

Which was agreed to by a two-thirds vote.

Whereupon the bill was read the first time by its title.

Mr. Baya moved that the rules be waived, and that the bill be read the second time;

Which was agreed to by a two-thirds vote, and the bill was read the second time in full.

On motion of Mr. Baya the word "avocation" in the 5th line of 5th page was changed to read "vocation" and the Secretary was directed to make the change.

Mr. Baya 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, Blitch, Borden, Bristol, Broome, Fleming, Genovar, Johnson, Marks, McKay, Morrow, Perrenot, Reeves, Rosborough, St. Clair Abrams, Summers, Thomas, Wadsworth and Wolfe—19.

Nays—None.

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

Messages from the Governor.

The following message from the Governor was read:

STATE OF FLORIDA, EXECUTIVE DEPARTMENT,
TALLAHASSEE, May 19, 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 for the relief of Rev. John W. Posten, of Gadsden county, Fla.

An act for the relief of George H. Baer and Benjamin Cook, of Nassau county, Florida.

An act to amend sections 2019 and 2020 of chapter 6, article 3, part 4, of the Revised Statutes of Florida, relating to lumber adrift.

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

Very respectfully,
HENRY L. MITCHELL,
Governor.

Senate Bill No. 157, also Senate Bill No. 32, also Senate Bill No. 228 were passed informally, the introducers not being present in the chamber.

On motion of Mr. Baya Messrs. Browne, Calhoun, Grady and Williamson were excused until Monday.

The Senate thereupon, on motion of Mr. Summers, adjourned until 10 o'clock A. M., Monday, May 22, 1893.

MONDAY, MAY 22, 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. Blitch, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Perrenot, Reeves, Rosborough, St. Clair Abrams, Summers, Thomas, Wadsworth, Whidden, Williamson and Wolfe—27.

A quorum present.

Prayer by the Chaplain.

The Journal was approved.

Introduction of Bills.

By Mr. Borden:

Senate Bill No. 287:

A bill to be entitled an act to establish and maintain the Florida male and female colleges, and the number of trustees and who they shall be.

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

Which was agreed to by a two-thirds vote.

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

By Mr. Blitch:

Senate Bill No. 288:

A bill to be entitled an act to amend section 442, title 7, chapter 1, article 1, of the Revised Statutes.

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

Which was agreed to by a two-thirds vote.

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

Also,

Senate Bill No. 289:

A bill to be entitled an act for the relief of James M. Driver and W. H. Bingham.

Mr. Blich 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 Claims.

By Mr. Williamson:

Senate Bill No. 290:

A bill to be entitled an act to create the office of chancellor of deeds, to define his qualifications, provide for his appointment, prescribe his duties, and to fix his compensation.

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

Which was agreed to by a two-thirds vote.

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

Messages from the House of Representatives.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., May 20, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—I am directed by the House of Representatives to return to the Senate by request—

House Bill No. 289:

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

Also,

House Bill No. 338:

To be entitled an act to amend section 1 of an act entitled an act to incorporate the Lakeland, Mohawk and Tavares Railroad Company, approved June 4, 1891, and to continue the rights, franchises, aids and benefits therein enumerated, with additional rights and authority to extend the line of said road.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Also the following message was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 20, 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. 287:

To be entitled an act to repeal chapter 3934 of the laws of Florida, the same being an act to establish a criminal court of record in Lake county, Florida.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Calhoun, moved that the rules be waived, and that House Bill No. 287 be read the first time by its title;

Which was agreed to by a two-thirds vote.

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

Also the following message was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 19, 1893. }

HON. W. H. REYNOLDS,

President of the Senate:

SIR—I am directed by the House of Representatives to

inform the Senate that the House of Representatives has adopted—

House Concurrent Resolution:

Relative to the House and Senate Committees on Appropriations.

And would respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. F. SYTH BYNUM,

Chief Clerk House of Representatives.

The resolution accompanying the message was referred to the Committee on Appropriations.

Reports of Committees.

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

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

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Claims, to whom was referred—
House Bill No. 181:

A bill to be entitled an act for the relief of Harry Bonney Stout.

Also,

Senate Joint Resolution No. 279:

For the relief of A. R. McKean.

Have considered the same and recommend their passage.

Very respectfully,

J. A. ROSBOROUGH,

Chairman of Committee.

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

Mr. Blich, Chairman Joint Committee to investigate Books, etc., of Phosphate Commissioners, submitted the following report:

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

HON. W. H. REYNOLDS,

President of the Senate:

SIR—The Joint Committee, consisting of Senator Newton A. Blich and Representatives George J. Baltzell and T. J. Cochran, appointed to investigate the books, accounts, etc., of the Board of Phosphate Commissioners, beg leave to submit the following report:

The act of 1891, creating the board provides that it shall consist of the Governor, Comptroller and Attorney-General, and said board was duly organized on the 2d day of June, 1891. At a subsequent meeting G. A. K. Stevens was elected State Inspector of Phosphates and David Lang, secretary. Mr. Stevens resigned after a few months and was succeeded by J. H. Humphries, the present inspector.

The secretary immediately notified such companies as were known to be mining in the navigable streams, and caused to be published in three newspapers in the 'Phosphate Belt' a notice that the board would, on the 2d day of July, hear and consider applications for rights to mine under the above mentioned law.

Of those applying at this meeting the following were awarded contracts:

In the Caloosahatchie river—

The Pebble Phosphate Company of Ft. Myers.

The Charlotte Harbor Pebble Phosphate Company of Jacksonville.

John W. Bushnell of Jacksonville.

J. J. Dunne of Philadelphia.

J. M. Kreamer of Kissimmee.

In the beds of Peace creek and its tributaries—

The South Florida Phosphate Company of Liverpool.

