

And Senate Bill No. 124, contained in the above message, was referred to the Committee on Enrolled Bills. The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 4, 1903.

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—

Senate Bill No. 126:

A bill to be entitled an act to incorporate and establish a municipal government for the town of Tarpon Springs, in Hillsborough county, Florida, provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said town.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,  
WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Bill No. 126, contained in the above message, was referred to the Committee on Enrolled Bills.

Mr. Harris moved to adjourn until 10 o'clock a. m. tomorrow.

Mr. Wilson of the 7th moved to adjourn until 11 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until 11 o'clock a. m. Wednesday, May 6th, 1903.

WEDNESDAY, MAY 6, 1903.

Senate met pursuant to adjournment.

The President in the chair.

The roll being called, 29 Senators answered to their names, showing a quorum present. Messrs. Peacock, Gillen and Wilson of the 4th being absent.

Prayer by the Chaplain.

The reading of the Journal was dispensed with  
The Journal as corrected was approved.

## SPECIAL ORDER.

## Senate Bill No. 202:

A bill to be entitled an act to provide pensions for disabled soldiers and sailors, and widows of all soldiers and sailors who were killed or died during the Civil War, or who have since died, of the State of Florida, and making an appropriation for payment of the same, and for creating a State Board of Pensions.

Was taken up, the hour of 11 o'clock a. m., the time set for its consideration, having arrived.

Mr. Bailey moved that Senate Bill No. 202 be made a special order for 12 o'clock m., tomorrow, May 7th.

Which was agreed to.

INTRODUCTION OF RESOLUTIONS PETITIONS  
AND MEMORIALS.

Mr. Raney presented the following petition:

The Senate and House of Representatives of the State of Florida.

Hon. Sirs—We, the undersigned citizens and taxpayers of the city of Apalachicola, Franklin county, Florida, respectfully petition your honorable body to amend Senate Bill No. 195 and House Bill No. 328, so as to exempt manufacturing establishments, oyster canning, packing houses and commercial industries from "A bill to be entitled an act to prevent the employment and detention of children under certain ages and under certain conditions in manufacturing establishments, packing houses, commercial industries, laundries, and renovating establishments and prescribing penalty for a violation thereof."

Should the bill become a law in its present form, without the amendments, it would be ruinous to the oyster packing and canning business in the State of Florida, and more particularly in Apalachicola, Franklin county, Florida, as the canning and packing of oysters is dependent on the colored children for their services in shucking or opening oysters, and besides the oyster business, furnish work and the actual necessities of life to this class of people that could not find employment in any other capacity to earn a livelihood. Were it not for the oyster business in Franklin county, the negro children would

be in destitute circumstances and absolute want, that would force them to desperate straits. Besides the canning and oyster packing business are teaching this element how to work and besome self-supporting instead of being a charge on the county and city authorities. Franklin county is differently situated from most of the counties of Florida. They have no farming interest of any consequence, but are dependent on the supply of oysters and fish, as well as lumber and timber, for the resources or revenue for the maintainance of the county.

Apalachicola, Fla., May 4th, 1903.

Geo. N. Ruge, merchant, Apalachicola, Fla.

H. W. Johnston, Mayor, Apalachicola, Fla.

Geo. H. Marshall, member City Council, Apalachicola,

J. T. Zingarelli, member City Council, Apalachicola, Fla.

S. J. Johnson, member City Council, Apalachicola, Fla.

R. Collins, member City Council, Apalachicola, Fla.

Geo. A. Patton, Jr., member City Council, Apalachicola, Fla.

Frank B. Moody, Apalachicola, Fla.

John J. Gannon, chairman Board County Commissioners, Franklin county. Apalachicola. Fla.

A. T. Whiteside, Apalachicola, Fla.

The Coombs Co., Apalachicola, Fla.

Sol Brash, Apalachicola, Fla.

Geo. T. Wefing, Apalachicola, Fla.

Apalachicola Lumber Co., Apalachicola, Fla.

S. A. Roberts, keeper Cape San Blas, Apalachicola, Fla.

Coombs and Griggs (marine ways), Apalachicola, Fla.

Franklin County Lumber Co., J. R. Coombs, president, Apalachicola, Fla.

Jos. S. Munrow, M. D., Apalachicola, Fla.

Power and Wright, merchants Apalachicola, Fla.

W. A. Murat, Port Master, Apalachicola, Fla.

T. J. Moore, merchant, Apalachicola, Fla.

A. E. Willis, M. D., Apalachicola, Fla.

M. T. Alexander, M. D., Apalachicola, Fla.

John Fisher, Apalachicola, Fla.

