

to be taken by this Legislature in order for the State to realize upon such securities,

Be it further resolved, That this committee shall have power to send for persons and papers, to force attendance and to compel the giving of testimony, and to employ such clerical and expert aid as may be necessary to make a thorough investigation in all these particulars.

Mr. Gaillard accepted the Substitute.

Mr. Gaillard moved the adoption of the substitute for Senate Concurrent Resolution No. 4;

Which was agreed to.

Mr. Gaillard moved that the rules be waived, and that Substitute for Senate Concurrent Resolution No. 4 be at once certified to the House of Representatives;

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

The President announced the appointment of the following reception committee on the part of the Senate to receive Hon. W. J. Bryan:

Messrs. Chipley, Broome, McLin, Hooker and Dougherty.

Mr. Broome declined to serve on the committee, and Mr. Adams was appointed in his stead.

Mr. Reeves moved that the Senate do now adjourn;

Which was agreed to.

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

FRIDAY, APRIL 9, 1897.

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, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Thomas, Wadsworth and Williams—28.

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 Resolutions, Petitions and Memorials.

Mr. Reeves introduced the following petition:

To the Honorable Senate and House of Representatives of the State of Florida, at Tallahassee assembled:

We, your undersigned petitioners, pray that you will enact a law making Alaqua creek navigable only as far as J. W. Jones & Sons mill at Portland, instead of to the Swimming Pens, thereby enabling Walton county to bridge said creek at the head of navigation, which will very much facilitate travel in this section, and in no wise affect traffic on said creek.

H. Jernigan,
A. Jernigan,
Lewis Berry,
J. D. Hicks,
J. W. Jones,
P. Garrett & Co.,
Ed. Woodward,
Jno. M. Garrett,
A. Hollowell,
Wm. B. Anler,
J. M. Caswell,
Wm. Barlow;

Lee H. Jernigan,
E. H. Jernigan,
J. E. Jones,
J. E. Barnett,
Henry Johnson,
M. G. Morrison,
H. C. Lambert,
E. Y. Malone,
T. F. Wise,
Calvin Johnson,
J. W. Wooten,

Which was ordered spread upon the Journal.

Mr. Myers offered the following resolution:

Senate Resolution No. 3:

Resolved, That the Judiciary Committee be authorized to employ a clerk.

Mr. Palmer of 14th moved that the resolution be adopted; Which was agreed to.

Mr. Crosby offered the following resolution:

Senate Concurrent Resolution No. 13:

Resolved by the Senate, the House concurring, That a committee of two from the Senate to act with a similar committee of three from the House be appointed to investigate the books, records and accounts of the Internal Improvement Fund of Florida since the first day of May, A. D. 1893, and to employ clerical aid and report on same;

Which was read the first time and laid over under the rules.

Mr. Reeves offered the following:

Senate Resolution No. 4:

Resolved, That the Committee on Education be empowered to employ a clerk whenever they deem it actually necessary.

Mr. Blitch of 20th moved that the resolution be laid on the table.

Mr. Blitch of 20th withdrew the motion.

Mr. Blitch of 20th renewed his motion to lay Senate Resolution No. 4 on the table.

The yeas and nays were called for.

Upon call of the roll, the vote was:

Yeas—Messrs. Barber, Blitch of 20th, Blitch of 21st, Broome, Crosby, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Roberts, Thomas and Wadsworth—12.

Nays—Mr. President, Messrs. Adams, Bailey, Bynum, Carson, Chipley, Clark, Daniel, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hendly, Hooker, Myers, McLin, Reeves and Williams—19.

So the motion to lay on the table did not prevail.

The question recurred on the adoption of the resolution.

The yeas and nays were demanded.

Upon call of the roll the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Bynum, Carson, Chipley, Clark, Daniel, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hendly, Hooker, Myers, McLin, Peacock, Reeves, Roberts, Wadsworth and Williams—22.

Nays—Messrs. Barber, Blitch of 20th, Blitch of 21st, Broome, Crosby, Palmer of 11th, Palmer of 14th, Phipps and Thomas—9.

So Senate Resolution No. 4 was agreed to.

Mr. Fuller offered the following resolution:

Senate Resolution No. 5:

Resolved, That the Committee of the Senate on Finance and Taxation be authorized to employ such clerical aid as is necessary to dispatch the business of the committee.

