

SATURDAY, APRIL 27, 1895.

The Senate met pursuant to a ljournalment.

The President in the chair.

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

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

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. McLeran:

Senate Bill No. 239:

A bill to be entitled an act to amend section 836, chapter 9, Revised Statutes of Florida, relating to applications for permits to sell liquors, wines or beer.

Mr. McLeran moved that the rules be waived and Senate Bill No. 239 be read the first time by its title ;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 239 was read first time by its title and referred to the Committee on Temperance.

By Mr. Dougherty:

Senate Bill No. 240:

A bill to be entitled an act to provide for the punishment of persons convicted of wife beating, or of cruelly beating a child or children.

Mr. Dougherty moved that the rules be waived and Senate Bill No. 240 be read first time by its title ;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 240 was read first time by its title and referred to the Committee on Judiciary.

Consideration of Resolutions.

House Concurrent Resolution No. 76 :

Resolved, That a committee of three, one member from the Senate and two members from this House, to sit in Tallahassee, with power to send for persons and papers, be appointed to investigate the land grant of the East Coast Canal Com-

pany as already deeded and in reserve for said company, and to perform such legislation as shall protect the interests of the State,

Was taken up and read the second time.

Mr. Dougherty moved that the resolution be referred to the Committee on Legislative Expenses;

Which was agreed to.

Senate Resolution No. 19:

A resolution relative to investigating committee on railroad charges, together with the itemized accounts of expenditures and days of service of said committee, and the stenographer employed by said committee,

Was read.

The following communication was read:

TAVARES, FLA., April 24, 1895.

Hon. Fred. T. Myers, President of the Senate, Tallahassee, Florida:

DEAR SIR—In the matter of the resolution introduced in the Senate relating to the investigating committee appointed by the last Senate to investigate the alleged discriminations and improper practices by railroad officers and employes, I will be obliged if you will request the Committee on Claims not to include my name, as I have no claim against the State, either for traveling expenses or for services rendered by the committee. Had the investigation been carried out as I hoped it would have been, some good might have accrued to the people of the State, but the refusal of the principal witnesses summoned to appear before the committee rendered the investigation nugatory.

As chairman of the committee, I approved the bill of the stenographer who acted as clerk of the committee, and took and transcribed the testimony, which had been placed before the Senate. I do not recall the exact amount, but I presume that the bill has been presented before this. This bill I think should be paid, as the committee was authorized by a resolution of the Senate to employ a clerk, and it was found necessary to secure the services of a stenographer so as to save time and expenses.

I do not wish this letter to be construed as an intimation that my associates should not receive their per diem in traveling expenses, as I think they are fairly entitled to it. I simply for my part desire to waive any and all claims for compensation or traveling expenses. I am, sir,

Very truly yours,

ALEX ST. CLAIR-ABRAMS.

Mr. Williamson offered the following amendment:

Resolved, That the committee appointed by the Senate of

1893 to investigate alleged discriminations upon the part of the railroads of this State be paid the following:

Harry J. Green, (stenographer).....	\$ 75.00
C. J. Perrenot, (expenses and per diem).....	117.25
J. W. Whidden, (expenses and per diem).....	105 30
Total.....	\$297.55

Mr. Palmer of 11th moved as an amendment to the resolution of Mr. Williamson:

That the name of the Hon. A. St. Clair Abrams, a member of said committee, be included in the motion, and that he be allowed the same per diem and hotel expenses allowed the other members of said committee, together with his railroad expenses incurred in going to and returning from the meeting of said committee.

The amendment to the amendment was agreed to.

The amendment as amended was adopted.

Mr. Fleming was permitted to withdraw Senate Bill 206.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., April 27, 1895.

HON. F. T. MYERS,

President of the Senate:

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

Senate Bill No. 100:

A bill to be 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 it correctly engrossed.

Very respectfully,

L. J. REEVES,

Chairman Committee on Engrossed Bills.

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

Orders of the Day.

Mr. Adams moved that further consideration of Senate Bill No. 199 be postponed until 11 o'clock Tuesday morning.

Mr. Chip'ey moved as an amendment that consideration of

Senate Bill No. 199 be postponed until Wednesday 11 o'clock
A. M.;

Which was agreed to.

By permission—

Mr. Williamson offered the following resolution:

Senate Resolution No. 39:

Whereas, A resolution was adopted by the Senate of 1893 providing for appointment of a committee of three to investigate alleged discriminations upon the part of the railroads of this State; and,

Whereas, The said resolution does not appear either upon the journal of said Senate or the acts as published of the Legislature of 1893; therefore, be it

Resolved, That a committee of three members of this Senate be appointed to ascertain the cause of the disappearance of said resolution.

Mr. Williamson moved the adoption of the amendment;

Which was agreed to.

The President appointed on such committee Messrs. Williamson, McLin and Broome.

