

Raney, Rouse, Stockton, Wadsworth, Williams, Wilson of the 7th—16.

Nays—Mr. President, Messrs. Blitch, Blount, Brown, Carson, Crill, Harris, Kirk, Law, Sams, Scott, Whidden—12.

So the bill passed, title as stated.

By permission—

Mr. Crews introduced—

Senate Bill No. 345:

A bill to be entitled an act providing for the garnishment of municipal corporations and public and quasi-public corporations.

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

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

Which was agreed to.

Thereupon the Senate adjourned until 10 o'clock a. m. Tuesday, May 19, 1903.

#### CONFIRMATION.

Charles P. Lovell, to be Brigadier-General of the Florida State Troops, for the term of four years.

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#### TUESDAY, MAY 19, 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. Wilson of the 4th being absent.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal as corrected was approved.

#### INTRODUCTION OF BILLS.

By Mr. Peacock:

Senate Bill No. 346:

A bill to be entitled an act to provide for the education and industrial training of the blind, deaf and dumb of the State of Florida.

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

By Mr. Sams:

Senate Bill No. 347:

A bill to be entitled an act to prevent and prohibit adulteration of spirits of turpentine and naval stores, and to provide for the appointment and duties of a supervising inspector of naval stores, and to prescribe forfeitures and penalties for violating and methods for the enforcement of the provisions of this act.

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

By Mr. Palmer:

Senate Bill No. 348:

A bill to be entitled an act to amend section 7 of chapter 4706 of the Laws of Florida, approved June 5, 1899, as amended by chapter 5020 of the Laws of Florida, approved May 27, 1901, and entitled "an act to amend sections 7 and 8 of chapter 4706, Laws of Florida, 1899, being 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 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 killing or injury to domestic live stock under certain conditions by the companies refusing or neglecting to fence their roads as required."

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

By Mr. Harris:

Senate Bill No. 349:

A bill to be entitled an act to promote good roads, declaring how they shall be constructed, making them systems of internal improvement and drainage.

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

## PETITIONS AND MEMORIALS.

The following communication was ordered spread on the Journal:

Educational Department, State of Florida,  
Office of W. N. Sheats, Superintendent,  
Tallahassee, MMay 18, 1903.

Hon. Frank Adams, President of the Senate, Capitol:

SIR—I have the honor, as the representative of the Department of Public Instruction, to request through you, the presiding officer of one body of the Legislature, that \$188,413.41 of the Indian War Claim Fund, be paid to the State School Fund.

The request is based upon the following facts: It is admitted that \$80,072.42 of the 5 per cent. of sales of public lands within the State, which by act of Congress approved March 3, 1845, supplemental to the act for the admission of Florida into the Union, was set apart for educational purposes, and that this amount was withheld by the General Government and applied to the interest on the Indian Trust Fund Bonds held by the United States Government against the State.

It is held as a matter of equity that the State School Fund, being in no wise responsible for the State's indebtedness to the United States, should not lose the income upon this large amount, and that this loss should be repaid from some source. „

It cannot be demanded from the United States Government, as it was just that it should have received interest upon the Indian Trust Fund Bonds from the State. If the State of its own accord had taken the State School Fund and applied it to the payment of this interest it would have allowed the School Fund interest thereon, as it has always been the policy of the State, when using any of this fund for any purpose, to pay current rate of interest for the same. Therefore, as this fund was applied to the payment of the State's indebtedness, and the State received interest upon its claim against the United States government, it seems but fair and equitable that the State should pay to this fund the same rate of interest which it received from the United States government and which would have been received by the State School Fund had it been turned over where it properly belonged, both

in obedience to the Act of Congress applying it to educational purposes and to the Constitution of the State, which makes the 5 per centum of the sales of public lands in the State, received from the General Government, as a sacred and inviolate State School Fund.

As the State School Fund in control of the State Board of Education at the time this was withheld by the General Government paid an annual income of 6 and 7 per cent. Therefore, it is held that seven per cent interest should be paid by the State for the several amounts, making this \$80,072.42, from the time each was credited to the State's debt from the date it was so credited until the settlement of the Indian War Claim, June 30, 1902.

This interest, as is shown by the attached printed sheet, amounts to \$87,292.24, making a total due the School Fund and applied to the State's indebtedness, \$167,363.66.

In addition to this, it is admitted in all accounts filed by the General Government that \$8,289.69 of the 5 per centum of sales of public lands within the State was withheld by the General Government from the State School Fund on account of the interest over-due by the State on her Indian Trust Fund Bonds, but that this \$8,289.69 was not applied to such interest. But the State School Fund lost the income on this \$8,289.69 for a long period because of the failure of the State to pay interest on her bonds. Therefore it is held that in the settlement of the Indian War Claim Fund that the State should also allow the State School Fund interest on this \$8,289.69, or on the several amounts making that sum, from the time each was credited as due the State until June 30, 1902, the date of the Indian War Claim settlement.

It is shown by the attached printed sheet that the interest on the several amounts, making the \$8,289.69, from the date each was credited as due the State to the 30th day of June, 1902, was \$12,759.06, which, with the principal, amounts to \$21,048.75 lost by the School Fund.

Add to this the principal and interest of the \$80,072.42 above, that is, \$167,364.66, which makes a total due the State School Fund of \$188,413.41.

I hold as a matter of equity and justice that this amount should be restored to the School Fund; \$88,362.11 being the principal withheld, \$100,051.30 being the

interest thereon, lost to the Fund by the failure of the State to pay the interest on her Indian Trust Fund Bonds.

