

FRIDAY, APRIL 7, 1899.

Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Baker, Barber, Blich, Broome, Bynum, Carson, Chaires, Crill, Crosby, Denham, Dimick, Fuller, Gaillard, Harris, Hendley, Hooker, McCaskill, McCreary, McLin, O'Brien, Palmer of 14th, Roberts, Rogers, Sams, Wadsworth, Williams, Wilson—28.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was approved.

Mr. Broome requested a further excuse from attendance for Mr. Myers.

Mr. Myers was excused.

Mr. Blich requested that Mr. Reeves be excused for today, on account of sickness.

Mr. Reeves was excused.

Mr. Carson requested that Mr. Clark be excused for today, on account of sickness.

Mr. Clark was excused.

Mr. Williams asked to be excused until next Wednesday.

Mr. Williams was excused.

#### INTRODUCTION OF RESOLUTIONS.

Mr. Wilson offered the following concurrent resolution:

Senate Concurrent Resolution No. 9:

By Mr. Wilson:

Be it Resolved, by the Senate, the House of Representatives concurring, That a joint committee of two from the Senate and three from the House be appointed to visit the convict camps of the State, and investigate the condition of the convicts, their management and treatment; and that such committee make such recommendations for Legislative action looking to the betterment of the convicts as the committee, from its observations, deems just and equitable; and that such committee also be empowered to hear evidence, and recommend to the pardoning board for pardon or commutation of sentence, of any convict, who in the opinion of the committee meritoriously deserves such pardon or commutation.

Which was laid over under the rules until tomorrow.

Mr. Roberts introduced the following concurrent resolution:  
Senate Concurrent Resolution No. 10:

By Mr. Roberts:

Resolved, by the Senate, the House of Representatives concurring, That a special committee, consisting of two from the House of Representatives, and one from the Senate, be appointed to investigate and report the condition of the Insane Asylum at Chattahoochee, not later than May 1st.

Which was laid over under the rules until tomorrow:

Mr. McLin introduced the following concurrent resolution:  
Senate Concurrent Resolution No. 11:

By Mr. McLin:

Resolved, That a joint committee of five, three on the part of the House, and two on the part of the Senate, be appointed to take up, consider and report the most economical, practical and efficient manner of visiting and inspecting the different State Institutions, convict camps, canals, etc., of the State and report as early as practical.

Which was laid over under the rules until tomorrow.

Mr. Carson offered the following resolution:  
Senate Resolution No. 5:

By Mr. Carson:

Resolved, That the Comptroller is hereby requested to furnish the Senate a statement of all expenses for clerical aid by attaches and committee clerks (both standing and special) of the Legislature of 1887 and 1897, said statement to be itemized.

Mr. Carson moved the adoption of the resolution.  
Which was agreed to.

#### INTRODUCTION OF BILLS.

Senate Bill No. 28:

By Mr. Hooker:

A bill to be entitled an act to provide for the filing of transcripts and judgments from County Courts to Circuit Courts, and to provide for the issuance of executions thereon.

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

By Mr. O'Brien:

Senate Bill No. 29:

A bill to be entitled an act to grant the water front of the City of Pensacola.

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

By Mr. O'Brien:

Senate Bill No. 30:

A bill to be entitled an act to amend Section 676 of the Revised Statutes of the State of Florida, relating to streets, pavements and sidewalks, and to fix the liabilities of persons failing to construct or repair sidewalks.

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

By Mr. O'Brien:

Senate Bill No. 31:

A bill to be entitled an act to regulate suits against municipal corporations for injuries resulting from defects in streets, sidewalks or other public places.

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

By Mr. McCreary:

Senate Bill No. 32:

A bill to be entitled an act to provide for the recording of judgments of County Courts.

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

By Mr. McCreary:

Senate Bill No. 33:

A bill to be entitled an act to amend Section 2 of "An act entitled an act to regulate the terms of the County Courts in this State, and to prescribe the duties and compensation of the officers thereof," the same being Chapter 4406, Laws of Florida, Acts of 1895.

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

By Mr. Carson:

Senate Bill No. 34:

A bill to be entitled an act to regulate the burning of woods, forests and prairie lands in Osceola County, Florida.

