

Pending discussion on the bill—

Mr. Broome, moved that the Senate do now adjourn until 10 o'clock Monday morning.

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock Monday morning.

MONDAY, MAY 10, 1897.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Adams, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hart-ridge, Hooker, McLin, Palmer of 14th, Peacock, Phipps, Reeves, Thomas and Wadsworth—25.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was approved.

Senators Clark and Roberts were excused until Thursday morning.

Introduction of Bills.

By Mr. Dimick:

Senate Bill No. 220:

A bill to be entitled an act to legalize the incorporation of the city of Miami, in the county of Dade, and to declare the incorporation of said city to be valid and of full force and effect;

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

By Mr. Dimick:

Senate Bill No. 221:

A bill to be entitled an act to extend the time for the commencement of work upon the Titusville Canaveral and Penin-sular railroad;

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

Mr. Blitch of 21st moved that the messages from the House of Representatives be spread upon the Journal without reading, but that the bills therein be read the first time by titles and referred;

Which was agreed to.

Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 7, 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. 252:

A bill to be entitled an act to establish the municipality of Bellair, provide for its government, and prescribe its jurisdiction and its powers.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 252, 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 7, 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 amendments thereto for—

Senate Bill No. 37:

A bill to be entitled an act to protect and encourage the

artificial growth of the sponge within the waters of the State of Florida, and conceding certain riparian rights to those engaged therein, and to prescribe a license in certain cases.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 37, together with amendment thereto contained in above message, was taken up, and the amendment was read in full.

Mr. Phipps moved that the Senate concur in House amendments to Senate Bill No. 37;

Which was agreed to.

And Senate Bill No. 37 as amended, was referred to the Committee on Enrolled Bills.

Mr. Reeves moved that the reading of the reports of committees be dispensed with, and that the reports be spread upon the Journal;

Which was agreed to.

And the reports were spread upon the Journal as directed.

Reports of Committees.

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

SENATE CHAMBER,
TALLAHASSEE, FLA., May 10, 1897. }

HON. CHAS. J. PERBENOT,

President of the Senate:

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

House Bill No. 157:

A bill to be entitled an act to incorporate Florida State Tobacco Growers' Association.

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 House Bill No. 157, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Bitch of 21st, Chairman of the Committee on Fisheries, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 51:

A bill to be entitled an act regulating the taking of fish in the waters of Osceola county.

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

Very respectfully,

N. A. BLITCH,

Chairman Committee on Fisheries.

And House Bill No. 51, contained in the above report, 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., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 155:

A bill to be entitled an act to provide for the establishing, working, repairing and maintaining the public roads and bridges of the several counties of this State under the contract system, and prescribe rules of procedure in case of default of contract.

Also,

Senate Bill No. 100:

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

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. 155 and 100, 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., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 115:

A bill to be entitled an act to amend section 2516, Revised Statutes of the State of Florida, relating to the severing and taking of property from the freehold.

Also,

Senate Bill No. 66:

A bill to be entitled an act to abolish the present corporation of the town of Clear Water Harbor, Florida, and to provide a municipal government for the town of Clear Water, and to define the boundaries thereof.

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. 115 and 66, contained in the above report, were placed on the calendar of bills on third reading.

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

SENATE CHAMBER, }
TALLAHASSEE, FLA., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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.

Also,

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.

Also,

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.

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. 190, 191 and 192, 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., MAY 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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.

Also,

House Bill No. 2:

A bill to be entitled an act to regulate the holding of political primary elections in Alachua county for the nomina-

tion of delegates to political conventions, or of candidates for any elective office under the laws of this State.

Have had the same under consideration, and return them herewith without recommendation.

Very respectfully,

FRED. T. MYERS,

Chairman Committee on Judiciary.

Senate Bill No. 198 and House Bill No. 2, 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., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 189:

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

And,

Senate Bill No. 209:

A bill to be entitled an act to authorize the construction and maintenance of gates across the public roads in this State, and to provide for the removal of the same.

And,

Senate Bill No. 210:

A bill to be entitled an act in relation to the salaries of certain administrative officers.

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. 189, 209 and 210, 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., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 213:

A bill to be entitled an act to amend section 1, article 2, section 1 and 2, article 3, section 2 and 3, article 8 and section 1, article 9 of chapter 4297 of the Laws of Florida, approved May 30, 1893.