Order of the Day.

Consideration of—

Senate Bill No. 85:

A bill to be entitled an act in relation to crimes and criminal proceedings and procedure;

Which was pending on Thursday when the special order for four o'clock was taken up, was resumed.

Mr. Darby offered the following amendment to Senate Bill No. 85:

In line 14, section 3, strike out all after "him or her."

Mr. Darby moved the adoption of the amendment;

Which was not agreed to.

Mr. Darby offered the following amendment:

Strike out all of section 5.

Mr. Darby moved the adoption of the amendment;

Which was not agreed to.

A message was received from the Governor.

Mr. Palmer of 11th moved that further consideration of Senate Bill No. 85 be made the special order for 4 o'clock this afternoon;

Which was agreed to.

Mr. Palmer of 14th moved that the rules be waived, and that the Senate proceed to the consideration of bills on third reading;

Which was agreed to by a two-thirds vote.

Consideration of Bills on Third Reading.

Senate Bill No. 105:

A bill to be entitled an act to regulate the lien of judgments of the United States Courts of this State, and to provide for the recordation of said judgments,

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

Upon call of roll, the vote was:

Yeas—Messrs. Adams, Bailey, Blich of 21st, Broome, Chipley, Daniel, Darby, Dougherty, Fleming, Genovar, Hartridge, Hicks, Marks, McLeran, McLin, Palmer of 11th, Palmer of 14th, Perrenot, Phipps, Reeves, Reynolds, Thomas, Thompson and Whidden—24.

Nays—None.

So the bill passed, title as stated.

And Senate Bill No. 105 was ordered certified to the House of Representatives.

Mr. Hicks moved that the rules be waived and that the substitute for Senate Bill No. 48, together with the committee substitute therefor, be taken up from the table;

Which was agreed to.

Mr. Darby moved that the bill and substitute lay on the table and 100 copies be printed;

Which was not agreed to.

And Senate Bill No. 48, together with committee substitute therefor, was read the second time in full.

And committee substitute for Senate Bill No. 48 was ordered engrossed for a third reading.

Mr. Reynolds moved that the substitute offered by the committee be adopted in lieu of the original bill;

Which was agreed to.

Mr. Palmer of the 11th moved the rules be waived, and that the vote by which Senate Bill No. 85 was made a special order for 4 o'clock this afternoon be reconsidered.

Mr. Darby moved to lay the motion to reconsider on the table;

Which was not agreed to.

The motion to reconsider the vote by which Senate Bill No. 85 was made a special order was agreed to by a two-thirds vote.

Mr. Darby moved that the further consideration of Senate Bill No. 85 be indefinitely postponed;

Which was not agreed to.

Mr. Palmer of 11th moved that the rules be waived, and that Senate Bill No. 85 be now considered;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was taken up and considered.

Mr. Palmer of 11th offered the following amendment:

In line 3, section 2, strike out all after the word "information," and substitute therefor the words "such verdict shall not be set aside by the court upon the ground that such verdict is contrary to the evidence; if the evidence produced in such case would have supported a finding, or if such court would have sustained a verdict of guilty of the greater offence."

Mr. Palmer of 11th moved the adoption of the amendment; Which was agreed to.

Mr. Darby offered the following amendment:

In line 7, section 3, strike out all after "shall" up to "such" in the 9th line.

Mr. Darby moved the adoption of the amendment.

Mr. Darby withdrew the amendment.

Mr. Adams moved the indefinite postponement of Senate Bill No. 85 and the amendments thereto.

The yeas and nays were called.

Upon call of the roll, the vote was:

Yeas—Messrs. Adams, Blitch of 21st, Darby, Hicks, Palmer of 14th and Weeks—6.

Nays—Mr. President, Messrs. Bailey, Broome, Chipley, Daniel, Dougherty, Fleming, Hartridge, McLeran, McLin, Palmer of 11th, Perrenot, Phipps, Reeves, Reynolds and Thompson—16.

So the motion to indefinitely postpone was not agreed to.

Mr. Darby offered the following amendment:

In line 11, section 3, strike out the words "twenty-five" and insert "seventy-five cents per day."

Mr. Darby moved the adoption of the amendment; Which was not agreed to.

Mr. Darby offered the following amendment:

In line 17, section 3, after the word "could," insert "Provided, The person or persons hiring him or her pay all cost to securing said conviction."

Mr. Darby moved the adoption of the amendment; Which was not agreed to.

Mr. Marks offered the following amendment:

In line 11, section 3, strike out the words "twenty-five cents" and insert "the usual price paid for labor in the county in which the convict is hired."

Mr. Marks moved the adoption of the amendment; Which was not agreed to.

Mr. Palmer of 11th offered the following amendment:

In line 1, section 3, after the word "case" add the words "in any of the courts;" also, in same line, after the word "de-

fendant," add the words "on being convicted;" also, in line 2, after the word "assessed" add the word "against."