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

By Mr. Carson:

Senate Bill No. 35:

A bill to be entitled an act to prohibit any one from placing water hyacinths in any of the streams or waters of the State of Florida, and to prescribe a penalty therefor.

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

By Mr. Wilson:

Senate Bill No. 36:

A bill to be entitled an act to amend Section 2707 of Revised Statutes of Florida, in relation to the purchase of seed cotton between the hours of sunset and sunrise, and providing penalty therefor.

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

#### CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 8:

By Mr. Bynum:

Be it Resolved, by the Senate, the House concurring, That a committee to be composed of one on the part of the Senate and two from the House, be appointed to visit the Agricultural College at Lake City, the East Florida Seminary at Gainesville, and the South Florida Military Institute at Bartow, examine into and investigate the present condition of each, and ascertain what improvements, if any, should be made, and report with as little delay as possible their findings to this Legislature, to the end that it may be advised in the matter of appropriations.

Was taken up and read the second time.

At the request of Mr. Bynum, Senate Resolution No. 8 was laid over until tomorrow.

#### REPORTS OF COMMITTEES.

Mr. Crill, Chairman of the Committee on Rules, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 7, 1899.

Hon. Frank Adams,

President of the Senate:

Sir: Your Committee on Rules, to whom was referred the question of Rules, beg leave to make the following report:

That the last rules of the Senate be adopted, with the following amendments, to-wit:

Add to Rule 1, "And any mistakes made in the entries corrected. The reading of the Journal may be suspended by unanimous consent."

Rule 20. Secretary to add the names of all Standing Committees; and add at end of Rule 20 the following: "Except the Judiciary Committee, which shall consist of nine members."

Rule 23, as follows: "Any bill or resolution shall be read in full at the request of any Senator on its first reading."

Change the number of all rules as now printed from 23 to 35, inclusive, making each rule one number higher.

Add to present Rule 25, (new number 26): "And when so amended shall be re-engrossed, without it is otherwise ordered by the Senate, and shall not lose its place on the Calendar."

Insert in Order of Business, first line, "Reading of Journal."

In "rules governing Executive Sessions, strike out Rule ten (10)."

#### JOINT RULES.

In Rule 2, line two, insert before the word "Clerk," the word "Enrolling." In line three before the word "Secretary," insert the word "Enrolling."

Amend Rule 3 to read as follows:

"Rule 3. When bills are enrolled they shall be examined by the standing committees of the Senate and House of Representatives on Enrolled Bills acting conjointly, who shall carefully compare the enrollment with the engrossed bills as passed by the two houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective houses."

The rules as so amended will then read as follows:

## RULES AND ORDERS OF THE SENATE.

Rule 1. The President shall take the chair every day at the hour to which the Senate shall have adjourned; shall call the Senate to order, and, on the appearance of a quorum, shall cause the Journal of the preceding day to be read, and any mistakes made in the entries corrected. The reading of the Journal may be suspended by unanimous consent.

Rule 2. He shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order subject to an appeal. He shall rise to put a question or to address the Senate, but may read sitting.

Rule 3. He shall declare all votes, but if a member rises to doubt a vote, the President shall order a return of the number voting in the affirmative and negative, without any further debate.

Rule 4. When any member shall require a question to be determined by yeas and nays, the President shall take the sense of the house in that manner, provided that any five of the members present are in favor of it.

Rule 5. When a question is under debate, the President shall entertain no motion, but to adjourn, to lay on the table, to postpone to day certain, to commit, to amend, or to postpone indefinitely, which several motions shall have precedence in the order in which they stand arranged, and a motion to lay on the table and to adjourn, shall be determined without debate, except a motion to adjourn to a time certain. When a substitute is offered and taken up for consideration, it shall be subject to amendment in the same manner as the original proposition; and the effect of the rejection of the substitute, or of the substitute as amended, shall be to reinstate the original for consideration.

Rule 6. When two or more members rise at once, the President shall name the member who is to speak first.

Rule 7. The President may designate a member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

Rule 8. The President shall not recognize any member who shall address the chair from any position, except at his desk, if objection be made thereto. When a member has finished speaking he shall sit down.

Rule 9. No member shall speak more than once on one question, to the prevention of any other who has not spoken and is desirous to speak, nor more than twice without obtaining leave of the house.

