

MONDAY, APRIL 19, 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, Bailey, Barber, Blitch of 20th, Blitch of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Myers. McLin, Palmer of 14th, Phipps, Reeves, Roberts, Thomas 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.

Senator Hendly was excused on account of illness.

### Introduction of Bills.

By Mr. Chipley:

Senate Bill No. 97:

A bill to be entitled an act relating to chattel mortgage;

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

By Mr. Blitch of 20th:

Senate Joint Resolution No. 98:

A bill to be entitled a Senate Joint Resolution proposing an amendment to section 6, article 8 of the Constitution of the State of Florida;

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

By Mr. Carson:

Senate Bill No. 99:

A bill to be entitled an act to fix a penalty for horse and cattle stealing;

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

By Mr. Fuller:

Senate Bill No. 100:

A bill to be entitled an act to extend the time for the completion of the entire main lines of the South American International Railroad.

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

By Mr. Fuller:

Senate Bill No. 101:

A bill to be entitled an act to amend an act entitled an act to require persons killing hogs or sheep for market, to exhibit the marks of such hogs or sheep, being chapter 4186 of the Laws of Florida, approved May 30, 1893;

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

By Mr. Hooker:

Senate Bill No. 102:

A bill to be entitled an act to legalize acknowledgements and certificates made by notary publics duly commissioned;

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

By Mr. Hooker:

Senate Bill No. 103:

A bill to be entitled an act to legalize conveyances by a married woman under twenty-one years of age when joined by her husband;

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

By Mr. Blitch of 21st:

Senate Bill No. 104:

A bill to be entitled an act to amend section 1981 of the Revised Statutes, relating to instruments deemed mortgages;

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

By Mr. McLin:

Senate Bill No. 105:

A bill to be entitled an act to compel newspapers publishing legal advertisements for sale of real or personal estate and property, to mail copies to sheriffs and clerks of circuit courts with penalties for failure, and the duties of sheriffs and clerks of circuit court in pursuance thereto, with penalties for not so doing;

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

By Mr. Broome:

Senate Bill No. 106:

A bill to be entitled an act to prevent the use of money for political purposes by corporations;

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

## Consideration of Resolutions.

Senate Resolution No. 13:

Resolved by the Senate, That four hundred copies of the Senate Journal be printed for the use of the Legislature,  
Was taken up.

The pending question being the motion of Mr. Chipley to amend by striking out the words, "four hundred," and substituting therefor the words, "one thousand."

Mr. Adams moved that action be deferred until such time as the Chairman of the Committee on Public Printing, who is sick, can make his report;

Which was agreed to.

## Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., April 16, 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 Bill No. 58:

A bill to be entitled an act to repeal chapter 4432, Laws of Florida, being an act to establish a Criminal Court of Record in the county of Monroe, approved April 17, 1895.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 58, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES. }  
TALLAHASSEE, FLA., April 16, 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 Bill No. 61:

A bill to be entitled an act to repeal chapter 4218, Laws of Florida, being an act to organize a county court in and for the county of Citrus.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 61, contained in above message, was read the first time by its title and referred to the Committee on Judiciary.

### Reports of Committees.

Mr. Fuller, Chairman of the Committee on Finance and Taxation, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Finance and Taxation, to whom was referred—

Senate Bill No. 50:

A bill to be entitled an act to amend section 48 of an act entitled "an act for the assessment and collection of revenue," approved June 1, 1895.

Beg leave to report that they have carefully examined the same, and recommend that the same be amended as follows: After the word "shall" in fifth line, add the words "immedi-

ately thereafter," and with this amendment would recommend that the bill do pass.

Very respectfully,

H. W. FULLER,

Chairman Committee on Finance and Taxation.

And Senate Bill No. 50, contained in the above report, together with the amendments offered by the committee, was placed on the calendar of bills on second reading.

Mr. Fuller, Chairman of the Committee on Finance and Taxation, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 17, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR--Your Committee on Finance and Taxation, to whom was referred--

House Bill No. 5:

A bill to be entitled an act transferring all certificates issued to State for unpaid taxes on lands which are now in the hands of Commissioner of Agriculture under chapter 4011, Laws of Florida, to the custody of the State Treasurer, and providing for the redemption, sale and conveyance of such lands.