As this interest could not be apportioned to the counties annually, as was required by the Constitution of the State, I recommend that the whole amount, \$188,413.41, be restored to the State School Fund and applied to the principal of said fund; or that \$88,362.11 be added to the principal of that fund and \$100,051.30 be immediately apportioned to the counties on the basis of average attendance, as the present Constitution of the State requires.

It matters not whether the whole be applied to the State School Fund principal and the interest be apportioned to the counties, I hold as a matter of justice and equity that the total amount of \$188,413.41 of the Indian War Claim Fund should be applied to the schools of the State; and that it is one of the most sacred and binding claims against the Indian War Claim Fund, as it is for the return of money actually withheld with just interest due thereon.

Yours respectfully,

Wm. N. SHEATS

State Superintendent Pub. Instruction.

#### 24—INDIAN WAR CLAIM FUND.

It is conceived to be the privilege and duty of the head of any Department of State to contend for what is thought to be the right of that Department, it matters not who may be on the other side of the question.

If only \$88,362.11 of the Indian War Claim Fund be restored to the State School Fund, it will be a crime, as I see it, against the children of the State, in that it robs them of thousands of dollars which in law and equity belongs to the school fund. It will also be violative of the spirit of the Act of Congress, approved March 3, 1845, supplemental to the act for the admission of Florida into the Union, which granted five per cent. of the net proceeds of the sale of lands within the State for educational purposes; also violative of the Constitution of Florida (Sections 4 and 5 of Article XII) which places this five per centum of the sales of said lands in the State School Fund and makes it principal sacred and inviolate.

In the settlement of the Indian War Claim, the State paid to the United States seven per cent. interest on the \$132,000 Indian Trust Fund bonds, issued in 1857, and in turn the United States paid the State seven per cent. on the \$261,934.31, being the expenses incurred by the State in suppressing Indian hostilities, from January 1st, 1858; the difference in the sum of principal and interest of these two amounts constituting practically the \$692,946 received from the general government and held as the Indian War Claim Fund.

The State failed to pay the interest due on the \$132,000 Indian Trust Fund bonds held by the United States between July 1st, 1862, and November 26th, 1873; the United States withheld \$109,494.23 of the State's fund and applied it to the payment of this over-due interest.

Of this \$109,494.23, the amount of \$80,072.42 was five per cent. of the sales of lands within the State and belonged to the principal of the State School Fund, which was a sacred and inviolate fund, and in no wise responsible for the failure of the State to pay interest on its Indian Trust Fund bonds. If this interest had been paid by the State, the \$80,072.42 could have been demanded, would have been received and invested in interest bearing securities like all the other State School Funds held at that date.

In adjusting the counter claims, the United State allowed the State seven per cent. interest on the whole claim of \$261,934.31 from January 1st, 1858, to January 1st, 1901; then seven per cent. on \$132,000 of it from January 1st, 1901, to June 30th, 1902 (date of settlement; and six per cent. interest on the balance, \$129,934.31, from January 1st, 1901, to June 30th, 1902—practically seven per cent. on the whole amount for the whole time. But in deducting the \$132,000 owed by the State, interest thereon was computed from November 27th, 1873, instead of from July 1st, 1862, because \$109,494.23 of the State's School Fund and other funds had been applied to this interest between July 1st, 1862, and November 27th, 1873.

Now will the State receive seven per cent. interest from the United States on the debt due the State, pay seven per cent. interest on the debt owed by the State because it was impossible to avoid it, and then turn to a sacred and inviolate fund used in this settlement, which was de-

prived of anyin come for thirty years and say, "Lo there thou hast that is thine," the principal is thine but no interest will be paid you as you are powerless to compel payment?"

Certainly the State can not afford to deal out less than even-handed justice to this sacred and inviolate fund, belonging to her youth, or less than she received at the hands of the United States government; the Act of Congress in determining the rate of interest to be paid the State on its claim, said, "No greater rate of interest shall be allowed the State of Florida than said State has paid, is obliged to pay, or has lost in connection with said account." The last clause is the one that applies.

After the just and legitimate amount due for services of those who aided in the collection of this Indian War Claim Fund, the next most sacred and equitable claim against this fund is the principal with interest thereon withheld from the school fund.

As a question of equity, it is believed that it would be just to contend for interest on the whole \$80,072.42 from November 27, 1873, the date to which the State was relieved of the payment of interest on \$132,000 of her Indian Trust Fund bonds because of the several State funds applied to the payment of accrued interest on those bonds. The general government having decided upon the policy of withholding these funds belonging to the different funds of the State, more than likely took its own time in applying these accumulating funds to that purpose.

While this will not be demanded, as there is no desire to contend for one cent that is not clearly defensible and just, still I am unable to see upon what principle of justice and equity it can be held that the school fund, should not receive from this Indian War Claim Fund the principal with interest thereon of each sum from the date the general government made settlement, or gave the State credit on Indian Trust Fund bonds, as shown below. The interest is calculated on the principal of each amount withheld from the date of its credit on the State debt to June 30, 1902, (date of settlemnt of the counter claims) at seven per cent. interest as follows:

|                      | Principal   | Interest    | Amount       |
|----------------------|-------------|-------------|--------------|
| June 8, 1882.....    | \$ 4,186 83 | \$ 5,879 47 | \$ 10,066 30 |
| June 29, 1884.....   | 11,231 28   | 14,157 90   | 25,389 24    |
| January 24, 1885.... | 16,580 94   | 20,234 27   | 36,815 21    |
| March 15, 1887.....  | 6,902 18    | 7,388 21    | 14,290 39    |
| April 10, 1888.....  | 8,868 53    | 8,829 30    | 17,697 64    |
| November 8, 1888.... | 31,683 02   | 30,260 80   | 61,943 82    |
| December 28, 1889... | 619 64      | 542 42      | 1,162 06     |
| Total . . . . .      | 80,072 42   | 87,292 24   | 167,364 66   |

This shows of the \$80,072.42 of inviolate school fund applied to the State's debt, that there is now justly due that fund \$87,292.24 interest, or a total of \$167,364.66.

