

Mr. Palmer of 14th moved to adjourn until 4 o'clock this afternoon.

The motion of Mr. Dougherty to adjourn until to-morrow morning at 10 o'clock,

Was agreed to.

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

THURSDAY, APRIL 22, 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, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hendly, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Robert, Thomas, Wadsworth and Williams—32.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was corrected and approved.

Introduction of Bills.

By Mr. Palmer of 14th:

Senate Bill No. 122:

A bill to be entitled an act to amend section 267 of the Revised Statutes of the State of Florida, relating to investment by Board of Education of moneys of school fund;

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

By Mr. Dimick:

Senate Joint Resolution No. 123:

A Senate Joint Resolution proposing an amendment to section 6, of article 8, of the Constitution of the State of Florida, relating to county officers;

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

By Mr. Hendly:

Senate Bill No. 124:

A bill to be entitled an act to amend chapter 4180, acts of 1893, entitled an act to amend section 568 and 578 of the Revised Statutes of the State of Florida, concerning annuities for disabled soldiers and sailors of the State of Florida;

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

By Mr. Hendly:

Senate Bill No. 125:

A bill to be entitled an act to enlarge the liability of sureties upon supersedeas bonds;

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

By Mr. Hendly:

Senate Bill No. 126:

A bill to be entitled an act to regulate the certification of records for use in appellate courts in this State;

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

By Mr. Chipley:

Senate Bill No. 127:

A bill to be entitled an act to incorporate the West Florida Gulf Coast Railway Company;

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

Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., April 20, 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. 158:

A bill to be entitled an act to provide for the municipal officers of the city of Key West, a municipal corporation existing in the county of Monroe, Florida; to prescribe their terms of office, provide for their election and appointment, and

regulate their compensation, and to repeal sections 2 and 3 of chapter 3966, Laws of Florida, and amendments thereto.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

And House Bill No. 158, contained in 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., April 21, 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. 57:

Relative to the appointment of clerical aid for the Joint Committee on Appropriations.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

And House Concurrent Resolution No. 57, contained in above message, was read the first time and laid over under the rules until to-morrow.

Mr. Reeves was granted leave of absence for the day, on account of sickness.

Reports of Committees.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 21, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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.

Beg leave to report that they have carefully examined the same, and herewith transmit as a substitute:

Senate Bill No. 103:

A bill to be entitled an act to legalize conveyances heretofore made, or that may hereafter be made, of the separate estate or property of a married woman, who is under twenty-one years of age.

And would respectfully recommend that the substitute do pass.

Very respectfully,

FRED T. MYERS,

Chairman Judiciary Committee.

And Senate Bill No. 103, contained in the above report, together with the substitute offered by the committee, was placed on the calendar of bills on second reading.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 21, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 102:

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

Beg leave to report that they have carefully examined the same, and herewith transmit as a substitute:

Senate Bill No. 102:

A bill to be entitled an act to legalize acknowledgements and other official acts of notaries public, who had been duly commissioned.

And would respectfully recommend that the substitute do pass.

Very respectfully,

FRED T. MYERS,

Chairman Judiciary Committee.

And Senate Bill No. 102, contained in the above report, together with the substitute offered by the committee, was placed on the calendar of bills on second reading.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 21, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 93:

A bill to be entitled an act for the appointment of official stenographers for the Circuit Courts of the State of Florida, and to provide for their being paid, and the way in which the money shall be raised for such pay, and to prescribe the duties of the stenographers, and to fix the amount he shall charge for writing out his notes.

Also,

Senate Bill No. 97:

A bill to be entitled an act relating to chattel mortgages.

Also,

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.

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

Very respectfully,

FRED T. MYERS,

Chairman Judiciary Committee.

And Senate Bills Nos. 93, 97 and 101, contained in the above report, were placed on the calendar of bills on second reading.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 21, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 7:

A bill to be entitled an act to repeal so much of an act entitled "an act to provide for the registration of all legally qualified voters in the several counties of the State, and to provide for general and special elections, and for the returns of elections," approved May 25, 1895, as requires the payment of poll taxes on or before the second Saturday of the month immediately preceding the general election; and to provide for the payment of poll taxes up to and on the day of any general election; and to provide for the appointment of deputy collectors to receive poll taxes at each voting precinct on the days of general elections.

