

FRIDAY, APRIL 19, 1901.

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, Blicht, Broome, Butler, Carson, Cottrell, Crews, Crill, Denham, Dimick, Harris, Kirk, Law, Miller, Myers, McCaskill, McCreary, MacWilliams, Neel, O'Brien, Palmer of 14th, Peacock, Rogers, Rouse, Whidden, Sams, Wilson of 4th, Wilson of 7th, Wadsworth and Williams—31.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal was corrected and approved.

Mr. Blicht asked that Mr. Baker be excused from attendance on account of committee work.

Mr. Baker was excused.

#### INTRODUCTION OF BILLS.

By Mr. Wilson of 7th:

Senate Bill No. 148:

A bill to be entitled an act to provide for the apportionment and redistricting of the State of Florida into three Congressional Districts.

Which was read the first time by its title and referred to the Joint Committee on Redistricting the State into Congressional Districts.

By Mr. Law:

Senate Bil No. 149:

A bill to be entitled an act to provide for the appointment of a Commissioner of Fisheries, and to define his duties in the State of Florida.

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

By Mr. Butler:

Senate Bill No. 150:

A bill to be entitled an act authorizing the town of Leesburg to appropriate money for the securing of evidence against persons selling intoxicating liquors, wine or beer in said town.

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

By Mr. Blitch:

Senate Bill No. 151:

A bill to be entitled an act to amend Sections 256 and 257, Revised Statutes, relative to school holidays and lost time, and to prescribe a school vacation.

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

By Mr. Myers:

Senate Bill No. 152:

A bill to be entitled an act to permit the filing of creditors' bills without obtaining judgment.

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

### REPORTS OF COMMITTEES.

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

Senate Chamber.

Tallahassee, Fla., April 13, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No. 59:

A bill to be entitled an act authorizing the passage of ordinances by incorporated cities and towns, and the promulgation of rules and regulations by the State Board of Health, to enforce and compel the vaccination and re-vaccination of citizens and residents of the State of Florida, and prescribing the duties of certain officers and persons to that end, and providing certain penalties for failure, refusal or neglect to comply with the provisions of the same.

Have carefully examined the same and find it correctly engrossed.

Very respectfully,

P. W. BUTLER,

Acting Chairman of Committee.

And Senate Bill No. 59, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber.  
Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No 109:

A bill to be entitled an act to provide a penalty for selling liquors in counties or precincts voting against such sales, and to repeal Chapter 4746, of the Laws of Florida, the same being an act entitled "an act to amend Section 2634, of Article 14, Chapter 7, of the Revised Statutes of Florida, relating to the selling of liquors in counties or precincts voting against such sales."

Also,

Senate Bill No. 93:

A bill to be entitled an act to provide for the manner in which corporations existing in this State for profit, created under the general incorporation law, may extend the term for which they are to exist.

Have carefully examined the same and find them correctly engrossed.

Very respectfully,

P. W. BUTLER,

Acting Chairman of Committee.

And Senate Bills No. 109 and 93, contained in the above report, were placed on the Calendar of bills on third reading.

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

Senate Chamber,

Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No. 27:

A bill to be entitled an act to amend paragraph 2, of Section 1458, of the Revised Statutes of Florida, relating to appeals operating as a supersedeas.

Also,

Senate Bill No. 35:

A bill to be entitled an act to amend Section 5 of Chapter 4537, of the Laws of the State of Florida, approved June 7,

1897, entitled an act to amend Sections 2, 3, 4, 6, 10, 12, 22, 24, 25, 30, 37, 40, of an act entitled "an act to provide for the registration of all legally qualified voters in the several counties of the State, and to provide for general and special elections, and for the returns of elections," approved May 25, 1895.

Have carefully examined the same and find them correctly engrossed.

Very respectfully,

P. W. BUTLER,

Acting Chairman of Committee.

And Senate Bills Nos. 27 and 35, contained in the above report, were placed on the Calendar of bills on third reading.

