendment to the Constitution of the State of Florida,

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blitch, Borden, Bristol, Broome, Calhoun, Genovar, Grady, Johnson, Marks, McKay, McKinne, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Weeks, Whidden, Williamson and Wolfe—26.

Nays—None.

So the joint resolution having received the required three-fifths vote, passed title as stated.

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

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

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 11, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 234:

A bill to be entitled "an act to incorporate the Western Peninsular Railroad Company, and to grant certain aid in construction thereof."

Also,

Senate Bill No. 218:

A bill to be entitled an act to incorporate the South American and International Railroad Company, and to grant certain lands to aid in the construction of the same.

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

Very respectfully,

J. H. MCKINNE,

Chairman of Committee on Railroads.

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

The President announced that the Senate would proceed to the consideration of

Senate Joint Resolution No. 18:

Proposing amendments to the Constitution of the State of Florida,

Pending on adjournment yesterday afternoon.

The question being upon the amendment offered by Mr. Wolfe;

Which was as follows:

Strike out all of section 18.

Mr. Wolfe moved that the amendment be adopted.

Upon which the yeas and nays were demanded.

Upon call of the roll the vote was:

Yeas—Messrs. Grady, Johnson, McLeran, Myers and Wolfe—5.

Nays—Messrs. Blich, Borden, Bristol, Broome, Calhoun, Fleming, Genovar, McKay, McKinne, McKinney, Morrow, Rosborough, St. Clair Abrams, Thomas, Wadsworth, Whidden and Williamson—17.

So the amendment was not adopted.

Mr. St. Clair Abrams asked unanimous consent to withdraw the proposed amendment to article 18;

Which was withdrawn.

Mr. Williamson moved that further consideration of the matter be postponed until this afternoon;

Which was not seconded.

Mr. Myers moved that the joint resolution be laid on the table, subject to call;

Which was withdrawn.

Mr. McKay offered the following amendment:

In section 35 of article 5 of the Constitution, also in section 32 of article 14, of the printed bill, after the word "House" in 2d line of each said sections, add the words "of the Legislature."

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:

After the the words "of the owner," in line 3 of article 20, printed bill, insert "but this provision shall not be construed so as to exempt any buildings, other than those on the homestead, at the time it was brought into such incorporated town or city, or which may be occupied or used by the owner."

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:

Strike out all of article 21.

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

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

The joint resolution as amended was ordered engrossed for its third reading.

On motion of Mr. Smith, Mr. McKinne was excused until to-morrow.

By permission—

Mr. St. Clair Abrams introduced
Senate Joint Resolution No. 246:

Proposing an amendment to the Constitution of the State of Florida;

Which was read the first time in full.

Mr. St. Clair Abrams moved that the rule be waived, and that Senate Joint Resolution No. 246 be read the second time;

Which was agreed to by a two-thirds vote, and Senate Joint Resolution No. 246 was read the second time in full.

Mr. McKay offered the following amendment:

In section 4, after the word "towns" insert "and hotels of not less than twenty-five rooms not in incorporated cities and towns."

Mr. Williamson moved that the amendment be adopted;

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

Mr. McKay offered the following amendment:

In section 1, after the word towns insert the words "and hotels of not less than twenty-five rooms not in incorporated cities and towns."

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

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

Mr. St. Clair Abrams asked unanimous consent to amend Senate Joint Resolution 18, as follows:

Strike out Article 10 and insert the following in lieu thereof: All offenses triable in the district criminal courts and circuit courts of the state shall be prosecuted upon information under oath, to be filed by the prosecuting attorney in open court, except in cases punishable by death, when the same shall be prosecuted upon indictments presented by grand juries.

The joint resolution as amended, was ordered engrossed.

By permission—

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 12, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Fisheries to whom was referred—

House Bill No. 211:

A bill to be entitled an act to better protect the oyster beds of Florida.

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

Very respectfully,

JAMES MCKAY,

Chairman of Committee.

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

By permission—

Mr. Reeves introduced:

Senate Joint Resolution No. 247:

A joint resolution proposing amendment to the Constitution of the State of Florida;

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

Mr. Marks moved that the rules be waived, and that the Senate take up Senate Bill No. 8 out of its regular order;

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

Senate Bill No. 8:

A bill to be entitled an act to provide for the punishment of parties convicted of larceny of property under the value of one hundred dollars,

Was read the third time in full and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Broome, Calhoun, Fleming, Genovar, and Marks—5.

