

FRIDAY, MAY 17, 1895.

The Senate convened pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Adams, Blitch of 20th, Blitch of 21st, Broome, Chipley, Daniel, Darby, Fleming, Genovar, Hartridge, Hicks, Marks, Morrow, McKinney, McLeran, McLin, Palmer of 11th, Perrenot, Phipps, Reeves, Reynolds, Thompson, Wadsworth, Weeks and Williamson—24.

A quorum present.

Prayer by the Chaplain.

On motion, the reading of the Journal was dispensed with.

The Journal was corrected and approved.

Senator Peacock was excused indefinitely.

Mr. Blitch of the 21st moved that the rules be waived and that messages from the House of Representatives be taken up and considered:

Which was agreed to by a two-thirds vote.

And messages from the House of Representatives were taken up.

Mr. Fleming moved that House Bill No. 215 be re-committed to the Committee on City and County Organization; Which was agreed to.

Mr. McLin moved that Senate Bill No. 327 be re-committed to the Committee on City and County Organization; Which was agreed to.

### Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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. 30:

A bill to be entitled an act to prevent illegal voting at primary elections.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived and House Bill No. 30, 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. 30 was read the first time by its title and referred to the Committee on Privileges and Elections.

Also the following:

HOUSE OF REPRESENTATIVES,  
TALLAHASSEE, FLA., May 16, 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. 168 :

A bill to be entitled an act to repeal sections 847, 848, 849, 850, 851 and 852, chapter 7, part 1, title 2, of the Revised Statutes of Florida, and to provide for the persons subject to the provisions of said sections, to be committed to the Florida Asylum for the Indigent Insane.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,  
WM FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived and House Bill No. 168, contained in the above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 168 was read first time by its title and referred to the Committee on State Affairs.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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. 258:

A bill to be entitled an act to amend an act entitled an act so incorporate the Peninsular and Oriental Express company, approved June 3, 1893.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived, and House Bill No. 258, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 258 was read the first time by its title and referred to the Committee on Railroads.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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. 279:

A bill to be entitled an act to prohibit tax collectors and other municipal officers from refusing to receive city or town warrants in payment of taxes and other debts.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived and House Bill No. 279, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 279 was read the first time by its title and referred to the Committee on City and County Organization.

Also the following:

HOUSE OF REPRESENTATIVES. }  
TALLAHASSEE, FLA., May 16, 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. 281:

A bill to be entitled an act to require railroad companies, other companies and persons operating railroads or running cars or trains in this State to prepare and put up blackboards for posting the marks, brands, color and sex of live stock killed or injured by engines or cars, requiring certain railroad employes to report the killing of such live stock, and to keep a record of and to post the marks, brands, color and sex thereof, and providing penalties for failure so to do, and for burying the carcasses of live stock so killed before a report of the same is posted, and to repeal chapter 4139 of the Laws of Florida.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived and House Bill No. 281, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 281 was read first time by its title and referred to the Committee on Railroads.

Also the following:

HOUSE OF REPRESENTATIVES. }  
TALLAHASSEE, FLA., May 16, 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. 327:

A bill to be entitled an act to confirm, amend and supplement the municipal corporation of Green Cove Springs.

And would respectfully request the concurrence of the Senate thereto.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived and House Bill No. 327, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 327 was read the first time by its title and referred to the Committee on City and County Organization.

Also the following:

HOUSE OF REPRESENTATIVES,  
TALLAHASSEE, FLA., May 16, 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 Memorial No. 81:

To Congress asking an appropriation to dredge the bar and straighten and deepen the channel at the mouth of Steinhatchee river.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived and House Memorial No. 81, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Memorial No. 81 was read first time by its title and referred to the Committee on Commerce and Navigation.

Also the following:

HOUSE OF REPRESENTATIVES,  
TALLAHASSEE, FLA., May 16, 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 Memorial No. 82:

Relative to an appropriation by Congress for deepening the mouth of Carrabelle river.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived, and House

Memorial No. 82, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Memorial No. 82 was read first time by its title and referred to the Committee on Commerce and Navigation.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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. 371:

A bill to be entitled an act to incorporate the city of West Tampa in the county of Hillsborough.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived, and House Bill No. 371, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 371 was read first time by its title,

And on motion of Mr. Fleming, House Bill No. 371 was substituted on the calendar for Senate Bill No. 330, and Senate Bill No. 330 was withdrawn.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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 refused to pass—