The Gulf Phosphate Mining and Manufacturing Company of Cleveland.

In the bed of Alafia river—

The Peruvian Phosphate Company of Tampa

The Tampa Phosphate Company of Tampa.

The Alafia River Phosphate Company of Jacksonville.

In the bed of Lake Hancock—

G. A. Hanson and associates of Bartow.

J. Shrader and associates of Bartow.

All of the above filed contracts and bonds as provided by law, except the Peruvian Phosphate Company, the Tampa Phosphate Company, and the Alafia River Company. These companies were prepared to execute contracts and give bonds, but it was found to be impossible to make a distribution of their territory, which would be satisfactory to all the parties concerned. However, it was agreed that said companies should continue mining upon the territory assigned them, and they did so until October 31, 1892, when the Peruvian and the Tampa companies asked to be permitted to enter upon and mine the territory being mined by the other. The Peruvian company holding an easement from the riparian owners of the territory being worked by the Tampa company. Upon their representations, said territory was assigned to the Peruvian company. This action brought on a controversy between the two companies, which resulted, after inspection and report by the inspector, in the disputed territory being assigned to the Tampa company, on the 5th of January, 1893. Both companies have executed contracts and given bonds for mining in the Alafia river. Out of this latter allotment of territory, grew the suit brought against the board of phosphate commissioners by the Peruvian Phosphate Company, lately decided by the supreme court in favor of the commissioners.

We learn that the Peruvian Phosphate company was the first to mine pebble phosphate in the Alafia river, and had, prior to the passage of the phosphate law of 1891, by its own showing, mined 4,944.74 tons, without complying with the terms of the act then in force, approved June 7, 1887, and was one of the companies against which the Governor had instituted suits for violation of that act. Before the phosphate commissioners would consent to a contract with this company, it was required to pay \$1 per ton for the phosphate so mined prior to the enforcement of the present law.

The other companies which mined prior to the passage of this act, without complying with the terms of the former law were:

The Black River Phosphate company of Jacksonville.

The G. W. Scott Manufacturing company of Zolfo.

The Peace River Phosphate company of Arcadia.

The Arcadia Phosphate company of Arcadia.

These companies have failed and refused to comply with the law or to recognize the authority of the commissioners in the premises, utterly failing and refusing to reply to any

communications addressed to them on the subject by the commissioners.

On the 30th day of January, 1890, the Dunnellon Phosphate Company filed its bond for \$50,000, conditioned to make true and faithful returns to the Comptroller for all phosphate rock and phosphatic deposit mined from the bed of the Withlacoochee river, under the provisions of the act of 1887. This company had a representation in Tallahassee during the meeting of July 2, 1891, but ignored its bond, and stated its intention not to mine from the beds of streams not meandered. It is understood that this company has since been, and is now, mining large quantities of phosphate rock and phosphatic deposits from the bed of said river, claiming that although the river is navigable in fact, it has never been meandered as a navigable stream by the United States surveyors, and is not therefore subject to the provisions of the act of 1891, chapter 4043.

Against all the companies mining in violation of law from the navigable streams of the State, suits were instituted and are now pending. A. W. Cockrell & Son and Sparkman & Sparkman are the attorneys representing the State in these suits. A retainer of \$500, and 10 per cent. of collections are to be paid to the former as chief counselors, and a retainer of \$250 and 10 per cent. of collections to the latter. The retainers have been paid, and the percentage on \$3,800, collected from the Peruvian Phosphate company, the suit against this company having been compromised.

The suit against the Black River Phosphate Company is now for the second time in the supreme court, on appeal by the commissioners, and upon the decision in this case rests the State's right to collect any royalty from persons or companies mining in the navigable waters of Florida.

The delay in getting a final adjudication of the questions involved in this suit, it is thought, has been the chief cause of difficulty in enforcing this law. This is regarded as the strongest case the State has against any trespassers, and it seems reasonable to suppose that if this case fails the expectations of revenue from royalties on phosphate taken from the navigable waters will fail with it.

A large amount of royalty is dependent upon the termination of the suits pending in the courts, which will be due the State when final decrees are rendered, if said decrees are in favor of the State. The amount of royalties dependent upon these suits is confidently claimed to be at least \$50,000, with a probability that it may reach \$100,000.

The following companies are said to be mining from waters in this State, in violation of law:

Black River Phosphate Company.
 Dunnellon Phosphate Company.
 Arcadia Phosphate Company.
 Peace River Phosphate Company.
 United States Phosphate Company.
 Bowling Green Phosphate Company.
 Homeland Phosphate Company.
 LaRue Phosphate Company.
 Charlotte Harbor Phosphate Company.
 Jacksonville Peace River Phosphate Company.
 G. W. Scott Manufacturing Company.

We deem it proper to state that all of the above companies, except the Black River and Charlotte Harbor companies, are mining in streams that were not meandered by United States surveyors, but are at times navigable in fact, and are used by the companies in floating their dredge boats, tugs and lighters.

The following companies have recognized the State's rights in the premises, entered into contracts, and are complying with the same, with more or less fidelity and promptness:

Gulf Phosphate Mining and Manufacturing Company of Cleveland.

South Florida Phosphate Company, now about to become the Florida Consolidated Phosphate Company.

Tampa Phosphate Company of Tampa.

Peruvian Phosphate Company of Tampa.

