

Myers, McLin, Palmer of 11th, Peacock, Phipps, Reeves, Roberts and Thomas—25.

A quorum present.

Mr. Palmer of 11th moved that the Senate do now adjourn until 10 o'clock to-morrow morning;

Which was agreed to.

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

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### Confirmations.

William H. Milton, Sr., to be State's Attorney for the First Judicial Circuit.

George W. Walker, to be State's Attorney for the Second Judicial Circuit.

L. E. Roberson, to be State's Attorney for the Third Judicial Circuit.

Augustus G. Hartridge, to be State's Attorney for the Fourth Judicial Circuit.

James D. Beggs, to be State's Attorney for the Seventh Judicial Circuit.

Charles B. Parkhill, of Pensacola, to be County Solicitor for Escambia county.

John Holland, of Pensacola, to be Harbor Master of the port of Pensacola.

J. W. Fitzgerald, D. D. Fitzgerald, T. J. Mitchell, Sr., S. Garcia and J. W. Osteen, of Port Tampa City, to be members of the City Council.

Cecil G. Butt, of Orange county, to be Judge of the Criminal Court of Record of Orange county.

R. G. Robinson, of Orange county, to be County Solicitor for Orange county.

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WEDNESDAY, MAY 5, 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, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Hartridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Roberts, 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.

Mr. Dougherty was excused for the day on account of sickness.

## Introduction of Bills.

By Mr. Chipley:

Senate Bill No. 187:

A bill to be entitled an act establishing a geological survey of the State of Florida;

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

By Mr. Reeves:

Senate Bill No. 188:

A bill to be entitled an act to repeal section 3 of chapter 4332 of the Laws of Florida, entitled an act requiring the Boards of Public Institutions for the several counties of this State and treasurers of county school funds to make and publish itemized financial statements of their dealings with county school funds, approved May 30, 1895;

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

By Mr. Blich of 21st:

Senate Bill No. 189:

A bill to be entitled an act for the protection of bicycle paths;

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

By Mr. Clark:

Senate Bill No. 190:

A bill to be entitled an act to prescribe certain duties of log and timber buyers, and prescribe penalties for failure to comply with same;

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

By Mr. Clark:

Senate Bill No. 191:

A bill to be entitled an act to prescribe certain duties of

timber and lumber inspectors, and prescribe penalties for failure to comply with same;

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

By Mr. Clark:

Senate Bill No. 192:

A bill to be entitled an act to punish persons for taking charge of timber and logs found adrift in any of the rivers, lakes or streams of this State, and to punish persons selling timber or logs containing brands other than their own recorded brands without written permission from the owner of such brand or brands;

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

By Mr. Hartridge:

Senate Bill No. 193:

A bill to be entitled an act to amend sections 1 and 2 of an act entitled "an act to provide for municipal officers of the city of Jacksonville, a municipal corporation existing in Duval county, Florida, to prescribe their terms of office, provide for their election and appointment, and to regulate their compensation, and to repeal chapter 4301 of the Laws of Florida," approved May 27, 1895;

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

By Mr. Hartridge:

Senate Bill No. 194:

A bill to be entitled an act to define the powers and duties of the Board of Public Works and Bond Trustees of the city of Jacksonville;

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

By Mr. Hartridge:

Senate Bill No. 195:

A bill to be entitled an act to amend section 5 of chapter 4498 of the Laws of Florida, entitled an act to provide for municipal officers of the city of Jacksonville, a municipal corporation existing in Duval county, Florida, to prescribe their terms of office, provide for their election and appointment and regulate their compensation, and to repeal chapter 4301 of the Laws of Florida, approved May 27, 1891;

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

By Mr. Carson:

Senate Bill No. 196:

A bill to be entitled an act to define the duties of county surveyors;

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

By Mr. Thomas:

Senate Bill No. 197:

A bill to be entitled an act declaring the town of Hawthorne, in the county of Alachua, to be a legally incorporated town;

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

### Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 4, 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—

Senate Bill No. 62:

A bill to be entitled an act abrogating citations on appeals in chancery causes from the Circuit to the Supreme Court, and making the entry of such appeals notice in such causes.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 62, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES. }  
TALLAHASSEE, FLA., May 4, 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—

## 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.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 75, contained in above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 4, 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—

Senate Bill No. 63:

A bill to be entitled an act to abrogate the writ of Scire Facias ad Audiendum Errores in appellate proceedings to the Supreme Court, and to provide a substitute therefor in civil causes.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 63, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 4, 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 by a three-fifths vote—

House Joint Resolution No. 4:

Proposing an amendment to section 35 of article 5 of the Constitution of the State of Florida, relating to the establishment of courts in this State.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Joint Resolution No. 4, contained in the above message, was read the first time by its title and referred to the Committee on Constitutional Amendments.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 4, 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 No. 49:

Proposing an act requesting the Senators and Representatives in Congress from this State to use their efforts towards securing an appropriation for deepening the harbor of Boca Grande, Lee county, Florida.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Joint Resolution No. 49, contained in the above message, was referred to the Committee on State Affairs.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 4, 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 No. 58:

Relative to leasing State convicts.

And respectfully request the concurrence of the Senate thereto.

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

And House Joint Resolution No. 58, contained in the above message, was read the first time by its title.

Mr. Adams moved that the rules be waived, and that House Joint Resolution No. 58 be read the second time;

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 58 was read the second time in full.

Mr. Bailey offered the following amendment to House Joint Resolution No. 58:

In line 3, section 1, strike out the word "15th" after the word "the," and substitute therefor the word "20th;"

Mr. Bailey moved the adoption of the amendment;

Which was not agreed to.

Mr. Adams moved that the rules be further waived, and that House Joint Resolution No. 58 be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 58 was read the third time in full and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Messrs. Adams, Barber, Blitch of 20th, Bynum, Chipley, Daniel, Darby, Hartridge, Hooker, McLin, Palmer of 14th, Peacock and Roberts—13.

Nays—Mr. President, Messrs. Bailey, Blitch of 21st, Broome, Clark, Crosby, Myers, Phipps, Thomas and Williams—10.

So House Joint Resolution No. 58 passed.

Mr. Adams moved that the rules be waived, and that the action of the Senate on House Joint Resolution No. 58 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 message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }  
 TALLAHASSEE, FLA., May 4, 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. 46:

A bill to be entitled an act to require all persons, firms and corporations doing business as agent or agents, to file the name and address of their principal with the clerk of the court and to post a copy in a conspicuous place; on neglecting so to do, to be deemed the owner.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives

And House Bill No. 46, contained in 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., May 4, 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. 80:

A bill to be entitled an act providing for the appointment of official samplers of phosphate at the several ports where phosphate is shipped in the State of Florida, defining the duties of such official samplers of the railroad, terminal and other companies and persons, fixing the fees and the manner of collection and payment thereof, forbidding sampling of phosphate at ports by other persons, empowering the appointment of deputies and prescribing penalties for a violation of the provisions of this act.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 80, contained in the above message, was

read the first time by its title and referred to the Committee on Mining and Phosphate.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 4, 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. 102:

A bill to be entitled an act to repeal chapter 4217, Laws of Florida, the same being an act to organize and establish a county court in and for Alachua county, and to provide for the appointment of a prosecuting attorney for said county court, approved May 24, A. D. 1893.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 102, 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., May 4, 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. 103:

A bill to be entitled an act to limit the time within which a tax deed may be executed.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 103, 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., May 4, 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. 104:

A bill to be entitled an act to provide a penalty for coercing or influencing, or making demands upon or requirements of employes, servants, laborers and persons seeking employment.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 104, 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., May 4, 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. 105:

A bill to be entitled an act declaring it a misdemeanor on the part of the employers to require as a condition of employment the surrender of any right of citizenship.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 105, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES, }  
TALLAHASSEE, FLA., May 4, 1897. }

HON. CHAS. J. PERRENOT,

President of Senate:

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

House Bill No. 107:

A bill to be entitled an act to legalize and make valid the town of Tarpon Springs, and acts done by said town and for other purposes.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 107, contained in the above message, 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 4, 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. 133:

A bill to be entitled an act to amend section 1901 of the Revised Statutes of the State of Florida, in relation to the appointment and qualification of appraisers.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 133, 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., May 4, 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. 136:

A bill to be entitled an act to amend section 6 of an act entitled an act to regulate the classification of sawn pitch pine timber, and to punish the false classification thereof, approved May 30, 1895.