Have had the same under consideration and return it herewith with the recommendation that it be referred to your Committee on City and County Organization.

Very respectfully,

FRED. T. MYERS,

Chairman Judiciary Committee.

And Senate Bill No. 213, contained in the above message, was referred to the Committee on City and County Organization.

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

SENATE CHAMBER, }
TALLAHASSEE, FLA., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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.

And,

House Bill No. 86:

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

And,

House Bill No. 108:

A bill to be entitled an act for the protection of persons mortgaging real estate or personal property.

Have had the same under consideration, and recommend that they do not pass.

Very respectfully,
FRED T. MYERS,
 Chairman Judiciary Committee.

And Senate Bill No. 126 and House Bills Nos. 86 and 108, 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., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 154:

A bill to be entitled an act to amend section 109 of the Revised Statutes of Florida relating to examination by the Governor, and report.

Beg leave to report that they have had the same under consideration, and would recommend that the substitute bill herewith transmitted, to-wit:

A bill to be entitled an act to amend section 123 of the Revised Statutes of the State of Florida, with reference to an examination of the State Treasurer's office by the Governor, and monthly statements to the Governor,

Be substituted therefor, and that such substitute do pass.

Very respectfully,
FRED T. MYERS,
 Chairman Committee on Judiciary.

And Senate Bill No. 154, 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. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
 TALLAHASSEE, FLA., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

Senate Bill No. 171:

A bill to be entitled an act to amend paragraph 2 of section 1272, Revised Statutes of Florida, relating to supersedeas upon writs of error.

Also,

Senate Bill No. 172:

A bill to be entitled an act to amend paragraphs 1 and 2 of section 1458, Revised Statutes, relating to supersedeas upon appeals in equity cases.

Also,

Senate Bill No. 184:

A bill to be entitled an act to regulate the pleadings in suits upon policies of insurance, and prescribing form of declaration.

Also,

Senate Bill No. 186:

A bill to be entitled an act to amend sections 661 and 664, Revised Statutes of Florida, relating to proceedings to organize and incorporate cities and towns, to elect officers therefor, and to provide for a record of such proceedings.

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

Very respectfully,

F. T. MYERS,

Chairman Judiciary Committee.

And Senate Bills Nos. 171, 172, 184 and 186, 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., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

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.

Also,

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.

Also,

House Bill No. 92:

A bill to be entitled an act to amend section 2479 of the Revised Statutes of the State of Florida, defining and punishing forgery.

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

Very respectfully,

FRED T. MYERS,

Chairman Judiciary Committee.

And House Bills Nos. 46, 61 and 92, 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., May 10, 1897. }

HON. CHAS J. PERRENOT,

President of the Senate:

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

House Bill No. 138:

A bill to be entitled an act exempting the employes of certain State institutions from duty as grand and petit jurors.

Also,

House Bill No. 153:

A bill to be entitled an act to amend section 2463 of the Revised Statutes of the State of Florida, relating to embezzlement by public officers, and to define and delare what is prima facie evidence thereunder.

Also,

House Bill No. 182:

A bill to be entitled an act to prescribe the terms of office for notaries public, and to provide a time when the commissions of notaries heretofore appointed shall expire, and to

declare valid the acts of notaries whose commissions are more than four years since issued.

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 House Bills Nos. 138, 153 and 182, 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., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 130:

A bill to be entitled an act to amend an act entitled an act to provide for the cancellation and satisfaction of mortgages, liens and judgments.

Also,

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.

Also,

House Bill No. 136:

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

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

Very respectfully,

FRED T. MYERS,

Chairman Judiciary Committee.

And House Bills Nos. 130, 133 and 136, contained in the above report, were placed on the calendar of bills on second reading.

Orders of the Day.

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;

Which was under discussion when the Senate adjourned on Saturday, was taken up.

Mr. Reeves asked unanimous consent to amend Senate Bill No. 121 on its third reading;

Which was granted.

Mr. Reeves offered the following amendment to Senate Bill No. 121:

In line 9, section 1, strike out the word "two," and insert in lieu thereof the word "one."