Montgomery and Egbert, merchants, Apalachicola, Fla.

T. E. Jordan, asst. mgr. Capital City Bank (Branch), Apalachicola, Fla.

T. J. Porter, mgr. Capital City Bank (Branch), Apalachicola, Fla.

Jas. E. Cotter, City Tax Collector, Apalachicola, Fla.

P. A. Long, Apalachicola, Fla.

Mr. Brash, merchant, Apalachicola, Fla.

R. H. Porter, Apalachicola, Fla.

H. D. Marks, merchant, Apalachicola, Fla.

W. B. Neel, Apalachicola, Fla.

W. A. Murat, Post Master, Apalachicola, Fla.

John W. Wakefield, County Treasurer, Apalachicola, Fla.

Wm. J. Lovett, agent Merchant Wharf Co., Apalachicola, Fla.

David Silva, bar pilot port Apalachicola, Fla.

David T. Brown, Apalachicola, Fla.

A. J. Murat, Jr., Apalachicola, Fla.

N. Demant, Apalachicola, Fla.

Mr. Raney moved that the petition be spread on the Journal.

Which was agreed to.

Mr. MacWilliams offered the following:

Senate Concurrent Resolution No. 21:

Whereas, the Legislature of the State of Florida at the present session thereof, to-wit, A. D. 1903, passed the following resolution:

"Be it Resolved by the Senate and House of Representatives of the State of Florida:

That application is hereby made to the Congress under the provisions of Article V of the Constitution of the United States for the calling of a convention to prepare an amendment to the Constitution of the United States, making United States Senators elective in the several States by direct vote of the people; and

Resolved further, That the Secretary of State is hereby directed to transmit copies of this application to the Senate, House of Representatives of Congress, and copies to the members of the said Senate and House of Representatives from this State; also to transmit copies hereof to the presiding officers of each of the legislatures now in session in the several states, requesting their co-operation;" therefore,

Be it Resolved by the Senate of the State of Florida, the House of Representatives concurring, that the application made to the Congress of the United States in the foregoing resolution be and the same is hereby withdrawn, rescinded and revoked.

Which was read the first time, and laid over under the rules.

Mr. Blount offered the following:

Senate Concurrent Resolution No. 22:

Senate Concurrent Resolution declaring that Joint Resolutions and Concurrent Resolutions of the Senate and House of Representatives should not be submitted to the Governor for his approval or disapproval, and denying his right to approve or disapprove the same.

Be it resolved by the Senate, the House of Representatives concurring:

That it is the sense of the Senate and House of Representatives of the State of Florida, that Joint Resolutions and Concurrent Resolutions of the Senate and House should not be submitted to the Governor of the State for his approval or disapproval, and that he has no power to approve or disapprove the same.

Which was read the first time and laid over under the rules.

#### INTRODUCTION OF BILLS.

By Mr. Williams:

Senate Bill No. 252:

A bill to be entitled an act amending section eight of an act entitled "an act to regulate the holding of political primary elections in the State of Florida, for nominating candidates for any office under the laws of this State, and for nominating delegates to political conventions," approved May 31st, 1901.

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

By Mr. McCreary:

Senate Bill No. 253:

A bill to be entitled an act to provide for the division of counties into road districts, and for the election biennially of three road trustees, and to prescribe their duties and powers, and for levying, collecting and disbursing district road taxes.

Which was read the first time by its title and referred to the Committee on Public Roads and Highways.

By Mr. Blount:

Senate Bill No. 254:

A bill to be entitled an act to except newspapers from the operation of the Sunday laws of the State of Florida.

Which was read the first time by its title.

Mr. Blount moved that the rules be waived, and that Senate Bill No. 254 be read a second time.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 254 was read a second time in full.

Mr. Blount moved that the rules be further waived, and that Senate Bill No. 254 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 254 was read a third time in full.

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

Yeas—Mr. President, Messrs. Bailey, Blount, Crill, Dimick, Harris, Kirk, Law, McCreary, MacWilliams, Neel, Palmer, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th.—21.

Nays—Messrs. BBrown, Butler, Carson, Crews, Faulkner, McCaskill—6.

So the bill passed, title as stated.

Mr. Blount moved that the rules be waived, and that Senate Bill No. 254 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 254 was so certified.

By Mr. Blount:

Senate Bill No. 255:

A bill to be entitled an act to provide for services by publication upon unknown parties in interest involved in certain chancery suits, and for decrees and other proceedings after such service.