Also,

Senate Bill No. 104:

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

Beg leave to report that they have carefully examined the same, and respectfully recommend that they do not pass.

Very respectfully,

FRED T. MYERS,

Chairman Committee on Judiciary.

And Senate Bills Nos. 7 and 104, contained in the above report, were placed on the calendar of bills on second reading.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 22, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 118:

A bill to be entitled an act to punish the desertion of wife and children.

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

Very respectfully,

FRED. T. MYERS,

Chairman Committee on Judiciary.

And Senate Bill No. 118, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 22, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 115:

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

Beg leave to report that they have carefully examined the same, and would recommend that it be amended by adding after the word "Florida," in the title of the bill, "relating to the severing and taking of property from the freehold," and as thus amended, that it do pass.

Very respectfully,

FRED T. MYERS,

Chairman Judiciary Committee.

And Senate Bill No. 115, contained in the above report, together with the amendments offered by the committee, was placed on the calendar of bills on second reading.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 22, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 108:

A bill to be entitled an act to amend section 1 of chapter 4147, Laws of Florida, being an act to regulate the carrying of fire arms, approved June 2, 1893.

Beg leave to report that they have carefully examined the same, and return the same without recommendation.

Very respectfully,

FRED. T. MYERS,

Chairman Judiciary Committee.

And Senate Bill No. 108, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 22, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 44:

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

Also,

Senate Bill No. 45:

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

Also,

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.

Also,

Senate Bill No. 109:

A bill to be entitled an act concerning libel in civil and criminal cases.

Also,

Senate Bill No. 110:

A bill to be entitled an act in relation to surety and guarantee companies and corporations, firms and persons engaged in the business of becoming sureties upon the bonds employes to employer.

Also,

Senate Bill No. 112:

A bill to be entitled an act to amend section 7, chapter 4055 of the Laws of Florida.

Also,

Senate Bill No. 116:

A bill to be entitled an act to amend section 6 of chapter 4048 of the Revised Statutes of Florida, being an act to regulate the inspection and sale of beef, and to repeal chapter 3613, Laws of Florida, approved February 16, 1885; also chapter 3897, Laws of Florida, approved May 31st, 1889.

Beg leave to report that they have carefully examined the same, and respectfully recommend that they do not pass.

Very respectfully,

FRED T. MYERS;

Chairman Judiciary Committee.

And Senate Bills Nos. 44, 45, 46, 109, 110, 112 and 116, contained in the above report, were 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 21, 1897. }

HON. CHAS. J. PERRINOT,

President of the Senate:

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

Senate Bill No. 107:

A bill to be entitled an act to incorporate the city of St. Augustine, in the State of Florida, and to provide for the organization and conducting of the municipal government of said city, and prescribing the powers and functions of said municipality;

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

Very respectfully,

W. D. CHIPLEY,

Chairman Committee on City and County Organization.

And Senate Bill No. 107, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Blich of 20th, Chairman of the Committee on State Affairs, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 22, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on State Affairs, to whom was referred—

Senate Bill No. 121:

A bill to be entitled an act to create a board of trustees for the State Normal School for whites at DeFuniak Springs, and to prescribe their duties and powers.

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

Very respectfully,

S. H. BLITCH,

Chairman Committee on State Affairs.

And Senate Bill No. 121, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Blich of 20th, Chairman of the Committee on State Affairs, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 22, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on State Affairs, to whom was referred—

Senate Bill No. 111:

A bill to be entitled an act to amend sections 3 and 4, chapter 4334, Laws of Florida, entitled an act to establish at Bartow, Florida, the South Florida Military and Educational Institute, and to provide and appropriate therefor, approved May 29, 1895.

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

Very respectfully,

S. H. BLITCH,

Chairman Committee on State Affairs.

And Senate Bill No. 111, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Hendly, Chairman of the Committee on Public Printing, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 21, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Public Printing, to whom was referred—

Senate Bill No. 105:

A bill to be entitled an act to compel newspapers publishing legal advertisements for sale of real or personal estate or 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.

Beg leave to return the same with the recommendation that it be referred to the Committee on Judiciary.

Very respectfully,

W. R. THOMAS,

Acting Chairman Committee on Public Printing.

And Senate Bill No. 105, contained in the above report, was referred to the Committee on Judiciary.