Senate Bill No. 113:

A bill to be entitled an act in relation to the keeping of public records, books, dockets, papers, files, etc., by public officers, and the inspection, examination, etc., thereof by the public generally,

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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, with amendments—

Senate Bill No. 37:

An act to enable State convicts, who have served a long period, with good behavior, to have their applications for pardon properly presented to the Pardoning Board and for other purposes.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

On account of the absence of Mr. Bailey, Senate Bill No. 37, with House amendments, was laid aside temporarily until his return.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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—

Senate Memorial No. 156:

To the Congress of the United States, asking for an appropriation for the improvement and deepening of the harbor of and at Cedar Keys, in Levy county, State of Florida.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Memorial No. 156 was ordered referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 1895. }

HON. F. T. MYERS,

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—

Senate Bill No. 323:

A bill to be entitled an act for the relief of Elias J. Kennedy.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Bill No. 323 was ordered referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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—

Senate Bill No. 298:

A bill to be entitled an act to amend section 3031 of the Revised Statutes of the State of Florida, in relation to the fee for feeding prisoners, and ironing and taking irons off prisoners.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Bill No. 298 was referred to Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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, with amendments—

Senate Bill No. 71 :

A bill to be entitled an act to provide for the division of counties into convenient school sub-districts, and for the election biennially of three school trustees, and for the levying and collection of a district school tax, and providing for the holding of elections for such purpose.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Reynolds moved that the Senate concur in the House amendments to Senate Bill No. 71 ;

Which was agreed to.

And Senate Bill No. 71, as amended, was ordered referred to the Committee on Enrolled Bills, together with House amendments.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 16, 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—

Senate Bill No. 24:

A bill to be entitled an act to provide for the appointment of guardians for persons of unsound mind.

With amendments and respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Perrenot moved that the Senate concur in the House amendments;

Which was agreed to.

And Senate Bill No. 24 as amended, was ordered referred to Committee on Enrolled Bills.

### Introduction of Petitions, Memorials, Etc.

The Chair handed down the following protest:

PALATKA, FLA., May, 16, 1895.

HON. FRED. T. MYERS,

President of the Senate :

We, the undersigned, do earnestly protest against the passage of House Bill No. 245.

WILSON CYPRESS COMPANY, AND OTHERS.

### Introduction of Bills.

By Mr. Chipley:

Senate Bill No. 353:

A bill to be entitled an act to amend section 2255 of the Revised Statutes of the State of Florida.

Mr. Chipley moved that the rules be waived and Senate Bill No. 353 be read first time by its title ;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 353 was read first time by its title and referred to the Committee on Corporations.

By Mr. Chipley :

Senate Bill No. 354 :

A bill to be entitled an act to amend section 2516, Revised Statutes of Florida.

Mr. Chipley moved that the rules be waived, and that Senate Bill No. 354 be read the first time by its title ;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 354 was read first time by its title and referred to the Committee on Judiciary.

By Mr. Chipley :

Senate Bill No. 355 :

A bill to be entitled an act to empower county commissioners to borrow money.

Mr. Chipley moved that the rules be waived, and Senate Bill No. 355 be read first time by its title ;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 355 was read first time by its title.

Mr. Chipley moved that the rules be waived and Senate Bill No. 355 be read second time ;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 355 was read the second time ;

And Senate Bill No. 355 on motion of Mr. Chipley, was placed on the table, subject to call and amendment.

A message was received from the Governor.

Mr. Hicks moved that--

House Memorial No. 82 :

A memorial to the Congress of the United States asking an appropriation of \$50,000 for the deepening of the channel at the mouth of Carrabelle river, up to the town of Carrabelle, and for the improvement of Carrabelle harbor ;

Which was referred to the Committee on Commerce and Navigation, be recalled from the committee ;

Which was agreed to.

Mr. Hicks moved that the rules be waived and House Memorial No. 82 be read second time by its title ;

Which was agreed to by a two-thirds vote.

And House Memorial No. 82 was read second time by its title.

Mr. Hicks moved that the rules be waived, and that House Memorial No. 82 be read the third time and put upon its passage ;

Which was agreed to by a two-thirds vote.

And House Memorial No. 82 was read the third time in full and put upon its passage.