Suppose the State had borrowed or gotten the sum of \$80,072.42 from any other source, except from State funds proper, to apply to the payment of interest on her bonds, would she not have readily agreed to pay interest? Is it not a fact that the State has frequently borrowed from this sacred State School Fund for various purposes; for taking up notes given to individuals, and upon her own notes when there existed a deficiency in the funds applicable to State purposes; and has she ever done so in any instance without paying to this fund the current rate of interest?

Add to the \$167,364.66 above, the \$8,289.69 indebtedness withheld from the State School Fund by reason of the State's indebtedness to the United States, and the amount is \$175,654.35, which, after the exception made above, stands as a first obligation against the Indian War Claim Fund in all equity. This claim should be met in full before any other State debt is paid or any application of it is made for other educational purposes, good roads, or any other, however wise or just.

If it is desired to be absolutely fair and just in the apportionment of this large Indian War Claim Fund, I fail to see the injustice in paying interest to the school fund on each of the sums withheld by the general government and not applied to interest indebtedness from the time

adjudged as due the State until June 30, 1902, as it was the State's failure to pay interest on her bonds that furnished the excuse for withholding these funds and caused the loss of income on \$8,289.69.

The following shows the date, the amount of each settlement, with interest thereon at seven per cent., and the total amount of this \$8,289.69, if interest be also allowed upon it:

|   | Principal   | Interest    | Amount       |
|---|-------------|-------------|--------------|
| April 6, 1872.....                            | \$ 4,063 75 | \$ 8,600 25 | \$ 12,664 00 |
| December 5, 1881....                          | 2,170 58    | 3,125 33    | 5,295 91     |
| January 8, 1892.....                          | 221 56      | 162 50      | 384 06       |
| May 17, 1893.....                             | 632 16      | 403 55      | 1,035 71     |
| May 29, 1894.....                             | 298 14      | 168 75      | 466 89       |
| February 27, 1895..                           | 278 36      | 143 05      | 421 41       |
| December 5, 1895....                          | 111 79      | 51 41       | 163 20       |
| January 27, 1897....                          | 162 98      | 61 89       | 224 87       |
| April 5, 1898.....                            | 55 51       | 16 75       | 73 26        |
| January 16, 1899....                          | 50 66       | 12 25       | 62 91        |
| January 25, 1900....                          | 22 06       | 3 75        | 25 81        |
| April 5, 1901.....                            | 91 93       | 7 95        | 99 88        |
| April 25, 1902.....                           | 129 51      | 1 63        | 130 84       |
| Totals.. . . . .                              | 8,289 69    | 12,759 06   | 21,048 75    |
| And the \$80,072.42 with interest thereon.... |             |             | 167,364 66   |
| Total due School Fund.....                    |             |             | \$188,413 41 |

Nothing less than \$175,654.35 from the Indian War Claim Fund will, in my judgment, cancel the State's obligation to the State School Fund, and a more equitable settlement would be to give to it \$188,413.41.

Other Disposition of \$200,000 of This Fund—After restoring to the school fund what is claimed above as justly due it, it is my opinion that no wiser disposition could be made of \$200,000 of this Indian War Claim Fund than to place it at the disposition of the State Board of Education to lend to the counties on safe securities for twenty

years at three per cent. interest, to encourage the establishment and maintenance of strictly secondary schools. Such schools are the missing links in our State and county systems, they are needed to uplift the common public schools and as feeders for the institutions for higher education in this State.

The State debt held by the school funds and costing only three per cent. interest alarms or burdens no one.

If any considerable amount of this fund be applied to good roads it would hardly be sufficient to inaugurate the spirit of road building, the roads which soon need rebuilding, and the fund would appear after a few years to have vanished without conferring any lasting benefit upon any one.

But set apart \$200,000 of it for such schools as have been named, and, if wisely applied, the cycles of eternity will barely compass in extent and duration the good that may be done with that much of that fund.

Three per cent. is what the State is paying for the permanent State School Fund, which should be all that should be charged the counties that desire educational advancement.

This loan should be for twenty years, when all of it may be gathered in and applied to the enlargement of a State University. It will take at least twenty years and the wise use of that much fund to reach the necessity for a State University in fact as well as in name.

#### REPORTS OF COMMITTEES.

Mr. Gillen, Chairman of the Special Committee on the part of the Senate to visit the Industrial and Normal School at St. Petersburg, Florida, and the Florida Military Institute at Bartow, Florida, submitted the following report, which was ordered spread on the Journal:

Senate Chamber,

Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Joint Committee, appointed under Senate Concurrent Resolution No. 8, to visit and inspect the Industrial and Normal School at St. Petersburg, Florida,

and the Florida Military Institute at Bartow, Florida, beg leave to report as follows:

That on the 5th of May your committee arrived at St. Petersburg and spent two days making an exhaustive investigation as to the conditions and needs of the said school and from such investigation we cheerfully say that the various departments are properly and efficiently managed and that the pupils, numbering over four hundred, are carefully disciplined and taken care of and that we take pleasure in saying that everything indicates that the school is managed by professors of marked ability and great experience and that it is destined for distinguished usefulness in educational matters in Florida.