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

SENATE CHAMBER, }
TALLAHASSEE, FLA., April 21, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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,

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

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 61, 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 21, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 65:

A bill to be entitled an act to incorporate the Sanibel Island Railway and Construction Company.

Also,

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.

Also,

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.

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

Very respectfully,

CHAS. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bills Nos. 65, 79 and 76 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 22, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 73:

A bill to be entitled an act regulating the means and method of capturing and killing food fishes in the waters of the New Smyrna Inlet, Hillsboro River, Mosquito Lagoon, Halifax River, Spruce, Tomokee, Bulow and Smith Creeks, and the bays and tributary waters thereof on the east coast of Florida, and providing for the punishment of persons violating the same, and appointing a fish warden, and providing for escheating the property and appliances, and in disposing of the proceeds of the same,

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. 73, 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 22, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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.

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

Very respectfully,

C. F. BARBER,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 85, contained in the above report, was placed on the calendar of bills on third reading.

Mr. Darby, of the Conference Committee on the part of the Senate on Senate Concurrent Resolution No. 2, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., April 22, 1897. }

HON. CHAS. J. PEBRENOT,

President of the Senate:

SIR—Your committee appointed to confer with the House Committee in regard to amendment offered by the House to Senate Resolution No. 2, ask leave to report that they have agreed to recommend on the part of the House, that the House recede.

Very respectfully,

T. A. DARBY,

Committee on part of Senate.

A message was received from the House of Representatives.

A message was received from the Governor.

Mr. Dimick asked unanimous consent to withdraw Senate Bill No. 7;

Which was granted.

Special Order.

Mr. Adams moved that the special order set for 11 o'clock to-wit, Senate Bill No. 71, be advanced, and that the Senate proceed to the further consideration of Senate Bill No. 71; Which was agreed to.

And,

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.

Consideration of section 6 was pending at adjournment yesterday.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 6, line 17, after the word "transit," add "between points wholly within this State."

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 6, line 25, strike out all after the word "charged," including lines 26, 27 and 28.

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Section 7, was read.

Mr. Hartridge moved that the Senate recur to section 6 to allow him to offer an amendment to said section;

Which was agreed to.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

Strike out all after the word "charges," in line 25, section 6, and add the following: "Provided, That no rate of freight or passenger tariff fixed by the Commissioners as applying to any railroad in this State shall be deemed or held to be a reasonable and just rate under the provisions of this act, which, taken in connection with the whole schedule of tariff created by the Commissioners to be applied to such road, is not sufficient to pay the operating expenses, including maintenance of all the property and terminal facilities of such road, and also, in addition thereto, a reasonable remuneration of not less than four per cent. upon the value of said railroad and its terminal facilities, as assessed for taxation; that is to say, by a just and reasonable rate it is meant, designed and intended that the whole schedule of rates, freight and passenger, as applied to the whole business, freight and passenger, of any given road shall be such as to enable said road to earn its operating expenses, including maintenance of its property as aforesaid, and, in addition thereto, a reasonable interest of not less than four per cent. upon the value of said railroad and its terminal facilities, as assessed for taxation.

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 8, at the end of line 23, add the words "except in cases where the freight is of a perishable character."

Mr. Hartridge moved the adoption of amendment;

Which was not agreed to.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 8, strike out the lines 29, 30, 31, 32 and 33 down to and including the word "evidence."

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

Mr. Hartridge offered following amendment to Senate Bill No. 71 (printed copy):

Add to section 8 the following: "Provided, That said date shall not be less than thirty days from the time of the making, changing or revising of the schedule."

Mr. Hartridge moved the adoption of the amendment;
Which was agreed to.

Mr. Dimick moved that the Senate now take a recess until 11:55;

Which was agreed to.

FIVE MINUTES TO TWELVE O'CLOCK.

The Senate was called to order at 11:55 a. m.

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, Bynum, Carson, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hendly, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Roberts, Thomas, Wadsworth and Williams—28.

A quorum present.

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, April 22, 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 1st, Broome, Bynum, Carson, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hart-ridge, Hendly, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—31.

A quorum present.