Upon the call of roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blich of 20th, Broome, Chipley, Daniel, Darby, Fleming, Genovar, Hart-ridge, Hicks, Morrow, McKinney, McLeran, McLin, Palmer of 11th, Palmer of 14th, Perrenot, Phipps, Reeves, Reynolds, Thompson, Weeks and Williamson—23.

Nays—None.

So the memorial passed, title as stated.

Mr. Reynolds moved that the rules be further waived, and that the action of the Senate be immediately certified to the House of Representatives;

Which was agreed to by a two-thirds vote.

The President handed down the following message from the Governor:

STATE OF FLORIDA, EXECUTIVE DEPARTMENT, }  
TALLAHASSEE, May 16, 1895. }

HON. F. T. MYERS,

President of the Senate:

SIR—I have the honor to inform the Senate that I have this day approved the following bills and memorial originating in the Senate, to-wit:

An act to authorize the county commissioners of Escambia county to use for other purposes any funds raised by the sales of bonds issued under the provisions of chapter 4287 of the Laws of Florida, not needed for the purposes for which such bonds were issued.

An act to amend sections 2434, 2435, 2437 and 2438, Revised Statutes, relating to breaking and entering a dwelling house, building, ship or vessel or railroad car with intent to commit a misdemeanor or felony, and to prescribe a rule of evidence in such cases.

An act to amend section 936 of the Revised Statutes of Florida, relative to the protection of ports and harbors.

An act to incorporate the Jacksonville and Tampa Bay Improved Railway company, and to grant certain lands to aid in its construction.

Senate concurrent resolution and memorial to the Congress of the United States, asking for the establishment of a daily mail route from some point on the mainland of the State of Florida to the city of Key West, in the county of Monroe, in said State.

And have filed the same with the Secretary of State.

Very respectfully,

H. L. MITCHELL,  
Governor of Florida.

A message was received from the House of Representatives.

### Special Order.

Mr. McLin offered the following, which was read:

"As a member of the Senate Committee on Railroads, I soon realized that the views of a majority of said committee (on the subject of a railroad commission) and my own could not harmonize, therefore I reserved in said committee the right of freedom on the floor of the Senate to support any measure that might meet my approval. With this understanding, the committee agreed to make any report they might present only as a majority report.

"Exercising that right, without doing an injustice to said committee, of which I am a member, I now move that the Senate take up and consider House Bill No. 57 as a basis upon which to direct our actions relative to a railroad commission, and that the substitute lay on the table till all amendments to the House bill have been acted upon."

The yeas and nays were called for.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blitch of 20th, Blitch of 21st, Broome, Darby, Dougherty, Genovar, McKinney, McLin, Palmer of 14th, Weeks and Williamson—13.

Nays—Messrs. Chipley, Daniel, Fleming, Hartidge, Hicks, Marks, Morrow, Palmer of 11th, Perrerot, Phipps, Reynolds, Thompson and Wadsworth—13.

The motion of Mr. McLin to take up House Bill No. 57 was not agreed to.

During the progress of the vote Mr. McLeran announced that he was paired with Mr. Bailey, and Mr. Reeves announced that he was paired with Mr. Whidden.

And,

Senate substitute for House Bill No. 57:

A bill to be entitled an act to establish a railroad commission for the State of Florida, whereby discrimination and extortion in railroad charges may be prevented and reasonable freight and passenger tariffs may be established; to prescribe and authorize the making of rules and regulations to govern the commission and the railroads and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act and to provide means and rules for its enforcement,

Was taken up.

Mr McLin moved that farther consideration of Senate

substitute for House Bill No. 57 be postponed until Monday next; and that it be made the special order for 4 o'clock P. M. on that day;

Which was agreed to and so ordered.

Mr. McLeran moved that the rules be waived and that messages from the House of Representatives be taken up;

Which was agreed to by a two-thirds vote.

And messages from the House of Representatives were taken up.

### Messages from the House.

The following message from the House of Representatives was read:

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

HON. FRED. 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. 202:

A bill to be entitled an act to provide for establishing, working and repairing and maintaining the public roads and bridges of the several counties of the State, and to provide penalties for failure thereof.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived and House Bill No. 202, contained in above message, be read first time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 202 was read first time by its title and referred to the Committee on State Affairs.

Also the following:

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

Senate Bill No. 143:

A bill to be entitled an act to amend section 9, chapter 4266 of the Laws of Florida, entitled an act to incorporate the South American and International Railroad Company and to grant certain lands to aid in the construction of the same.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 143 was ordered referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 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, with amendments—

Senate Bill No. 26:

A bill to be entitled an act relating to the custody and charge of prisoners when employed by the authority of county commissioners.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Blich of 20th, moved that the Senate concur in House amendments;

Which was agreed to.

