

SATURDAY, APRIL 29, 1899.

Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President,	Dimick,	O'Brien,
Messrs. Baker,	Gaillard,	Palmer of 14th,
Blich,	Harris,	Palmer of 11th,
Broome,	Hendley,	Rogers,
Carson,	Hooker,	Wadsworth,
Chaires,	McCaskill,	Williams,
Clark,	McCreary,	Wilson,
Crosby,	McLin,	
Denham,	Myers,	

Answering roll-call—25.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was corrected and approved.

The president announced the appointment of Messrs. Gaillard, O'Brien and Blich as the committee under Senate Resolution No. 12, relative to the appointment of a committee to establish a system for the transfer of proper evidence of service in the Confederate Army.

INTRODUCTION OF BILLS.

By Mr. Adams (by request):

Senate Bill No. 155:

A bill to be entitled an act to regulate the collection of appeal bonds in civil causes arising within the courts of the State of Florida.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 23, 1899.

Hon. Frank Adams,
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. 79:

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

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 79, contained in the above message, was read the first time by its title and referred to the Committee on Commerce and Navigation.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 28, 1899.

Hon. Frank Adams,

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. 56:

To be entitled an act to prohibit the publication of libelous articles and anonymous communications and to prescribe penalties for its violation.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 56, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

REPORTS OF COMMITTEES.

Mr. Hendley, Chairman of the Committee on Privileges and Elections, submitted the following report.

Senate Chamber,
Tallahassee, Fla., April 28, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Privileges and Elections to whom was referred—

Senate Bill No. 129:

A bill to be entitled an act to amend Section 47 of Chapter 4528, Acts of 1895, approved May 30, 1895, being 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.

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

Very respectfully,

J. A. HENDLEY,

Chairman of Committee.

And Senate Bill No. 129, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 28, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Engrossed Bills to whom was referred—

Senate Bill No. 67:

A bill to be entitled an act confirming the rights, powers and franchises of the Tropical Development and Navigation Company of Florida, and granting aid thereto, approved May 25, 1895.

Also,

Senate Bill No. 132:

A bill to be entitled an act to amend Chapter 4337 of the Acts of the Legislature of Florida, approved June 1, 1895,

relating to the levying and collection of taxes for the support of schools in sub-districts.

Also,

Have examined the same and find them correctly engrossed.

Very respectfully,

B. E. McLIN,

Chairman of Committee.

And Senate Bills No. 67, 132, contained in the above report, were placed on the Calendar of bills on second reading.

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

Senate Chamber,

Tallahassee, Fla., April 23, 1899.

Hon. Frank Adams,

President of the Senate:

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

Senate Bill No. 120:

A bill to be entitled an act to extend the time for commencement of work of the Etoniah Canal and Drainage Company.

Also,

Senate Bill No. 103:

A bill to be entitled an act to authorize County Commissioners of the County of Lee to adopt rules and regulations for the use and preservation of wild game, birds of song and plumage and wild animals, the skins of which are of commercial value.

Also,

Senate Bill No. 112:

A bill to be entitled an act to appropriate \$20,000 to be used for the payment for the buildings, fumigating plants, wharves, and other property, including boats, of the Escambia County Board of Health, and to have title to the same confirmed in the State of Florida for the use of the State Board of Health.

Also,

Senate Bill No. 26:

A bill to be entitled an act to amend Section 2421, Chapter 3, Article 5, of the Revised Statutes of Florida, relative

to carrying of concealed weapons.

Very respectfully,

B. E. McLIN,

Chairman of Committee.

And Senate Bills Nos. 120, 103, 112 and 26, contained in the above report, were placed on the Calendar of bills on 2d reading.