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

By Mr. Rouse:

Senate Bill No. 256:

A bill to be entitled an act to fix the measure of damages in suits against telegraph companies in certain cases.

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

By Mr. Stockton (by request):

Senate Bill No. 257:

A bill to be entitled an act to regulate the practice of embalming, and the care and disposition of the human dead, and to provide for the appointment of a State Board of Embalming.

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

By Mr. Faulkner:

Senate Bill No. 258:

A bill to be entitled an act to punish criminally any person who publishes, writes or utters any false statement to the injury of any one's character or reputation in this State.

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

By Mr. Sams:

Senate Bill No. 259:

A bill to be entitled an act to prohibit the shooting of wild ducks in the State of Florida between the hours of sunset and sunrise.

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

By Mr. Williams:

Senate Bill No. 260:

A bill to be entitled an act to amend section 4601, Laws of Florida, approved June 5, 1897, being entitled an act to amend section 720 of the Revised Statutes of the State of Florida, in reference to contracting of territorial limits of cities and towns.

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

## REPORT OF COMMITTEES.

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

Senate Chamber,  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Joint Resolution No. 204:

Joint Resolution proposing an amendment to Section 1, Article 10, of the Constitution of the State of Florida, relating to Homestead Exemption against debts contracted for family support.

Also

Senate Bill No. 155:

A bill to be entitled an act to establish a State Board of Medical Examiners and to prescribe their duties and terms of office, to provide for a uniform system of medical examinations and certificates, to protect the public from ignorant and incompetent practitioners of medicine and to fix penalties for the violation of this act.

Have carefully examined same and find them correctly engrossed.

Very respectfully,

N. A. BLITCH,  
Chairman of Committee.

And Senate Bill No. 155 and Senate Joint Resolution No. 204, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber,  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Bill No. 92:

A bill to be entitled an act to preserve the pine forests of the State of Florida, to regulate the manner and time of cutting and working turpentine boxes, to prescribe the size of pine trees available for saw mill and turpentine purposes and to prescribe a penalty for any violation of the provisions of the act.

Have carefully examined same and find it correctly engrossed.

N. A. BLITCH,  
Chairman of Committee.

And Senate Bill No. 92 contained in the above report, was placed on the Calendar of bills on third reading.

Mr. Crews, Chairman of the Committee on Temperance, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Temperance to whom was referred—

## Senate Bill No. 228:

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

Have had the same under consideration and recommend that it do pass, with the following amendments:

After the fourth section insert the following:

Section 5. The Board of County Commissioners shall consider the application and petition, and if they find that no legal cause exists why the permit should not be granted, and that the applicant is twenty-one years of age, and a sober, law-abiding person, of good character, then a permit shall be given the applicant by the Board of County Commissioners to sell liquors, wines and beer, as prayed for. But the Board shall not grant a permit in any case in the absence of affirmative evidence of the applicant having complied with this act, and of his possessing the qualifications required for such permit.

Section 6. No person who has been refused a license or permit by the County Commissioners for legal cause shall be permitted to renew his application for license or permit, or to file a new application for a license or permit, until the expiration of one year from the date of such refusal.

Let Section 5 read Section 7.

Let Section 6 read Section 8.

Very respectfully,

J. B. CREWS,

Chairman of Committee.

And Senate Bill No. 228, contained in the above report, together with the amendments thereto, 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., May 5th, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Education to whom was referred

Senate Bill No. 226:

A bill to be entitled an act to amend Section 11 of Chapter 4678 of the Laws of Florida, the same being an act entitled "An act to provide for the division of counties into school districts, and for the election bi-ennially

of three school trustees, and to prescribe their duties and powers, and for levying, collecting, and disbursing district school taxes.

Have had the same under consideration and recommend that said bill No. 226 do pass.

Very respectfully,  
C. A. CARSON,  
Chairman of Committee.

And Senate Bill No. 226, 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., May 5th, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Education to whom was referred

House Bill No. 143:

A bill to be entitled an act to provide for the compensation of the treasurers of the county school funds.

Have had the same under consideration and recommend that House Bill No. 143 do not pass.

Very respectfully,  
C. A. CARSON,  
Chairman of Committee.

And House Bill No. 143, 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., May 5th, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Education to whom was referred

House Bill No. 16:

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

Have had the same under consideration and recommend that said House Bill No. 16 do not pass.

Very respectfully,

C. A. CARSON,

Chairman of Committee.