And Senate Bill No. 26, as amended, was ordered referred to the Committee on Enrolled Bills.

Also the following:

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

Senate Bill No. 175:

A bill to be entitled an act to amend an act entitled 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.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Bill No. 175 was ordered referred to the Committee on Enrolled Bills.

Also the following:

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

Senate Bill No. 288:

A bill to be entitled an act to provide for the creation of the city of Pensacola, now known as the provisional municipality of Pensacola, Florida, and for the government of said city of Pensacola, to provide for the support and maintenance of said government and improvement of said city.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Bill No. 288 was referred to the Committee on Enrolled Bills.

### Reports of Committees:

By permission—

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 17, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

An act to amend section 588 of the Revised Statutes of the State of Florida, relating to the payment of county warrants.

Also,

An act to amend section 806, chapter 4, Revised Statutes of the State of Florida.

Also,

An act making an additional appropriation for the encampment of the State Troops for the year 1895.

Also,

Senate Concurrent Resolution relative to representation at the opening of the National Park at Chickamauga, September 19th, 20th and 21st, 1895.

Also,

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 find them correctly enrolled.

Very respectfully,

A. W. McLERAN,

Chairman Committee on Enrolled Bills.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 17, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

An act to amend section 538 of the Revised Statutes of Florida, relating to the payment of county warrants.

Also,

An act to amend section 806, chapter 4, Revised Statutes of the State of Florida.

Also,

An act making an additional appropriation for the encampment of the State troops for the year 1895.

Also,

Senate concurrent resolution relative to representation at the opening of the national park at Chickamauga, September 19, 20 and 21, 1895.

Also,

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 find them correctly enrolled.

Very respectfully,

A. W. McLERAN,

Chairman Joint Committee on Enrolled Bills.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 17, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

An act to amend section 588 of the Revised Statutes of the State of Florida, relating to the payment of county warrants.

Also,

An act to amend section 806, chapter 4, Revised Statutes of the State of Florida.

Also,

An act making an additional appropriation for the encampment of the State troops for the year 1895.

Also,

Senate concurrent resolution relative to representation at the opening of the National Park at Chickamauga, September 19, 20 and 21, 1895.

Also,

An act to incorporate the Citizens' Bank and Trust company, and to confer certain rights and privileges thereon.

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

Very respectfully,

A. W. McLERAN,

Chairman Joint Committee on Enrolled Bills.

By permission—

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 17, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

House Bill No. 276:

A bill to be entitled an act to amend sections 2217, 2218, 2219, 2221, 2222, 2223 and 2224, Revised Statutes of the State of Florida.

Beg leave to report that they have carefully examined the same, and report favorable, and recommend that the same do 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. Williamson moved that the rules be waived and that he be permitted to withdraw Senate Bill No. 259 on table subject to call, and that he be allowed to substitute therefor House Bill No. 276;

Which was agreed to by a two-thirds vote.

Mr. Darby moved that the rules be waived, and bills on second reading be taken up;

Which was agreed to by a two-thirds vote.

And bills on second reading were taken up.

### Bills on Second Reading.

Mr. Darby moved that Senate Bill No. 343 and Senate Bill No. 77 exchange places on the calendar;

Which was agreed to.

Senate Bill No. 343:

A bill to be entitled an act relative to surety and guaranty companies and corporations,

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

Mr. Palmer of 14th asked to exchange on the calendar Senate Bill No. 345 and Senate Bill No. 34, and that Senate Bill No. 34 be withdrawn;

Which was agreed to.

Mr. Adams moved that Senate Bill No. 345 be taken up;

Which was agreed to.

And,

Senate Bill No. 345:

A bill to be entitled an act to incorporate the Merchants' Bank and Trust company, and to confer certain rights and privileges thereon,

Was taken up.

Mr. Adams moved that the rules be waived and that Senate Bill No. 345 be read second time by its title;

Which was agreed to by a two-thirds vote.

Mr. Adams moved that the rules be waived, and that Senate Bill No. 345 be read the third time in full and put upon its passage;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 345 was read the third time in full and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Messrs. Adams, Blitch of 20th, Blitch of 21st, Broome, Chipley, Daniel, Dougherty, Fleming, Hicks, Marks, Morrow, McKinney, McLeran, McLin, Palmer of 11th, Palmer of 14th, Phipps, Reeves and Reynolds—19.