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

Very respectfully,

H. W. FULLER,

Chairman Committee on Finance and Taxation.

And House Bill No. 5, contained in the above report was placed on the calendar of bills on second reading.

Mr. Fuller, Chairman of the Committee on Finance and Taxation, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR--Your Committee on Finance and Taxation, to whom was referred--

## Senate Bill No. 25:

A bill to be entitled an act to provide for the redemption and cancellation of tax sale certificates held by the State for taxes due for the year 1895 and previous years.

Having carefully examined the same, recommend that it be amended by substituting the bill hereto attached in place of the same substitute for Senate Bill No. 25:

A bill to be entitled an act to provide for the redemption and cancellation of tax sale certificates held by the State of Florida for taxes due for the year 1895 and previous years

The committee beg leave to report that they recommend that the substitute do pass.

Very respectfully,

H. W. FULLER,

Chairman Committee on Finance and Taxation.

And Senate Bill No. 25, contained in the above report, together with the substitute therefor offered by the committee, was placed on the calendar of bills on second reading.

Mr. Chipley, Chairman of the Committee on City and County Organization, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 91:

An act to be entitled an act to legalize the incorporation of the town of White Springs, in the county of Hamilton, and to declare the incorporation of the town of White Springs valid and of full force and effect.

Beg leave to report that they have carefully considered same, and recommend that the words in the title, to-wit: "An act to be entitled an act," be altered to read "A bill to be entitled an act."

Your committee further recommend that the word "Fla." in the enacting clause and in the last line of section 1 be altered to "Florida."

With these amendments, your committee recommend that the bill do pass.

Very respectfully,

W. D. CHIPLEY,

Chairman Committee on City and County Organization.

And Senate Bill No. 91, contained in the above report, together with the amendments offered by the committee, was placed on the calendar of bills on second reading.

Mr. Clark, Chairman of the Committee on Agriculture, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 95:

A bill to be entitled an act to prohibit killing or catching of mocking birds, or taking the eggs of mocking birds, and to provide a punishment therefor, and prescribe a rule of evidence in such cases.

Beg leave to report that they have carefully considered the same, and recommend that it do pass, with the following amendments:

Add, after the word "bird," at the end of section 1, the words, "Provided nothing in this act shall be so construed as to prevent any person or persons from protecting their gardens, crops or bees from depredation.

Strike out section 5.

Very respectfully,

W. B. CLARK,

Chairman Committee on Agriculture.

And Senate Bill No. 95, contained in the above report, together with the amendments offered by the committee, was placed on the calendar of bills on second reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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.

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

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 30, contained in the above report, was placed on the calendar of bills on third reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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.

Also,

Senate Joint Resolution No. 60:

Relating to the election of United States Senators by direct vote of the people.

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

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 40, and Senate Joint Resolution No. 60, contained in the above report, were placed on the calendar of bills on third reading.

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

SENATE CHAMBER,  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 51:

A bill to be entitled an act to amend section 9 of an act establishing a fine and forfeiture fund in the several counties, regulating the "payment of criminal costs, authorizing a special tax for said costs, and providing for the feed of prisoners, and the hire of convicts," approved April 20, 1895.

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

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 51, contained in the above report, was placed on the calendar of bills on third reading.

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

SENATE CHAMBER,  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 74:

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

Also,

Senate Bill No. 20:

A bill to be entitled an act enlarging and extending the

rights, powers and privi'eges of the Tropical Building and Investment Company of Key West, Florida, and granting to it banking privileges.

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

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bills Nos. 74 and 20, contained in the above report, were placed on the calendar of bills on third reading.

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

SENATE CHAMBER,  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 72:

A bill to be entitled an act to amend section 2347, of the Revised Statutes of the State of Florida, relating to the disposition of the proceeds of life insurance.

Also,

Senate Bill No. 58:

A bill to be entitled an act to prohibit the taking or receiving of money on deposit by any bank after the insolvency of said bank, and providing punishment for the same.

