

MONDAY, MAY 15, 1899.

Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President,	Crosby,	Myers,
Messrs. Baker,	Dimick,	O'Brien,
Barber,	Fuller,	Palmer of 11th,
Blicht,	Gaillard,	Roberts,
Broome,	Harris,	Rogers,
Bynum,	Hendley,	Sams,
Carson,	Hooker,	Wadsworth,
Chaires,	McCaskill,	Williams,
Clark,	McCreary,	
Crill,	McLin,	

Answering roll-call—28.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.

The Journal was corrected and approved.

Mr. Crill asked that Mr. McCreary be excused from attendance today, he being absent on committee duty in visiting colleges.

Mr. McCreary was excused.

#### INTRODUCTION OF BILLS.

By Mr. Bynum:

Senate Bill No. 219:

A bill to be entitled an act for the relief of D. W. Brown.

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

By Mr. Barber:

Senate Bill No. 220:

A bill to be entitled an act for the relief of F. J. Pons.

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

#### REPORTS OF COMMITTEES.

Mr. Fuller, Chairman of the Committee on Fisheries, submitted the following report:

Senate Chamber.  
Tallahassee, Fla., May 15, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Fisheries, to whom was referred—  
House Bill No. 199:

To be entitled an act to protect and prescribe the manner of  
taking food fish from certain waters of Lee County.

Beg leave to report that they have carefully examined the  
same and report it back without recommendation.

Very respectfully,

H. W. FULLER,

Chairman of Committee.

And House Bill No. 199, contained in the above report, was  
placed on the Calendar of bills on second reading.

Mr. Fuller, Chairman of the Committee on Fisheries, sub-  
mitted the following report:

Senate Chamber.

Tallahassee, Fla., May 15, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Fisheries, to whom was referred—  
House Bill No. 72:

To be entitled an act to amend Section 2, Chapter 4214,  
Laws of Florida, being an act to better protect the oyster beds  
of this State, approved May 30th, 1893.

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

Very respectfully,

H. W. FULLER,

Chairman of Committee.

And House Bill No. 72, contained in the above report, was  
placed on the Calendar of bills on second reading.

Mr. Fuller, Chairman of the Committee on Fisheries, sub-  
mitted the following report:

Senate Chamber.

Tallahassee, Fla., May 15, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Fisheries, to whom was referred—  
House Bill No. 302:

To be entitled an act to exempt the County of Washington from the enforcement of the provision of Chapter 4557, approved June 4, 1897, the same being an act for the protection of fishes in the waters of the State of Florida.

Beg leave to report that they have carefully considered the same and recommend that it do not pass.

Very respectfully,

H. W. FULLER,

Chairman of Committee.

And House Bill No. 302, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,

Tallahassee, Fla., May 15, 1899.

Hon. Frank Adams,

President of the Senate:

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

Senate Bill No. 218:

To be entitled an act to abolish the municipality of the town of Atoona in Lake County, Florida.

Have carefully considered the same and recommend its passage.

Very respectfully,

J. H. T. BYNUM,

Chairman of Committee.

And Senate Bill No. 218, 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., May 15, 1899:

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Claims, to whom was referred—

Senate Bill No. 149:

A bill to be entitled an act to amend and revise an act entitled "An act to provide for the regulation of railroad schedules, freights, express, sleeping car 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 provide for the appointment and election of commissioners and to prescribe their duties and powers.

Also,

Senate Bill No. 179:

A bill to be entitled an act to amend Section 2070 of the Revised Statutes of State of Florida, relating to separate properties of married women.

Also,

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.

Have carefully examined the same and find them to be correctly engrossed.

Very respectfully,

B. E. McLIN,

Chairman of Committee.

And Senate Bills Nos. 149, 179 and 138, 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 15, 1899.

Hon. Frank Adams,

President of the Senate:

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

Senate Bill No. 176:

A bill to be entitled an act authorizing the Governor to have all State offices examined; to report such examinations to the Legislature, and to repeal Sections 111, 127, 128 and 129 of the Revised Statutes.

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

Very respectfully,

FRED T. MYERS,

Chairman of Committee.

And Senate Bill No. 176, 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., May 15, 1899.

Hon Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary to whom was referred—  
House Bill No. 215:

To be entitled an act relating to the appointment, powers and duties of guardians of insane persons and lunatics.

Also,

House Bill No 237:

A bill to be entitled an act to legalize the assessment and levy of taxes in the City of Tampa, and to legalize tax certificates and prescribe the method of collecting the same.

House Bill No. 285:

To be entitled an act to relieve physicians who have practiced medicine continuously and successfully since the year eighteen hundred and eighty-four.

Be glad to report that they have carefully examined the same and recommend that they do pass.