Nays—Mr. President and Mr. Darby—2.

So the bill passed, title as stated.

Mr. Adams moved the rules be waived and Senate Bill No. 345 be immediately certified to the House of Representatives;

Which was agreed to by a two thirds vote.

Mr. Chipley moved that Senate Bill No. 316 and Senate Bill No. 190 exchange places on the calendar, and that Senate Bill No. 316 be taken up;

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 316:

A bill to be entitled an act to regulate the classification of sawn pitch pine timber, and to punish the false classification thereof,

Was taken up and read the second time in full and placed on the table subject to call and to amendment.

Mr. Reynolds moved that the rules be waived and that Senate Bill No. 255:

A bill to be entitled an act confirming the rights, privileges and franchises of the Tropical Development and Navigation company of Florida and granting aid thereto,

Be taken up;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 255 was read the third time in full and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blitch of 20th, Blitch of 21st, Broome, Chipley, Daniel, Darby, Fleming, Genovar, Hicks, Marks, Morrow, McKinney, McLeran, McLin, Palmer of 11th, Perrenot, Phipps, Reeves, Reynolds, Thompson and Williamson—23.

Nays—None.

So the bill passed, title as stated.

And was ordered certified to the House of Representatives.

## Enrolled.

The President gave notice that he was about to sign—

An act to amend section 583 of the Revised Statutes of the State of Florida relating to the payment of county warrants

Also,

An act to amend section 806, chapter 4, Revised Statutes of the State of Florida.

Also,

An act making an additional appropriation for the encampment of the State Troops for the year 1895.

Also,

Senate concurrent resolution relative to representation at the opening of the National Park at Chickamauga, September 19, 20 and 21, 1895.

Also,

An act to incorporate the Citizens' Bank and Trust company, and to confer certain rights and privileges thereon.

The acts were 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.

By permission—

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 17, 1895. }

HON. F. T. MYERS,

President of the Senate:

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

An act to amend section 588 of the Revised Statutes of the State of Florida relating to the payment of county warrants.

Also,

An act to amend section 806, chapter 4, Revised Statutes of the State of Florida.

Also,

An act making an additional appropriation for the encampment of the State troops for the year 1895.

Also,

Senate concurrent resolution relative to representation at the opening of the National Park at Chickamauga, September 19, 20 and 21, 1895.

Also,

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 been delivered to the Governor for his approval.

Very respectfully,

A. W. McLERAN,

Chairman Joint Committee on Enrolled Bills

Mr Thompson moved that the rules be waived and that House Bill No. 191, now on calendar of third reading, be now taken up and considered;

Which was agreed to by a two thirds vote.

House Bill No. 191:

A bill to be entitled an act to change the name of the Gainesville, Rock Point and Micanopy Railway Company, to extend and enlarge its charter, and to grant certain lands to aid in the construction of the extension of said railway, and for other purposes,

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

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blich of 20th, Blich of 21st, Chipley, Daniel, Darby, Dougherty, Fleming, Genovar, Hartridge, Hicks, Morrow, McKinney, Palmer of 11th, Phipps, Reynolds, Thompson and Williamson—20.

Nays—None.

So the bill passed, title as stated.

And the action of the Senate was ordered certified to the House of Representatives.

Mr. Chipley submitted the following privileged report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 17, 1895. }

HON. F. T. MYERS,

President of the Senate:

SIR—Your committee, appointed by the Senate, to investigate an assault upon a member of the Senate, upon the threshold of this chamber, beg to report that they have had before them four witnesses and have also considered the statements of Superintendent W. N. Sheats and Senator Reeves, and now beg to report their conclusions.

Your committee are of the opinion that Superintendent Sheats' action upon the remarks of Senator Reeves made in his capacity as a senator upon the floor of the Senate, was a trespass upon his privileges as a member of this body, and was wholly unjustifiable, especially as the language of Senator Reeves was entirely proper.

The action of Superintendent Sheats comes with special bad grace from the head of the educational system of the State, but your committee recognize that the unfortunate occurrence happened under great excitement, and as the parties concerned have harmonized their differences, your committee

ask that they be relieved from further consideration of the matter, and that they be discharged.