Mr. Blich moved that the rules be waived and the Senate now take up Senate Bill No. 91 out of its order.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 91:

A bill to be entitled an act for the protection of bicycle paths, and to provide penalties for trespass thereon.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill,

The vote was:

Mr. President,	Denham,	McLin,
Messrs. Baker,	Dimick,	O'Brien,
Blich,	Gaillard,	Rogers,
Broome,	Harris,	Wadsworth,
Carson,	Hendley,	Williams,
Chaires,	Hooker,	Wilson—23.
Clark,	McCaskill,	
Crosby,	McCreary,	

Nays—Mr. Palmer of 14th—1.

So the bill passed, title as stated.

Mr. Hendley moved that the rules be waived and that Senate Bill No. 126 be taken up out of its order and same considered.

Which was agreed to by a two-thirds vote.

Senate Bill No. 126:

A bill to be entitled an act to amend Section 1658, Revised Statutes, relating to notice of institution of suit and service, and contents in cases of attachment and garnishment;

Was taken up and read the second time in full, together with the amendments offered by the Committee on Judiciary, as follows:

(1) Insert after the title the following:

Be it enacted by the Legislature of the State of Florida:

That Section 1658 of the Revised Statutes of the State of Florida be amended so as to read as follows:

1658. Service and Contents of.

Mr. Hendley moved the adoption of the amendment.
Which was agreed to.

(2) In line 1 of the bill strike out the words "or garnishment."

Mr. Hendley moved the adoption of the amendment.
Which was agreed to.

(3) Strike out all after the words "County Judge" in the third line from the bottom and insert in lieu thereof the words, "the publication shall be only one month, and when the amount of the debt claimed does not exceed twenty dollars the notice may be posted for one month in three public places in the County, instead of being published in a newspaper."

Mr. Hendley moved the adoption of the amendment.
Which was agreed to.

(4) Amend the title by striking out the words, "and garnishment."

Mr. Hendley moved the adoption of the amendment.
Which was agreed to.

And Senate Bill No. 126, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. O'Brien moved that the rules be waived and that the Senate now take up Senate Bill No. 112 out of its order.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 112:

A bill to be entitled an act to appropriate \$20,000 to be used for the payment for the buildings, fumigating plants, wharves, and other property, including boats, of the Escambia County Board of Health, and to have title to the same confirmed in the State of Florida for the use of the State Board of Health.

Was taken up and read a third time in full.

Upon call of the roll on the passage of the bill the vote was.

Yeas—Mr. President,

Messrs. Baker,	Dimick,	Myers,
Blicht,	Gaillard,	O'Brien,
Broome,	Harris,	Palmer of 14th,
Carson,	Hendley,	Palmer of 11th,
Chaires,	Hooker,	Rogers,
Clark,	McCaskill,	Wadsworth,
Crosby,	McCreary,	Williams,
Denham,	McLin,	Wilson—25.

Nays—None.

So the bill passed, title as stated.

Mr. O'Brien moved that the rules be waived and that Senate Bill No. 112 passed this day be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

Mr. Broome moved that the rules be waived and that Senate Bill No. 124 be taken up out of its order.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 124:

A bill to be entitled an act for the relief of P. F. Glenn, C. H. Glenn, B. N. Faircloth, citizens of Gadsden County, Florida, and W. B. Chester and J. B. Edwards, citizens of Liberty County, Florida.

Was taken up and read the second time in full together with the following amendment offered by the Committee on Claims.

In Section 1, between the words "Faircloth and Citizens," insert the words "W. F. Skipper."

Mr. Hooker moved the adoption of the committee amendment to Senate Bill No. 124.

Which was agreed to.

Mr. Hooker offered the following amendment to Senate Bill No. 124:

Insert in title between the words "Faircloth and Citizens," the words "W. F. Skipper."

Mr. Hooker moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 124, as amended, was ordered referred to Committee on Engrossed Bills.

Senate Bill No. 114:

A bill to be entitled an act for the propagation and preservation of pheasant and grouse.

Was taken up and read a second time in full.

And

Senate Bill No. 114,

Was ordered referred to Committee on Engrossed Bills.

Senate Bill No. 110:

A bill to be entitled an act concerning annuities for disabled soldiers and sailors of the State of Florida.