And House Bill No. 16, 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., May 5th, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Education to whom was referred

House Bill No. 137:

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

Have had the same under consideration and recommend that House Bill No. 137 do pass, with the following amendment, by striking out the words after the word "Sustain" in the 12th line, on page 3, of Section 1, to the end of said Section 1.

And recommend that said House Bill No. 137 do pass as amended.

Very respectfully,

C. A. CARSON,

Chairman of Committee.

And House Bill No. 137, contained in the above report, together with the amendments thereto, was placed on the Calendar of bills on second reading.

Mr. McCaskill, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Public Roads and Highways, to whom was referred—

Senate Bill No. 235:

A bill to be entitled an act to amend sections 20 and 22 of chapter 4338 of the Laws of Florida, entitled, "an act to provide for establishing, working and repairing

and maintaining the public roads and bridges of the several counties of this State, and to provide a penalty for the failure thereof," approved May 29th, 1895.

Have had the same under consideration and recommend that it do pass.

Very respectfully,  
E. V. McCASKILL,  
Chairman of Committee.

And Senate Bill No. 235, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Dimick, Chairman of the Committee on Canals and Telegraph, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Canals and Telegraph, to whom was referred—

Senate Bill No. 8:

A bill to be entitled an act to extend the time for completing the canal of the Florida Coast Line Canal and Transportation Company, and to preserve and continue the grant of lands to aid in its construction.

Have had the same under consideration and recommend that it do pass.

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

And Senate Bill No. 8 contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 86:

A bill to be entitled an act to prescribe the time for the qualification of electors for all special elections in the State of Florida.

Have had the same under consideration and beg to report the same without recommendation.

Very respectfully,  
**TELFAIR STOCKTON,**  
 Chairman of Committee.

And Senate Bill No. 86, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
 Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 34:

A bill to be entitled an act to repeal Section 14 of Chapter 5014, being an act to regulate the holding of political primary elections in the State of Florida for nominating candidates for any offices under the laws of this State, and for nominating delegates to political conventions.

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

Very respectfully,  
**TELFAIR STOCKTON,**  
 Chairman of Committee.

And Senate Bill No. 34, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
 Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 85:

A Bill to be entitled an Act to prescribe who shall be liable for Capitation Tax, and to regulate the assessment thereof, and to prescribe a method for the collection of Capitation Taxes in the State of Florida.

Have had the same under consideration, and report it without recommendation.

Very respectfully,  
TELFAIR STOCKTON,  
Chairman of Committee.

And Senate Bill No. 85, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 33:

A bill to be entitled an act to amend Section 10 of Chapter 4537, being 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 in the State, and to provide for general and special elections, and for the returns of elections, approved May 25, 1895.

Offer the following amendments:

— In line 13, after the word "May," insert the words "to the second Saturday in June, and from the second Monday in September to the second Saturday in October."

In line 20, strike out the word "one," and insert the word "three," and in the same line change the word "day" to "days."

Beginning with the word "June," in the 22d line, strike out all words to and including the word "day," in the 23d line, and substitute therefor the words "May to the second Saturday in June, and from the second Monday in September to the second Saturday in October."

And recommend it do pass, with the Committee amendments thereto.

Very respectfully,  
TELFAIR STOCKTON,  
Chairman of Committee.

And Senate Bill No. 33, contained in the above report, together with amendments thereto, was placed on the Calendar of bills on second reading.

#### ORDERS OF THE DAY.

Veto message of the Governor on Joint Resolution calling for a constitutional convention for the United States.

Was taken up.

The pending question being ' "Shall the Joint Resolution pass, the veto of the Governor to the contrary notwithstanding?"

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Harris, Palmer, Rouse, Stockton.—6.

Nays—Messrs. Blitch, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Faulkner, Law, McCaskill, McCreary, MacWilliams, Neel, Raney, Sams, Scott, Wadsworth, Whidden, Williams, Wilson of the 7th.—21.

So the Joint Resolution failed to pass.

Mr. Kirk was excused from voting.

#### BILLS ON SECOND READING.

Senate Joint Resolution No. 166:

A joint resolution proposing an amendment to Section 2, Article 3, of the Constitution of the State of Florida, relating to the meeting of the Legislature.

Was taken up.

And was placed on table subject to call

Senate Joint Resolution No. 125.

Joint resolution proposing an amendment of Sections 20 and 24, of Article III, and the repeal of Section 8, Article VIII of the Constitution of the State of Florida.

Was taken up and read a second time in full.