Respectfully,

W. D. CHIPLEY, Chairman,

N. A. BLITCH of 21st,

B. E. McLIN.

Mr. Chipley moved the adoption of the report and the discharge of the committee;

Which was agreed to.

Mr. Williamson moved that when the Senate adjourn it adjourn until 3 o'clock this afternoon;

Which was agreed to.

Mr. Genovar moved that the Senate do now adjourn;

Which was agreed to.

Thereupon the Senate stood adjourned until 3 o'clock this afternoon.

#### AFTERNOON SESSION.

3:00 O'CLOCK P. M.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Adams, Blitch of 20th, Blitch of 21st, Broome, Chipley, Daniel, Darby, Dougherty, Fleming, Hartridge, Marks, Morrow, McLin, Palmer of 11th, Perrenot, Phipps, Reeves, Reynolds, Thompson, Weeks and Williamson—22.

A quorum present.

#### Bills on Second Reading.

Mr. Fleming moved that the rules be waived and that Senate Bill No. 284 be taken up out of its regular order;

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 284:

A bill to be entitled an act to amend an act to define what cities shall impound cattle and to prohibit the driving of them within the incorporated limits,

Was taken up.

Mr. Fleming moved that the rules be waived and that Senate Bill No. 284 be read the second time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 284 was read a second time by its title.

Mr. Fleming moved that the rules be waived and that Senate Bill No. 284 be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Blich of 20th, Broome, Chipley, Daniel, Darby, Fleming, Hartridge, Marks, Morrow, McLin, Palmer of 11th, Perrenot, Phipps, Reeves, Thompson, Weeks and Williamson—18.

Nays—None.

So the bill passed, title as stated.

Mr. Blich of 20th called up—

House Bill No. 21:

A bill to be entitled an act to amend an act entitled an act to amend an act entitled an act to incorporate the St. Johns River, Lake Weir and Gulf Railway Company, approved May 27, 1889.

Mr. Blich of the 20th moved the rules be waived and that House Bill No. 21 be read second time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 21 was read a second time by its title.

Mr. Blich of the 20th moved that the rules be waived and that House Bill No. 21 be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote.

Upon call of the roll, the vote was:

Yeas—Messrs. Blich of 20th, Blich of 21st, Broome, Chipley, Daniel, Darby, Dougherty, Fleming, Hartridge, Marks, Morrow, McKinney, McLin, Palmer of 11th, Perrenot, Phipps, Reeves, Thompson, Weeks and Williamson—20.

Nays—None.

So the bill passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Morrow moved that the rules be waived and that Senate Bill No. 314 be taken up out of its regular order and considered;

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 314:

A bill to be entitled an act to organize a county court in and for the county of Dade, to prescribe its jurisdiction and powers, to provide for the appointment of a prosecuting attorney, and for the compensation of the judge of said court

Was taken up and read a second time in full.

Mr. Morrow offered the following amendment:

In line 2, section 6, strike out the word "three" and substitute therefor the word "four."

Mr. Morrow moved the adoption of the amendment;

Which was agreed to.

Mr. Morrow moved that the rules be further waived and that Senate Bill No. 314 be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Blitch of 20th, Blitch of 21st, Broome, Chipley, Daniel, Darby, Fleming, Hartridge, Hicks, Marks, Morrow, McKinney, McLin, Palmer of 11th, Palmer of 14th, Perrenot, Phipps, Reeves, Thompson, Wadsworth, Weeks and Williamson—24.

Nays—None.

So the bill passed, title as stated.

And was ordered certified to the House of Representatives.

Pursuant to notice given yesterday, Mr. Weeks moved a reconsideration of the vote by which Senate Substitute for House Bill No. 116 passed the Senate yesterday;

Which was not agreed to.

And Senate Substitute for House Bill No. 116 was ordered engrossed for a third reading.

A message was received from the House of Representatives.

House Bill No. 228:

A bill to be entitled an act to provide for the taking of the census of the State of Florida during the year A. D. 1895,

Was taken up by a two-third vote and read a second time in full.

Mr. Blitch of the 21st moved that the rules be waived and that House Bill No. 228 be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote.

Upon call of roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blitch of 20 h, Blitch of 21st, Chipley, Daniel, Darby, Dougherty, Fleming, Hartridge, Hicks, Marks, Morrow, McLeran, McLin, Palmer of 11th, Perrenot, Phipps, Reeves, Thompson and Wadsworth—21.