Mr. Fuller moved the adoption of the resolution.

Mr. Palmer of 11th moved to lay Senate Resolution No. 5 on the table;

Which was not agreed to.

The motion of Mr. Fuller to adopt Senate Resolution No. 5 was then agreed to.

A message was received from the House.

Mr. Bynum introduced the following resolution:

Senate Resolution No. 6:

Resolved, That the Committee on Appropriations be allowed to employ a clerk when they deem it necessary to employ such clerk.

Mr. Palmer of 11th moved to lay the resolution on the table;
Which was agreed to.

Bills Referred.

Senate Bill No. 10:

A bill to be entitled an act relating to the fire insurance policies, prescribing a rule of evidence, and measure of damage in case of loss.

Introduced by Mr. Broome, and held over at his request, as noted in yesterday's Journal,

Was referred to the Committee on Corporations.

Introduction of Bills.

By Mr. Palmer of 11th:

Senate Bill No. 28:

A bill to be entitled an act to amend section 1742 of the Revised Statutes of the State of Florida, relating to the acquisition of liens by persons in privity with the owner, and to amend section 1743 of the Revised Statutes of the State of Florida, relating to the acquisition of liens by persons not in privity with the owner, and to amend section 1744 of the Revised Statutes of the State of Florida, relating to the remedies of lienors against either real or personal property;

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

By Mr. Darby:

Senate Bill No. 29:

A bill to be entitled an act to amend section 2357 of the Revised Statutes of the State of Florida, chapter 3, relating to the limitations of prosecutions in criminal cases;

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

By Mr. Darby:

Senate Bill No. 30:

A bill to be entitled an act to repeal chapter 3936, Laws of Florida, being an act to establish a Criminal Court of Record in the County of Putnam, in the State of Florida, approved May 27, 1889;

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

By Mr. Darby:

Senate Bill No. 31:

A bill to be entitled an act to provide for the payment by the Collector of Revenue of the several counties of the State of

Florida, of all moneys received and collected by them from dealers in spirituous liquors, ales, wines and beer, in their several counties to the County Treasurer of each county, and the distribution of the same;

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

By Mr. Darby:

Senate Bill No. 32:

A bill to be entitled an act to incorporate the Veteran Association of Putnam county, Florida;

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

By Mr. Darby:

Senate Bill No. 33:

A bill to be entitled an act to amend sections 12 and 55 of the Laws of the State of Florida, chapter 4328; providing for the registration of all legally qualified voters in the several counties of the State, and providing for general and special elections, and for the returns of elections, approved May 25, A. D. 1895;

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

By Mr. Blitch of 21st:

Senate Memorial No. 34:

A memorial to the Congress of the United States asking that the homesteaders in the storm district be permitted to purchase their lands at not more than twenty-five cents per acre;

Which was read the first time by its title and referred to the Committee on Public Lands.

By Mr. Blitch of 21st:

Senate Bill No. 35:

A bill to be entitled an act to prohibit the improper exhibition of dangerous weapons;

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

By Mr. Palmer of 14th:

Senate Bill No. 36:

A bill to be entitled an act to surrender to the government of the United States of America the quarantine stations and the use of the buildings and disinfecting apparatus of the quarantine stations of the State;

Which was read the first time by its title and referred to the Committee on Public Health.

By Mr. Phipps:

Senate Bill No. 37:

A bill to be entitled an act to protect and encourage the artificial growth of the sponge within the waters of the State of Florida, and conceding certain riparian rights to those engaged therein, and to prescribe a license in certain cases;

Which was read the first time by its title and referred to the Committee on Fisheries.

By Mr. Phipps:

Senate Bill No. 38:

A bill to be entitled an act to provide for a State Board of Medical Examiners, and to prescribe its qualifications, duties and powers;

Which was read the first time by its title and referred to the Committee on Public Health.

By Mr. Reeves:

Senate Bill No. 39:

A bill to be entitled an act to amend sections 2, 3, 5, 6, 7, 8 and 10 of an act entitled an act to incorporate the Florida Chautauqua Association, approved February 12th, 1885;

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

By Mr. Barber:

Senate Bill No. 40:

A bill to be entitled an act to amend section 2310 of the Revised Statutes of the State of Florida in relation to assignments for the benefit of creditors;

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

By Mr. Flooker:

Senate Bill No. 41:

A bill to be entitled an act making county court judgments liens upon real estate, and authorizing levy and sale of real estate under execution from said courts;

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

By Mr. Hartridge:

Senate Bill No. 42:

A bill to be entitled an act to provide for State Boards of Medical Examiners, and to provide their qualifications, duties and powers;

Which was read the first time by its title and referred to the Committee on Public Health.