By request of the President the Speaker of the House 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, Bates, Bethel, Blanton, Bunch, Canty, Carlisle, Carter, Chaires, Christie, Cobb, Cox, Crumpton, Dees, Dupree, Dyal, Ellis, Frisbee, Fielding, Fulton, Hardee, Harris, Hendry of Lee, Hendry of Taylor, Hyer, Lamar, Lewis, Linton, McCall, McCreary, Mobley, Morgan of Hamilton, Morgan of Putnam, Owens, Pelot, Pedrick, Pope, Potter, Rawls, Rice, Richbourg, Rober son, Rouse, Shepard of Liberty, Shepard of Orange, Sloan, Spencer, Stanford, Stockton, Street, Thayer, Turner, Wall of Bradford, Wall of Putnam, Ward, Watson, Whitner, Williams, Wilson, Wolff, Young and Zewadski—66.

A quorum present.

The Journals of the Senate and House of Representatives in relation to the ballot taken in joint session for United States Senator yesterday were read and approved.

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

Mr. Adams moved that the joint session proceed to vote for 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. Blich of 21st, Broome, Crosby, Palmer of 14th, Roberts and Thomas—6.

For Chipley—Mr. President, Messrs. Dougherty, Fuller, Gaillard, Hartridge, Palmer of 11th, Peacock and Reeves—8.

For Raney—Messrs. Bailey, Carson, Clark, Daniel, Dimick, Myers, Phipps and Wadsworth—8.

For Burford—Messrs. Barber, Blich of 20th and Hooker—3.

For Hocker—Messrs. McLin and Williams—2.

For Mabry—Messrs. Adams and Bynum—2.

For Wolff—Mr. Darby—1.

Total number of votes cast, 30.

Mr. Hendly announced that he was paired with Mr. Chipley.

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

For Call—Messrs. Baker, Bates, Bethel, Blanton, Bunch, Canty, Carlisle, Carter, Crumpton, Frisbee, Hardee, Hendry of Taylor, Lewis, Linton, McCreary, Morgan of Hamilton, Pelot, Pedrick, Pope, Rawls, Rouse, Shepard of Liberty, Stockton, Wall of Bradford, Wall of Putnam, Ward and Wilson—27.

For Chipley—Mr. Speaker, Messrs. Baggett, Balentine, Cobb, Ellis, Harris, Hyer, Richbourg, Robertson, Shepard of Orange, Spencer, Street, Thayer, Watson and Young—15.

For Raney—Messrs. Chaires, Christie, Dees, Dupree, Fielding, Lamar, Mobley and Rice—8.

For Burford—Messrs. Ayer and Morgan of Putnam—2.

For Hocker—Messrs. Cox, Dyal, Fulton, Hendry of Lee, Owens, Sloan, Turner, Whitner and Zewadski—9.

For McKay—Messrs. McCall and Stanford—2.

For Bisbee—Mr. Potter—1.

For Darby—Mr. Wolff—1.

Total number of votes cast, 65.

Mr. Williams of Holmes announced that he was paired with Mr. Burnsed.

The Secretary announced that thirty (30) votes in the Senate, and sixty-five (65) in the House, making a total of ninety-five (95) votes, had been cast, of which the following gentlemen received the number opposite their respective names:

Wilkinson Call, 33;
 W. D. Chipley, 23;
 G. P. Raney, 16;
 W. A. Hocker, 11;
 R. A. Burford, 5;
 M. H. Mabry, 2;
 Jas. McKay, 2;
 H. Bisbee, 1;
 F. A. Wolff, 1;
 T. A. Darby, 1.

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

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

Which was agreed to.

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

For Call—Messrs. Blicht of 21st, Broome, Crosby, Palmer of 14th, Roberts and Thomas—6.

For Chipley—Mr. President, Messrs. Dougherty, Fuller, Gaillard, Hartridge, Palmer of 11th, Peacock and Reeves—8.

For Raney—Messrs. Bailey, Carson, Clark, Daniel, Dick- ick, Myers, Phipps and Wadsworth—8.

For Burford—Messrs. Barber, Blicht of 20th and Hooker—2.

For Hocker—Messrs. McLin and Williams—2.

For Mabry—Messrs. Adams and Bynum—2.

For Wolff—Mr. Darby—1.

Total number of votes cast, 30.

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

For Call—Messrs. Baker, Bates, Bethel, Blanton, Bunch, Canty, Carlisle, Carter, Crumpton, Frisbee, Hardee, Hendry of Taylor, Lewis, Linton, McCreary, Morgan of Hamilton, Pelot, Pedrick, Pope, Rawls, Rouse, Shepard of Liberty, Stockton, Wall of Bradford, Wall of Putnam, Ward and Wilson—27.