The Alafia River Company of Jacksonville, operating in the Alafia river, applied for contract, was allotted certain territory, and has been mining almost continuously since beginning work early in 1891, but has not made returns regularly or satisfactorily. On October 25, 1891, the president paid in \$2,250 on account of royalty, but made no report of the amount mined and removed. After much correspondence and insistence for a report, the company reported that on March 31, 1892, its output had all been shipped, aggregating 9,011 tons, and on May 30, 1892, sent a check for \$2,250, which it was claimed covered all royalty then due. Upon being notified that the analysis by the State chemist showed that their output contained over 55 per cent. of bone phosphate of lime, thus bringing it within the limits of the grade for which 75.

cents per ton is assessed, the president protested that the analysis fell below 55 per cent., when made as the material came from the dredge and previously to being dried or screened, which he claimed was the proper time for the analysis to be made. The commissioners claim that the analysis and weights must be taken from the prepared rock. Since that time this company has been in default, making no report and failing to reply to the letters of the board demanding a compliance with the implied contract. This company has not filed its contract and bond, and the attorney for the State was instructed to begin proceedings against it for non-compliance with the law and the implied contract, which he has done by enjoining the company from further mining until it has complied with the agreement, and he has attached the plant and output at the works to secure payment of past due royalties and costs of suit.

The Pebble Phosphate Company of Ft. Myers, duly executed its contract and filed its bond, but has not made any return or paid any royalty, alleging that the material dredged was so adulterated with shell and other inseparable material as to make it unmarketable, and that such as it had disposed of netted less than was necessary to defray running expenses.

The Mastadon Company and the Lake Hancock Company, operating in Lake Hancock, filed (by the original contractors) duly executed contracts and bonds, but neither has yet succeeded in making a marketable product. These companies contemplate consolidating, with the expectation of being, within a very short time, able to run their works profitably.

A contract was entered into with W. M. Ogilvie for mining a portion of Peace creek, but his operations have been retarded by litigation with the Charlotte Harbor company, which claims the riparian rights to that portion of the creek, and also refuses to acknowledge the rights of the State in the premises.

Contracts have also been made with the Caloosahatchie Phosphate company for mining a portion of that river, but the same difficulties complained of by the Pebble Phosphate company have prevented it from making a profitable showing as yet.

Applications have been made for contracts to mine in the Myakka river, and in various small lakes in Polk county, but as these have not been consummated, it is presumed that they were merely speculative.

The books of the board show the total receipts to be \$23,959.64, the disbursements \$6,421.82, leaving a balance of \$17,537.82.

Your committee would respectfully recommend that the statutes be so amended as to provide that all phosphate subject to royalty shall pay a royalty of 50 cents per ton, without reference to grade or percentage of bone phosphate of lime, said amendment to take effect as follows:

As to companies now complying with the requirements of law and the regulations of the board, on the first day of July, 1893; as to companies now disregarding the law, when the pending suits are settled or finally adjudicated, and said companies begin operation in compliance with law and the prescribed rules of the Board of Phosphate Commissioners.

Respectfully submitted,

NEWTON A. BLITCH,
Chairman Committee.

T. J. COCHRAN,
GEO. L. BALTZELL,

Committee on part of House.

Which was ordered spread upon the Journal.

Mr. Rosborough moved that the rules be waived, and that the Senate take up House Bill No. 289 out of its regular order on its third reading and read by its title, the bill having been read once on the 19th inst.;

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

House Bill No. 289:

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

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blitch, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Genovar, Grady, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Perrenot, Reeves, Rosborough, Thomas, Wadsworth and Whidden—21.

Nays—None.

So the bill passed, title as stated.

Mr. Blitch moved that the rules be 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. Blitch moved that the rules be waived, and that the Senate take up House Bill No. 338 out of its regular order, on its third reading and read by its title, the bill having been read in full on the 19th inst.;

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

House Bill No. 338:

A bill to be entitled an act to amend section 1 of an act entitled an act to incorporate the Lakeland, Mohawk and Tavares Railroad Company, approved June 4, 1891, and to continue the rights, franchises, aids and benefits therein enumerated, with additional rights and authority to extend the line of said road,

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blitch, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Genovar, Grady, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Perrenot, Reeves, Rosborough, St. Clair Abrams, Thomas, Wadsworth, Whidden and Williamson—23.

Nays—None.

So the bill passed, title as stated.

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

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

HON. W. H. REYNOLDS,

President of the Senate:

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

An act declaring the town of Eau Gallie in the county of Brevard, to be a legally incorporated town, and to change and define the boundaries of said town.

Also,

An act to legalize the incorporation of the town of Melbourne, Florida.

Also,

An act relating to the corporation of Winter Park, and changing the boundaries thereof, and to provide for the elec-

tion of officers, and the management of municipal business of said town.

Also,

An act to incorporate the Atlantic, Suwannee River and Gulf Railway Company, to grant said corporation certain privileges, and to aid the construction thereof.

Also,

An act for the punishment of persons fraudulently altering, changing or defacing the mark or brand of lumber and timber.

Also,

An act for the relief of Mrs. Martha W. Head.

Also,

Joint Resolution:

Proposing an amendment to section 9 of article 16, of the Constitution of the State of Florida.

And beg leave to report that they have examined the same, and submitted them for signature.

Very respectfully,

F. B. GENOVAR,

Chairman of Joint Committee on Enrolled Bills

Also the following:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

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

Also,

An act to incorporate a charitable and educational institution in the counties of Duval and Nassau, and other counties in the State of Florida, under the name and title of St. Joseph's convent.

Also,

An act declaring Waddell's Mill creek in Jackson county, navigable.

Also,

An act to regulate the hours of labor of trainmen on rail roads in this State; to provide a penalty for violation of the same and for other purposes.

Also,

An act to punish the setting up or drawing of lotteries or aiding by writing or printing in the setting up of lotteries in this State.

Also,

An act to assign and continue to the Carrabelle, Tallahassee and Georgia Railroad Company, certain grants of land heretofore made to the Thomasville, Tallahassee and Gulf Railroad Company.