Nays—Messrs. Blich, Borden, Bristol, Grady, Johnson, McKinney, Morrow, Perrenot, Reeves, Rosborough, St. Clair Abrams, Thomas, Wadsworth, Weeks, Whidden, Williamson and Wolfe—17.

Mr. McLeran announced that he was paired with Mr. Mc-

Kinne. If Mr. McKinne was present Mr. McLeran would vote nay on the passage of the bill.

So the bill failed to pass.

By permission—

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

Minority report;

SENATE CHAMBER,
TALLAHASSEE, FLA., May 12, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 211:

A bill to be entitled an act to protect the oyster beds of this State, to prevent the catching of oysters from May 1 to September 1.

Recommend that it do not pass, as it prevents the catching of oysters for home consumption during that time, and a law has passed this Senate already to fully protect the oysters of this State.

Very respectfully,

J. E. GRADY,

Of the Committee.

By permission—

Mr. St. Clair Abrams introduced—

Senate Bill No. 248:

A bill to be entitled an act to prevent unjust discrimination in the rates charged for the transportation of passengers and freights by railroad companies and other common carriers, and to prohibit railroad companies and other common carriers in this State from charging other than just and reasonable rates, and to prevent the granting of any rebate, discounts, overweighted and other special terms or favors to any person, firm or corporation, and to provide for damages for violating the conditions of this act, and to punish violations of the same, and to prescribe a mode of procedure and rules of evidence in all cases.

Mr. St. Clair Abrams 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,

36s

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

On motion of Mr. Broome, Mr. Fleming was excused until Tuesday.

Mr. Weeks at his own request, was also excused until Tuesday.

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

Whereupon the chamber was cleared, and the doors closed.

At 1:05 o'clock the doors were opened.

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

Mr. President, Messrs. Blich, Borden, Bristol, Broome, Calhoun, Fleming, Genovar, Grady, Johnson, Marks, McKinney, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Whidden, Williamson and Wolfe—25.

A quorum present.

By permission—

Mr. Reeves introduced—

Senate Resolution No. 46;

Which was read as follows:

Be it resolved by the Senate, That when in the orders of the day the consideration of bills on the second and third reading, is reached, the roll shall be called and each Senator allowed to take up one bill as his name is called.

Mr. Perrenot offered the following amendment:

Last line, after the word "called," insert "provided that if any member's name be called in his absence, he, or they, shall be first in order on the roll call for the succeeding day."

Mr. Perrenot moved that the amendment be adopted;

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

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

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

The Senate thereupon, on motion of Mr. St. Clair Abrams, adjourned until 10 o'clock A. M., Saturday, May 13, 1893.

Confirmations.

Michael O'Leary to be commissioner for the Fifteenth district of the municipal government of the city of Pensacola Florida, for four years.

Thomas Johnson, to be commissioner of the Fifteenth district of the municipal government of the City of Pensacola, Florida, for four years.

David Sheehan, Wm. Bazzell and John Mooney, to be members of the Board of Pilot Commissioners for the port of Pensacola, for four years.

Dennis Burns to be harbor master for the port of Pensacola, Florida, for four years.

Geo. J. Slocumb, to be public custodian of lost timber and lumber for the port of Pensacola for four years.

To be County Commissioners for Jefferson county, Florida:

Henry S. Hawk, Aucilla, Fla., for District No. 1.

Christopher C. Anderson, Monticello, Fla., for District No. 2.

Josiah T. Budd, Monticello, Fla., for District No. 3.

Fitz B. Taylor, Lloyd, Fla., for District No. 4.

James W. M. Cobb, Aucilla, Fla., for District No. 5.

SATURDAY, MAY 13, 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, Calhoun, Genovar, Grady, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Myers, Perrenot, Reeves, Rosborough, Smith, St. Clair Abrams, Thomas, Wadsworth, Whidden, Williamson and Wolfe—26.

A quorum present.

Prayer by the Chaplain.

The Journal was approved.