For Chipley—Mr. Speaker, Messrs. Baggett, Ballentina, Cobb, Ellis, Harris, Hyer, Richbourg, Robertson, Shepard of Orange, Spencer, Street, Thayer, Watson and Young—15.

For Raney—Messrs. Chaires, Christie, Dees, Dupree, Fielding, Lamar, Mobley, Rice and Stanford—9.

For Burford—Messrs. Ayer and Morgan of Putnam—2.

For Hocker—Messrs. Cox, Dyal, Fulton, Hendry of Lee, Owens, Sloan, Turner, Whitner and Zewadski—9.

For McKay—Mr. McCall—1.

For Bisbee—Mr. Potter—1.

For Darby—Mr. Wolff—1.

Total number of votes cast, 65.

The Secretary announced that thirty (30) votes in the Senate, and sixty-five (65) in the House, making a total of ninety-five (95) votes, had been cast, of which the following gentlemen received the number opposite their respective names:

Wilkinson Call, 33;

W. D. Chipley, 23;

G. P. Raney, 17;

W. A. Hocker, 11;

R. A. Burford, 5;

M. H. Mabry, 2;

Jas. McKay, 1;
 H. Bisbee, 1;
 F. A. Wolff, 1;
 T. A. Darby, 1.

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

Mr. Hartridge moved that the joint session now adjourn until 12 o'clock m. to-morrow;

Which was agreed to.

Whereupon the Senate withdrew to their chamber.

12:55 P. M.

At 12:55 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, Bailey Barber, Blitch of 20th, Blitch of 21st, Bynum, Carson, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Roberts, Thomas, Wadsworth and Williams—28.

A quorum present.

At 1 o'clock p. m.,

Mr. Myers moved that the Senate go into executive session;

Which was agreed to.

And the doors were closed.

At 1:12 p. m. the doors were re-opened.

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

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

Mr. Dougherty moved to adjourn until 4 o'clock this afternoon;

Which was agreed to.

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

AFTERNOON SESSION.

4:00 O'CLOCK.

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, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Clark, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Roberts, Thomas, Wadsworth and Williams—29.

A quorum present.

The Senate continued the consideration of—

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.

Section 9 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

Add to section 9 the following: "Provided, That nothing herein shall prevent or hinder any person or persons who may be examined under this section from being attended by, and having the services of counsel during such examination."

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 10, line 7, commencing with the word "second," strike out down to and including the word "known" in the 9th line, and thereafter in the section change the numbers so as to make them consecutive.

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Section 10 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 10, line 40, after the word "whom," add "other than those given to employes and given as exchanges with other railroad and transportation companies."

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

Section 11 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 11, line 4, after the word "correction," add "upon any complaint being made as to the rate charged."

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

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In section 11, line 1, enclose in parenthesis the words "including receipts on bills of lading;" strike out the word "of" after the word "lading," and substitute therefor the word "between."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

Section 12 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 12, line 4; commencing with the word "ample," strike out down to and including the word "made" in line 6, and substitute therefor the words "the railroad complained of does not cease such violation or disregard of the rule."

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

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 12, line 9, strike out "100," and substitute "25."

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

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 13, section 12, strike out all after the word "commissioners," and substitute therefor the words, "the fees of which special counsel shall be fixed by the commissioners as may seem to them reasonable and just."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

Section 13 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 13, line 10, after the word "jury," add "unless a jury shall be waived."

Mr. Hartridge moved the adoption of the amendment;

Which was agreed to.

Section 14 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 14, line 4, strike out all after the word "provide," including lines 5 and 6."

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Section 15 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 15, line 4, strike out the words "over the connecting roads transporting such freight," and substitute therefor the words "between points wholly within this State."

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 15, line 8, strike out the word "solely," and in the same section and same line, after the word "commissioners," add "nothing herein shall be taken or held to prevent a review of the findings of the commissioners by proper proceeding in the courts of the State having jurisdiction in such matters."

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 8, section 15, strike out the word "solely."

Mr. Carson moved the adoption of the amendment;

Which was agreed to.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 15, line 11, after the word "receipt," add the words, "provided the amount agrees with the amount in the duplicate original, and in cases where they disagree, the question shall be left to the courts for determination."

Mr. Hartridge moved the adoption of the amendment;

Which was not agreed to.