We also desire to say that we were greatly surprised at the favorable conditions existing in connection with the said institution and that they far exceeded our expectations. We think the institution strongly appeals to the aid and support of the Government of the State of Florida. The Legislature of 1901 appropriated ten thousand dollars to assist in maintaining this institution. This money has been economically expended and has resulted in a great benefit to the institution. The school is located in one of the most prosperous and growing cities of the State of Florida and a liberal appropriation by the present Legislature will materially aid its advancement and progress.

We especially desire to commend the School of Domestic Science whereby the girls of our State are taught to become good cooks and excellent wives. Of no less importance than the domestic science department is the manual training school in connection with the institution whereby the boys are taught all kinds of trades with tools, that they may become useful citizens of our State, and we respectfully recommend a continuation of the appropriation made by the Legislature in 1901.

#### SOUTH FLORIDA MILITARY AND EDUCATIONAL INSTITUTE.

In pursuance of its duty, your committee arrived at Bartow, where said school is located, on May the 7th, and made its investigation on May the 8th.

Your Committee carefully investigated the books and accounts of the institution and found the expenses of

operating the same within the limits of the appropriation made in 1901, and found the mode of keeping the books and accounts as to expenditures and other matters of importance to the State to be perfect, your Committee being able within a very short while to ascertain the exact financial standing of the said institute.

Your Committee visited the various class-rooms of the said school and made a careful and thorough examination of the barracks, and found said building was badly in need of repairing an paint. We found the class-room and barracks in need of furniture, the furniture on hand and used in said school being scarce, and of the cheapest kind, having been placed there when the school was first established by the citizens of Bartow.

Your Committee visited the mess hall and took dinner with the cadets, and found the hall to be cleanly kept and the food substantial and well prepared. We found the hall very poorly furnished and badly in need of tables and comfortable stools or chairs for the cadets.

We also visited the cooking department and found it neat and well arranged, but the range about worn out. It cannot be used but for a very short time longer.

Your Committee also visited the new building which has been recently erected and now occupied by the President and other members of the faculty, and found the same to be a comfortable and substantial structure, but having never been painted, which should be done at once.

Your Committee found the barracks, chapel hall and class-rooms all in one building, which in our judgment should be changed. The class-rooms and chapel hall are too small, and if removed to another building would give more room for cadets in the barracks.

We found the barracks well heated, a heating plant having recently been installed, also comfortably arranged, supplied with city water and electric lights, situated on a beautiful tract of land in the midst of an oak forest one mile south of the court house. As at present arranged the building cannot accommodate more than fifty or sixty cadets and this being only strictly military school in the State, and by reason of the principle under which the same is run, every county in the State receives the same and equal benefits as other counties, and the school having done good work in the past, as also at present, your Committee is of the opinion that there should be erected

at once an academic building, and that the present buildings should be used as barracks only, and thereby furnish accommodation for many more cadets.

We found forty-six cadets in attendance, all of whom were well satisfied, were in good health, did good work, and perfect unity prevailing. Your Committee was impressed with the able management of the said institution by its President and the efficient work done by its entire faculty.

Your Committee, realizing that the State has done but little in the past for this school in the way of improvements, and believing that in order to issue the further success of the school in its good work, reasonable aid should be given, we hereby submit the attached Exhibit A, and recommend an appropriation for the various amounts named therein.

GUY GILLEN,

On Part of Senate.

G. J. STROZIER,

SCOTT M. LOFTIN,

On part of House.

Gentlemen: We have the honor to submit for your consideration the following statement of the needs of the South Florida Military Educational Institute:

**PAINTING.**

Barracks, exterior and interior. Mess Hall, exterior and interior. Superintendent's Quarters. The whole to have two coats, and being necessary for preservation of the State's property.....\$ 600 00

**Repairing Necessary Barracks:**

Foundations, piazzas, posts, window facings, sills, etc. Ceiling right wing. Repairing roof and painting same. New furniture and repairing old.....

**MESS HALL.**

Ceiling the same. 100 stools for the same.  
 Arrangements for heating same..... 1,000 00  
 Fencing the grounds and painting the same.. 200 00

## LABORATORY—CHEMISTRY.

|                |           |
|----------------|-----------|
| Gas plant..... | \$ 75 00  |
| Apparatus..    | 500 00    |
|                | \$ 575 00 |

## PHYSICS.

Additional apparatus...\$ 750 00

## ENGINEERING.

Surveying instruments...\$ 400 00

\$ 1,725 00—1,725 00

## LIBRARY.

The institute has practically no library and this is a very great need

Reference Books in Literature—History,  
Science, Mathematics.

|  |           |
|--|-----------|
| General literature for general reading.....                | 2,000 06  |
| Cadets Sinks and Drainage.....                             | 300 00    |
| Bath House and Draining... ..                              | 300 00    |
| Additional land in vicinity.....                           |           |
| Suitable Academic Building (Charged by<br>Committee) ..... | 15,000 00 |

## REPORTS OF COMMITTEES.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

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 bi-

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

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

Very respectfully,

E. V. McCASKILL,

Chairman of Committee.

And Senate Bill No. 253, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Crill, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,

Tallahassee, Fla., MaMy 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Finance and Taxation, to whom was referred—

House Bill No. 254:

A bill to be entitled an act to amend Section 11 of Chapter 4323, Laws of Florida, being an act establishing a fine and forfeiture fund in the several counties, regulating the payment of criminal costs, authorizing a special tax for said costs, and providing for the feed of prisoners and hire of convicts.

Committee Amendments:

Amend section 1 in line 6 by striking out "May and November," and inserting "January, April, July and October."