Nays—Messrs. McKinney and Palmer of 14th—2.

So the bill passed, title as stated.

And House Bill No. 228 was ordered certified to the House of Representatives.

Mr. Hartridge called up—

## Senate Bill No. 214:

A bill to be entitled an act to provide for the municipal officers of the city of Jacksonville, a municipal corporation existing in Duval county, Florida; to prescribe their term of office, provide for their election and appointment and regulate their compensation, and to repeal chapter 4301 of the Laws of Florida,

On table subject to call, together with a substitute therefor.

Mr. Hartridge moved that the substitute be adopted;

Which was agreed to.

And the substitute for Senate Bill No. 214 was ordered engrossed for a third reading.

Mr. Hartridge moved that consideration of Senate Bill No. 214 be made the special order for Tuesday morning next at 11 o'clock;

Which was agreed to.

Mr. Palmer of 14th called up from the table,

Senate Bill No. 200:

A bill to be entitled an act for the benefit and protection of creditors of insolvent traders.

Mr. Palmer of 11th offered the following amendment:

After the word "debts" add the following, "against which there is no legal set off or recoupment and."

Mr. Palmer of 11th moved the adoption of the amendment;

Which was agreed to.

Mr. Palmer of the 11th offered the following amendment;

In line 5, section 1, strike out the words "an unsecured creditor or creditors holding not less than two" and substitute therefor the words "two unsecured creditors holding in the aggregate not less than five."

Mr. Palmer of the 11th moved the adoption of the amendment;

Which was agreed to.

Mr. Palmer of 11th offered the following amendment:

In line 6, section 2, strike out the words "not be more than," and substitute therefor the words "be three dollars per day which may, in the discretion of the court, be increased to."

Mr. Palmer of 11th moved the adoption of the amendment;

Which was agreed to.

And the bill, as amended, was ordered engrossed for a third reading.

A message was received from the Governor.

Mr. McLeran moved that Senate Bill No. 160 be taken up from the table;

Which was agreed to by a two-thirds vote.

Mr. McLeran moved to substitute House Bill No. 147 on the calendar in the place of Senate Bill No. 160, and that Senate Bill No. 160 take the place of House Bill No. 147 on the calendar, and that—

House Bill No. 147:

A bill to be entitled an act to repeal an act entitled 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, approved May 22, 1893,

Be now taken up and considered;

Which was agreed to.

Mr. Palmer of 11th moved that House Bill No. 147 be referred to the proper committee;

Which was not agreed to.

And House Bill No. 147 was read the second time in full.

Mr. McLeran offered the following amendment:

Strike out section 1 and substitute therefor the following:

Section 1. That whoever sets up or promotes any lottery for money or by way of lottery disposes of any property of value, real or personal, or under the pretext of a sale, gift or delivery of any other property, or any right, privilege or thing whatever, or conducts any lottery drawings for the distribution of prizes by lot or chance, or advertises any such lottery scheme in any public newspaper, circular or otherwise, or by personal solicitation offers for sale, or transmits any lottery tickets, coupon or share of a ticket, or attempts to operate, conduct, or advertise any lottery scheme, or who has in their possession the wheel, tickets, schemes or other paraphernalia of any such lottery drawings or schemes; or whoever aids either by writing or printing in the setting up of such lottery in the State or out of the State, or is in any way concerned in the setting up or drawing of any such lottery, or in such disposal, or offer or attempt to dispose of such property by any such device, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not less than five hundred dollars or more than five thousand dollars, or by imprisonment in the State prison not less than one year nor more than ten years, or by both fine and imprisonment, at the discretion of the court.

Mr. McLeran moved the adoption of the amendment.

Mr. Palmer of 11th offered the following amendment to the amendment:

In lines 2 and 3, section 1, after the word "personal" insert "or any office, right, title, privilege or franchise."

Mr. Palmer of 11th moved the adoption of the amendment to the amendment

Which was not agreed to.

The question recurring upon the amendment offered by Mr. McLeran,

The amendment was adopted.

Mr. McLeran offered the following amendment:

Strike out section (2) two and substitute therefor the following:

Section 2. Whoever in a house, shop or building, owned or occupied by him or under his control, knowingly permits the setting up or managing, printing or drawing of such lottery, in the State or out of the State, or such disposal or attempt to dispose of lottery tickets or share of a ticket, or any other writing, certificate, bill, token or other device or scheme purporting to, or intended to entitle the holder, bearer or any other person to a share of or interest in a prize, to be drawn in a lottery or in such disposal of property; or expose such tickets for sale, in any place or manner, or furnish such list of lottery drawings, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than three thousand dollars, or by imprisonment in the State prison not less than one nor more than five years, or by both fine and imprisonment at the discretion of the court.