By Mr. Hartridge:

Senate Bill No. 43:

A bill to be entitled an act to regulate admissions to the

bar of the State, to create a board of legal examiners, and to provide for a uniform system of legal examinations;

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

By Mr. McLin:

Senate Bill No. 44:

A bill to be entitled an act to require the recording of officers' commissions;

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

By Mr. McLin:

Senate Bill No. 45:

A bill to be entitled an act relating to the payment of officers' cost in civil cases;

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

By Mr. McLin:

Senate Bill No. 46:

A bill to be entitled an act in relation to costs in examination of criminal cases before grand juries and county solicitors;

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

By Mr. Bailey:

Senate Bill No. 47:

A bill to be entitled an act to amend section 3 of chapter 4477, Laws of Florida, approved May 30, 1895, in reference to a railroad from Tallahassee to Gainesville and other points;

Which was read the first time by its title and referred to the Committee on Railroads.

Consideration of Resolutions.

Senate Concurrent Resolution No. 11:

Whereas, On the fourteenth day of January, 1897, the Merchants National Bank of Ocala, Florida, suspended, and

Whereas, The Treasurer of the State of Florida is said to have had deposited in said bank at the time it suspended about \$30,000 of the State's money, and

Whereas, The securities for the payment of said deposits being said to be of questionable value,

Be it hereby resolved, the House of Representatives concurring, That a Special Committee consisting of two from

the Senate and three from the House be appointed to investigate:

First. How much of the State's money is deposited in the said suspended Merchants National Bank of Ocala.

Second. The nature and actual value of the securities held by the Treasurer to secure the payment of said deposit.

Third. The ability of said suspended bank to pay part or all of the deposit.

Fourth. The nature and value of the Treasurer's bond to the State, and the ability of the bondsmen to pay the loss if there should be any loss.

Fifth. Any and all other resources, if any, to which the State of Florida can look to for security or payment of this money.

Said committee in these investigations to have the power to send for persons and papers; said committee to have the power to employ such experts and clerical aid as will enable them to make a thorough investigation; said investigation to be made as promptly as possible, and reported promptly and in full to both houses of the Legislature,

Was taken up and read the second time.

Mr. Fuller requested that he be allowed to withdraw the resolution;

Which was agreed to.

Senate Concurrent Resolution No. 12:

Resolved, That (the House concurring), a committee of three on the part of the Senate and five on the part of the House be appointed on Apportionment,

Was taken up and read the second time.

Mr. Carson moved that further consideration of Senate Concurrent Resolution No. 12 be deferred for the present;

Which was agreed to.

A message was received from the House.

Mr. Williams was excused until Tuesday morning.

Mr. Palmer of 11th requested to be relieved of service on the committee on Militia;

Which was granted.

Senator Wadsworth was appointed in his stead.

Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 8, 1897. }

HON. CHAS. J. PERRENOT,

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 for the appointment of a Joint Committee to investigate the books, records and accounts of the Commissioner of Agriculture.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 1, contained in above message, was read the first time and laid over under the rules.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 8, 1897. }

HON. CHAS. J. PERRENOT,

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 Concurrent Resolution relative to having additional copies of the State Constitution printed.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 16, contained in above message, was read the first time and laid over under the rules.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 8, 1897. }

HON. CHAS. J. PERRENOT,

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 6 relative to the appointment of a Joint Committee to investigate the books, records and accounts of the State Treasurer's office.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 6, contained in above message, was read the first time and laid over under the rules.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 8, 1897. }

HON. CHAS. J. PERRENOT,

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 Resolution relative to the appointment of Joint Committee to examine the books and accounts of the State Comptroller's office.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 7, contained in above message, was read the first time and laid over under the rules.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 9, 1897. }

HON. CHAS. J. PERRENOT,

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 for the appointment of a committee to visit the Florida Agricultural College.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 27, contained in above message, was read the first time and laid over under the rules:

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 9, 1897. }

HON. CHAS. J. PERRENOT,

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 Joint Resolution relative to the apportionment of members of the Florida Legislature.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 22, contained in above message, was read the first time.