Also,

An act to require railroad companies in this State to erect cattle guards and crossings on their lines of railroads in certain cases.

Also,

An act to incorporate the Gulf and Florida Northern Railroad company.

Beg leave to report that they have carefully examined the same, and submit the same for signature.

Very respectfully,

F. B. GENOVAR,

Chairman Joint Committee on Enrolled Bills.

Enrolled Bills.

The President gave notice that he was about to sign

An act relating to the corporation of Winter Park and changing the boundaries thereof and to provide for the election of officers and the management of municipal business of said town.

Also,

An act declaring the town of Eau Gallie in the county of Brevard, to be a legally incorporated town and to change and define the boundaries of said town.

Also,

Joint Resolution proposing an amendment to the Constitution of the State of Florida.

Also,

An act for the punishment of persons fraudulently altering, changing or defacing the mark or brand of lumber and timber.

Also,

An act to legalize the incorporation of the town of Melbourne, Florida.

Also,

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

Also,

An act to incorporate a charitable and educational institution in the counties of Duval and Nassau and other counties in the State of Florida, under the name and title of St. Joseph's Convent.

Also,

An act declaring Waddell's Mill Creek, in Jackson county, navigable.

Also,

An act to regulate the hours of labor of trainmen on railroads in this State, and to provide a penalty for violation of the same, and for other purposes.

Also,

An act to require railroad companies in this State to erect cattle guards and crossings on their lines of railroad in certain cases.

Also,

An act to punish the setting up, or drawing of lotteries, or aiding by writing or printing in the setting up of lotteries in this State.

Also,

An act to assign and continue to the Carrabelle, Tallahassee and Georgia Railroad Company certain grants of land heretofore made to the Thomasville, Tallahassee and Gulf Railroad Company.

Also,

An act to incorporate the Gulf and Florida Northern Railroad Company.

Also,

An act for the relief of Martha W. Head.

The acts were thereupon duly signed by the President and Secretary of the Senate, and ordered returned to the chair-

man of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Grady moved that the rules be waived, and that the Senate take up House Bill No. 211 out of its regular order on its second reading;

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

House Bill No. 211:

A bill to be entitled an act to better protect the oyster beds of this State,

Was read the second time in full.

Mr. Grady offered the following amendment:

In section 1, line 3, after the word "State," strike out all of the section and insert "except for home consumption from May 1st to October 1st in any year."

Mr. Grady moved that the amendment be adopted;

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

Mr. Grady offered the following amendment:

In section 2, line 4, after the word "culls," strike out all of the section, and insert "and oysters less than 2½ inches in length shall be returned to the beds from which the oysters were taken."

Mr. Grady 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.

By permission--

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 22, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 277:

Entitled an act to fix the number and provide for the election of the municipal officers of the provisional

municipality of Pensacola, Florida, and to prescribe their terms of office, and regulate their compensation and duties.

Also,

Senate Bill No. 220:

Entitled an act to amend section 1294 of the Revised Statutes of the State of Florida.

Also,

Senate Bill No. 282:

Entitled an act entitled an act to amend an act to establish the municipality of Key West, and provide for its government, and prescribe its jurisdiction and powers.

Also,

Senate Bill No. 262:

Entitled an act to amend section 1335 of the Revised Statutes, relating to the distribution of the supreme court reports.

Also,

Senate Bill No. 236:

Entitled an act to provide for the appointment of a board of telegraph examiners, and for the regulation of railway telegraph operators in this State.

Also,

Senate Bill No. 257:

Entitled an act to provide for the taxation of dogs, to regulate matters connected therewith, and providing penalties for the violation of the provisions of this act.

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

Very respectfully,

J. EMMET WOLFE,
Chairman Committee.

Also the following:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 22, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 230:

Entitled an act providing a penalty for the larceny of logs or timber of less than one hundred dollars in value.

Also,

Senate Bill No. 256:

Entitled an act in relation to change of venue in civil cases.

Also,

Senate Bill No. 235:

Entitled an act to require a majority of directors of corporations chartered under the laws of this State to be residents of Florida

Also,

Senate Bill No. 120:

Entitled an act to provide for the election of members of the county board of public instruction and to fix their compensation.

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

Very respectfully,

J. EMMET WOLFE,
Chairman of Committee.

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

Mr. Marks moved that the rules be waived and that the Senate do now proceed to the

Consideration of Bills on Third Reading.

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

Whereupon the roll was called when

Mr. Blich called up:

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;

Which was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blich, Borden, Browne, Calhoun, Farmer, Fleming, Genovar, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Perrenot, Rosborough, Thomas, Wadsworth, Whidden and Williamson—19.

Nays—Messrs. Reeves and Wolfe—2.

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

Mr. Borden called up:

House Bill No. 150:

A bill to be entitled an act to abolish the office of local school supervisors, and providing for the appointment of local school trustees;

Which was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Borden, Farmer, Johnson, McKay, McKinney, Morrow, Thomas and Wadsworth—8.

Nays—Messrs. Blich, Bristol, Browne, Calhoun, Fleming, Marks, McLeran, Perrenot, Reeves, Rosborough and Summers—11.

So the bill failed to pass.

By permission—

Mr. Blich introduced:

Senate Bill No. 291:

A bill to be entitled an act to prohibit the further disposition of the swamp lands subject to overflow granted to the State by act of Congress, approved September 28, A. D. 1850, and commonly known as the swamp and overflowed lands.

Mr. Blich 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 Public Lands.

By permission—

Mr. Summers, Chairman of Special Committee on Investigation of Florida Coast Canal and Transportation Company, submitted the following report:

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

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Joint Committee appointed to investigate into the condition of the Florida Coast Line Canal and Transportation Company, after having gone over the entire length of the proposed canal, beg leave to report as follows:

The committee began their examination from St. Augustine and proceeded southward.