In line 8 strike out "May" and insert "July."

In Section 1, lines 23 and 24, strike out the words "May and November," and insert "January, April, July and October."

At end of line 13 strike out "six" and insert "three."

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And House Bill No. 254, contained in the above report, together with the amendments thereto, was placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

An act to incorporate the city of Braidentown, and to provide for its government, and to provide for and declare its jurisdiction and powers.

Also,

An act declaring the town of Wade in the county of Alachua, State of Florida, to be a legally incorporated town.

Also,

A Joint Resolution proposing amendment to sections 20 and 24 of Article III, and the repeal of section 8 of Article VIII of the Constitution of the State of Florida of Florida.

Also,

An act to incorporate the town of Hernando in Citrus county, Florida, and provide for the election of its municipal officers and prescribe their duties.

Also,

An act as to compensation of the judge of the county court in counties where the population exceeds twenty-three thousand, and inhibiting such judge from practicing law.

Also,

An act to legalize the assessment and levies of taxes for the year 1903, and previous years, by the town of Leesburg, and to legalize the tax sale certificates held by the town of Leesburg for taxes assessed in 1903 and years previous thereto, and to prescribe the method of collecting the same, and to prescribe the method for collecting the taxes hereafter assessed and levied in said town.

Have examined the same and find them correctly enrolled.

Very respectfully,  
J. M. N. PEACOCK,  
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. Rouse, Chairman of the Committee on Game, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Game, to whom was referred—

Senate Bill No. 331:

A bill to be entitled an act to empower the county commissioners of Hillsborough county to appoint an additional fish and game warden in and for said county.

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

Very respectfully,  
W. C. ROUSE,  
Chairman of Committee.

And Senate Bill No. 331, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Bill No. 280:

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

Have carefully examined the same and find it correctly engrossed.

Very respectfully,  
N. A. BLITCH,  
Chairman of Committee.

And Senate Bill No. 280, contained in the above report, was placed on the calendar of bills on third reading.

Mr. Crill, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Finance and Taxation, to whom was referred—

Senate Bill No. 150:

A bill to be entitled an act to amend Section 11 of Chapter 4323, Laws of Florida, being "An Act establishing a find and forfeiture fund in the several counties, regulating the payment of criminal costs, authorizing a special tax for said costs, and providing for the feed of prisoners, and hire of convicts.

Committee Amendment:

Amend section 1 in line 4 by striking out "May and November" and inserting "January, April, July and October." In same line strike out "May" and insert "July."

In section 1, line 11, strike out "May and November" and insert "January, April, July and October."

In line 6, section 1, strike out "six" and insert "three."

In line 16, section 1, after the word "fund," insert "and one-half into the General Revenue Fund."

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And Senate Bill No. 150, contained in the above report together with the amendments thereto, was placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Bill No. 312:

A bill to be entitled an act to amend section 2642 of the Revised Statutes of Florida.

Beg leave to report that they have carefully considered the same and recommend that the bill do pass with the following amendments:

Add at the end of the title the following:

"And fining and punishing vagrants."

In line 9 of section 1, strike out the words "any person," and insert in lieu thereof the words, "his family or any person lawfully dependent upon him for support."

In line 12 of section 1, after the word "farms," add the words "phosphate plants."

In line 13 of section 1 after the word "money," strike out the words "shall be deemed vagrants."

In line 15 of section 1, after the word "shops" insert the words "shall be deemed vagrants."

In line 16 of section 1 strike out the word "twelve" and insert in lieu thereof the word "six."

Very respectfully,

GEO. P. RANEY,

Chairman of Committee.

And Senate Bill No. 312, contained in the above report, together with the amendments thereto, was placed on the calendar of bills on second reading.

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

Senate Chamber,

Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

House Bill No. 133:

A bill to be entitled an act relating to the publication of Libels in Newspapers, Magazines and other Periodicals in the State.

Also,

House Bill No. 146:

A bill to be entitled an act for the relief of W. G. Powell, Court Reporter, Fourth Judicial Circuit of Florida, in the case of the State of Florida vs. the Hewitt Brothers indictment for murder.

Also,

House Bill No. 185:

A bill to be entitled an act to provide for the reimbursement of the owners of property by the several counties of

the State of Florida from the money derived from the hire of State prisoners and county prisoners, upon the due proof of the larceny of such property, and upon conviction or convictions for such larceny in a court of competent jurisdiction.

Also,

House Bill No. 212:

A bill to be entitled an act declaring that certain facts constitute a fraud and to prescribe a punishment in such cases and to repeal chapter 4032, appendix to Revised Statutes of Florida.

Also,

House Bill No. 241:

A bill to be entitled an act to amend section 2114, of chapter 4, of the Revised Statutes of the State of Florida, prescribing the form of indenture of apprenticeship and the covenant thereof.

Also,

House Bill No. 270:

A bill to be entitled and act to provide for the payment of damages for crops destroyed by animals running at large.

Also,

House Bill No. 306:

A bill to be entitled an act to enable circuit judges to amend their minute entries in term time or vacation.

Also,

House Bill No. 361:

A bill to be entitled an act providing that foreign executors and administrators may defend suits in this State.

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

Very respectfully,  
GEO. P. RANEY,  
Chairman of Committee.

And House Bills Nos. 133, 185, 212, 241, 170, 306, and 361, contained in the above report, were placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

An act to incorporate the city of Braidentown, and to provide for its government, and to provide for and declare its jurisdiction and powers.

Also,

An act declaring the town of Wade in the county of Alachua, State of Florida, to be a legally incorporated town.