Mr. Raney offered the following amendment to Senate Joint Resolution No. 125:

Insert in line 4, of Section 20, after the word "misdemeanor" the words "except for the enforcement of special or local laws enacted under Section 21 of this article."

Mr. Raney moved the adoption of the amendment.

Which was agreed to.

And Senate Joint Resolution No. 125, as amended, was ordered referred to the Committee on Engrossed Bills.

## Senate Bill No. 213:

A bill to be entitled an act to amend Section 940 and repeal Section 941 of the Revised Statutes of the State of Florida, relating to pilots.

Was taken up and read a second time in full.

Mr. Blount moved that the rules be waived and Senate Bill No. 213 be placed on calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote

And Senate Bill No. 213 was placed on calendar of bills on third reading.

Mr. Butler moved that Senate Bill No. 150, now on tables subject to call, be now taken up and considered.

which was agreed to by a two-thirds vote

And,

## Senate Bill No. 130:

A bill to be entitled an act to make it the duty of the Governor to appoint a State Auditor and assistant State Auditor, to define their powers and duties, and fix their compensation, and for the employment of clerical assistance.

Was taken up with the following pending amendment:

After the words "Such work." in section 9, line 6. insert the following: "Approved May 31, 1901, and Chapter 4849, authorizing the Governor to have all State offices examined and to report such examinations to the Legislature, approved June 3, 1899."

Mr. Butler moved the adoption of the amendment.

Which was agreed to.

Mr. Crews offered the following amendment to Senate Bill No. 130:

Strike out all of Section 4 as amended.

Mr. Crews moved the adoption of the amendment.

Which was agreed to.

Mr. Butler offered the following amendment to Senate Bill No. 130:

In section 5, line 3, strike out the words "The Assistant State Auditor shall receive for his services compensation at the rate of one thousand eight hundred dollars (\$1800) per annum, to be paid for the time he is actually engaged in the performance of the duties of the office." and in line 8, strike out the words "and assistants," and in line 10 strike out the words "or assistants."

Mr. Butler moved the adoption of the amendment.

Which was agreed to.

Mr. Butler offered the following amendment to Senate Bill No. 130:

Strike out the words "and assistant state auditor" in the title.

Mr. Butler moved the adoption of the amendment.

Which was agreed to.

Mr. Butler offered the following amendment to Senate Bill No. 130:

Add to the title "And to fix penalties for refusing to submit books, records and moneys to inspection of the State Auditor."

Mr. Butler moved the adoption of the amendment.

Which was agreed to.

Mr. Butler offered the following amendment to Senate Bill No. 130:

That the words in Sections 5, 6, 7, 8, 9 and 10 be changed so as to read Section 4, 5, 6, 7, 8, 9 and 10, respectively.

Mr. Butler moved the adoption of the amendment.

Which was agreed to.

Mr. Butler offered the following amendment to Senate Bill No. 130:

In Section 7, line 1, after words "a clerk," insert the following: "Who shall be an expert accountant."

Mr. Butler moved the adoption of the amendment.

Which was agreed to.

Mr. Butler offered the following amendment to Senate Bill No. 130:

Strike out the word "twelve," and the figures "\$1200" in line 2, section 7, and insert in lieu thereof the following: "Fifteen," and the figures "\$1500."

Mr. Butler moved the adoption of the amendment.

Which was not agreed to.

And Senate Bill No. 130, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. Crews moved that the rules be waived, and House Bill No. 57, now on table subject to call, having previously been read a second time, be now taken up out of its order and considered.

up out of its order and considered.

Which was agreed to by a two-thirds vote.

And,

## House Bill No. 57:

A bill to be entitled an act to prohibit the obstruction of county and settlement roads and prescribing penalty therefor.

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

Upon call of the roll on House Bill No. 57 the vote was:

Yeas—Messrs. Bailey, Blitch, Blount, Brown, Butler, Carson, Crews, Grill, Dimick, Faulkner, Kirk, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Raney, Rouse, Sams, Scott, Wadsworth, Whidden, Williams, Wilson of the 7th.—22.

Nays—None.

So the bill passed, title as stated.

Mr. Brown moved that the rules be waived and Senate Bill No. 96, now on table subject to call, be taken up out of its order and considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 96:

A bill to be entitled an act to amend Section 9 of Chapter 4706, Laws of Florida, entitled "An act to require railroad companies in the State of Florida to fence their tracks; to provide the time and manner in which fence shall be constructed, and to provide a penalty for failure so to do; and to provide the measure of damages 2 D. S.

for cattle killed or injured by trains or engines on railroads not fenced, and providing for the payment of attorney's fees and double damages for the killing or injury of domestic live stock under certain conditions by the companies refusing or neglecting to fence their roads as required;" as amended by Chapter 5020, Laws of Florida, approved May 27th, 1901.