Was taken up and read a second time in full.

Pending the reading of the bill the President announced the absence of a quorum.

Thereupon Mr. O'Brien moved that the Sergeaut-at-Arms be instructed to bring Senators into the Chamber.

Which was agreed to.

A quorum being announced the reading of the bill was resumed.

Mr. Carson offered the following amendment to Senate Bill No. 110:

In line 20, Section 1, printed bill, after word "support" insert the words "who are able to give such support."

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

Mr. Palmer of 14th, offered the following amendment to Senate Bill No. 110:

In line 24, Section 1, printed bill, after the word "October" insert, "provided said person or his wife or any widow has not improperly disposed of their property for the purpose of availing themselves of the provisions of this act."

Mr. Palmer of 14th, moved the adoption of the amendment.

Which was agreed to.

Mr. Carson offered the following amendment to Senate Bill No. 110:

In line 19, Section 1, printed bill, after the word "relative" add the words "in the first degree."

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

Mr. Palmer of 11th offered the following amendment to Senate Bill No. 110:

Strike out the word "or" after the word "parole" on third line of Section 1, printed bill and insert in lieu thereof the following: "and."

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

Which was agreed to.

Mr. Hendley offered the following amendment to Senate Bill No. 110:

Strike out the words "or moral" in Section 1, line 19, printed bill.

Mr. Hendley moved the adoption of the amendment.

Which was agreed to.

Mr. McLin offered the following amendment to Senate Bill No. 110:

In lines 15 and 16, of Section 3, printed bill, strike out the words from and including the word "all" in line 15 down to the word "that," near end of line 16, and insert in lieu thereof the following: "The Clerk of the Circuit Court of the County where the applicant resides shall certify."

Mr. McLin moved the adoption of the amendment.
Which was agreed to.

Mr. Palmer of 11th, offered the following amendment to
Senate Bill No. 110:

After the word "widowhood" in line twenty, add the words
"provided said widow was lawfully married to such soldier or
sailor on or before the first day of January, A. D. 1880.

Mr. Palmer of 11th, moved the adoption of the amendment.
Which was agreed to.

And Senate Bill No. 110, as amended was ordered referred
to Committee on Engrossed Bills.

A message was received from the House of Representatives.

Senate Bill No. 77:

A bill to be entitled an act to make an appropriation in
aid of a monument commemorative of the Battle of Olustee
and to provide for a commission to expend said appropriation.

Was taken up and read the second time in full.

And Senate Bill No. 79 was ordered referred to Committee
on Engrossed Bills.

Senate Bill No. 88:

A bill to be entitled an act for the relief of D. C. Hull,
Clerk of the Circuit Court for Sumter County.

Was taken up and read the second time in full.

And Senate Bill No. 88 was ordered referred to the Com-
mittee on Engrossed Bills.

Senate Bill No. 147:

A bill to be entitled an act to provide for an investigation of
the tax sale certificates and certified lists of land now held by
the State of Florida, making a list of the same by counties;
also a separate list of those that are defective for any cause;
making a summary and requiring a complete permanent
record of the same.

Was taken up and read the second time in full.

Mr. Carson moved that the rules be waived and that Sen-
ate Bill No. 147 be placed on Calendar of bills on third
reading without being engrossed.

Which was agreed to by a two-thirds vote.

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.

Mr. O'Brien moved that Senate Bill No. 30 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 138:

A bill to be entitled an act to provide for the filing in the office of the Secretary of State a correct printed copy of the proceedings of the Senate and House of Representatives as approved each day during any session of the Legislature in lieu of the record of the proceedings as heretofore required by the Senate and House separately to be prepared by the Recording Clerks.

Mr. Palmer of 11th, moved that Senate Bill No. 138 be passed informally.

Which was agreed to.

Senate Bill No. 130:

A bill to be entitled an act to regulate admission to the bar of this State, to create a board of legal examiners and to provide for a uniform system of legal examinations.