The first cut made by the Canal Company is in the Matanzas river. It is 1,000 feet long, was made eight years ago, and has not been improved since. It is 50 feet wide and from 4 to 5½ feet deep.

Cut No. 2, Matanzas river, is one and one-quarter miles long, 50 feet wide, and from 3 to 5 feet deep. It was made 8 years ago, and has not been improved since. One-half mile of this cut is through marsh land; this part has a depth of from 4 to 6 feet.

Cut No. 3, Matanzas river, known as the Canal Creek Cut, is 4 miles long, 50 feet wide, and was made 8 years ago. Two miles of this cut are through marsh land, with a depth of water from 4 to 5 feet. In the other 2 miles in Matanzas river, the water is from 3 to 5 feet deep, and the cut is 35 feet broad. The cut has filled in considerably, owing to the action of the winds and water, and it is narrower than when first made.

Between the cut last mentioned and the next cut, there is a piece of solid ground 8 miles across, which will have to be cut through before the Matanzas river and Smith's Creek, the northern tributary of the Halifax river, can be connected.

Cut No. 4, Smith's Creek, is 3 miles long and 50 feet wide, through marsh. It is from 5 to 7 feet deep, and was made 7 years ago.

Cut No. 5, Smith's Creek, is 300 feet long, was made 7 years ago, is 50 feet wide, and from 7 to 7½ feet deep.

Cut No. 6, Smith's Creek, is three-quarters of a mile long, 50 feet wide and was made seven years ago. It is 4½ to 6 feet deep.

Cut No. 7, Halifax river, known as Holly Hill cut, was made three years ago, is 2,000 feet long, and has a depth of from 4½ to 5 feet and a width of 50 feet.

Cut No. 8, Halifax River, Holly Hill Cut No. 2, was made seven years ago, and widened three years ago. It is 1,500 feet long, 50 feet wide, with a depth of from 5 to 6 feet.

Cut No. 9, Hillsborough River, known as Loud's cut, is cut through a point of land, and has since filled in, but it does not effect the present natural channel. It has a depth of 5 feet.

Cut No. 10, Hillsborough river known as Shipyard cut No. 1, is ten miles below New Smyrna. It is 300 feet long and 50 feet wide and has a depth of 5 feet. Three years ago, before it was cut it had a depth of 30 inches.

Cut No. 11, Hillsborough river, known as Shipyard No. 2, is 700 feet long, 50 feet wide, and from 4 to 6 feet deep. It was made six years ago. Before that time there was a depth of but 30 inches.

Cut No. 12, Hillsborough river is eighteen miles below New Smyrna, known as Oak Hill Cut, is three-quarters of a mile long. It is 50 feet wide, and has a depth of from 4 to 6 feet.

Cut No. 13, The Haulover, is ten miles north of Titusville, and connects the Indian river and Mosquito Lagoon. It is one and a half miles long, one-half mile of which is through solid coquina rock. It is 50 feet wide and 8 feet deep. The balance of this cut is 50 feet wide and from $2\frac{1}{2}$ to 4 feet deep. The action of the water in Indian river and Mosquito Lagoon has caused this part of the cut to fill in, so as to considerably reduce the depth of water, which is now only from $2\frac{1}{2}$ to 4 feet deep.

Cut No. 14, Indian river, known as Grant's Farm Cut, is two miles north of Micco. It is 1,000 feet long, 50 feet wide and from 5 to 7 feet deep. It was made eight years ago and no work has been done upon it since.

Cut No. 15, Indian river narrows, known as Cut No. 1, is 2,200 feet long, 50 feet wide and has a depth of from $5\frac{1}{2}$ to 7 feet. It was made eight years ago and has not been improved since.

Cut No. 16, Indian river narrows, known as Cut No. 2, is 900 feet long, 50 feet wide, and from 5 to 7 feet deep. It was made five years ago, but has had no work done upon it since.

Cut No. 17, Indian river narrows, known as Cut No. 3, is 50 feet long, 50 feet wide and from $6\frac{1}{2}$ to 7 feet deep. It was made five years ago, and no work has been done upon it since.

Cut No. 18, Indian River Narrows, known as cut No. 4, is 600 feet long, 50 feet wide, and from $4\frac{1}{2}$ to 7 feet deep. It was made, widened and improved three years ago, and since has filled into some extent.

Cut No. 19, Indian River Narrows, known as cut No. 5, was made four years ago, and widened three years ago. It is 70 feet long, 60 feet wide, and has a depth of from 5 to 6 feet.

Cut No. 20, Indian River Narrows, known as cut No. 6, is 1,500 feet long, 50 feet wide, and has a depth of from 5 to $6\frac{1}{2}$ feet. It was made four years ago, and worked on two years ago.

Cut No. 21, Indian River Narrows, known as cut No. 7, is 5,200 feet long, 50 feet wide, and from 4 to 6 feet deep. It

was made four years ago, and improved and widened three years ago.

Cut No. 22, Indian River Narrows, is 2,000 feet long, 50 feet wide, and from 4 to 5 feet deep. It was cut three years ago. This cut is just beyond the south end of the Narrows.

Cut No. 23, Crawford's point, is 1,200 feet long, 50 feet wide and from $4\frac{1}{2}$ to 5 feet deep. It was made three years ago, but no work has been done upon it since. It is at the entrance of St. Lucie Sound, Indian river.

Cut No. 24, Indian river, known as Bradley's reef cut, is 1,500 feet long, 50 feet wide, and from 5 to 7 feet deep. It was made three years ago, but no work has been done upon it since.