Mr. Reeves moved the adoption of the amendment;

Which was agreed to unanimously.

The hour having arrived for consideration of the special order, Senate Bill No. 168.

On motion of Mr. Reeves the special order was postponed, until the Senate shall have finished the consideration of Senate Bill No. 121:

Upon call of the roll on the passage of Senate Bill No. 121, the vote was:

Yeas—Mr. President, Messrs. Chipley, Daniel, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hendley, Hooker, Peacock, Phipps, Reeves and Wadsworth—14.

Nays—Messrs. Adams, Bailey, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Crosby, Darby, McLin, Palmer of 14th, Thomas and Williams—14.

So Senate Bill No. 121 failed to pass.

Mr. Bynum moved that the vote by which Senate Bill No. 121 failed to pass be reconsidered.

Mr. Adams moved that the motion to reconsider be laid on the table.

The yeas and nays were demanded.

Upon call of the roll, the vote was:

Yeas—Messrs. Adams, Barber, Blich of 20th, Blich of 21st, Broome, Carson, Crosby, McLin, Thomas and Williams—10.

Nays—Mr. President, Messrs. Bailey, Bynum, Chipley, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard, Hartridge, Hendley, Hooker, Palmer of 14th, Peacock, Phipps, Reeves and Wadsworth—18.

Mr. Palmer of 11th was excused from voting.

So the motion to lay on the table was not agreed to.

The motion to reconsider was laid over under the rules until to-morrow.

Special Order.

At 11:30 a. m.—

Senate Bill No. 168:

A bill to be entitled an act to consolidate and improve the State institutions of learning, and to provide for the further increase and diffusing of knowledge among the people of the State of Florida, and for other purposes,

Was taken up.

Mr. Adams moved that the bill be read by sections, and amended accordingly.

Which was agreed to.

Section 1 was read.

Mr. Hooker offered the following amendment to Senate Bill No. 168 (printed copy):

In line 2, section 1, between the words "St. Augustine" and "Florida," insert the words "the South Florida Military and Educational Institute, Bartow."

Mr. Hooker moved the adoption of the amendment;

Pending which—

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 10, 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, Crosby, Daniel, Darby, Dimick, Dougherty, Fuller, Gaillard,

Hartridge, Hendley, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Thomas, Wadsworth and Williams—30.

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, Bates, Bethel, Burnsed, Cauty, Carlisle, Carter, Chaires, Christie, Cobb, Cox, Crumpton, Dees, Dupree, Dyal, Ellis, Frisbee, Fulton, Harris, Hardee, Hendry of Lee, Hyer, Lamar, Lewis, Linton, McCall, McCreary, Mobley, Morgan of Hamilton, Morgan of Putnam, Owens, Pelot, Pedrick, Potter, Rawls, Register, Rice, Richbourg, Robertson, Rouse, Shepard of Liberty, Shepard of Orange, Sloan, Spencer, Stockton, Street, Thayer, Turner, Wall of Bradford, Ward, Watson, Whitner, Williams, Wilson, Wolff, Young and Zewadski—61.

A quorum present.

The Journal of yesterday was approved.

Mr. Palmer of 14th 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 Stockton—Messrs. Adams, Barber, Blich of 21st, Broome, Crosby, Palmer of 14th, Thomas and Williams—8.

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

For Raney—Messrs. Bailey, Carson, Daniel, Dimick, Hendley, Myers and Phipps—7.

For Burford—Mr. Blich of 20th—1.

For Hocker—Mr. McLin—1.

For Thos. Palmer — Mr. Darby—1.

Total number of votes cast, 29.

Mr. Chipley was passed.

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

For Stockton—Messrs. Ayer, Baker, Bates, Bethel, Burnsed, Cauty, Carlisle, Carter, Crumpton, Dyal, Frisbee, Lewis, Linton, McCall, McCreary, Mobley, Morgan of Hamilton, Pelot, Rawls, Rouse, Shepard of Liberty, Wall of Bradford, Ward, Wilson and Wolff—25.

For Chipley—Messrs. Baggett, Ballentine, Cobb, Cox, Dupree, Ellis, Harris, Hendry of Lee, Hyer, Morgan of

Putnam, Pedrick, Potter, Robertson, Shepard of Orange, Spencer, Stanford, Street, Thayer, Turner, Watson, Williams and Young—22.