Mr. Carson moved that the rules be waived, and that House Concurrent Resolution No. 22 be at once taken up and considered;

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 22 was taken up and read a second time.

Mr. Carson moved the adoption of the resolution;

Which was agreed to.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 9, 1897. }

HON. CHAS. J. PERRENOT,

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 for the appointment of a Joint Committee to investigate the Internal Improvement Fund of Florida.

And respectfully request the concurrence of the Senate thereto.

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

And House Concurrent Resolution No. 24, contained in above message, was read the first time and laid over under the rules.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., April 9, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Concurrent Resolution inviting W. J. Bryan to address this Legislature.

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

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 9, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Concurrent Resolution for appointment of committee upon reception of Hon. W. J. Bryan.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 9, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Concurrent Resolution No. 6 relative to State convicts:

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

Mr. Adams moved that the rules be waived, and that House Concurrent Resolution No. 1 relative to the appointment of a Joint Committee to investigate the books, records and accounts of the Commissioner of Agriculture, be taken up and considered;

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 1 was read a second time.

Mr. Adams moved the adoption of the Resolution; Which was agreed to.

And House Concurrent Resolution No. 1 was adopted.

The President appointed Messrs. Adams and Dimick as members of the committee on the part of the Senate under House Concurrent Resolution No. 1.

Mr. Adams moved that the rules be waived, and that the action of the Senate on House Concurrent Resolution No. 1 be at once certified to the House of Representatives;

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

The following communication from the Secretary of State was read:

OFFICE OF THE SECRETARY OF STATE, }
STATE OF FLORIDA. }
TALLAHASSEE, April 8, 1895. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—In conformity with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for the consideration of the Senate, the following vetoed act with the Governor's objections thereto attached:

An act to incorporate the Florida Hard Rock Mining Company, and to define its rights and powers.

Very respectfully,

JOHN L. CRAWFORD,
Secretary of State.

The following message from the Governor was read:

STATE OF FLORIDA, EXECUTIVE DEPARTMENT, }
TALLAHASSEE, June 7, 1895. }

HON. JOHN L. CRAWFORD,

Secretary of State:

SIR—In compliance with section 28, article 3, of the Constitution, I herewith transmit for filing in the office of the Secretary of State,

“An Act to incorporate the Florida Hard Rock Mining Company, and to define its rights and powers.”

The Legislature has constituted a Board of Phosphate Commissioners, with power to regulate the letting of contracts to mine phosphate in waters over which the State has control, and the Board in the exercise of its powers and discretion, prior to the meeting of the last Legislature, let to C.

C. Pinckney, F. C. Fishburne, and W. B. S. Heyward, the persons associating themselves together to constitute the Hard Rock Mining Company, contracts for the period of five years to mine in the waters of Tsala Apopka Lake, Citrus county, but positively refused to enter into a contract with said persons for a longer period than five years, for the reason that the Board had refused to enter into contracts with other parties for a longer period than five years, the limit fixed by law, they failing to see why said non-resident persons should be granted rights superior to rights granted others.

The Hard Rock Mining Company claim that they will erect a costly plant, and for this reason they should have the rights sought to be secured through this bill, but I fail to see the force of this argument, because they only propose to put in a plant to cost \$25,000, whereas other plants in the State have cost much more than \$25,000.

In letting mining contracts the Board has taken into consideration the probable increase in the value of phosphate, in which event the State might, after the lapse of five years, increase the royalty upon the same, and were this done the Hard Rock Mining Company, through the action of the Legislature, would be exempt from the increase in royalty for five years longer than any other company, which would be unjust.

At present the royalty on all phosphate, regardless of quality, is the same, and it may become necessary to readjust the matter when the present contracts expire, but the Legislature has attempted to place this readjustment beyond the control of the Board for the next ten years, so far as the Hard Rock Company is concerned, thus again giving the Hard Rock Company advantages over all other companies.

I can see no good reason for giving said company the extraordinary rights conferred by said bill, and therefore I withhold my signature therefrom.

H. L. MITCHELL,
Governor of Florida.

The bill contained in the above message was placed among the orders of the day for Monday.

Mr. Dougherty moved that the Senate do now adjourn until Monday morning at 10 o'clock;

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock Monday morning, April 12, 1897.