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

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bills Nos. 72 and 58, contained in the above report, were placed on the calendar of bills on third reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., April 19, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 18:

A bill to be entitled an act to prohibit arrangements, contracts, agreements, trusts or combinations and certain other acts or things intended or tending to prevent, hinder or obstruct the lawful sale of Florida fed beef or other beef or fresh meat or cattle or other edible animal in this State.

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

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 18, contained in the above report, was placed on the calendar of bills on third reading.

### Orders of the Day.

Notice by Mr. Phipps of motion to reconsider vote by which Senate Bill No. 12 passed the Senate,

Was taken up.

Mr. Phipps moved that his notice to reconsider be passed informally;

Which was granted.

Notice by Mr. Darby of motion to reconsider vote by which the Senate failed to pass Senate Bill No. 24,

Was taken up.

Mr. Darby moved that the vote by which Senate Bill No. 24 failed to pass the Senate be reconsidered;

Which was agreed to.

Mr. Darby moved that Senate Bill No. 24 be placed back on its second reading for amendment.

The yeas and nays were demanded.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blich of 21st,

Daniel, Darby, Dougherty, Fuller, Gaillard, Hartridge, Myers, McLin, Phipps, Reeves and Williams—14.

Nays—Messrs. Adams, Barber, Blich of 20th, Broome, Bynum, Carson, Clark, Crosby, Dimick, Hooker, Palmer of 14th, Roberts and Thomas—13.

So the motion to reconsider prevailed.

And Senate Bill No. 24 was placed on calendar of bills on second reading.

## Bills on Second Reading.

Senate Bill No. 48:

A bill to be entitled an act regulating the mode of procedure in civil suits and actions in County Judge's Courts and Courts of Justices of the Peace,

Was taken up and read the second time in full.

Mr. Blich of 21st moved that Senate Bill No. 48 lay on the table subject to call;

Which was agreed to.

Senate Bill No. 82:

A bill to be entitled an act to amend an act entitled an act to incorporate the town of Carrabelle, Franklin county, Florida,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

Senate Bill No. 31:

A bill to be entitled an act to provide for the payment by the Collectors 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,

Was taken up and read the second time in full.

Mr. Darby moved that Senate Bill No. 31 lay on the table subject to call;

Which was agreed to.

Senate Bill No. 69:

A bill to be entitled an act to extend the time for completing the Carrabelle, Tallahassee and Georgia Railroad, and to preserve and continue the grant of lands heretofore made to aid in its construction,

Was taken up and read the second time in full.

Mr. Darby offered the following amendment:

Strike out the enacting clause "Be it enacted by the Legislature of the State of Florida."

Mr. Darby moved the adoption of the amendment;

Which was not agreed to.

And Senate Bill No. 69 was referred to the Committee on Engrossed Bills.

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,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

Senate Bill No. 79:

A bill to be entitled an act to prescribe the times of holding the terms of the Circuit Court in the Fourth Judicial Circuit,

Was taken up and read the second time in full.

Mr. Barber offered the following amendment to Senate Bill No. 79:

In line 3, section 1, strike out the word "Baker," and substitute the word "Bradford."

In line 4, section 1, strike out the word "Bradford," and substitute the word "Baker."

Mr. Barber moved the adoption of the amendment;

Which was agreed to.

Mr. Barber offered the following amendment to Senate Bill No. 79:

In line 1, section 2, strike out the word "Baker," and substitute the word "Bradford."

In line 2, section 2, strike out the word "Bradford," and substitute the word "Baker."

Mr. Barber moved the adoption of the amendment;

Which was agreed to.

And Senate Bill No. 79, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 71:

A bill to be entitled an act to provide for the regulation of railroad schedules, freight and passenger tariffs, and building of freight and passenger depots in this State; to prevent unjust discrimination in the rates charged for the transportation of passengers and freight, and to prohibit railroad companies, corporations, persons and all common carriers in this State from charging other than just and reasonable rates and to enforce the same, and to prescribe a mode of procedure and rules of evidence in relation thereto, and to appoint commissioners, and to prescribe their duties and powers,

Was taken up and read a second time in full.