Mr. Palmer of 11th moved the adoption of the amendment; Which was agreed to.

Mr. Palmer of 11th offered the following amendment:

In line 2, section 3, strike out the words "upon his or her application to the judge in vacation, or to the court," and substitute therefor the words "in the discretion of the county commissioners of the county where such person is convicted."

Mr. Palmer of 11th moved the adoption of the amendment; Which was agreed to.

And Senate Bill No. 85 was ordered Engrossed for a third reading.

Mr. Bailey was excused for a few days.

Mr. Reynolds was excused until Tuesday.

Messrs. Perrenot and Reeves were excused until Wednesday.

Mr. Wadsworth was excused until Monday afternoon.

Mr. Adams was excused until Monday afternoon.

By permission—

Mr. Reynolds introduced—

Senate Bill No. 241:

A bill to be entitled an act to amend section 1 of chapter 4211, Laws of Florida, in relation to fishing in the lakes of this State.

Mr. Reynolds moved that the rules be waived, and Senate Bill No. 241 be read first time by its title;

Which was agreed to by a two thirds vote.

And Senate Bill No. 241 was read first time by its title and referred to the Committee on Fisheries.

By permission—

Mr. Thomas introduced—

Senate Bill No. 242:

A bill to be entitled an act to amend section 1395 of the Revised Statutes of Florida.

Mr. Thomas moved that the rules be waived, and Senate Bill No. 242 be read first time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 242 was read first time by its title and referred to the Committee on City and County Organization.

Mr. Hartridge moved that the Senate adjourn until 4 o'clock this afternoon;

Which was agreed to.

Thereupon the Senate stood adjourned until 4 o'clock this afternoon.

AFTERNOON SESSION.

4:00 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, Blich of 21st, Broome, Chipley, Daniel, Darby, Fleming, Genovar, Hartridge, Hicks, Marks, Morrow, McKinney, McLeran, McLin, Palmer of 11th, Palmer of 14th, Phipps, Reynolds, Thompson, Wadsworth, Weeks and Williamson—21.

A quorum present.

Mr. Palmer of 11th moved that the Senate take up bills upon their second reading;

Which was agreed to.

Senate Joint Resolution No. 39:

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

Was taken up.

Mr. Broome moved that Senate Bill No. 141 be taken up in place of Senate Joint Resolution No. 39, and that Senate Joint Resolution No. 39 take the place on calendar occupied by Senate Bill No. 141;

Which was agreed to.

Senate Bill No. 141:

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

Was taken up and read the second time in full and ordered engrossed for a third reading.

House Bill No. 143:

A bill to be entitled an act limiting certain statutory liens,

Was taken up and read a second time in full.

Mr. Palmer of 14th moved that House Bill No. 143 remain on second reading for further consideration;

Which was agreed to.

Senate Bill No. 133:

A bill to be entitled an act to authorize administrators and executors to take possession of the lands belonging to the estates represented by them, and for the sale of said lands, or any portion thereof, when the same cannot be equitably divided among the heirs or devisees;

Was taken up and read a second time in full.

Mr. Palmer of 11th moved that Senate Bill No. 133 remain on its second reading subject to call;

Which was agreed to.

Senate Bill No. 121:

A bill to be entitled an act to prohibit the trial of persons the second time for offences cognizable before any municipal or other courts of this State, and providing penalties therefor.

Was taken up and read the second time in full and ordered engrossed for a third reading.

Senate Bill No. 114:

A bill to be entitled an act to amend section 10, chapter 4065, Ac's of 1895—Orange county public roads and bridges.

Was taken up and read, together with the committee's substitute therefor.

Mr. Marks moved that the committee's substitute be adopted in lieu of the original bill;

Which was agreed to.

And the committee's substitute for Senate Bill No. 114 was ordered engrossed for a third reading.

Senate Bill No. 132:

A bill to be entitled an act relative to certain notes or other instruments in writing for the payment of money,

Was taken up and read the second time in full:

Mr. Palmer of 14th offered the following amendment:

In line 4, section 1, strike out the word "personal;"

Which was agreed to.

Mr. Adams moved that further consideration of the bill and amendment be indefinitely postponed.

The yeas and nays were called for.

Upon the call of roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Chipley, Daniel, Darby, Hartridge, Hicks, McLeran, Palmer of 11th, Peacock, Phipps, Thompson and Wadsworth—13.

Nays—Messrs. Bitch of 21st, Broome, Genovar, Marks, McLin, Palmer of 14th, Reynolds, Thomas, Weeks and William-on—10.

And Senate Bill No. 132 was indefinitely postponed.

Mr. Palmer of 11th moved that the Senate do now adjourn;

Which was agreed to.

Thereupon the Senate stood adjourned until Monday, April 29, 1895, at 9:30 A. M.