Was taken up and read the second time in full.

And Senate Bill No. 130 was ordered referred to Committee on Engrossed Bills.

Senate Bill No. 140:

A bill to be entitled an act to provide for the opening, grading, paving, curbing and otherwise improving the streets, parks, sidewalks and other public places in the City of Tampa; the construction of sewers therein; the repair and maintenance thereof and for assessments against the abutting property for such improvements, including such as may have been completed or may now be in process of construction, and the enforcement and collection thereof.

Was taken up.

Mr. Palmer of 11th moved that the rules be waived and that Senate Bill No. 140 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 140 was read a second time by its title.

Mr. Palmer of 11th offered the following amendment to Senate Bill No. 140.

Strike out the words beginning with the word "when" or the first line of Section 3, of said bill, and extending to and including the word "and" on the sixth line from the top of at any time the City Council of said city shall decide to grade, pave, curb, open, lay out, repair or otherwise improve an

street, the said City Council shall pass a resolution or ordinance ordering the same done, and thereupon the Commissioners of Public Works."

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

Which was agreed to.

And Senate Bill No. 140, as amended, was ordered referred to Committee on Engrossed Bills.

Senate Bill No. 128:

A bill to be entitled an act to provide for the issue of bonds by the town of Marianna for the construction of water works and other purposes and providing for the payment of the interest on and the principal of such bonds.

Was taken up.

Mr. Wilson moved that the rules be waived and Senate Bill No. 128 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 128 was read a second time by its title.

Mr. Wilson moved that the rules be further waived and that Senate Bill No. 128 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 128 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was.

Mr. President,	Crosby,	O'Brien,
Messrs—	Denham,	Palmer of 14th,
Baker,	Gaillard,	Palmer of 11th,
Blicht,	Harris,	Rogers
Broome,	Hooker,	Wadsworth,
Carson,	McCaskill,	Wilson—20.
Clark,	McLin,	

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 38:

A bill to be entitled an act relating to a change of venue in criminal cases in the courts of Justices of the Peace, where the Justice has final jurisdiction.

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

Mr. Wilson moved that the substitute for Senate Bill No. 38, offered by the Judiciary Committee, be adopted.

Which was agreed to.

And the committee substitute for Senate Bill No. 39 was ordered referred to Committee on Engrossed Bills.

Senate Bill No. 129:

A bill to be entitled an act in relation to writs of error in criminal cases from inferior courts to the Supreme Court.

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

In line 3 of Section 1, strike out the word and figure "forty (40)" and insert in lieu thereof the word and figure "sixty (60)."

Mr. Wilson moved the adoption of the amendment offered by the Judiciary Committee to Senate Bill No. 129.

Which was agreed to.

And Senate Bill No. 129 was ordered referred to Committee on Engrossed Bills.

Senate Bill No. 142:

A bill to be entitled an act to amend Section 2854 of the Revised Statutes of the State of Florida, specifying the number of jurors in civil and criminal cases.

Was taken up and read the second time in full, together with amendments offered by Committee on Judiciary, as follows:

Amend the title by striking out the words "civil and criminal" and inserting in lieu thereof the word "certain."

Mr. Wilson moved the adoption of committee amendment to Senate Bill No. 142.

Which was agreed to.

And Senate Bill No. 142, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 153:

A bill to be entitled an act to incorporate the Florida Baptist Association.

Was taken up and read the second time in full.

Mr. Carson moved that the rules be waived and that Senate Bill No. 153 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 153 was read a third time in full.

Upon call of the roll on the passage of the bill.

The vote was:

Yeas—Mr. President,

Messrs—	Crosby,	Palmer of 11th,
Baker,	Gaillard,	Palmer of 14th,
Blitch,	Harris,	Rogers,
Broome,	Hooker,	Wadsworth,
Carson,	McCaskill,	Wilson—17.
Clark,	McLin,	

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 137:

A bill to be entitled an act to incorporate the Camp Phosphate Company.

