

THURSDAY, APRIL 18, 1895.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Messrs. Adams, Bailey, Blich of 20th, Blich of 21st, Broome, Chipley, Daniel, Darby, Dougherty, Fleming, Genovar, Hartridge, Hicks, Marks, Morrow, McKinney, McLeran, McLin, Palmer of 11th, Palmer of 14th, Peacock, Perrenot, Phipps, Reeves, Reynolds, Thomas, Thompson, Wadsworth, Weeks, Whidden and William-son—32.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was corrected and approved.

### Introduction of Bills.

By Mr. Chipley:

Senate Bill No. 193:

A bill to be entitled an act to provide for issue of bonds in exchange for the bonds of the State of Florida, belonging to the common school fund and seminary fund and sinking fund of the State.

Mr. Chipley moved that the rules be waived and Senate Bill No. 193 be read first time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 193 was read first time by its title and referred to the Committee on Finance and Taxation.

By Mr. Phipps:

Senate Bill No. 194:

A bill to be entitled an act to amend the school laws of the State.

Mr. Phipps moved that the rules be waived, and Senate Bill No. 194 be read first time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 194 was read first time by its title and referred to the Committee on Education.

By Mr. McLin:

Senate Bill No. 195:

A bill to be entitled an act to amend section 1, under title 5; relating to assignments for benefit of creditors, of the Revised Statutes of Florida.

Mr. McLin moved that the rules be waived and Senate Bill No. 195 be read the first time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 195 was read first time by its title and referred to the Committee on Judiciary.

By Mr. McLin:

Senate Bill No. 196:

A bill to be entitled an act to amend section 4030 of the Laws of Florida, so as to provide for the payment of attorney's fees in garnishment before courts in Florida.

Mr. McLin moved that the rules be waived and Senate Bill No. 196 be read first time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 196 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Whidden:

Senate Bill No. 197:

A bill to be entitled an act for the relief of Frances I. Granger, widow of B. G. Granger, deceased, late clerk of the court of DeSoto county.

Mr. Whidden moved that the rules be waived and Senate Bill No. 197 be read first time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 197 was read first time by its title and referred to the Committee on Claims.

By Mr. Weeks:

Senate Bill No. 198:

A bill to be entitled an act for the relief of Jasper W. Boswell, Johnson N. Newberry, Jonas Harrison, Isaac B. Holley, John Pitts and John Mattox.

Mr. Weeks moved that the rules be waived, and Senate Bill No. 198 be read first time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 198 was read first time in full and referred to the Committee on Claims.

Mr. Weeks moved that the rules be further waived and Senate Bill No. 198 be read second time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 198 was read the second time by its title.

Mr. Weeks moved that the rules be further waived and that Senate Bill No. 198 be read the third time in full and be put upon its passage;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 198 was read a third time in full, and put upon its passage.

Upon call of roll the vote was:

Yeas—Messrs. Adams, Bailey, Blitch of 20th, Blitch of 21st, Broome, Chipley, Daniel, Darby, Dougherty, Fleming, Genovar, Hartridge, Hicks, Marks, Morrow, McKinney, McLeran, McLin, Palmer of 11th, Palmer of 14th, Peacock, Perrenot, Phipps, Reeves, Reynolds, Thomas, Thompson, Wadsworth, Weeks, Whidden and Williamson—31.

Nays—None.

So the bill passed, title as stated.

Mr. Weeks moved that the rules be further waived and Senate Bill No. 198 be immediately certified to the House of Representatives;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 198 was so certified.

## Reports of Committees.

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

SENATE CHAMBER,  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

Senate Bill No. 190:

A bill to be entitled an act to incorporate the Citizens Bank and Trust Company, and to confer certain rights and privileges thereon.

Beg leave to report that they have carefully examined the same, and recommend that it pass.

Very respectfully,

B. D. WADSWORTH,

Chairman Committee on Corporations.

And the bill contained in the above report was placed on the calendar of bills on second reading.

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

SENATE CHAMBER,  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

Senate Bill No. 191:

A bill to be entitled an act to grant certain lands to aid in the construction of the Fernandina Western Railway.

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

Very respectfully,

W. H. REYNOLDS,

Chairman Committee on Railroads.

And the bill contained in the above report was placed on the calendar of bills on second reading.

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

SENATE CHAMBER }  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

Senate Bill No. 49 :

A bill to be entitled an act to amend section 3031 of the Revised Statutes of the State of Florida.