Also,

A Joint Resolution proposing amendment to sections 20 and 24 of Article III and the repeal of Section 8 of Article VIII of the Constitution of the State of Florida.

Also,

An act to incorporate the town of Hernando in Citrus county, Florida, and provide for the election of its municipal officers and prescribe their duties.

Also,

An act as to compensation of the judge of the county court in counties where the population exceeds twenty-three thousand, and inhibiting such judge from practicing law.

Also,

An act to legalize the assessment and levies of taxes for the year 1903, and previous years, by the town of Leesburg, and to legalize the tax sale certificates held by the town of Leesburg for taxes assessed in 1903 and years previous thereto and to prescribe the method of collecting the same, and to prescribe the method for collecting the taxes hereafter assessed and levied in said town.

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,  
Acting Chairman of Committee.

## ENROLLED.

The President announced that he was about to sign—

An act to incorporate the city of Braidentown, and to provide for its government, and to provide for and declare its jurisdiction and powers.

Also,

An act declaring the town of Wade in the county of Alachua, State of Florida, to be a legally incorporated town.

Also,

A Joint Resolution proposing amendment to sections 20 and 24 of Article III and the repeal of Section 8 of Article VIII of the Constitution of the State of Florida.

Also,

An act to incorporate the town of Hernando in Citrus county, Florida, and provide for the election of its municipal officers and prescribe their duties.

Also,

An act as to compensation of the judge of the county court in counties where the population exceeds twenty-three thousand, and inhibiting such judge from practicing law.

Also,

An act to legalize the assessment and levies of taxes for the year 1903, and previous years, by the town of Leesburg and to legalize the tax sale certificates held by the town of Leesburg for taxes assessed in 1903 and years previous thereto, and to prescribe the method of collecting the same, and to prescribe the method for collecting the taxes hereafter assessed and levied in said town.

The acts were 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.

Mr. Crill, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR—Your Committee on Finance and Taxation, to whom was referred—

## House Bill No. 325:

A bill to be entitled an act to provide for the cancellation of void, illegal or imperfect tax sale certificates held by the State.

## Amendment by the Committee:

In line 4, after the word "certificate," insert the words "now or hereafter."

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

Very respectfully,  
E. S. CRILL,  
Chairman of Committee.

And House Bill No. 325, contained in the above report, together with the amendments thereto, was placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

## Senate Bill No. 53:

A bill to be entitled an act to enable cities and towns to assess and tax for municipal purposes the franchise of all companies, corporations or associations having or exercising any special or exclusive privileges or franchise not allowed by law to natural persons, or performing any public service.

Also,

## Senate Bill No. 315:

A bill to be entitled an act to declare the sale of stocks of merchandise, or more than one-half thereof, under certain conditions, fraudulent and void as against creditors of the seller.

Also,

## Senate Bill No. 334:

A bill to be entitled an act for the relief of sheriffs of this State.

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

Very respectfully,  
GEO. P. RANEY,  
Chairman of Committee.

And Senate Bills Nos. 53, 315 and 334, contained in the above report, were placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

House Bill No. 171:

A bill to be entitled an act to provide for the recovery of property taken up or advertised as estrays.

Also,

House Bill No. 228:

A bill to be entitled an act to provide for taking the census of incorporated cities and towns in the State of Florida.

Also,

House Bill No. 244:

A bill to be entitled an act to prevent selling or giving cigarettes, cigarette tobacco, or cigarette papers to minors, and to provide a penalty for same.

Also,

House Bill No. 266:

A bill to be entitled an act to pay defendant's witnesses in criminal cases.

Also,

House Bill No. 275:

A bill to be entitled an act to amend Section 212, Revised Statutes of the State of Florida, 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.

Also,

House Bill No. 308:

A bill to be entitled an act to amend Section 2606, of

the Revised Statutes of the State of Florida, relating to the intermarriage of white and colored persons.

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

Very respectfully,  
GEO. P. RANEY,  
Chairman of Committee.

And House Bills Nos. 171, 228, 244, 266, 275 and 308, contained in the above report, were placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Joint Resolution No. 303:

A Joint Resolution ratifying the action of the City Council of the city of Miami in declining to accept a dedication (in case any was intended) as a public park, of the Bay Front Land in that city, east of Biscayne Drive and north of Fourteenth street.

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

Very respectfully,  
GEO. P. RANEY,  
Chairman of Committee.

And Senate Joint Resolution No. 303, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Bill No. 314:

A bill to be entitled an act to amend Chapter 4226 of the Laws of Florida, being an act entitled an act to amend Section 1366 of the Revised Statutes of the State of Flor-

ida in regard to the terms of the Circuit Court of the First Judicial Circuit of Florida, approved May 30th, 1893.

Beg leave to return the same herewith to the Senate without recommendation.

Very respectfully,  
GEO. P. RANEY,  
Chairman of Committee.

And Senate Bill No. 314, contained in the above report, 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 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Bill No. 341:

A bill to be entitled an act to amend section 609, chapter 3, of the Revised Statutes of the State of Florida.

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

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

And Senate Bill No. 341, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

An act to incorporate the city of Braidentown, and to provide for its government, and to provide for and declare its jurisdiction and powers.

Also,

An act declaring the town of Wade in the county of Alachua, State of Florida, to be a legally incorporated town.

Also,

A Joint Resolution proposing amendment to sections 20 and 24 of Article III, and the repeal of Section 8 of Article VIII of the Constitution of the State of Florida.

Also,

An act to incorporate the town of Hernando in Citrus county, Florida, and provide for the election of its municipal officers and prescribe their duties.