Very respectfully,

FRED T. MYERS,

Chairman of Committee.

And House Bills Nos. 215, 237 and 285, 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 13, 1899.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary to whom was referred—

Senate Bill No. 210:

A bill to be entitled an act to prescribe the punishment for the distillery or other manufacture of liquors, wines or beer in counties voting against the sale of said liquors.

Beg leave to report that they have carefully considered the same and recommend that it do not pass.

Very respectfully,  
FRED T. MYERS,

Chairman of Committee.

And Senate Bill No. 210, 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., May 15, 1899.

Hon Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary to whom was referred—  
House Bill No. 223:

To be entitled an act to amend Section 2507 of the Revised Statutes of Florida, relating to maliciously killing animals of another.

Also,

House Bill No. 266:

To be entitled an act in relation to obtaining money on other personal property under false promises, or for violation of contract, providing penalties therefor, where the amount involved in such charges does not exceed twenty dollars, supplementary to Chapter 4032, Laws of Florida.

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

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

And House Bills Nos. 223 and 266 contained in the above report, were placed on the Calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 15, 1899.

Hon. Frank Adams,

President of the Senate:

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

An act for the relief of Burton G. Dyal.  
 Beg leave to report that we have examined the same and find it correctly enrolled.

Very Respectfully,  
 E. N. DIMICK,

Chairman of Committee.

The act contained in the above report, was ordered referred to the Joint Committee on Enrolled Bills.

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

Senate Chamber,  
 Tallahassee, Fla., May 15, 1899.

Hon. Frank Adams,

President of the Senate:

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

An act for the relief of Burton G. Dyal.  
 Beg leave to report that we have examined the same and find it correctly enrolled.

Very respectfully,  
 E. N. DIMICK,

Chairman of Committee.

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

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

Senate Chamber,  
 Tallahassee, Fla., May 15, 1899.

Hon. Frank Adams,

President of the Senate:

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

An act for the relief of Burton G. Dyal.  
 Beg leave to report that the same has been presented to the House of Representatives for the signatures of the Speaker and Chief Clerk thereof.

Very Respectfully,  
 E. N. DIMICK,  
 Chairman of Committee.

## BILLS ON SECOND READING.

Senate Bill No. 146:

A bill to be entitled an act prescribing the method of obtaining permits to sell liquors, wines or beer.

Was taken up and read a second time in full.

Mr. Hendley moved that Senate Bill No. 146 be indefinitely postponed.

Mr. Broome moved that Senate Bill No. 146 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 184:

A bill to be entitled an act empowering the County Commissioners of Hernando County to contract for road work in the several districts

Was taken up and read a second time in full.

And Senate Bill No. 184 was ordered referred to the Committee on Engrossed Bills.

A message was received from the House of Representatives.

Mr. Carson moved that the rules be waived and that Senate Bill No. 149 be put back on second reading for amendment.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 149:

A bill to be entitled an act to amend and revise an act entitled an act to provide for the regulation of railroad schedules, freights, express, sleeping car 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 provide for the appointment and election of commissioners and to prescribe their duties and powers.

Mr. Carson moved that Senate Bill No. 149 be taken up out of its order for amendment.

Which was agreed to by a two-thirds vote.

Mr. Carson offered the following amendment to Senate Bill No. 149:

After the word "railroads," in line 22 Section 6 (printed copy), insert "also to regulate the charges for storage, wharfage and demurrage."

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

Mr. Carson offered the following amendment to Senate Bill No. 149:

Strike out the words "telegraph and the transmission of telegrams, telegraph companies" from title of bill.

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 149 was referred to the Committee on Engrossed Bills.

Mr. McLin asked to be excused on account of committee work.

Mr. McLin was excused.

House Bill No. 114:

To be entitled an act to amend Section 3, Chapter 4403, Laws of Florida, approved May 27, 1895, relating to forfeiture and collection of bail bonds.

Was taken up and read a second time in full.

Mr. Palmer of 11th moved that the rules be waived and that House Bill No. 114 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 114 was read a third time in full.

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

The vote was:

Yeas—

Mr. President,	Clark,	McCaskill
Messrs.	Crill,	O'Brien,
Baker,	Crosby,	Palmer of 11th—3.
Barber,	Dimick,	Roberts,
Blicht,	Fuller,	Rogers,
Broome,	Gaillard,	Wadsworth,
Bynum,	Harris,	Williams—24.
Carson,	Hendley,	
Chaires,	Hooker,	

So the bill passed, title as stated.

House Bill No. 190:

To be entitled an act to amend Section 1 of Chapter 4176, Laws of Florida, being an act to require persons running or operating log or timber carts on the public roads in this State to keep the portion of such roads used by them in repair.