Was taken up, having previously been read a second time.

Mr. Stockton offered the following amendment to Senate Bill No. 96:

Add after Section 9:

Provided, that any animal which may be injured by the operation of a railroad in this State so seriously that it cannot reasonably be expected to recover, may be killed by the owner, the employes of such railroad or any other person, if necessary to terminate incurable suffering; and

the killing of any such animal under such circumstances by any person shall be deemed to be a killing by the railroad company responsible for the injuries under the provisions of this act.

Mr. Stockton moved the adoption of the amendment.

Which was agreed to.

Mr. McCreary offered the following amendment to Senate Bill No. 96:

Strike out Section 2, and make Section 3 Section 2.

Mr. McCreary moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 96, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 218:

A bill to be entitled an act to regulate the kind and size of boats to be used by the bar pilots of the several ports of this State, and to provide for the registering and licensing of such craft.

Was taken up and read a second time in full.

Mr. Blount moved that the rules be waived and Senate Bill No. 218 be placed on calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 218 was placed on calendar of bills on third reading.

Senate Bill No. 163:

A bill to be entitled an act for the relief of the sureties on the official bond of Francis D. Pooser, ex-tax collector of Marion county, Florida, dated November 24th, 1896.

Was taken up and read a second time in full.

Mr. Brown moved that the rules be waived and that Senate Bill No. 163 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 163 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. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Dimick, Faulkner, Kirk, McCaskill, McCreary, MacWilliams, Neel, Rouse, Sams, Stockton, Wadsworth, Williams, Wilson of the 7th.—21.

Nays—Crill.—1.

So the bill passed, title as stated.

Mr. Blount moved that the rules be waived, and Senate

Bill No. 191, now on third reading, be taken up and considered out of its order.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 191:

A bill to be entitled an act to provide for official reporters in the circuit courts of the State, and to repeal Section 1399 of the Revised Statutes relating to the appointment and compensation of stenographers, and to prescribe the effect as evidence of the transcripts made by said reporters.

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

Upon call of the roll on Senate Bill No. 191 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blich, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Kirk, McCreary, MacWilliams, Neel, Raney, Rouse, Sams, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th—23.

Nays—None.

So the bill passed, title as stated.

Mr. Blount moved that the rules be waived, and that Senate Bill No. 191 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 191 was so certified.

Senate Bill No. 198:

A bill to be entitled an act to organize a municipal government for the town of Mayo, and to provide for its government.

Was taken up.

Mr. Raney moved that Senate Bill No. 198 be laid on table subject to call.

Which was agreed to.

Senate Bill No. 187:

A bill to be entitled an act affecting and to enlarge the powers, authority and privileges of the city of Miami, Dade county Florida, and to authorize the said city of Miami to issue negotiable bonds for certain municipal purposes, and to provide for a board of bond trustees; prescribing a mode of amending its charter, fixing the terms of office and mode of election of certain officers.

Was taken up.

Mr. Dimick moved that the rules be waived and that Senate Bill No. 187 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 187 was read a second time by its title.

Mr. Dimick moved that the rules be waived and Senate Bill No. 187 be placed on Calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 187 was placed on Calendar of bills on third reading.

Senate Bill No. 22.

A bill to be entitled an act to abolish the present municipal government of the town of West Palm Beach, in Dade county, Florida, to legalize the ordinances of said town and official acts thereunder; to create and establish the municipality of the city of West Palm Beach, in Dade county, Florida, and to provide its jurisdiction and powers, and of the officers thereof.

Was taken up.

Mr. Dimick moved that the rules be waived and that Senate Bill No. 221 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 221 was read a second time by its title.

Mr. Dimick moved that the rules be waived and Senate Bill No. 221 be placed on Calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 221 was placed on Calendar of bills on third reading.

Senate Bill No. 182:

A bill to be entitled an act concerning receipts of warehousemen, wharfingers, timber and lumber inspectors, and others, bailees of like character.

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

The following committee amendment was read:

After the word "substituted" and before the word "therefor," in line 5 of section 3, insert "by the bailor."

Mr. Raney moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

And at the end of said bill add the following:

"Section 5. This Act shall go into effect October 1st, 1903."