And respectfully request the concurrence of the Senate hereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 136, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

### Reports of Committees.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 5, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 178:

A bill to be entitled an act to authorize the city of Orlando to confer the offices of clerk, assessor and treasurer, or any two of such offices, upon one person;

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

Very respectfully,

W. D. CHIPLEY,

Chairman Committee on City and County Organization.

And Senate Bill No. 178, contained in the above report, 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., May 5, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 176:

A bill to be entitled an act to incorporate the town of Wiliston, in the county of Levy.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

W. D. CHIPLEY,

Chairman Committee on City and County Organization.

And Senate Bill No. 176, contained in the above report, was placed on the calendar of bills on second reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 5, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 183:

A bill to be entitled an act to enable foreign corporations to do business in the State of Florida, and regulating the same.

Beg leave to report that they have had the same under careful consideration, and recommend that it do pass.

Very respectfully,

B. D. WADSWORTH,

Chairman Committee on Corporations.

And Senate Bill No. 183, contained in the above report, was placed on the calendar of bills on second reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 5, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 10:

A bill to be entitled an act to prohibit any railroad or other transportation company, or any officer or official thereof from contributing any money or free transportation to persons or political parties for political purposes, and to provide penalties therefor.

Beg leave to report that they have examined same, and return it herewith without recommendation.

Very respectfully,

B. E. McLIN,

Chairman Committee on Railroads.

And House Bill No. 10, contained in the above report, was placed on the calendar of bills on second reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 5, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 182:

A bill to be entitled an act to require express companies to deliver freight at the point or place where such freight is billed or marked to be delivered.

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

Very respectfully,

B. E. McLIN,

Chairman Committee on Railroads.

And Senate Bill No. 182, contained in the above report, was placed on the calendar of bills on second reading.

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

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 5, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Claims, to whom was referred—  
House Joint Resolution No. 51:

Relative to a settlement between the State of Florida and the Western Railway of Florida Company, formerly known as the Green Cove Springs and Melrose Railroad Company.

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

Very respectfully,

S. H. PEACOCK,

Chairman Committee on Claims.

And House Joint Resolution No. 51, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Crosby, Chairman of the Committee on Temperance, submitted the following report:

SENATE CHAMBER, }  
TALLAHASSEE, FLA., May 5, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Temperance, to whom was referred—  
Petition of the Woman's Christian Temperance Union.

Beg leave to report that they have carefully considered the same, and submit the following bill, and recommend that it do pass.

A bill to be entitled an act to prohibit the reproduction by

means of the kinetoscope, or by other means, the Corbett-Fitzsimmons prize fight, or any other of like character.

Very respectfully,

A. CROSBY,

Chairman Committee on Temperance.

And the bill contained in the above report was read the first time by its title, and is as follows:

By Committee on Temperance:

Senate Bill No. 198:

A bill to be entitled an act to prevent the reproduction by means of the kinetoscope, or by other means, the Corbett-Fitzsimmons prize fight, or any other of like character;

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

### Orders of the Day.

Mr. Darby's notice, given on Monday, that he would, on Tuesday, move to reconsider the vote by which Senate Bill No. 29 failed to pass, and which was deferred yesterday on account of adjournment before completing the order of business,

Was taken up.

Mr. Darby moved to reconsider the vote by which Senate Bill No. 29 failed to pass.

Upon call of the roll on the motion to reconsider, the vote was:

Yeas—Messrs. Bailey, Barber, Blich of 20th, Blich of 21st, Clark, Darby, Harridge, Myers, McLin, Palmer of 14th, Phipps, Thomas, Wadsworth and Williams—14.

Nays—Mr. President, Messrs. Adams, Broome, Bynum, Carson, Chipley, Crosby, Dimick, Hooker, Palmer of 11th, Peacock, Reeves and Roberts—13.

So the motion to reconsider prevailed.

Mr. Fuller was excused from voting.

Mr. Palmer of 14th moved that Senate Bill No. 29 be placed back upon its second reading;

Which was agreed to.

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;

Which was under consideration when the Senate went into joint session yesterday.

Was taken up—

The pending question being the motion of Mr. Chipley to adopt the following amendment:

In line 1, section 1, strike out the words "incorporated or unincorporated bank," and substitute therefor the words "bank unincorporated or incorporated under the Laws of Florida."