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

Senate Chamber.

Tallahassee, Fla., April 13, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No. 63:

A bill to be entitled an act to amend Sections 2696 and 2698 of Article 7 of the Revised Statutes of Florida, in relation to offenses against common carriers.

Also,

Senate Bill No. 108:

A bill to be entitled an act requiring the owners of water-logged and sunken logs in any of the streams of this State to remove the same, and prescribing compensation for persons who remove such sunken logs which have been abandoned by the owners.

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

Very respectfully,

P. W. BUTLER,

Acting Chairman of Committee.

And Senate Bills Nos. 63 and 108, contained in the above report, were placed on the Calendar of bills on third reading.

Mr. Blicht, Acting Chairman of the Committee on Engrossed Bills, submitted the following report

Senate Chamber,  
Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No. 121:

A bill to be entitled an act for the limitation of prosecutions against State, county or municipal officials in the State of Florida.

Also,

Senate Bill No. 107:

A bill to be entitled an act as to the incorporation of social clubs or societies not for profit.

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

Very respectfully,

N. A. BLITCH,

Acting Chairman of Committee.

And Senate Bills Nos. 121 and 107, contained in the above report, were placed on the Calendar of bills on third reading.

Mr. Williams, Chairman of the Committee on Organized Labor, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

Sir—Your Committee on Organized Labor, to whom was referred—

Senate Bill No. 101:

A bill to be entitled an act relating to the limitation of the hours of daily service of laborers and mechanics employed upon the public works of the State of Florida, and the municipalities operating thereunder.

Have carefully considered the same and recommend that it do pass with the following amendment:

Strike out the words "one thousand" on line 8, Section 2, and insert in lieu thereof the following: "five hundred."

Very respectfully,

ARTHUR T. WILLIAMS,

Chairman of Committee.

And Senate Bill No. 101, contained in the above report, together with the amendment, was placed on the Calendar of bills on second reading.

Mr. Carson, Chairman of the Committee on Education, submitted the following report:

Senate Chamber.

Tallahassee, Fla., April 18, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No. 140:

A bill to be entitled an act requiring teachers' summer schools, and making appropriations therefor.

Beg to submit an amendment thereto, and recommend that the bill with the suggested amendment do pass.

Committee amendment:

Strike out the words "three thousand" wherever they occur in the bill and insert in lieu thereof the following: "two thousand."

Very respectfully,

C. A. CARSON,

Chairman of Committee.

And Senate Bill No. 140, contained in the above report, together with the amendment, was placed on the Calendar of bills on second reading.

Mr. Carson, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 18, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

House Bill No. 59:

A bill to be entitled an act to require the several Boards of Public Instruction of the several counties of this State to make monthly reports of all the receipts and disbursements of money to the County Commissioners of the respective counties.

Have considered same and recommend that it do not pass.

Very respectfully,

C. A. CARSON,

Chairman of Committee.

And House Bill No. 59, contained in the above report was placed on the Calendar of bills on second reading.

Mr. Carson, Chairman of the Committee on Education, submitted the following report:

Senate Chamber.  
Tallahassee, Fla., April 18, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No. 132:

A bill to be entitled an act to provide for free school books in the counties of the State.

Herewith submit an amendment, and recommend that the bill with the amendment do pass.

Committee amendments:

In line 2 of Section 1, after the word "shall," insert the following: "if they deem it desirable."

Very respectfully,

C. A. CARSON,

Chairman of Committee.

And Senate Bill No. 132, contained in the above report, together with the amendment, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No. 117:

A bill to be entitled an act to amend Section 2166 of Article 2, and Sections 2169 and 2170 of Article 3, and Section 2177 of Article 5, and Section 2179 of Article 6, of Sub-Chapter 1 of the Revised Statutes of Florida, regulating special provisions for banking companies.