Cut No. 25, known as Cut No. 1, at the north end of Jupiter Narrows, is 900 feet long, 50 feet wide, and has a depth of from 5 to $5\frac{1}{2}$ feet. It was cut four years ago and widened three years ago.

Cut No. 26, North Jupiter narrows, known as Cut No. 2, is 400 feet long, 50 feet wide and from $4\frac{1}{2}$ to 5 feet deep. It was cut three years ago, but has not been improved since.

Cut No. 27, at the north end of Peck's Lake, is 1,700 feet long, 50 feet wide, and from 5 to 6 feet deep. It was cut four years ago and widened and lengthened three years ago.

Cut No. 28, at the south end of Peck's Lake, is 1,300 feet long, 50 feet wide, and from 5 to 6 feet deep. It was cut four years ago, and widened and lengthened three years ago.

Cut No. 29, south Jupiter Narrows, is 2,000 feet long, 30 feet wide and 6 feet deep. This cut is through two points of land.

Cut No. 30, north end of Hobe's Sound, known as Cut No. 1, is 1,100 feet long, 50 feet wide, and from $4\frac{1}{2}$ to 7 feet deep. It was made four years ago and widened three years ago.

Cut No. 31, south end of Hobe's Sound, known as Cut No. 2, is 1,200 feet long, 50 feet wide, and from $5\frac{1}{2}$ to 6 feet deep. It was cut four years ago and widened and lengthened three years ago.

Cut No. 32, south end of Hobe's Sound, known as the Conch Bar Cut, is 500 feet long, 50 feet wide and from $4\frac{1}{2}$ to 6 feet deep. It was cut four years ago and widened three years ago.

Cut No. 33, Jupiter river, known as Hell Gate Cut, is 200 feet long, 50 feet wide and 6 feet deep. It was cut four years ago and widened three years ago.

Cut No. 34, Jupiter river, in the Ash Pans Shoals, known as Cut No. 1, is 400 feet long, 50 feet wide and from $5\frac{1}{2}$ to 6 feet deep. It was cut four years ago and widened three years ago.

Cut No. 35, Jupiter river, to the south of Ash Pan Shoals, known as Island Cut No. 2, is 200 feet long, 50 feet wide, and from 4 to 6 feet deep. It was cut four years ago and widened three years ago.

Cut No. 36, Jupiter river, to the south of Ash Pan shoals, known as island cut No. 2, is 200 feet long, 50 feet wide and $5\frac{1}{2}$ to 6 feet deep. It was cut four years ago and widened three years ago.

Cut No. 37, at the entrance from Jupiter river into Loocahatchee river, which flows into Jupiter inlet, is 300 feet long, 50 feet wide, and has a depth of 5 feet. It was made four years ago.

Cut No. 38, in Lake Worth creek, which enters into Jupiter inlet, known at Lake Worth Creek cut, is 1,100 feet long, 50 feet wide, and from $4\frac{1}{2}$ to 6 feet deep. It was cut one year ago and widened two months later.

Cut No. 39, Lake Worth Rapids cut, is $1\frac{1}{2}$ miles long, one mile of which is 50 feet wide, one-half mile 35 feet wide. It has a depth of from 3 to 4 feet.

Note—The cuts are numbered consecutively, beginning with the first cut in Matanzas river, and going south. The depths of water given are at mean low tide.

Your committee found at New Smyrna a new dipper dredge just completed by the company, at a cost of \$35,000, with a capacity of 150 cubic yards per hour, and another at the same place in process of construction of the same capacity and at the same cost.

These dredges, we were informed, would be placed in service at once, to open up the lower canal between Lake Worth and Biscayne Bay.

We also found one dredge of a capacity of 700 cubic yards per day at work in Lake Worth Rapids, two miles north of Lake Worth.

The company heretofore has progressed slowly with the work, but with the two new dredges expect to make more rapid progress.

Most of the course of the canal traverses the natural waterways of the east coast: namely, the Matanzas river, Smith's Creek, Halifax river, Hillsborough river, Mosquito lagoon, Indian river, Indian River Narrows, Hobe's Sound, Jupiter

river, Loocahatchee river, Lake Worth Creek, Lake Worth, and the waterways south into Biscayne Bay.

Over most of this route, your committee were informed and believe that the United States has maritime jurisdiction.

The total amount of work done by the company is 98,370 lineal feet, or cut 18.88 miles of canal.

All of which is respectfully submitted.

O. J. H. SUMMERS, Chairman,
On part of the Senate.

H. H. FLOYD,

J. E. ALEXANDER,

On part House of Representatives.

Mr. Marks moved that the report of the committee be received and spread upon the Journal, and that the thanks of the Senate be extended them for the very full and complete report made;

Which was agreed to, and so ordered.

Mr. Wolfe 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.

The following message from the House of Representatives was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

House Memorial:

Relative to appropriations for buoys at Alligator Harbor.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

The resolution transmitted with the message was referred to the Committee on Commerce and Navigation.

Also the following message was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

By a three-fifths vote House Joint Resolution No. 20A:

Proposing an amendment to section 7, article 12, of the State constitution.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

The joint resolution accompanying the message was referred to the Committee on Constitutional Amendments.

Also the following message was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

Senate Bill No. 259:

To be entitled an act to incorporate the Palm Beach Railway and Power Company.

And herewith return the bill to the Senate with the action of the House endorsed thereon.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Senate Bill No. 259 transmitted with the message was referred to the Committee on Enrolled Bills.

Also the following message was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 364:

To be entitled an act to protect seamen from imposition and to provide for the appointment of shipping agents.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Wolfe moved that the rules be waived, and that House Bill No. 364 be read the first time by its title;

Which was agreed to by a two-thirds vote.