For Raney—Messrs. Chaires, Christie, Fulton, Hardee, Lamar, Register, Rice and Whitner—8.

For Hocker—Messrs. Sloan and Zewadski—2

Total number of votes cast, 57.

Mr. Dees announced that he was paired with Mr. Hendry of Taylor.

Mr. Speaker (Mays) announced that he was paired with Mr. Wall of Putnam; that if Mr. Wall of Putnam were present he would vote for Mr. Stockton, and he would vote for Mr. Chipley.

Mr. Stockton was passed.

Mr. Richbourg announced that he was paired with Mr. Burnsed; that if Mr. Burnsed were present he would vote for Mr. Stockton, and he would vote for Mr. Chipley.

Mr. Owens announced that he was paired with Mr. Pope; that if Mr. Pope were present he would vote for Mr. Stockton, and he would vote for Mr. Chipley.

The Secretary announced that twenty-nine (29) votes in the Senate, and fifty-seven (57) in the House, making a total of eighty-six (86) votes, had been cast.

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

Jno. N. C. Stockton, 33;

W. D. Chipley, 33;

G. P. Raney, 15;

W. A. Hocker, 3;

R. A. Burford, 1.

Thos. Palmér, 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 do now adjourn;

Which was agreed to.

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

12:20 O'CLOCK.

At 12:20 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, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Crosby, Daniel, Darby, Dougherty, Fuller, Gaillard, Hart-ridge, Hendley, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Thomas, Wadsworth and Williams—27.

A quorum present.

The Senate resumed consideration of—

Senate Bill No. 168:

A bill to be entitled an act to consolidate and improve the State institutions of learning, and to provide for the further increase and diffusing of knowledge among the people of the State of Florida, and for other purposes.

The pending question being the motion of Mr. Hooker to adopt his amendment to section 1.

Mr. Chipley moved that the Senate do now adjourn.

Mr. Chipley withdrew his motion.

Mr. Palmer of 11th moved that the Senate do now take a recess until 4 p. m.;

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, Barber, Blich of 21st, Broome, Carson, Chipley, Crosby, Daniel, Dimick, Dougherty, Hooker, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Wadsworth and Williams—21.

A quorum present.

Mr. Dougherty offered the following privileged resolution:

Resolved, That His Excellency, the Governor, be requested to inform the Senate whether or not certain bonds of the states of Alabama and North Carolina which had been held in the school fund were sold during the years 1895 or 1896, or at any time during which he filled the office of Comptroller.

Also that he be requested to inform the Senate if such sale

twenty-five cents for each certificate of land sold or certified to the State, which must be paid to the tax collector as provided by law. Such expenses for the years 1894 and 1895 and 1896, all of which were paid by the State, amounted to \$107,456.53, which was paid to the publishers and tax collectors of the following counties:

Alachua	\$3,159 12
Baker	177 60
Bradford	574 09
Brevard	2,886 26
Calhoun	205 12
Citrus	2,107 26
Clay	5,578 24
Columbia	697 26
Dade	1,486 07
DeSoto	6,990 86
Duval	12,508 05
Escambia	1,379 04
Franklin	47 60
Gadsden	106 69
Hamilton	106 97
Hernando	948 17
Hillsborough	2,896 99
Holmes	559 84
Jackson	953 68
Jefferson	275 98
Lafayette	160 31
Lake	5,823 27
Lee	3,807 18
Leon	209 16
Levy	493 12
Liberty	74 91
Madison	252 38
Manatee	1,713 37
Marion	8,288 12
Monroe	1,415 45
Nassau	1,415 76
Orange	8,870 31
Osceola	2,779 29
Pasco	1,943 12
Putnam	2,790 01
Polk	5,088 95
St. Johns	1,838 50
Sumter	1,922 34
Suwannee	417 99
Taylor	723 42
Volusia	4,352 95

Wakulla.....	164 43
Walton.....	509 43
Washington.....	8,757 87
	\$107,456 53

The funds realized by the State from the redemption and sale of tax certificates on account of expenses of sale and advertising, including interest, during the years 1894, 1895 and 1896, amounted to \$98,974.19, and the amount received for expenses and interest on lands redeemed and purchased was derived in the following proportion from lands located in the several counties:

Alachua.....	\$4,142 34
Baker.....	500 42
Brevard.....	2,060 75
Bradford.....	1,791 35
Clay.....	2,069 99
Citrus.....	3,560 51
Calhoun.....	186 23
Columbia.....	1,906 25
Dade.....	838 02
DeSoto.....	5,562 42
Duval.....	14,844 44
Escambia.....	1,553 77
Franklin.....	224 56
Gadsden.....	204 80
Hernando.....	2,178 56
Hamilton.....	377 33
Hillsborough.....	4,204 29
Holmes.....	87 87
Jackson.....	934 74
Jefferson.....	689 18
Lake.....	5,338 33
Lee.....	1,433 69
Levy.....	1,414 34
LaFayette.....	373 59
Liberty.....	172 75
Leon.....	672 18
Madison.....	347 31
Marion.....	8,431 88
Manatee.....	2,197 79
Monroe.....	1,589 96
Nassau.....	1,020 24
Orange.....	4,762 09
Osceola.....	2,203 38
Polk.....	2,974 20

Pasco.....	2,037 28
Putnam.....	3,697 23
Suwannee.....	1,450 50
Sumter.....	2,479 28
St. Johns.....	1,255 63
Taylor.....	712 92
Volusia.....	3,340 58
Washington.....	1,623 50
Walton.....	783 45
Wakulla.....	744 20

\$98,974 10

All of the interest received by the State Treasurer in the redemption and sale of tax certificates, is included in the above amounts, and as each payment was made by him into the State Treasury, it was credited to the general revenue fund, which is applicable to the current expenses of the State, and can only be paid out on warrants drawn by the Comptroller against existing appropriations made for the specific purposes by the Legislature, as provided by the Constitution and Laws of the State of Florida. It will be seen that the State was required to pay out during the years 1894, 1895 and 1896, \$8,482.34 more than was realized from the redemption and sale of tax certificates during those years.

The amount of \$107,456.53, which is stated above as being the amount paid by the State for expenses and costs of lands sold for taxes during the years 1894, 1895 and 1896, represents only the payments made by warrants on the State Treasury during said years, while the amount \$98,974 10 stated as having been realized from tax sales, represents the full amount received during said years for expenses of sale and interest on tax certificates covering lands sold or certified for unpaid taxes during the past twenty years.

It is a well known fact that thousands of acres of land are sold for unpaid taxes that are never redeemed. This was demonstrated by the large number of tax sale certificates that were cancelled and surrendered, without cost, under the act of the Legislature of 1889, which directed the cancellation and surrender of all tax sale certificates held by the State covering the unpaid taxes of 1876, and previous years. The action of the Legislature of 1889 was doubtless taken for the reason that there had been an accumulation of tax certificates covering lands that were erroneously assessed, as well as lands not subject to taxation, and the expenses of sale in all such cases were a complete loss to the State.

In view of the loss constantly sustained by the State of

Florida on account of the law requiring all the expenses of tax sales to be paid from the State Treasury, it would not, in my opinion, be advisable to amend the law so as to provide for the distribution of any part of the interest received from the redemption and sale of tax certificates, between the several counties, as such distribution would, under the circumstances, result in benefitting only a few counties to the injury of the many.

If the authorities of the counties in which large land sales are usually made desire to pay their proportion of the expenses of the tax sales accruing in their respective counties, and thereby become entitled to a due proportion of the interest that may be collected when the lands are redeemed or purchased, the law could be so amended as to provide that this should be done, and it would be a fair and equitable adjustment of the whole matter, which would result in full justice to all of the counties.

In addition to the loss sustained by the State, as above mentioned, there are other charges which must be met from the State Treasury, for recording tax sales, for blank forms, for reports of land sales, for record books in which to record lands redeemed or purchased, and for the necessary clerical force in the Land Redemption Department, where the work of redemption and sale of tax sale certificates is done, and where the reports are made out quarterly, and sent to the Board of County Commissioners of each county showing the tax certificates redeemed or purchased. These reports, which are sent out from this office, enable the County Commissioners to keep fully posted as to all lands redeemed or purchased at the State Treasurer's office, and furnish them with full information as to the amount of county taxes to be remitted by the State Treasurer to the treasurers of their respective counties.