Beg leave to return the same, and present as a substitute therefor:

Committee Substitute for Senate Bill No. 117:

A bill to be entitled an act to amend Section 2169 of Article 3, Sub-Chapter 1, Title 3, Part 4 of the Revised Statutes of the State of Florida, regulating the capital stock of banking companies.

With the recommendation that the substitute do pass.

Very respectfully,

H. H. McCREARY,  
Chairman of Committee.

And Senate Bill, No. 117, contained in the above report, together with the substitute therefor, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

House Bill No. 79:

A bill to be entitled an act to amend Section 2169 of the Revised Statutes of the State of Florida, relating to the amount of capital and par value of shares of banking companies.

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

Very respectfully,

H. H. McCREARY,  
Chairman of Committee.

And House Bill No. 79, contained in the above report, was placed on the Calendar of bills on second reading.

Senate Chamber,  
Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

Senate Bill No. 144:

A bill to be entitled an act to authorize officers of corporations to execute bonds in court proceedings.

Have had the same under consideration and recommend its passage by the Senate.

Very respectfully,

H. H. McCREARY,  
Chairman of Committee.

And Senate Bill No. 144, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber.  
Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

An act providing for the admission to practice law in the courts of this State of graduates of the Law Department of the John B. Stetson University.

Beg to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Representatives, and is herewith presented to the Senate for the signature of the President and Secretary thereof.

Very respectfully,  
J. M. N. PEACOCK,  
Chairman of Committee.

. ENROLLED.

The President announced that he was about to sign—

An act providing for the admission to practice law in the courts of this State of graduates of the Law Department of the John B. Stetson University.

The act was therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

ORDERS OF THE DAY.

The notice of Mr. Myers given yesterday that he would move to-day to reconsider the vote by which the Senate passed Senate Joint Resolution No. 20.

Was taken up.

Mr. Wilson moved to reconsider the vote by which Senate Joint Resolution No. 20 passed yesterday.

Which was agreed to.

And Senate Joint Resolution No. 20 was again placed before the Senate.

Mr. Wilson of 7th moved that Senate Joint Resolution No. 20 be placed back on second reading for amendment.

Which was agreed to.

## BILLS ON SECOND READING.

Senate Bill No. 77:

A bill to be entitled an act to amend the city charter of the city of Port Tampa.

Was taken up.

And Senate Bill No. 77 was informally passed.

House Bill No. 2:

A bill to be entitled an act to amend Section 3, of Chapter 4047 of the Acts of the Legislature of Florida, of 1891, the same being entitled an act to amend an act entitled an act to provide for the appointment of a Board of Examiners and to regulate the practice of dentistry in the State of Florida, being Chapter 4047, of the Laws of Florida, approved May 25, A. D. 1891.

Was taken up.

Mr. Law moved that House Bill No. 2 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 58:

A bill to be entitled an act to amend Section 1469, Revised Statutes of the State of Florida, relative to injunction against trespass on timber lands.

Was taken up.

Mr. Butler moved that Senate Bill No. 58 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 67:

A bill to be entitled an act to amend Section 1 of Chapter 4670, Laws of Florida, entitled "An act to provide annuities for disabled soldiers and sailors, and wives of deceased soldiers and sailors of the State of Florida," approved June 2, 1899.

Was taken up.

And Senate Bill No. 67 was informally passed.

Mr. Adams called up from the table—

Senate Bill No. 70:

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

Together with the following committee amendments:

In the eighth line of Section 1, after the words "or who," strike out the words "from age is" and insert in lieu thereof the words "being more than sixty-five years old is, by reason of age."

In lines 31 and 32 of Section 1, strike out the words "or

who has any relative able to do so and whose legal duty it is to support such person."

In line 34, after the words "United States," insert the words "or any other State."

Mr. Adams moved that Senate Bill No. 70 be made a special order for Tuesday next at 11 o'clock a. m.

Which was agreed to.