Rule 10. No member speaking shall be interrupted by another, but by rising up to call to order, or a question of privilege.

Rule 11. After a question is put to vote no member shall speak to it.

Rule 12. Every member presenting a petition, memorial, or remonstrance, shall endorse his name thereon.

Rule 13. Every motion shall be received and considered, and shall be reduced to writing upon the request of any member.

Rule 14. When a vote has been passed, it shall be in order for any member voting in the majority to move a reconsideration thereof on the same or the succeeding day, and such motion (except in the last week of the session) shall be placed first in the orders of the day for the day succeeding that on which the motion is made; and when a motion for reconsideration is decided, that vote shall not be reconsidered.

Rule 15. A question containing two or more propositions capable of division, shall be divided whenever desired by any member. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall neither preclude amendment nor a motion to strike out and insert.

Rule 16. The unfinished business in which the Senate was engaged at the time of the last adjournment, shall have the preference in the orders of the day after motions to reconsider have been disposed of.

Rule 17. The rules and proceedings of the Senate shall be observed, as far as they are practicable, in Committee of the Whole, excepting that a member may speak oftener than twice on the same subject. In Committee of the Whole the previous question cannot be called, the yeas and nays required, nor can there be an appeal from the decision of the Chair.

Rule 18. No member shall absent himself from the Senate without leave.

Rule 19. Whenever a question shall be taken by yeas and nays, the Secretary shall call the names of all the members, in alphabetical order, except the President, whose name shall be called at the end of the roll call, and every member present shall answer to his name, unless excused; and no member shall be permitted, under any circumstances, to vote after the decision is announced from the chair.

Rule 20. The following Standing Committees shall be appointed at the commencement of the first session, to-wit:

- A Committee on the Judiciary.
- A Committee on Education.
- A Committee on Finance and Taxation.
- A Committee on Claims.
- A Committee on Corporations.
- A Committee on City and County Organization.
- A Committee on the Militia.
- A Committee on Legislative Expenses.
- A Committee on Agriculture.
- A Committee on Public Printing.
- A Committee on Enrolled Bills.
- A Committee on Engrossed Bills.
- A Committee on State Affairs.
- A Committee on Railroads.
- A Committee on Public Lands.
- A Committee on Privileges and Elections.
- A Committee on Appropriations.
- A Committee on Fisheries.
- A Committee on Indian Affairs.
- A Committee on State Boundaries.
- A Committee on Commerce and Navigation.
- A Committee on Immigration.
- A Committee on Canals and Telegraphs.
- A Committee on Public Health.
- A Committee on Constitutional Amendments.
- A Committee on Temperance.
- A Committee on Rules.
- A Committee on Mining and Phosphate.

And each of these committees shall consist of five members, except the Judiciary Committee, which shall consist of nine members.

- A Committee on Game.

- A Committee on Recorded Proceedings of the Senate.

Rule 21. All committees shall be appointed by the President, unless otherwise specially directed by the Senate, and the person first named shall be Chairman; and whenever a

member of a committee shall be absent, and a substitute shall be appointed, the substitute shall hold the same rank in the committee as the member held for whom he is substituted. In all elections of committees by ballot, the person having the highest number of votes shall act as Chairman.

Rule 22. No bill or joint resolution shall be introduced by a member without special leave; and all bills and joint resolutions, when so introduced, shall be committed before they are passed to a second reading.

Rule 23. Any bill or resolution shall be read in full at the request of any Senator on its first reading.

Rule 24. No bill or joint resolution shall pass to be engrossed without two several readings on two separate days.

Rule 25. All bills and joint resolutions, after a second reading, shall be committed to the Standing Committee on Engrossed Bills, whose duty it shall be to strictly examine the same, and, if found by them to be correctly engrossed, they shall so endorse on the same.

Rule 26. No engrossed bills or joint resolutions shall be amended without the unanimous consent of the members present, and when so amended, shall be re-engrossed, without it is otherwise ordered by the Senate, and shall not lose its place on the calendar.

Rule 27. All bills and joint resolutions shall be put upon the calendar, and shall be taken up on their various readings only in regular order, unless otherwise provided by the Committee on Rules.

Rule 28. All resolutions requiring the concurrence of the House of Representatives shall be read to the Senate and lie over one day before final action thereon, unless otherwise ordered by the Senate.