Was taken up and read a second time in full.

And,

House Bill No. 190 was placed on the Calendar of bills on third reading.

## House Bill No. 211:

To be entitled an act in relation to conveyances of real estate, etc., and to dispense with words of limitation in deeds.

Was taken up and read a second time in full.

And House Bill No. 211 was placed on calendar of bills on third reading.

By permission—

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

Senate Chamber,  
Tallahassee, Fla., May 15, 1899.

Hon. Frank Adams,

President of the Senate:

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

## Senate Bill No. 149:

A bill to be entitled an act to amend and revise an act entitled an act to provide for the regulation of railroad schedules, freights, express, sleeping car 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 provide for the appointment and election of commissioners and to prescribe their duties and powers.

Have carefully examined the same and find it properly engrossed.

Very respectfully,

B. E. McLIN,

Chairman of Committee.

And Senate Bill No. 149, contained in the above report, was placed on the Calendar of bills on third reading.

## SPECIAL ORDER.

## Senate Bill No. 149:

A bill to be entitled an act to amend and revise an act entitled an act to provide for the regulation of railroad schedules, freights, express, sleeping car 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 provide for the appointment and election of commissioners and to prescribe their duties and powers.

Was taken up at 10:30 o'clock A. M., being set for that hour, and read a third time in full, and put upon its passage.

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

The vote was:

Yeas—

Mr. President,	Crosby,	Palmer of 11th,
Messrs. Baker,	Dimick,	Roberts,
Barber,	Fuller,	Rogers,
Blitch,	Gaillard,	Sams,
Broome,	Harris,	Wadsworth,
Bynum,	Hendley,	Williams,
Carson,	Hooker,	Wilson—27.
Chaires,	McCaskill,	
Clark,	McLin,	
Crill,	Myers,	

Nays—None.

So the bill passed, title as stated.

Mr. Carson moved that the rules be waived and that Senate Bill No. 149 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote, and Senate Bill No. 149 was so certified.

By permission—

Mr. Palmer of 11th introduced—

Senate Joint Resolution No. 221:

A Joint Resolution proposing an amendment to Section 12, Article XVI, of the Constitution of the State of Florida, relative to the seal and flag of the State.

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

By permission—

Mr. Myers introduced—

Senate Bill No. 222:

A bill to be entitled an act to require the Clerk of the Supreme Court to furnish the reports of the decisions of said Court for the use of the United States District Judges of Florida.

Which was read the first time by its title and referred to the

Committee on Judiciary.

Senate Bill No. 205:

A bill to be entitled an act to amend Section 9, 10, 51 and 55 of Chapter 4322, Laws of Florida, being an act entitled an act for the assessment and collection of revenue, and Sections 10 and 11 of Chapter 4515, Laws of Florida, being an act entitled an act to amend Sections 29, 32, 35, 47, 48, 50, 60 and 67 of Chapter 4322, Laws of Florida, being an act entitled an act for the assessment and collection of revenue.

Was taken up at 11 o'clock A. M., being set for that hour.

Mr. Harris moved that Senate Bill No. 205 be read by paragraphs.

Which was agreed to.

Paragraph 1, Section 1, was read.

Paragraph 2, Section 1, was read.

Paragraph 3, Section 1, was read.

Mr. Carson offered the following amendment to Senate Bill No. 205 (printed bill):

After the words "twenty-five dollars," at end of line 123, of Section 1, insert the following: "for each such car."

Mr. Carson moved the adoption of the amendment.

Which was agreed to.

Mr. Carson offered the following amendment to Senate Bill No. 205, printed bill:

After the word "transacted" in line 124, Section 1, insert the following "and such license shall state the name of the parlor or sleeping car for which it is issued and on which the sale of spirituous, vinous or malt liquors is permitted."

Mr. Carson moved the adoption of the amendment.

Which was not agreed to.

Mr. Carson offered the following amendment to Senate Bill No. 205, printed bill:

After the word "State" in line 58, Section 1, add the following: "any Sheriff, Deputy Sheriff, city or town marshal, constable, or police officer in this State is hereby authorized to enter without warrant any building in which he has reason to believe there is a violation of any provision of paragraph third, Section 1, of this act, and arrest the party or parties violating any of such provisions."

Mr. Carson moved the adoption of the amendment.

Which was not agreed to.

Mr. Fuller offered the following amendment to Senate Bill No. 205 (printed copy):

At the end of line 119, Section 1, add the following: "Provided, nothing herein authorizes any boat or vessel to sell

liquors in any county where the sale is prohibited by law."

Mr. Fuller moved the adoption of the amendment.

Which was agreed to.