Section 16 was read.

Section 17 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 17, at the end of line 27, add the words "a sub-

poena and other process shall be served and returned as now provided by law for service and return of writs."

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

Mr Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 17, line 12, after the word "court," add "provided that nothing herein shall prevent an investigation by habeas corpus by the Circuit or Supreme Court of the State, or any decision reached or made by the commissioners in matters of contempt."

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

Section 18 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 18, line 5, strike out "one hundred," and substitute "twenty-five."

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

Section 19 was read.

Section 20 was read.

Section 21 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In section 21, line 9, strike out the words "such appeal shall not operate as a supersedeas."

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

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 9, section 21, at the end of said section, add the words "but such appeal shall be given precedence over all other appeals, shall be advanced to the head of the docket, and shall be heard and determined by said Supreme Court, as soon as practicable, after the filing of said appeal in said court."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

Mr. Darby offered the following amendment to Senate Bill No. 71 (printed copy):

Amend section 21 by adding the following after Mr. Carson's amendment: "The Railroad Commissioners shall have power to make and enforce all such rules and regulations

as may be necessary to enable them to carry out the powers conferred upon them by this act."

Mr. Darby moved the adoption of the amendment;
Which was agreed to.
Section 22 was read.
Section 23 was read.
Section 24 was read.

Mr. Hartridge offered the following amendment to Senate Bill No. 71 (printed copy):

In line 1, section 24, strike out the words "immediately upon," and substitute therefor the word "thirty" after "after."

Mr. Hartridge moved the adoption of the amendment;
Which was not agreed to.
The Senate recurred to section 1.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 7, section 1, after the word "elected," insert the words "without regard to vocation."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.
The Senate recurred to section 5.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 10, section 5, after the word "individuals," insert the words "express companies included."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.
The Senate recurred to section 6.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 1, section 6, strike out the words "as provided in the next section of this act."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 13, section 6, after the word "passengers," and before the word "may," insert the words "and freight."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

Mr. Carson offered offered the following amendment to Senate Bill No. 71 (printed copy):

In line 20, section 6, strike out the word "lessors," and substitute the word "lessees."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

The Senate recurred to section 10.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 41, section 10, after the word "companies," insert the words and figures as follows: "33d. What amount of land was granted to them by the State and United States? How much of said land has already been actually conveyed by deed? How much land is still due them? How much land has been sold, and what has been the gross receipts from such sales of land since granted by the State and United States?"

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

The Senate recurred to section 14.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 4, section 14, strike out the words, "the Legislature may provide," and substitute therefor the words "as may be provided by law."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In line 1 of title, after word "freight," insert the word "express."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

Mr. Carson offered the following amendment to Senate Bill No. 71 (printed copy):

In lines 6 and 7 of the title of the bill, strike out the words "to appoint commissioners," and substitute therefor the words "to provide for the appointment and election of commissioners."

Mr. Carson moved the adoption of the amendment;
Which was agreed to.

And Senate Bill No. 71, as amended, was referred to the Committee on Engrossed Bills.

Mr. Hartridge moved that the Senate do now adjourn;
Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock tomorrow.

Confirmations.

Joseph B. Wall, Tampa, Fla., to be Judge of the Criminal Court of Record in and for Hillsborough county, Florida.

Peter O. Knight, Tampa, Fla., to be County Solicitor in and for Hillsborough county, Florida.

Dr. R. A. Lancaster, Gainesville, Fla.; Judge Horatio Davis, Gainesville, Fla.; Major W. R. Thomas, Gainesville, Fla.; T. V. Porter, Esq., Jacksonville, Fla.; John E. Stillman, Esq., Orange City, Fla.; Hy. Crutcher, Esq., Zellwood, Fla.; Dr. H. T. Lykes, Tampa, Fla., to be members of the Board of Education for the Seminary East of the Suwannee River.

FRIDAY, APRIL 23, 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, Hartridge, Hendly, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, 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.

Introduction of Bills.

By Mr. Blich of 20th:

Senate Joint Resolution No. 128:

Senate Joint Resolution proposing an amendment to section 5 of article 8 of the Constitution of the State of Florida, relative to election of County Commissioners;

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

By Mr. Hendly:

Senate Bill No. 129:

A bill to be entitled an act to provide for the release of sureties from certain bonds in the State of Florida.