Senate Bill No. 7:

A bill to be entitled an act to legalize the incorporation of the town of Mulberry, in Polk County, Florida, and to declare the incorporation and ordinances of the town of Mulberry valid and of full force and effect.

Was taken up and read a second time in full.

Mr. Wilson of 7th offered the following amendment to Senate Bill No. 7:

Amend by adding to Section 1, after the word "State" the following: "And said town shall have power to make its own assessment of taxes and fix the valuation of property thereof, within the limits of said town for the purpose of taxation, and to prescribe the time for assessment and collection of municipal taxes on said valuation."

Mr. Wilson of 7th moved the adoption of the amendment.

Which was agreed to.

Mr. Wilson of 7th offered the following amendment to Senate Bill No. 7:

Amend by adding to title the words, "And to empower said town to make its own assessment of taxes and fix the valuation of property thereof, and to prescribe the time for assessment and collection of taxes."

Mr. Wilson of 7th moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 7, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 102:

A bill to be entitled an act for the preservation of wild deer, birds and other game, and to prescribe the time within which they may be hunted, and prescribing a penalty for any violation thereof.

Was taken up.

Mr. Kirk moved that Senate Bill No. 102 be laid on the table subject to call.

Which was agreed to.

Mr. Kirk asked to be excused from attendance to-day.

Mr. Kirk was excused.

Senate Bill No. 113:

A bill to be entitled an act to incorporate and establish a

municipal government for the town of Punta Gorda, in De Soto county, Florida, provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said town.

Was taken up.

Mr. Whidden moved that the rules be waived and Senate Bill No. 113 be read a second time by its title only.

Which was agreed to by a two-thirds vote, and Senate Bill No. 113 was read a second time by its title only.

Mr. Whidden moved that the rules be further waived, and that Senate Bill No. 113 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 113 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. Adams, Baker, Blich, Broome, Butler, Carson, Cottrell, Crews, Denham, Law, Miller, Myers, McCaskill, McCreary, MacWilliams, Neel, O'Brien, Palmer of 14th, Peacock, Rogers, Rouse, Whidden, Sams, Wilson of 4th, Wilson of 7th and Williams—24.

Nays—None.

So Senate Bill No. 113 passed, title as stated.

Senate Bill No. 37:

A bill to be entitled an act to prescribe the method of filing all tax returns presented to Clerks of the Circuit Court by the Tax Assessor.

Mr. Law moved that Senate Bill No. 37 be made a special order for Monday next at 11 o'clock a. m.

Which was agreed to.

House Bill No. 19:

A bill to be entitled an act to amend Section 1 of Chapter 4179, entitled an act to provide a Board of Phosphate Commissioners and an Inspector of Phosphates, and to define their duty and their authority, to grant the right to mine phosphate in the beds of navigable waters of the State of Florida upon certain conditions, and to prohibit persons from mining unlawfully the same.

Was taken up and read a second time in full.

And House Bill No. 19 was ordered placed on the Calendar of bills on third reading.

Senate Bill No. 94:

A bill to be entitled an act to amend Section 2138 of the Revised Statutes of the State of Florida, relating to officers, choice, term and number.

Was taken up and read a second time in full.

And Senate Bill No. 94 was ordered referred to the Committee on Engrossed Bills.

House Bill No. 22:

A bill to be entitled an act to require persons running or operating log-timber or turpentine carts or wagons, or persons habitually hauling heavy loads on or over the public roads in this State, to keep the portion of such road used by them in repair.

Was taken up and read a second time in full, together with the following committee amendments:

By striking out in the last line of Section 2, the words "county road," and insert in lieu thereof the words "general county."

Also in the first line of Section 5 strike out "Chapter 4170" and insert in lieu thereof "Chapter 4176."

Mr. Wilson of 7th moved the adoption of the committee amendments.

Which was agreed to.

And House Bill No. 22, as amended, was ordered placed on the Calendar of bills on third reading.