Mr. Palmer of 11th offered the following amendment to Senate Bill No. 205 (printed copy):

After the word "shall," being the first word in line 155, insert the word "knowingly."

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

Which was agreed to.

Paragraph 4, Section 1, was read.

Paragraph 5, Section 1, was read.

Mr. Crill offered the following amendment to Senate Bill No. 205:

After the word "employees" in line 195 insert "or accidents to property."

Mr. Crill moved the adoption of the amendment.

Which was agreed to.

Paragraph 6, Section 1, was read.

Mr. Harris offered the following amendment to Senate Bill No. 205:

Strike out in Section 1 the words from the words "dollars" in line 243, and down to and including the words in line No. 266, printed bill, and insert in lieu thereof the following: "All auctioneers for the sale of lands or other property in cities or towns of twenty thousand or more inhabitants, shall pay a license tax of seventy-five dollars per annum; in cities or towns of fifteen to twenty thousand inhabitants, fifty dollars per annum; in cities or towns of ten to fifteen thousand inhabitants, twenty-five dollars per annum; in cities or towns of five to ten thousand inhabitants, fifteen dollars per annum; in cities and towns of less than ten thousand inhabitants shall pay a license of ten dollars."

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Paragraph 7, Section 1, was read.

Paragraph 8, Section 1, was read.

Mr. Palmer of 11th offered the following amendment to Senate Bill No. 205 (printed bill):

Strike out the word "five," in line 305, and insert in lieu thereof the following: "fifty."

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

Mr. Palmer of 11th withdrew the amendment.

Mr. Palmer of 11th offered the following amendment to Senate Bill No. 205 (printed bill):

Strike out the words "five dollars," in line 305, and insert

in lieu thereof the following: "ten dollars for each and every performance."

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

Mr. Carson offered the following amendment to the amendment of Mr. Palmer of 11th to Senate Bill No. 205:

And the amendment offered by Senator from the 11th by striking out the word "ten" and insert in lieu thereof the following: "five."

Mr. Carson moved the adoption of the amendment to the amendment.

Which was agreed to.

The amendment, as amended, was agreed to.

Paragraph 9, Section 1, was read.

Paragraph 10, Section 1, was read.

Paragraph 11, Section 1, was read:

Mr. Adams offered the following amendment to Senate Bill No. 205:

Between the words "employes" and "shall" in line 365, Section 1, insert the following: "or shall have one of its employes solicit or receive orders for merchandise to be filled at a future time"

Mr. Adams moved the adoption of the amendment.

Which was agreed to.

Mr. Adams offered the following amendment to Senate Bill No. 205:

At the end of line 366 add the following:

The solicitation or receiving of orders by the employe of any railroad company for merchandise to be delivered to the employes of such company at a future time shall be prima facie evidence that such employe is acting in accordance with the instructions given by such company.

Mr. Adams moved the adoption of the amendment.

Which was agreed to.

Mr. Palmer of 11th offered the following amendment to Senate Bill No. 205 (printed bill):

Strike out the figures "\$10.00" in line 362 and insert in lieu thereof the following: "one hundred dollars."

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

Which was agreed to.

Paragraph 12, Section 1, was read.

Paragraph 13, Section 1, was read.

Paragraph 14, Section 1, was read.

Paragraph 15, Section 1, was read.

Mr. Crill offered the following amendment to Senate Bill No. 205:

Strike out the words "Dentists," "physicians," "lawyers," in lines 437 and 438.

Mr. Crill moved the adoption of the amendment.

Mr. Dimick offered the following amendment to the amendment of Mr. Crill to Senate Bill No. 205:

After the word "all" in Section 1, line 437 (printed bill), strike out all down to the word "all," and including the word "all," in line 441.

Mr. Dimick moved the adoption of the amendment to the amendment.

Which was agreed to.

Mr. McLin offered the following substitute for the amendment, as amended, to Senate Bill No. 205:

Strike out all of paragraph 15.

Mr. McLin moved the adoption of the substitute.

Mr. McLin withdrew the substitute.

Mr. Dimick moved the adoption of the amendment of Mr. Crill, as amended.

Which was not agreed to.

Mr. Myers moved to strike out paragraph 15 of Section 1.

Which was not agreed to.

Mr. Hendley offered the following amendment to Senate Bill No. 205:

In Section 1, paragraph 15, line 440 (printed bill), after the word "located," add "in cities and towns of 2,000 inhabitants or more," and after the word "dollars" in same line, 440, add "in cities and towns of less than 2,000 inhabitants, a license tax of \$5.00."

Mr. Hendley moved the adoption of the amendment.

Pending which--

Mr. Wilson moved that the Senate adjourn until 10 o'clock A. M. to-morrow.

Which was agreed to.

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