Mr. Raney moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 182 as amended, was ordered referred to the Committee on Engrossed Bills.

A message was received from the Governor.

Senate Bill No. 217:::

A bill to be entitled an act to prohibit certain purchases and contracts for public use and public work, and to provide a punishment for the same.

Was taken up and read a second time in full.

Mr. Blount moved that the rules be waived and that Senate Bill No. 217 be placed on Calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 217 was placed on Calendar of bills on third reading.

Senate Bill No. 220:

A bill to be entitled an act giving county judges the power to hold inquests of the dead.

Was taken up and read a second time in full.

And Senate Bill No. 220 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 158:

A bill to be entitled an act to amend Section 212, Revised Statutes, regulating the issuance of commissions, and fixing the amounts to be paid by persons appointed or elected to office before the issuance of commissions to such persons.

Was taken up and read a second time in full.

And Senate Bill No. 158 was ordered referred to the Committee on Engrossed Bills.

By permission—

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

Senate Chamber.  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

An act to divide the State of Florida into eight Judicial Circuits, and for the appointment of judges and State attorneys therefor.

Have examined the same and find it correctly enrolled,

Very respectfully,

W. HUNT HARRIS,

Acting Chairman of Committee.

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

Mr. Blount moved that Senate Bill No. 105, on the table subject to call, be taken up.

Which was agreed to.

And,

Senate Bill No. 105:

A bill to be entitled an act to define the grades of instruction which shall be taught in the uniform system of public schools of Florida, to aid and encourage the establishment of public high schools and rural graded schools, to prescribe conditions, provide for instructors, and to make appropriations therefor.

Was taken up.

Mr. Carson moved that the rules be waived and that Senate Bill No. 105 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 105 was read a second time by its title.

Mr. Blount offered the following amendment to Senate Bill No. 105:

After "to" of line 6 of section 10, insert the words "recommend and the Governor shall."

Mr. Blount moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 105 as amended, was referred to the Committee on Engrossed Bills.

By permission—

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

Senate Chamber,  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

An act to divide the State of Florida into eight Judicial Circuits, and for the appointment of judges and State attorneys therefor.

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 signatures of the President and Secretary thereof.

Very respectfully,  
W. HUNT HARRIS,  
Acting Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

An act to divide the State of Florida into eight Judicial Circuits, and for the appointment of judges and State attorneys therefor.

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.

At 12:35 Mr. Stockton moved that the Senate go into executive session.

Which was agreed to.

And the doors were closed.

At 11:55.

The doors were opened.

The President in the chair.

The roll being called, 25 Senators answered to their names, showing a quorum present—Messrs. Faulkner, Gillen, Kirk, Law, Miller, Peacock and Wilson of the 4th being absent.

By permission—

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

Senate Chamber.  
Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate.*

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

An act to divide the State of Florida into eight Judicial Circuits, and for the appointment of judges and State attorneys therefor.

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

Very respectfully,  
W. HUNT HARRIS,  
Acting Chairman of Committee.

By permission—

Mr. Butler offered the following::

Senate Resolution No. 43:

Be it resolved, That the "Order of Business" in the printed rules of the Senate, be amended so as to read—

#### ORDER OF BUSINESS.

- 1—Reading of Journal.
- 2—Correction of Journal.
- 3—Introduction of Resolutions.
- 4—Introduction of Bills.
- 5—Consideration of Resolutions.
- 6—Messages from the House of Representatives.
- 7—Report of Committees.
- 8—Orders of the Day.
- 9—Consideration of Bills Upon their Third Reading.
- 10—Consideration of Bills Upon Their Second Reading.
- 11—Executive Appointments and Suspensions.

Which was read and referred to the Committee on Rules.

Senate Bill No. 196:

A bill to be entitled an act defining who are emigration agents, prescribing a tax thereon, also providing a penalty.

Was taken up.

Mr. Scott asked permission to withdraw Senate Bill No. 196.

Which was granted.

And Senate Bill No. 196 was withdrawn.

Mr. Raney moved that the Committee on Engrossed Bills be requested to return Senate Bill No. 158.

Which was agreed to.

By permission—

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

Senate Chamber.

Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate.*

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

Senate Bill No. 158:

A bill to be entitled an act to amend section 212, Revised Statutes, regulating the issuance of commissions, and fixing the amounts to be paid by persons appointed or elected to office before the issuance of commissions to such persons.

Be given leave to return same as requested by the Senate.

Very respectfully,

N. A. BLITCH,

Chairman of Committee.