House Bill No. 4:

A bill to be entitled an act to provide for the construction and maintenance of drains by the several counties of the State of Florida, and to provide for assessments of the costs thereof against the property benefitted thereby, and further, to provide for the collection and enforcement of such assessments, and to legalize all contracts for drains which heretofore may have been entered into, and assessments made therefor, by the County Commissioners of any county in the State of Florida, under Chapter 4807 of the Laws of Florida.

Was taken up and read a second time in full, together with the following committee amendment.

By adding to Section 7 on page 4, the following:

"Provided, That no lien shall lie or be enforced against any tract of land for more than the amount so assessed against said tract.

Mr. Carson moved the adoption of the committee amendment.

And House Bill No. 4, as amended, was ordered placed on the Calendar of bills on third reading.

House Bill No. 75:

A bill to be entitled an act to repeal Section 2054 of the Revised Statutes of the State of Florida, relative to estrays.

Was taken up and read a second time in full.

And House Bill No. 75 was placed on the Calendar of bills on third reading.

House Bill No. 84:

A bill to be entitled an act to provide for fixing the amount of bail bonds in certain criminal cases by the judges of the Criminal Courts of Record of this State, and the approval of the said bonds by the several Sheriffs of the State.

Was taken up and read a second time in full, together with the following committee amendments:

By adding in line 3 of the title, after the words "of the," the words "County Courts and."

Also, by striking out in line 5 of Section 1, the following: "In cases where bail is allowed."

Mr. Wilson of 7th moved the adoption of the committee amendments.

And House Bill No. 84, as amended, was placed on the Calendar of bills on third reading.

House Bill No. 88:

A bill to be entitled an act to amend Section 2378 of the Revised Statutes of the State of Florida defining justifiable homicide.

Was taken up and read a second time in full, together with the following committee amendment:

By adding in line 15 of Section 1, after the words "grandparents," the words "mother-in-law, father-in-law,"

Mr. MacWilliams moved the adoption of the committee amendment.

Which was agreed to.

Mr. MacWilliams offered the following amendment to Senate Bill No. 88:

After the words "mother-in-law," insert the words "son-in-law, daughter-in-law."

Mr. MacWilliams moved the adoption of the amendment.

Which was agreed to.

And House Bill No. 88, as amended, was ordered placed on the Calendar of bills on third reading.

### BILLS ON THIRD READING.

House Memorial No. 37:

A memorial to the Congress of the United States in regard to waterway across the Peninsula of Florida from the Atlantic Ocean to the Gulf of Mexico.

Was taken up and read the third time in full and put upon its passage.

Upon call of the roll on House Memorial No. 37—

The vote was:

Yeas—Mr. President, Messrs. Adams, Blich, Butler, Carson, Cottrell, Crews, Crill, Denham, Dimick, Harris, Law, Miller, Myers, McCaskill, McCreary, MacWilliams, Neel, O'Brien, Palmer of 14th, Peacock, Rogers, Rouse, Whidden, Sams, Wilson of 7th, Wadsworth and Williams—28.

So the bill passed, title as stated.

Mr. Blich moved that Mr. John R. Willis, assistant reading secretary, be excused from attendance until Thursday next.

Which was agreed to.

And Mr. Willis was excused.

By permission—

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

Senate Chamber.

Tallahassee, Fla., April 19, 1901.

Hon. Thomas Palmer,

*President of the Senate:*

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

An act providing for the admission to practice law in the courts of this State of graduates of the Law Department of the John B. Stetson University.

Beg to report that the same has been presented to the Governor for his approval.

Very respectfully,  
**J. M. N. PEACOCK,**  
 Chairman of Committee.

Mr. Harris moved to adjourn till 10 o'clock a. m. to-morrow.

Mr. Palmer of 14th moved to adjourn till 10 o'clock a. m. Monday.

Which was not agreed to.

The motion of Mr. Harris was agreed to.

Thereupon the Senate stood adjourned till 10 o'clock a. m. to-morrow.