Mr. Chipley withdrew the amendment to Senate Bill No. 58.

And Senate Bill No. 58, as previously amended, was referred to the Committee on Engrossed Bills.

Mr. Chipley moved that when the Senate adjourns this morning, that it adjourn until 10 o'clock a. m. to-morrow.

Which was agreed to.

Mr. Adams moved that the rules be waived, and that Senate Bill No. 168 be taken up and made a special order for 11 o'clock a. m. Monday;

Which was agreed to.

By permission—

Mr. Darby introduced:

Senate Bill No. 199:

A bill to be entitled an act to appropriate five thousand dollars to be used in testing an invention of C. Stewart Bailey to protect orange groves and vegetable growing against frost and freezes;

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

By permission—

Mr. Blich of 20th introduced:

Senate Bill No 200:

A bill to be entitled an act for the relief of Francis D. Pooser;

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

A committee from the House of Representatives announced that the House was ready to receive the Senate in joint session, and to proceed to the election of a United States Senator in joint session.

The hour of 12 o'clock having arrived, the Senate proceeded in a body to the hall of the House of Representatives.

12 O'CLOCK M.

JOINT SESSION, May 5, 1897.

At 12 o'clock the Senate entered the Hall of the House of Representatives, and was received by the House.

President Perrenot in the chair.

The President ordered the Secretary of the Senate to call the roll of the Senate.

Upon call of the roll, the following Senators answered to their names:

Mr. President, Messrs. Adams, Bailey, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—31.

A quorum present.

The President ordered the roll of the House called.

Upon call of the roll, the following Members answered to their names:

Mr. Speaker, Messrs. Ayer, Baggett, Baker, Ballentine, Bethel, Blanton, Bunch, Burnsed, Canty, Carlisle, Carter, Chaires, Christie, Cobb, Cox, Crumpton, Dees, Dupree, Dyal, Ellis, Frisbee, Fielding, Fulton, Harris, Hendry of Taylor, Hyer, Lamar, Lewis, Linton, McCall, McCreary, Mobley, Morgan of Hamilton, Morgan of Putnam, Owens, Pelot, Pedrick, Pope, Potter, Rawls, Register, Rice, Richbourg, Robertson, Kouse, Shepard of Liberty, Shepard of Orange, Sloan, Spencer, Stockton, Street, Thayer, Turner, Wall of Bradford, Wall of Putnam, Ward, Watson, Whitner, Williams, Wilson, Wolff, Young and Zewadski—64.

A quorum present.

The Journal of yesterday was corrected and approved.

Mr. Bynum offered the following resolution:

Whereas, In my humble opinion, the refinement, intelligence and dignity of this joint session has been insulted by spreading upon the Journals of yesterday the language appearing in the speech of the gentleman from Clay, and

Whereas, The language used upon this occasion is also an insult to the refinement and intelligence of the voters throughout the State, regardless of party lines and factional differences, therefore be it

Resolved, by the Senators and Representatives composing this joint assembly, That the speech of the Representative from Clay is hereby ordered stricken from the records of this assembly.

Mr. Bynum moved the adoption of the resolution.

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

In the resolution, after the word "the" and before the word "speech," insert the words "third section of said."

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

Mr. Pope offered the following substitute:

Resolved, That the request of the gentleman from Clay, for leave to withdraw the 3d section of his remarks, be allowed.

Mr. Pope moved the adoption of the substitute;

Which was agreed to.

Mr. Palmer of 14th offered the following resolution:

Resolved, That all criticisms of members of this joint assembly by the newspapers of this State should be by editorial production, and that the reporters of the newspapers permitted to report the proceedings of this Joint Assembly, be and they are hereby instructed to report only the facts arising in this joint assembly, without comment of the conduct and actions of the members of this assembly.

Mr. Palmer of 14th moved the adoption of the resolution.

Mr. Adams moved to lay the motion on the table;

Which was agreed to.

Mr. Adams moved that the joint session proceed to vote for a United States Senator;

Which was agreed to.

And the joint session proceeded to vote for United States Senator.

The roll of the Senate was called, and the vote was:

For Call—Messrs. Adams, Blich of 21st, Broome, Crosby, Palmer of 14th, Roberts and Thomas—7.

For Chipley—Mr. President, Messrs. Barber, Clark, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Palmer of 11th, Peacock and Reeves—11.