Was taken up.

Mr. Blitch moved that the rules be waived and Senate Bill No. 137 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 137 was read a second time by its title only.

Mr. Blitch moved that the rules be further waived and that Senate Bill No. 137 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 137 was read a third time in full.

Mr. Carson moved that Senate Bill No. 137 be placed back on second reading for amendment.

Which was not agreed to.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President,

Messrs. Baker,	Gaillard,	O'Brien,
Blitch,	Harris,	Palmer of 14th,
Broome,	Hooker,	Palmer of 11th,
Carson,	McCaskill,	Wadsworth,
Crosby,	McCreary,	Wilson—20.
Denham,	McLin,	
Dimick,	Myers,	

Nays—Mr. Clark—1.

Mr. Broome moved that the rules be waived and he be allowed to introduce a resolution out of order.

Which was agreed to by a two-thirds vote.

Mr. Broome offered the following resolution:

Be it Resolved, by the Senate, That the State authorities are hereby requested to furnish one dozen chairs to be used exclusively for the use of visiting ladies.

Mr. Broome moved the adoption of the resolution.

Which was agreed to.

Mr. McCreary moved that Mr. Rogers be excused until Monday.

Which was agreed to.

By permission

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

Senate Chamber,
Tallahassee, Fla., April 29, 1899.

Hon Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary to whom was referred—
Senate Bill No. 141:

A bill to be entitled an act to authorize and empower counties, cities, towns and other municipal corporations to issue negotiable coupon bonds for the refunding or payment in whole or in part of existing indebtedness.

Beg leave to report that they have carefully examined the same and recommend the passage of the accompanying substitute therefor.

Very respectfully,

FRED T. MYERS,

Chairman of Committee.

Mr. Harris moved that the rules be waived and that Senate Bill No. 141 be taken up and read by its title only, and that the committee substitute therefor be read in full.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 141:

A bill to be entitled an act to authorize and empower counties, cities, towns and other municipal corporations to issue negotiable coupon bonds for the refunding or payment in whole or in part of existing indebtedness.

Was taken up and read by its title.

And the committee substitute for Senate Bill No. 141 was read in full.

Mr. Myers moved the adoption of the committee substitute for Senate Bill No. 141.

Which was agreed to.

House Bill No. 16:

To be entitled an act to legalize the corporation of the town of Arcadia, Fla., and other purposes.

House Bill No. 16:

To be entitled an act to legalize the corporation of the town of Arcadia, Fla., and other purposes.

Mr. Hooker moved that the rules be waived and House Bill No. 16 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 16 was read the second time by its title and placed on the Calendar of Bills on third reading.

BILLS ON THIRD READING.

Mr. Palmer of 11th asked that Senate Bills Nos. 63 and 121 change positions on Calendar and that Senate Bill No. 125 be now taken up and considered.

Which was agreed to.

Senate Bill No. 125:

A bill to be entitled an act for the relief of Chas. W. Smith, W. J. Linhart, and John C. Jeffcott, members of the Florida Naval Militia, for services rendered and expenses incurred during the late war with Spain.

Was taken up and read the third time in full.

Pending the consideration of Senate Bill No. 125 Mr. Hooker raised the point of no quorum.

Thereupon the Sergeant-at-Arms was instructed to bring absent members into the Chamber.

A quorum being present the consideration of Senate Bill No. 125 was resumed.

Upon call of the roll on the passage of the bill,

The vote was.

Mr. President,	Clark,	McCaskill,
Messrs—	Crosby,	McCreary,
Baker,	Denham,	McLin,
Blitch,	Dimick,	Myers,
Broome,	Gaillard,	O'Brien,
Carson,	Hooker,	Wilson--18.

Nays—Mr. Palmer of 11th—1.

So the bill passed title, as stated.

Mr. Baker moved that the Senate adjourn until 10 o'clock A. M. Monday.

Thereupon the Senate stood adjourned until Monday at 10 o'clock A. M.