Rule 29. All orders or resolutions requiring information from the Governor, cabinet officers, or action of committee, shall be read to the Senate and acted upon as in case of motions, and shall be spread upon the Journals of the Senate.

Rule 30. Messages shall be sent to the House of Representatives by the Secretary, who shall previously endorse the final determination of the Senate thereon.

Rule 31. No bill, order, resolution, or other matter for the use of the Senate, shall be printed without the special order of the Senate.

Rule 32. No person, not a member of the Senate, shall be allowed inside the bar while the Senate is in session, except the Senators, the Governor, his Cabinet Officers, Ex-Governors, United States Senators, Members of the House of Representatives of the United States and of the State, and Judges of the Supreme and Circuit Courts; Provided, That the President, upon the suggestion of any member, may invite any person within the bar of the Senate, unless objection be made thereto, in which case a vote of the Senate shall be necessary, but in no case shall any record of such admission within the bar of the Senate be made in the minutes.

Rule 33. Whenever the Senator who introduced any bill or resolution is absent from the chamber when such bill or resolution is reached in its regular order on any part of its readings, such bill or resolution shall be temporarily passed until the return of said Senator, when he shall have the privilege of calling up said bill or resolution out of its regular order on the calendar.

Rule 34. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the Senate, or the Joint Rules of the two branches of the Legislature.

Rule 35. The following shall be the hours of the daily sessions of the Senate, unless otherwise ordered: 10 A. M. and 4 P. M.

Rule 36. Any rule or order may be altered, dispensed with or rescinded, by a two-thirds vote of the members present consenting thereto.

Rule 37. That it shall be the duty of the Committee on Recorded Proceedings of the Senate to supervise the recording of the proceedings of the Senate and see that the Recording Secretary does his work correctly and neatly, and report to the Senate from time to time.

#### ORDER OF BUSINESS.

1. Reading of Journal.
2. Correction of Journal.
3. Introduction of Resolutions, Petitions and Memorials.
4. Introduction of Bills.
5. Consideration of Resolutions.
6. Messages from the House of Representatives.
7. Reports of Committees.
8. Orders of the Day.
9. Consideration of Bills upon their Second Reading.

10. Consideration of Bills upon their Third Reading.

11. Executive Appointments, and Suspensions.

### RULES GOVERNING EXECUTIVE SESSIONS.

Rule 1. When nominations shall be made by the Governor to the Senate, they shall, unless otherwise ordered by the Senate, lay over for action until the day succeeding the day upon which they were made; and the final question on every nomination shall be: "Will the Senate advise and consent to this nomination?" Which question shall not be put on the same day on which the nomination is received.

Rule 2. Nominations neither approved nor rejected during the session at which they are made, shall not be acted upon at any succeeding session without being again made by the Governor; and if the Senate shall adjourn sine die, all nominations pending and not finally acted upon at the time of taking such adjournment shall be returned to the Governor, and shall not be acted upon afterwards, unless again submitted to the Senate by the Governor, and all motions pending to reconsider a vote upon a nomination shall fall on such adjournment.

Rule 3. All information or remarks concerning the character or qualifications, or the vote upon the confirmation of any person nominated by the Governor to office, shall be kept a secret; but the fact that a nomination has been made, shall not be regarded as a secret after the time has expired, when a motion to reconsider may be made, and it shall be considered a breach of privilege for any Senator to break this rule.

Rule 4. When acting on executive business the chamber shall be cleared of all persons except the Secretary of the Senate, who shall be sworn to keep the secrets of the Senate.

Rule 5. The Legislative proceedings and executive proceedings of the Senate shall be kept in separate books.

Rule 6. Nominations approved or definitely acted upon by the Senate shall not be returned by the Secretary of the Senate to the Governor until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

Rule 7. No transcript of the executive record shall be furnished unless by special order of the Senate.

Rule 8. All confidential communications made by the Governor shall be by the members and officers of the Senate kept secret.

Rule 9. Communications from the Governor as to the suspension or removal of officers shall be considered in executive session, and, unless otherwise ordered, shall lay over for action to the executive session next succeeding that at which they are laid before the Senate.