For Raney—Messrs. Bailey, Bynum, Carson, Daniel, Darby, Dimick, Myers, Phipps, Wadsworth and Williams—10.

For Burford—Mr. Blich of 20th—1.

For Hocker—Mr. McLin—1.

Total number of votes cast, 30.

Mr. Chipley announced that he was paired with Mr. Hendley; that if Mr. Hendley were present he would vote for Mr. Call.

The roll of the House of Representatives was called, and the vote was:

For Call—Messrs. Ayer, Baker, Bethel, Blanton, Bunch, Burnsed, Cauty, Carlisle, Carter, Crumpton, Dupree, Dyal, Frisbee, Hendry of Taylor, Lewis, Linton, McCreary, Morgan of Hamilton, Pelot, Pope, Rawls, Register, Rouse, Shep-

ard of Liberty, Stockton, Wall of Bradford, Wall of Putnam, Ward and Wilson—29.

For Chipley—Mr. Speaker, Messrs. Baggett, Ballentine, Cobb, Ellis, Harris, Hyer, McCall, Owens, Pedrick, Richbourg, Robertson, Shepard of Orange, Spencer, Street, Thayer, Watson, Williams and Young—19.

For Raney—Messrs. Chaires, Christie, Cox, Dees, Fielding, Fulton, Lamar, Mobley, Morgan of Putnam, Rice, Turner and Whitner—12.

For Hocker—Messrs. Sloan and Zewadski—2.

Total number of votes cast, 62.

Mr. Potter announced that he was paired with Mr. Bates; that if Mr. Bates were present he would vote for Mr. Call, and he would vote for Mr. Chipley.

Mr. Wolf announced that he was paired with Mr. Hardee; that if Mr. Hardee were present he would vote for Mr. Call, and he would vote for Mr. Raney.

The Secretary announced that thirty (30) votes in the Senate, and sixty-two (62) in the House, making a total of ninety-two (92) votes, had been cast.

The President announced that the following gentlemen had received the number of votes opposite their respective names:

Wilkinson Call, 36;

W. D. Chipley, 30;

G. P. Raney, 22;

W. A. Hocker, 3;

R. A. Burford, 1;

And that no one having received the majority of votes cast required by law, that there was no election of United States Senator.

Mr. Dougherty moved that the joint session do now adjourn.

The yeas and nays were demanded.

The vote of the Senate was:

Yeas—Mr. President, Messrs. Blich of 20th, Bynum, Chipley, Clark, Daniel, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Palmer of 11th, Peacock, Reeves and Wadsworth—16.

Nays—Messrs. Adams, Bailey, Barber, Blich of 21st, Broome, Carson, Crosby, Darby, Myers, McLin, Palmer of 14th, Phipps, Roberts, Thomas and Williams—15.

Upon call of the roll of the House, the vote was:

Yeas—Messrs. Baggett, Balentine, Burnsed, Cobb, Ellis, Fulton, Harris, Hendry of Taylor, Hyer, McCall, Owens, Pedrick, Pope, Potter, Register, Robertson, Shepard of Orange, Sloan, Spencer, Street, Thayer, Turner, Williams, Young and Zewadski—25.

Nays—Mr. Speaker, Messrs. Ayer, Baker, Bethel, Blanton, Bunch, Canty, Carlisle, Carter, Chaires, Christie, Cox, Crumpton, Dees, Dupree, Dyal, Frisbee, Fielding, Lamar, Lewis, Linton, McCreary, Mobley, Morgan of Hamilton, Morgan of Putnm, Pelot, Rawls, Rice, Richbourg, Rouse, Shepard of Liberty, Stockton, Wall of Bradford, Wall of Putnam, Ward, Watson, Whitner Wilson and Wolff—39.

Total yeas in Senate, 16; total yeas in House, 25; total, 41.

Total nays in Senate, 15; total nays in House, 39; total, 54.

So the joint session refused to adjourn.

Mr. Adams moved that the joint session proceed to take another ballot for a United States Senator;

Which was agreed to.

And the joint session proceeded again to vote for United States Senator.

The roll of the Senate was called, and the vote was:

For Call—Messrs. Adams, Blich of 21st, Broome, Crosby, Palmer of 14th, Roberts and Thomas—7.