Also,

An act as to compensation of the judge of the county court in counties where the population exceeds twenty-three thousand, and inhibiting such judge from practicing law.

Also,

An act to legalize the assessment and levies of taxes for the year 1903 and previous years, by the town of Leesburg, and to legalize the tax sale certificates held by the town of Leesburg of taxes assessed in 1903 and years previous thereto, and to prescribe the method of collecting the same, and to prescribe the method for collecting the taxes hereafter assessed and levied in said town.

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

Very respectfully,

J. M. N. PEACOCK,

Acting Chairman of Committee.

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Bill No. 252:

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.

Have had the same under consideration and recommend said bill herewith recommendation.

And Senate Bill No. 253, contained in the above report, was placed on the calendar of bills on second reading.

### BILLS ON THIRD READING.

Senate Bill No. 252:

A bill to be entitled an act amending Section 8 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.

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

Upon call of the roll on Senate Bill No. 252, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Dimick, Faulkner, Harris, Law, McCaskill, McCreary, Palmer, Peacock, Rouse, Sams, Stockton, Whidden, Williams, Wilson of the 7th, —23.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 177:

A bill to be entitled an act to amend Section 10, Chapter 4888, Laws of Florida, entitled "an act to provide for the issue, custody, redemption, sale and transfer of tax sale certificates, and the issue of tax deeds, and prescribing the duties of certain officers in connection therewith, approved May 30th, 1901.

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

Upon call of the roll on Senate Bill No. 177 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Brown, Butler, Carson, Crews, Crill, Dimick, Faulkner, Gillen, Kirk, McCaskill, McCreary, MacWilliams, Palmer, Peacock, Rouse, Scott, Stockton, Wadsworth, Whidden, Wilson of the 7th.—23.

Nays—Messrs. Blount, Harris, Law, Miller, Sams, Williams—6.

So the bill passed, title as stated.

A message was received from the House of Representa-

tives.

Senate Bill No. 313:

A bill to be entitled an act concerning corporations for profit, and fixing the amount of the charter fees, and defining certain powers thereof.

Was taken up and read the third time in full.

Mr. Palmer moved that Senate Bill No. 313 be placed back on second reading, and referred to the Judiciary Committee.

Which was agreed to.

Senate Bill No. 141:

A bill to be entitled an act to amend sections two thousand two hundred and five (2205), two thousand two hundred and six (2206), and two thousand two hundred and seven (2207), of sub-chapter (2) of the Revised Statutes of the State of Florida, entitled "Special Provisions for Building and Loan Associations."

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

Upon call of the roll on Senate Bill No. 141, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blich, Blount, Brown, Butler, Carson, Crews, Dimick, Faulkner, Gillen, Harris, Kirk, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Rouse, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th—26.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 212:

A bill to be entitled an act for the relief of Mrs. Mary Elizabeth Dickison, widow of the lamented General J. J. Dickison.

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

Upon call of the roll on Senate Bill No. 212 the vote was:

Yeas—Mr. President. Messrs. Bailey, Blich, Brown, Butler, Crews, Faulkner, Gillen, Harris, Law, McCreary, Miller, Neel, Palmer, Rouse, Sams, Stockton, Whidden, Williams, Wilson of the 7th—21.

Nays—None.

So the bill passed, title as stated.

## SPECIAL ORDER.

Senate Joint Resolution No. 323:

A Joint Resolution proposing amendments to Sections 1, 5, 11, 24, 25, 26, 27, 29, 31, and 32 of Article V. of the Constitution of the State of Florida.

Was taken up, the hour of 11 o'clock a. m., the time set for its consideration, having arrived, and was again read a third time in full and put upon its passage.

Upon call of the roll on the passage of Senate Joint Resolution No. 323, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Dimick, Faulkner, Harris, Kirk, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Palmer, Peacock, Rouse, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th.—27.

Nays—None.

So Senate Joint Resolution No. 323, having received the constitutional majority of three-fifths of all the members elected to the Senate, passed, title as stated.

The Senate resumed consideration of—

## BILLS ON THIRD READING.

Senate Bill No. 219:

A bill to be entitled an act to provide for the holding of Farmers' Institutes in the several counties of the State of Florida, and providing for the payment of the expense thereof.

Was taken up.

Mr. Peacock moved that Senate Bill No. 219 be placed on table subject to call.

Which was agreed to.

Senate Bill No. 247:

A bill to be entitled an act for the relief of the Volusia County Bank, a corporation, organized and existing under the laws of the State of Florida.

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

Upon call of the roll on Senate Bill No. 247, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Carson, Crill, Faulkner, Gillen, Harris, Kirk,

Law, McCreary, Miller, Neel, Peacock, Rouse, Sams, Scott, Wadsworth, Williams, Wilson of the 7th.—22.

Nays—None.

So the bill passed, title as stated.

#### SPECIAL ORDER.

Senate Bill No. 33:

A bill to be entitled an act to amend Section 5 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.

Was taken up, the hour of 11:30 o'clock, the time for its consideration having arrived, and was again 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, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Gillen, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Peacock, Scott, Stockton, Wadsworth, Williams, Wilson, of the 7th.—23.

Nays—None.

So the bill passed, title as stated.

Mr. MacWilliams moved that the rules be waived, and messages from the House of Representatives be taken up and considered.

Which was agreed to by a two-thirds vote.

#### MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

House Bill No. 349:

A bill to be entitled an act to amend Section 2248 of the Revised Statutes of the State of Florida, relating to consolidation, lease and purchase of the stock of railroad and canal companies.