#### JOINT RULES.

Rule 1. While bills are on their passage between the two houses, they shall be on paper and under signature of the Secretary or Clerk of each house respectively.

Rule 2. After a bill shall have passed both houses it shall be duly enrolled on parchment by the Enrolling Clerk of the House of Representatives or Enrolling Secretary of the Senate, as the bill may have originated in the one or the other house, before it shall be presented to the Governor of the State.

Rule 3. When bills are enrolled they shall be examined by the standing committees of the Senate and House of Representatives on enrolled bills, acting conjointly, who shall carefully compare the enrollment with the engrossed bills as passed by the two houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective houses.

Rule 4. After examination and report, each bill shall be signed in the respective houses, first by the Speaker of the House of Representatives, then by the President of the Senate.

Rule 5. After a bill shall have been thus signed in each house, it shall be presented by the said committee to the Governor of the State for his approbation, it being first endorsed on the back of the roll, certifying in which house the same originated, which endorsement shall be signed by the Secretary or Clerk, as the case may be, of the house in which it did originate, and shall be entered on the Journal of each house. The said committee shall report the day of presentation to the Governor, which time shall also be carefully entered on the Journal of each house.

Rule 6. All orders, resolutions and votes which are to be presented to the Governor of the State for his approbation, shall also in the same manner be previously enrolled, examined and signed, and shall be presented in the same manner and by the same committee as provided in cases of bills.

Rule 7. Before being put upon its passage, every resolution, in either house, to which the concurrence of the other may be necessary (except on a question of adjournment) shall receive two readings, which (unless two-thirds of the members present decide otherwise) shall be upon two different days; and the clerk upon proceeding thereto shall give notice whether the same be the first or second of such readings; and all such resolutions upon their passage shall be certified of course, and without the necessity of any motion or vote to that effect, by the Clerk or Secretary respectively of the house so passing said resolution to the other.

Rule 8. Joint resolutions shall, prior to their passage, receive three readings, which (unless two-thirds of the members present shall decide otherwise) shall be upon three different days; and the clerk, upon proceeding thereto, shall give notice whether the same be the first, second or third of such readings; and upon their passage, such resolutions shall be certified by the house so passing the same to the other in like manner to that prescribed in joint rule number seven for concurrent resolutions.

Very respectfully,

E. S. CRILL,

Chairman of Committee on Rules.

Mr Crill moved the adoption of the report of the committee.

Which was agreed to.

The President announced the addition of the following members on the Committee on Judiciary:

Messrs. Wilson, Reeves, Harris and Crill.

A message was received from the House of Representatives.

Mr. Harris moved that 200 copies of the rules be printed in pamphlet form, and that the list of Senators and Standing Committees be also printed therein.

Which was agreed to.

Mr. Blitch moved:

That 200 copies of Senate Bill No. 7 be printed for the use of the Senate.

Mr. Blitch withdrew the motion.

Mr. Fuller asked unanimous consent to introduce the following concurrent resolution:

Which was given.

Senate Concurrent Resolutuion No. 12:

By Mr. Fuller:

Resolved, by the Senate, the House of Representatives concurring, That a Committee composed of one from the Senate and two from the House of Representatives, be appointed to visit and investigate the Blind, Deaf and Dumb Institute at St. Augustine; also the Florida Coast Line Canal and Transportation Company, and report on same as soon as practicable.

Which was laid over under the rules until to-morrow.

Mr. Dimick moved that the Sergeant-at-Arms be authorized to purchase ice for the use of the Senate.

Which was agreed to.

Mr. Wilson moved that the Senate adjourn until to-morrow morning at 12 o'clock.

Which was agreed to.

Thereupon the Senate stood adjourned until 12 o'clock M. to-morrow.

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SATURDAY, APRIL 8, 1899.

Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Baker, Barber, Blitch, Broome, Bynum, Carson, Chaires, Clark, Crill, Crosby, Denham, Dimick, Fuller, Gaillard, Harris, Hendley, Hooker, McCaskill, McCreary, McLin, Myers, O'Brien, Palmer of 14th, Palmer of 11th, Reeves, Roberts, Rogers, Sams, Wadsworth, Wilson—30.

A quorum present.

Prayer by Mr. Crosby, in absence of the Chaplain.

On motion the reading of the Journal was dispensed with.