For Chipley—Mr. President, Messrs. Barber, Clark, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Palmer of 11th, Peacock and Reeves—11.

For Raney—Messrs. Bailey, Bynum, Carson, Daniel, Darby, Dimick, Myers, Phipps, Wadsworth and Williams—10.

For Hocker—Mr. McLin—1.

For Burford—Mr. Blich of 20th—1.

Total number of votes cast, 30.

Mr. Chipley announced that he was paired with Mr. Hendley; that if Mr. Hendley were present he would vote for Mr. Call.

The roll of the House of Representatives was called, and the vote was:

For Call—Messrs. Ayer, Baker, Bethel, Blanton, Bunch, Burnsed, Canty, Carlisle, Carter, Crumpton, Dyal, Frisbee, Hendry of Taylor, Lewis, Linton, McCreary, Morgan of Hamilton, Pelot, Pope, Rawls, Register, Rouse, Shepard of Liberty, Stockton, Wall of Bradford, Wall of Putnam, Ward and Wilson—28.

For Chipley—Mr. Speaker, Messrs. Baggett, Ballentine, Cobb, Ellis, Harris, Hyer, McCall, Owens, Pedrick, Richbourg, Robertson, Shepard of Orange, Spencer, Street, Thayer, Watson, Williams and Young—19.

For Raney—Messrs. Chaires, Christie, Cox, Dees, Fielding, Fulton, Lamar, Mobley, Morgan of Putnam, Rice, Turner, Whitner and Wolff—13.

For Hocker—Messrs. Sloan and Zewadski—2.

For Lafar—Mr. Dupree—1.

Total number of votes cast, 63.

Mr. Potter announced that he was paired with Mr. Bates; that if Mr. Bates were present he would vote for Mr. Call, and he would vote for Mr. Chipley.

The Secretary announced that thirty (30) votes in the Senate, and sixty-three (63) in the House, making a total of ninety-three (93) votes, had been cast.

The President announced that the following gentlemen had received the number of votes opposite their respective names:

Wilkinson Call, 35;  
 W. D. Chipley, 30;  
 G. P. Raney, 23;  
 W. A. Hocker, 3;  
 R. A. Burford, 1;  
 T. A. LaFar, 1.

And that no one having received the majority of votes cast as required by law, that there was no election of United States Senator.

Mr. Dougherty moved that the joint session adjourn;  
 Which was agreed to.

Thereupon the joint session stood adjourned until 12 o'clock to-morrow.

1:08 O'CLOCK.

At 1:08 p. m. the Senate resumed its session.

The President in the chair.

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

Mr. President, Messrs. Adams, Barber, Blitch of 20th, Blitch of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Fuller, Gaillard, Hartridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Roberts, Thomas and Williams—28.

A quorum present.

By permission—

Mr. Chipley introduced:

Senate Memorial No. 201:

A bill to be entitled a memorial to the Congress of the United States asking the passage of a bill for the construction of the proposed Nicaraguan canal;

Which was read the first time by its title.

Mr. Palmer of 11th moved that the rules be waived, and that Senate Memorial No. 201 be read the second time;

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 201 was read the second time in full.

Mr. Palmer of 11th moved that the rules be further waived, and that Senate Memorial No. 201 be read the third time in full, and put upon its passage;

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 201 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, Blich of 20th, Blich of 21st, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Fuller, Gaillard, Hartridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Roberts, Thomas and Williams—25.

Nays—None.

So Senate Memorial No. 201 passed, title as stated.

Mr. Palmer of 11th moved that the rules be waived, and that the action of the Senate on Senate Memorial No. 201 be immediately certified to the House of Representatives;

Which was agreed to by a two-thirds vote.

At 1:19 o'clock—

Mr. Dimick moved that the Senate do now go into executive session;

Which was agreed to.

And the doors were closed.

At 1:26 o'clock the doors were opened.

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

Mr. President, Messrs. Adams, Bailey, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Daniel, Darby, Dimick, Fuller, Gaillard, Hartridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Roberts, Thomas, Wadsworth and Williams—26.

Mr. Blich of 21st moved that he be allowed to change the position of the following bills on the calendar:

Senate Bill No. 48 in the place of Senate Joint Resolution No. 49, and Senate Bill No. 104 in the place of Senate Bill No. 155;

Which was agreed to.

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

Which was agreed to.

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