Mr. Dougherty moved that further consideration of Senate Bill No. 71 be postponed until Wednesday next at 11 o'clock,

that it be placed first in the orders of the day, and the consideration of it be a continuing order until disposed of;

Which was agreed to.

Senate Bill No. 85:

A bill to be entitled an act to amend an act entitled "an act to amend section 1 of an act establishing a fine and forfeiture fund in the several counties, regulating the payment of criminal costs and providing for the feed of prisoners and hire of convicts," approved June 1, 1895,

Was taken up and read the second time in full, together with the amendments offered by the Committee on Finance and Taxation.

Mr. Palmer of 14th moved to recommit Senate Bill No. 85 to the Committee on Finance and Taxation;

Which was not agreed to.

Mr. Fuller moved that the amendments offered by the Committee on Finance and Taxation be adopted;

Which was agreed to.

And Senate Bill No. 85, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 61:

A bill to be entitled an act to create a corporation to be named the Key West Insurance and Trust Company, and to confer certain privileges thereon,

Was taken up and read the second time in full.

Mr. Phipps offered the following amendment to Senate Bill No. 61 (printed copy):

In line 3 of the title, after the word "insurance," strike out the words "and trust;"

Mr. Phipps moved the adoption of the amendment;

Which was agreed to.

Mr. Phipps offered the following amendment to Senate Bill No. 61 (printed copy):

In line 3, section 1, after the word "insurance," strike out the words "and trust."

Mr. Phipps moved the adoption of the amendment;

Which was agreed to.

Mr. Phipps offered the following amendment to Senate Bill No. 61:

Strike out sections 9, 10, 11 and 12; and that the numbers of sections 13 and 14 be changed so as to read sections 9 and 10 respectively.

Mr. Phipps moved the adoption of the amendment;

Which was agreed to.

And Senate Bill No. 61, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 75:

A bill to be entitled an act to amend an act to abolish the present municipal government of the city of Sanford, Orange county, Florida, and organize a city government for the same, and provide its jurisdiction and powers,

Was taken up and read a second time in full, and referred to the Committee on Engrossed Bills.

Senate Bill No. 84:

A bill to be entitled an act in relation to the forging of certain instruments, and prescribing the penalty therefor,

Was taken up and read the second time in full, together with the amendment proposed by the Judiciary Committee;

Mr. Hooker moved the adoption of amendment offered by Committee on Judiciary;

Which was agreed to.

And Senate Bill No. 84, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 90:

A bill to be entitled an act to amend chapter 4226, Laws of Florida, approved May 30, 1893, entitled an act to amend section 1366 of the Revised Statutes of the State of Florida, in regard to the terms of the Circuit Court of the First Judicial Circuit of Florida,

Was taken up and read the second time in full, and referred to the Committee on Engrossed Bills.

Senate Bill No. 76:

A bill to be entitled an act to provide for the care and attention of injured members of the Florida State Fireman's Association, and to provide for the burial of deceased members,

Was taken up and read the second time in full, together with the amendment proposed by the Committee on Appropriations.

Mr. Bynum moved the adoption of amendment offered by the Committee on Appropriations;

Which was agreed to.

And Senate Bill No. 76, as amended, was referred to the Committee on Engrossed Bills.

House Bill No. 23:

A bill to be entitled an act prescribing a penalty for landing sick seamen or paupers in the seaports of the State of Florida,

Was taken up and read a second time in full, and House-Bill No. 23 was placed on the calendar of bills on third reading.

House Bill No. 53:

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,

Was taken up and read the second time in full, together with the amendments offered by Judiciary Committee.

Mr. Darby moved the adoption of the committee amendments;

Which was agreed to.

And House Bill No. 53, as amended, was placed on the calendar of bills on third reading.

Mr. Phipps moved that the Senate do now adjourn until to-morrow morning at 10 o'clock;

Which was agreed to.

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

## TUESDAY, APRIL 20, 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, Bailey, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hart-ridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—30.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was corrected and approved.

The President appointed Mr. Clark on the committee on the part of the Senate to investigate the convict camps, instead of Mr. Hooker, who was relieved therefrom at his own request, on account of committee work.