Also,

Senate Bill No. 70 :

A bill to be entitled an act making confinement in the State prison a ground for divorce.

Also,

Senate Bill No. 46:

A bill to be entitled an act to amend section 1761 of the Revised Statutes of the State of Florida, relating to landlords' lien for rent.

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

Very respectfully,

L. J. REEVES,

Chairman Committee on Engrossed Bills.

And the bills contained in the above report were placed on the calendar of bills on third reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate :

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

An act entitled an act to repeal an act to authorize the appointment of a State inspector of illuminating oils and fluids, and to define his duties, being chapter 4160 of the Laws of Florida.

Beg leave to report that they have been duly signed by the Speaker and Chief Clerk of the House of Representatives, and herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

A. W. McLERAN,

Chairman Joint Committee on Enrolled Bills.

### Enrolled.

The President gave notice that he was about to sign—

An act entitled an act to repeal an act to authorize the appointment of a State inspector of illuminating oils and fluids, and to define his duties, being chapter 4160 of the Laws of Florida.

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

Mr. Adams, Chairman of the Committee on Appropriations, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

Senate Bill No 166:

Beg leave to report that they have carefully examined the same, and recommend the following amendments:

In line 1, section 1, strike out the words "twenty thousand dollars" and insert "eight thousand dollars."

Also,

In line 5, section 3, after the word "indebtedness" add the words "not exceeding eight thousand dollars."

And as amended recommend its passage.

Very respectfully,

F. ADAMS,

Chairman Committee on Appropriations.

And the bill contained in the above report, together with the amendments offered by the committee, was placed on the calendar of bills on second reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

Senate Bill No. 141:

A bill to be entitled an act for the relief of the estate of Angus Michelson, deceased.

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

Very respectfully,

S. H. PEACOCK,  
Chairman Committee on Claims.

And the bill contained in the above report was placed on the calendar of bills on second reading.

Mr. Daniel, Chairman of the Committee on Privileges and Elections, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate:

SIR—Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 32:

A bill to be entitled "an act to amend sections 174 and 180 of the Revised Statutes of the State of Florida."

Senate Bill No. 14:

A bill to be entitled "an act to repeal certain sections of the Revised Statutes of the State of Florida in relation to electors and elections, offices and officers, qualifications and registration of voters, holding elections and ascertaining the result thereof.

Senate Bill No. 69:

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

Senate Bill No. 60:

A bill to be entitled an act to provide for the registration of voters in the several counties of this State, and to provide

for and regulate the holding of elections in the State of Florida.

Also,

Senate Bill No. 13:

A bill to be entitled an act to provide for the registration of the legally qualified voters in the several counties of this State, and to provide for elections generally.

Beg leave to report that they have had the same under consideration.

That they found it difficult, if not impossible, to harmonize the bills as to language, and the number of the different sections.

That they found useful material in all of said bills, except in Senate Bill No. 16, which simply provided for the repeal of the law of elections, and suggested nothing in lieu thereof.

That they took Senate Bill No. 13 as a basis, and framed a substitute.

They offer said substitute for consideration, and recommend that the bills above referred to lie upon the table.

Very respectfully,

W. J. DANIEL,

Chairman Committee on Privileges and Elections.

Mr. Dougherty moved that the committee substitute for Senate Bills Nos. 32, 14, 59, 60 and 13 lay on the table and 200 copies of the same be printed;

Which was agreed to.

Mr. Daniel, Chairman of the Committee on Privileges and Elections, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate:

SIR—Your Committee on Privileges and Elections, to whom was recommitted the matter of the contest of Hon. Duncan U. Fletcher vs. Hon. John E. Hartridge, beg leave to report:

That the matter came to your committee with no instructions, except as to time when required to report.

In the absence of any instructions, your committee considered the proceedings of the Senate their only and proper guide.

Judging from the proceedings of the Senate that the recommitment was for the purpose of allowing the contestant to be heard, argument by the contestant, the said Duncan U. Fletcher, was heard. He confined his argument to the law

of the case, not considering the testimony, but admitting it to be as presented, and offering no further testimony.

Therefore, your committee again recommend the adoption of the resolution accompanying the former report upon this case.

Very respectfully,

W. J. DANIEL,

Chairman Committee on Privileges and Elections.