In connection with the above statement of expenses of sale and interest collected by the State Treasurer in the redemption and sale of tax certificates, I desire to call particular attention to the fact that no part of the State or county taxes, as assessed for the year for which the land was sold or certified, are included therein. Such State taxes are required by law to be paid into the State treasury, and the county taxes must be paid by the State Treasurer, direct to the county treasurers of the different counties. No part of the county taxes as assessed on lands redeemed or purchased from the State Treasurer are ever paid into the State treasury. All such county taxes are payable to the county treasurers of the several counties, regardless of the date the land was sold or certified for unpaid taxes.

If a tax certificate covering lands sold for unpaid taxes in 1878 were redeemed or purchased to-day, the county portion of the taxes as assessed would be payable to the county treasurer of the county in which the land was located just the same as though the redemption or sale had occurred fifteen years ago.

The total amount received by the State Treasurer from the redemption and sale of tax certificates for the years 1894, 1895 and 1896 was \$254,708.90, which was divided as follows as appears from the records of this office:

State taxes.....	\$ 55,531 51
County taxes reported to the several counties..	100,203 20
Expenses of sale and interest as appears by counties above.....	98,974 19
	\$254,708 90

Yours very respectfully,
 WM. H. REYNOLDS,
 Comptroller of the State of Florida.

Mr. Carson moved that the report of the Comptroller be referred to a committee of three to be appointed by the President for consideration;

Which was agreed to.

And the President appointed as such committee Messrs. Carson, Hooker and Daniel.

And the report was referred to the said committee.

By permission—

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

SENATE CHAMBER, }
 TALLAHASSEE, FLA., May 10, 1897. }

HON. CHAS. J. PERRENOT,
 President of the Senate:

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

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.

Beg leave to report that we have examined the same and find it correctly enrolled.

Very respectfully,
 J. N. HOOKER,
 Chairman Committee on Enrolled Bills.

And the act contained in the above report was referred to the Joint Committee on Enrolled Bills.

By permission—

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

SENATE CHAMBER, }
TALLAHASSEE, FLA., May 10, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

An act to extend the time for completing the Carrabelle, Tallahassee and Georgia Railroad, and to preserve and to continue the grant of lands heretofore made to aid in its construction.

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

Very respectfully,

J. N. HOOKER,

Chairman Joint Committee on Enrolled Bills.

And the act contained in the above report was referred to the Joint Committee on Enrolled Bills to be conveyed to the House of Representatives for signature of Speaker and Chief Clerk thereof.

The Senate resumed consideration of—

Senate Bill No. 168:

A bill to be entitled an act to consolidate and improve the State institutions of learning, and to provide for the further increase and diffusing of knowledge among the people of the State of Florida, and for other purposes.

And the pending amendment of Mr. Hooker to-wit:

In line 2, section 1 (printed copy), between the words "St. Augustine and Florida," insert the words "The South Florida Military and Educational Institute, Bartow."

The yeas and nays were demanded.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Barber, Bynum, Chipley, Dimick, Fuller, Gaillard, Hooker, Palmer of 14th, Peacock, Phipps and Reeves—12.

Nays—Messrs. Adams, Blich of 20th, Blich of 21st, Carson, Crosby, Darby, Dougherty, Hartridge, McLin, Palmer of 11th, Thomas and Williams—12.

The motion of Mr. Hooker to adopt the amendment was not 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.

TUESDAY, MAY 11, 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, Crosby, Daniel, Dimick, Dougherty, Fuller, Gaillard, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Thomas and Wadsworth—25.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was approved.

Mr. Blich of 21st offered the following resolution:

Senate Resolution No. 21:

Whereas, The session is drawing to a close, and there is a multiplicity of business before this body, therefore be it

Resolved that no member be allowed to speak more than ten minutes to one measure, unless this body gives its consent.

Mr. Blich of 21st moved the adoption of the resolution;

Which was agreed to.

Introduction of Bills.

By Mr. Dougherty:

Senate Bill No. 222:

A bill to be entitled an act declaring the town of DeLeon Springs, in the county of Volusia, to be a legally incorporated town;