And Senate Bill No. 158 was returned to the Senate.

Mr. Raney moved that the rules be waived, and Senate Bill No. 158 be taken up and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 158:

A bill to be entitled an act to amend section 212, Revised Statutes, regulating the issuance of commissions, and fixing the amounts to be paid by persons appointed or elected to office before the issuance of commissions to such persons.

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

Upon call of the roll on Senate Bill No. 158 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Harria, McCaskill, McCreary, MacWilliams, Neel, Palmer, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Williams, Wilson of the 7th—24.

Nays—None.

So the bill passed, title as stated.

Mr. Raney moved that the rules be waived and that Senate Bill No. 158 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 158 was so certified.

Mr. Palmer moved that the Committee on Public Roads and Highways be requested to report back to the Senate House Bill No. 155.

Which was agreed to.

By permission—

Mr. McCaskill, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 6, 1903.

Hon. Frank Adams,

*President of the Senate.*

SIR—Your Committee on Public Roads and Highways to whom was referred

House Bill No. 155:

A bill to be entitled an act to validate and legalize all illegal assessments of taxes and illegal collections of the same, in this State when the purpose of such taxation is to pay the interest or sinking fund on any county bonds issued for the purpose of constructing macadamized and other hard surfaced highways in such county, and to fund the outstanding indebtedness of any such county or for either or both such purposes.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

E. V. McCASKILL,  
Chairman of Committee.

And House Bill No. 155, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Palmer moved that the rules be waived and House Bill No. 155, be taken up out of its order, and considered

Which was agreed to by a two-thirds vote.

And—

House Bill No. 155:

A bill to be entitled an act to validate and legalize all illegal assessments of taxes and illegal collections of the same, in this State when the purpose of such taxation is

to pay the interest or sinking fund on any county bonds issued for the purpose of constructing macadamized and other hard surfaced highways in such county, and to fund the outstanding indebtedness of any such county or for either or both such purposes.

Was taken up.

Mr. Palmer moved that the rules be waived and House Bill No. 155 be read a second time by its title only.

Which was agreed to by a two-thirds vote and House Bill No. 155 was read a second time by its title only.

Mr. Palmer moved that the rules be further waived and that House Bill No. 155 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 155 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. Bailey, Blitch, Blount, Brown, Butler, Carson, Crews, Dimick, Law, McCaskill, McCreary, MacWilliams, Neel, Peacock, Raney, Reuse, Sams, Scott, Stockton, Wadsworth, Williams, Wilson of the 7th.—23.

Nays—None.

So the bill passed, title as stated.

Mr. Wilson of the 7th moved to adjourn until 10 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock a. m. Thursday, May 7th, 1903.

#### CONFIRMATIONS.

E. D. Beggs, to be Judge of the Criminal Court of Record in and for Escambia county, Florida.

Lucius J. Reeves, to be Judge of the First Judicial Circuit of the State of Florida.

W. S. Bullock to the Judge of the Fifth Judicial Circuit of the State of Florida.

C. E. Garner, A. R. Merrill. Montcalm Broward, Robert A. Mickler and Charles D. Spencer to be Pilot Commissions for the port of Jacksonville.

## CORRECTION.

In the proceedings of Monday, May 4th, the message from the House of Representatives should show that Senate Bill No. 41 was reported back from that body with amendments.

T. J. APPELYARD,  
Secretary of the Senate

THURSDAY, MAY 7, 1903.

Senate met pursuant to adjournment.

The President in the chair.

The roll being called, 31 Senators answered to their names, showing a quorum present. Mr. Gillen being absent.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal as corrected was approved.

INTRODUCTION OF RESOLUTIONS, PETITIONS  
AND MEMORIALS.

Mr. McCreary submitted the following:

Ocala, Fla., April 30th, 1903.

Hon. W. N. Sheats, State Supt. of Education, Tallahassee, Fla.

Dear Sir—We, the undersigned, members of the "Board of Visitors" of the East Florida Seminary, beg leave to report that we have this day visited said institution, and made a thorough investigation of its condition, success and usefulness, as required by law. And find its condition, from an educational standpoint, most satisfactory. The President thoroughly understands his business, he is a fine educator, and a thorough disciplinarian. He is ably assisted by a corps of teachers, in the various departments, whose equals are hard to find in any similar institution.

The food furnished the students is wholesome in quality and ample in quantity. The students, both male and female, are well dressed, and seem happy and contented, zealous in their studies, respectful and obedient to their teachers, and officers, and loyal to the institution.