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

Also the following message was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 352:

To be entitled an act to amend section 2826, of article 5, chapter 3, part 5, of the Revised Statutes.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Wolfe moved that the rules be waived, and that House Bill No. 352 be read the first time by its title;

Which was agreed to by a two-thirds vote.

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

Also the following message was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 331:

To be entitled an act to legalize the corporation of the town of Dunnellon, in the county of Marion, and to declare the incorporation of the town of Dunnellon valid and of full force and effect.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Wolfe moved that the rules be waived and that House Bill No. 331 be read the first time by its title;

Which was agreed to by a two-thirds vote.

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

Also the following message was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 330:

To be entitled an act to legalize the incorporation of the town of Citra, in the county of Marion; to declare the incorporation of the town of Citra valid and of full force and effect.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Williamson moved that the rules be waived and that House Bill No. 330 be read the first time by its title;

Which was agreed to by a two-thirds vote.

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

Also the following message was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 262:

To be entitled an act to repeal sections 917, 918, 919, 920, 921, 922, 923, and 924, of the Revised Statutes of the State of Florida.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Williamson moved that the rules be waived, and that House Bill No. 262 be read the first time by its title;

Which was agreed to by a two-thirds vote.

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

Also the following message was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 22, 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—

A Substitute for Senate Bill No. 249:

To be entitled an act to amend section 1, article 6, chapter 3972, Laws of Florida.

And respectfully return Senate Original Bill No. 249 and House substitute therefor.

And would respectfully request the Senate to pass House substitute in lieu of Senate Original Bill No. 249.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Genovar, moved that the Senate adopt the House substitute for Senate Bill No. 249;

Which was agreed to and so ordered, and the substitute was referred to the Committee on Enrolled Bills to be enrolled.

Also the following message was read:

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

HON. W. H. REYNOLDS,

President of the Senate:

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

House Bill No. 389:

To be entitled an act to fix the number and provide for the election of the municipal officers of the provisional municipality of Pensacola, Florida, and to prescribe their terms of office and regulate their compensation and duties.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Wolfe moved that the rules be waived, and that House Bill No. 389 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 in its order.

Mr. Wolfe 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.

Upon which the yeas and nays were demanded.

Upon call of the roll the vote was:

Yeas—Messrs. Blich, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Genovar, Johnson, McKay, McKinney, McLeran, Morrow, Rosborough, St. Clair Abrams, Summers, Whidden, Williamson and Wolfe—19.

Nays—Messrs. Marks, Perrenot and Reeves—3.

So the motion 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 in its order, without reference.

Mr. Wolfe moved that the rules be further waived, and that House Bill No. 389 be read the third time and substituted for Senate Bill No. 277, which was the special order for this hour, 11 o'clock A. M.;

Which was agreed to by a two-thirds vote, and House Bill No. 389 was read the third time in full, being the special order.

The bill was then put upon its passage:

Upon its passage the vote was:

Yeas—Messrs. Blich, Borden, Bristol, Broome, Browne, Calhoun, Genovar, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Perrenot, Reeves, Rosborough, St. Clair Abrams, Summers, Wadsworth, Whidden, Williamson and Wolfe—22.

Nays—Mr. Farmer—1.

So the bill passed, title as stated.

Mr. Wolfe 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. Genovar called up:

House Substitute for Senate Bill No. 249:

A bill to be entitled an act to amend section 1, of article 6, chapter 3972, laws of Florida.

Mr. Genovar moved that the rules be waived, and that House Substitute for Senate Bill No. 249 be read the first time by its title;

Which was agreed to by a two-thirds vote.

Whereupon the House Substitute for Senate Bill No. 249 was read the first time by its title.

Mr. Genovar moved that the rules be further waived, and that House Substitute for Senate Bill No. 249 be read the second time;

Which was agreed to by a two-thirds vote.

Whereupon the House Substitute for Senate Bill No. 249 was read the second time in full.

Mr. Genovar moved that the rules be further waived and that House substitute for Senate Bill No. 249 be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote.

Whereupon House substitute for Senate Bill No. 249 was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blicht, Borden, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Johnson, Marks, McKinney, McLeran, Morrow, Reeves, Rosborough, St. Clair Abrams, Summers, Wadsworth, Whidden and Williamson—21.

Nays—None.

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

Mr. St. Clair Abrams moved that the rules be waived, and that the Senate take up Senate Bill No. 60 out of its regular order on its third reading;

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

Senate Bill No. 60:

A bill to be entitled an act to define the liability of carriers of freight in this State, and to declare void all contracts in conflict thereto,

Was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Blicht, Borden, Bristol, Broome, Calhoun, Fleming, Genovar, Grady, Johnson, McKinney, McLeran, Morrow, Reeves, Rosborough, St. Clair Abrams, Wadsworth, Whidden and Williamson.—18.

Nays—None.

Mr. St. Clair Abrams 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. Genovar, Chairman of Joint Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 22, 1893.

HON. W. H. REYNOLDS,

President of the Senate:

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

An act to abolish the present municipal government of the city of Sanford, Orange county, Florida, and organize a city government for the same, and to provide its jurisdiction and power.

Also,

An act to incorporate a charitable and educational institution in the counties of Duval and Nassau, and other counties in the State of Florida, under the name and title of St. Joseph's Convent.

Also,

An act declaring Waddell's Mill Creek in Jackson county, navigable.

Also,

An act to regulate the hours of labor of trainmen on railroads in this State, to provide a penalty for violation of the same, and for other purposes.

Also,

An act to punish the setting up or drawing of lotteries, or aiding by writing or printing in the setting up of lotteries in this State.

Also,

An act to assign and continue to the Carrabelle, Tallahassee and Georgia Railroad Company certain grants of land heretofore made to the Thomasville, Tallahassee and Gulf Railroad Company.