Mr. McLeran moved the adoption of the amendment;

Which was agreed to.

Mr. McLeran offered the following amendment:

After section 2 add the following as section 3, and change the present section 3 to section 4:

Section 3. Whoever sets up or promotes any game of chance by lot, dice, numbers, games, hazard, or any other gambling device whatever, for the disposal of any property, or under the pretext of a sale, disposal, gift or delivery of any property, real or personal, right, privilege or thing whatever, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment at the discretion of the court.

Mr. McLeran moved the adoption of the amendment;

Which was agreed to.

Mr. McLeran offered the following amendment:

Strike out section 4.

Mr. McLeran moved the adoption of the amendment;

Which was agreed to.

Mr. Phipps offered the following amendment:

In line 1, section 6, after the word "any," insert the word "such."

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

And the bill, as amended, was passed to a third reading.

Mr. Hartridge moved that he be permitted to substitute House Bill No. 98 on the calendar for Senate Bill No. 96, and that House Bill No. 98 be now considered, and Senate Bill No. 96 be withdrawn;

Which was agreed to by a two-thirds vote.

Mr. Hartridge moved that the rules be waived and that—  
House Bill No. 98:

A bill to be entitled an act to extend and define the corporate powers of the State bank of Florida,

Be read a second time by its title only;

Which was agreed to by a two-thirds vote.

Mr. Hartridge moved that the rules be waived and that House Bill No. 98 be read the third time and put upon its passage;

Which was agreed to by a two thirds vote.

Upon call of the roll, the vote was :

Yeas—Messrs. Adams, Blitch of 20th, Blitch of 21st, Broome, Chipley, Daniel, Fleming, Genovar, Hartridge, Morrow, McKinney, McLeran, McLin, Palmer of 14th, Perrenot, Phipps, Reeves, Reynolds and Thompson—19.

Nays—Mr. President, Messrs. Darby and Weeks—3.

So the bill passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. McLeran moved that the rules be waived and that House Bill No. 147 be taken up and read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And,

House Bill No. 147:

A bill to be entitled an act to repeal an act entitled 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, approved May 22, 1893, as amended,

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

Upon call of roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blitch of 20th, Blitch of 21st, Broome, Chipley, Daniel, Darby, Fleming, Genovar, Hartridge, Hicks, McKinney, McLeran, McLin, Palmer of 14th, Perrenot, Phipps, Reeves, Reynolds, Thompson, Weeks and Williamson—23.

Nays—None.

So the bill passed, title as stated.

Mr. Morrow was excused from voting.

Mr. McKinney was excused until Monday morning.

Mr. Thompson moved that when the Senate do adjourn, that it adjourn until 9 o'clock tomorrow morning;

Which was agreed to.

The President handed down the following communication:

STATE OF FLORIDA, EXECUTIVE DEPARTMENT, }  
TALLAHASSEE, May 17, 1895. }

HON. F. T. MYERS,

President of the Senate:

SIR—I have the honor to inform the Senate that I have this day approved the following bills, which originated in that body, to-wit:

An act to amend section 806, chapter 4, Revised Statutes of the State of Florida.

An act making an additional appropriation for the encampment of the State troops for the year 1895.

An act to amend section 588 of the Revised Statutes of the State of Florida relating to the payment of county warrants.

An act to incorporate the Citizens' Bank and Trust Company, and to confer certain rights and privileges thereon.

Senate Concurrent Resolution relative to representation at the opening of the National Park at Chickamauga, September 19th, 20th and 21st, 1895.

And have filed the same with the Secretary of State.

Very respectfully,

H. L. MITCHELL,

Governor of Florida.

Mr. Thompson moved that the Senate do now adjourn until 9 o'clock tomorrow morning;

Which was agreed to.

Thereupon the Senate stood adjourned until 9:00 o'clock Saturday morning, May 18th, 1895.

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SATURDAY, MAY 18, 1895.

The Senate convened pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Adams, Blich of 20th, Broome, Chipley, Daniel, Fleming, Hartridge, Hicks, Morrow, Mc-