Mr. Dougherty moved the adoption of the following resolution in the report of the Committee on Privileges and elections made to the Senate on Monday last:

Resolved, That John E. Hartridge was duly elected to the office of Senator for the eighteenth senatorial district of the State of Florida on the second day of October, 1894.

Mr. Williamson offered the following amendment to the resolution:

Whereas, the preamble upon which our Constitution is based, guarantees "equal civil and political rights to all;" therefore, be it

Resolved, That the Hon. Duncan U. Fletcher be and is hereby permitted to address this Senate upon consideration of this resolution;

Which was agreed to.

At 11:10 Mr. Fletcher proceeded to address the Senate.

A message was received from the House of Representatives.

The hour of 12 o'clock having arrived the President announced that under the rules the Senate would go into executive session.

Mr. Adams moved that the rules be waived and that the discussion of the pending subject, the resolution of the Committee on Privileges and Elections, be continued;

Which was agreed to by a two-thirds vote.

The discussion of the resolution was continued.

A message was received from the Governor.

A message from the House of Representatives was received.

Mr. Palmer moved that the Senate do now adjourn.

Mr. Thompson moved that the Senate adjourn until 3:30 p. m.;

Which was agreed to.

And the Senate stood adjourned until 3:30 o'clock this afternoon.

## AFTERNOON SESSION.

3:30 O'CLOCK P. M.

The Senate convened pursuant to adjournment.

The President in the chair.

The roll being called, the following members answered to their names:

Mr. President, Messrs. Adams, Bailey, Blich of 20th, Blich of 21st, Broome, Chipley, Daniel, Dougherty, Fleming, Genovar, Hartridge, Hicks, Marks, Morrow, McKinney, McLeran, McLin, Palmer of 11th, Palmer of 14th, Perrenot, Phipps, Reeves, Reynolds, Thomas, Thompson, Whidden and Williamson—29.

A quorum present.

Mr. Blich of 21st moved that the rules be waived, and that messages from the House of Representatives be taken up and read;

Which was agreed to by a two-thirds vote.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., April 15, 1895. }

HON. F. T. MYERS,

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. 59:

A bill to be entitled an act to define what cities shall impound hogs, and to prohibit the driving of them within the corporate limits.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Blich of 21st moved that the rules be waived and that House Bill No. 59, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 59 was read first time by its title and referred to the Committee on City and County Organization.

Also the following:

HOUSE OF REPRESENTATIVES,  
TALLAHASSEE, FLA., April 17, 1895. }

HON. F. T. MYERS,

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. 48 :

A bill to be entitled an act to amend sections 2, 5 and 6 of chapter 4122, Laws of Florida, it being an act prescribing the qualifications of jurors, the manner of selecting and drawing the same, and fixing the number which shall constitute a grand jury, approved June 2, 1893, and to amend section 1158 of the Revised Statutes, providing for the supply of a deficiency of jurors to try any causes.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Bitch of 21st moved that the rules be waived and that House Bill No. 48, contained in above message, be read the first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 48 was read first time by its title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

President of the Senate :

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted and concurred in the amendment to Senate Bill No. 22, as recommended by the Joint Committee of Conference.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Bill No. 22, contained in above message, together with the amendments, was referred to Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES,  
TALLAHASSEE, FLA., April 18, 1895. }

HON. F. T. MYERS,

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 No. 13:

Resolution relative to the appointment of a Joint Committee to inspect the office, books and business arrangement of the Inspector of Phosphates.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And the resolution contained in the above message went over until to-morrow.

Discussion of the resolution of the Committee on Privileges and Elections, which was under consideration at the hour of adjournment, was resumed—

And the yeas and nays were called for on the adoption of the resolution.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Bitch of 20th, Bitch of 21st, Broome, Chipley, Daniel, Darby, Dougherty, Fleming, Genovar, Hicks, Marks, Morrow, McLeran, McLin, Palmer of 11th, Peacock, Perrenot, Phipps, Reeves, Reynolds, Thomas, Thompson and Wadsworth—26.

Nays—Messrs. McKinney, Palmer of 14th, Williamson—3.

Mr. Hartridge was excused from voting.

Mr. Weeks was excused from voting.

Mr. Thompson moved that the Senate adjourn until 8 o'clock this evening.

Mr. Darby moved that the Senate adjourn until 10 o'clock tomorrow morning;

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock to-morrow morning.