Also,

An act to require railroad companies in this State to erect cattle guards and crossings on their lines of railroad in certain cases.

Also,

An act to incorporate the Gulf and Florida Northern Railroad Company.

Also,

An act declaring the town of Eau Gallie in the county of Brevard, to be a legally incorporated town, and to change and define the boundaries of said town.

Also,

An act to legalize the incorporation of the town of Melbourne, Fla.

Also,

An act relating to the corporation of Winter Park and changing the boundaries thereof and to provide for the election of officers and the management of the municipal business of said town.

Also,

An act to incorporate the Atlantic, Suwannee River and Gulf Railway company and to grant said corporation certain privileges and to aid the construction thereof.

Also,

An act for the punishment of persons fraudulently altering, changing or defacing the mark and brand of lumber and timber.

Also,

An act for the relief of Mrs. Martha W. Head.

Also,

Joint Resolution providing an amendment to section 9, of article 16, of the constitution of the State of Florida.

Beg leave to report that they have delivered the above named acts to the Governor.

Very respectfully,

F. B. GENOVAR,

Chairman of Joint Committee on Enrolled Bills.

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

AFTERNOON SESSION.

4:00 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. Blicht, Bristol, Broome, Browne, Calhoun, Farmer, Fleming, Genovar, Grady, Johnson, Marks, McKay, McKinney, McLeran, Morrow, Reeves, Rosborough, Smith, St. Clair Abrams, Summers, Thomas, Wadsworth, Whidden, Williamson and Wolfe—26.

Mr. Summers moved that the special order be postponed for half an hour;

Which was agreed to, and so ordered.

The Senate proceeded to the

Consideration of Bills on Third Reading,

The roll was called, and

Mr. Bristol called up:

Senate Bill No. 238:

A bill to be entitled an act to amend chapter 3781 of the laws of Florida, entitled an act to revoke and abolish the present municipal government of the town of DeLand, and to organize a city government for said town;

Which was read the third time and put upon its passage.

Upon its passage the vote was:

Yeas—Messrs. Bristol, Broome, Calhoun, Farmer, Fleming, Johnson, McLeran Perrenot, Rosborough, Thomas and Wadsworth—11.

Nays—Messrs. Blicht, Browne, Genovar, Marks, McKay, McKinney, Reeves, St. Clair Abrams, Summers and Whidden—10.

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

Special Order of the Day.

The hour of 4:30 o'clock having arrived, the time to which the special order of the day for 4 o'clock had been postponed, the President announced that the Senate would proceed to the consideration of Senate Bill No. 168, which was the special order of the day.

Whereupon;

Senate Bill No. 168:

A bill to be entitled an act relating to fire insurance pol-

icies, and prescribing a rule of evidence and measure of damages in case of loss,

Was read the second time in full.

Mr. Williamson offered the following amendment:

In section 1, lines 4 and 5, after the word "buildings," strike out "or machinery," and in line 16, after the word "building," strike out "or machinery."

Mr. Williamson moved that the amendment be adopted;

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

Mr. Summers moved that further consideration of the bill, as amended, be indefinitely postponed;

Upon which the yeas and nays were demanded.

Upon call of the roll the vote was:

Yeas—Messrs. Borden, Calhoun, Farmer, Fleming, Genovar, Grady, Marks, McKay, McLeran, Morrow, Perrenot, Reeves, Rosborough, Smith, Summers, Thomas, Wadsworth, Whidden and Wolfe—19.

Nays—Messrs. Blich, Bristol, Broome, Browne, Johnson, McKinney, St. Clair Abrams and Williamson—8.

So the motion was agreed to and further consideration of the bill was indefinitely postponed.

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

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

HON. W. H. REYNOLDS,

President of the Senate:

SIR—Your Committee on Claims, to whom was referred—
Senate Bill No. 289:

To be entitled an act for the relief of Jas. M. Driver and
W. H. Bingham.

Beg leave to report that they have examined the same and
recommend its passage.

Very respectfully,

J. A. ROSBOROUGH,
Chairman Committee.

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

The Senate thereupon, on motion of Mr. McKay, ad-
journed until 10 o'clock A. M., Tuesday, May 23, 1893.

TUESDAY, MAY 23, 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, McKinney, McLeran, Mor-
row, Perrenot, Reeves, Rosborough, Smith, St. Clair
Abrams, Summers, Thomas, Wadsworth, Whidden, Wil-
liamson and Wolfe—29.

A quorum present.

Prayer by the Chaplain.

The Journal was approved

Mr. St. Clair Abrams rose to a question of privilege. He
stated that his attention had been called to a paragraph from
a Jacksonville paper, which was being copied in other papers
in this State, that he had recklessly charged that certain rail-
road officials were members of the firm of C. B. Rogers &
Co., and that the railroad was discriminating in favor of that
firm. He denied that he had charged that these gentlemen
were members of the firm. What he had stated was that a
committee of Jacksonville merchants had informed him that
reports to that effect being in circulation they had addressed
a letter to H. R. Duval, president of the railroad company,
and that he had thrown the letter into the waste basket with-
out making investigation. As to the statement that the
charge of discriminating in favor of C. B. Rogers & Co. had
been completely refuted, he called the attention of the Sen-
ate to the fact that while it had been denied that the railroad
officials were members of the firm, there had never been
brought before the Senate a single denial of the charge that
the railroad company was discriminating in their favor.

Introduction of Resolutions, Petitions and Memorials.

Mr. Browne:

Presented the following petition;

Which were ordered spread upon the Journal:

KEY WEST, FLA., January, 1893.

To the Honorable Board of Commissioners of the City of
Key West.