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 349, contained in the above message, was read the first time by its title and referred to the Committee on Railroads.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

House Bill No. 122:

A bill to be entitled an act to provide for the employment at labor, by the County Commissioners, of any person held in jail under a bailable criminal charge, but not convicted.

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 122, contained in the above message was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

## House Bill No. 261:

A bill to be entitled an act to fix the salaries of certain administrative officers.

And respectfully request the concurrence of the Senate therein.

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

And House Bill No. 261, contained in the above message was read the first time by its title and referred to the Committee on Appropriations.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

## House Bill No. 8:

A bill to be entitled an act to regulate the taking of food fish in the salt and fresh waters of Brevard county.

And respectfully request the concurrence of the Senate therein.

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

And House Bill No. 8, contained in the above message, was read the first time by its title and referred to the Committee on Fisheries.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

## House Bill No. 399:

A bill to be entitled an act to make an appropriation for transportation of the Florida State Troops and for

their pay and subsistence during encampment, or while participating in practice marches during the year of 1903 and 1904.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 399, contained in the above message, was read the first time by its title.

Mr. MacWilliams moved that House Bill No. 399 be placed on table subject to call, without reference to a committee.

Which was agreed to by a two-thirds vote.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

House Bill No. 418:

A bill to be entitled an act authorizing the County Commissioners of the several counties of this State to examine the assessment rolls made in their respective counties, and reduce or raise such assessments where they are found, to be improperly made.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 418, contained in the above message, was read the first time by its title and referred to the Committee on Finance and Taxation.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

House Bill No. 341:

A bill to be entitled an act to require litigants in the circuit courts of this State to furnish one copy of each pleading filed by them to their opponents, or the attorneys or solicitors of their opponents, and to prohibit the taking from the clerk's office of the courts in which causes are pending the original pleadings or papers filed therein.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 341, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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 by a three-fifths vote—

House Joint Resolution No. 329:

A Joint Resolution proposing an amendment to section 6, of article 16, of the Constitution of the State of Florida, relating to the Supreme Court, and the publication of all laws enacted by the Legislature of Florida.

And respectfully request the concurrence of the Senate therein.

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

And House Joint Resolution No. 329, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

House Bill No. 230:

To be entitled an act to prevent the adulteration of food and drugs, and to provide a penalty for the violation of this act.

And respectfully request the concurrence of the Senate therein.

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

And House Bill No. 230, contained in the above message, was read the first time by its title and referred to the Committee on Public Health.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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 appointed—

Messrs. Loftin of Escambia, Wall of Putnam, and Mote of Lake as Committee on part of the House to visit, examine and report upon the proposed site for a Governor's Mansion, by the city of Tallahassee, Florida.

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

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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. 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 boats.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 218, 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 19, 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 adopted—

Senate Concurrent Resolution relative to adjournment of the Legislature.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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 by a three-fifths vote—

Senate Joint Resolution No. 24:

A Joint Resolution proposing an amendment to Section 8 of Article V of the Constitution of the State of Florida, relating to county courts.

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

And Senate Joint Resolution No. 24, 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 19, 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. 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.

With an amendment thereto.

And respectfully request the concurrence of the Senate therein.

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

And Senate Bill No. 213, contained in the above message, and amended by the House of Representatives, was placed before the Senate.

Mr. Blount moved that the Senate concur in House amendments to Senate Bill No. 213.

Which was agreed to.

And Senate Bill No. 213, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
 Tallahassee, Fla., May 19, 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—

House Bill No. 346:

A bill to be entitled an act to regulate the hunting of deer, turkeys and other wild game in Lafayette county.

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 346, contained in the above message, was read the first time by its title and referred to the Committee on Game.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

House Bill No. 89:

To be entitled an act to amend chapter 5035 of the Laws of Florida, 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 the assessment of the costs thereof against the property benefitted thereby, and to further 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 by the county commissioners of any county in the State of Florida under chapter 4807, of the Laws of Florida, approved May 3d, 1901, and assessments made by the county commissioners of any county in the State of Florida under chapter 4807 of the Laws of Florida, approved May 3d, 1901.

And respectfully request the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 89, contained in the above message, was read the first time by its title and referred to the Committee on Canals and Telegraphs.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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—

House Bill No. 274:

A bill to be entitled an act to fix the number, prescribe the terms of office and provide for the election of justices of the Supreme Court for part of the year 1905, and for the subsequent years, and to prescribe certain regulations for the government of the Supreme Court when sitting in a body or divisions.

And respectfully request the concurrence of the Senate therein.

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

And House Bill No. 274, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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. 130:

A bill to be entitled an act making it the duty of the Governor to appoint a State Auditor, to define his powers and duties, and fix his compensation, and for the employment of clerical assistance, and to fix penalties for refusing to submit books, records and moneys to inspection of the State Auditor.

With an amendment thereto.

And respectfully request the concurrence of the Senate therein.

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

And Senate Bill No. 130, contained in the above message, as amended by the House of Representatives, was placed before the Senate.

Mr. Butler moved that the Senate non-concur in the House amendments to Senate Bill No. 130.

Which was agreed to.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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. 146:

A bill to be entitled an act to amend section 1001 of the Revised Statutes of the State of Florida, relating to the locality of suits against corporations.

With amendments thereto.

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

And Senate Bill No. 146, contained in the above message, as amended by the House of Representatives, was placed before the Senate.

Mr. McCreary moved that the Senate concur in House amendments to Senate Bill No. 146.

Which was agreed to.

And Senate Bill No. 146, as amended by the House of Representatives, and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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. 221:

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.

Very respectfully,

WM. FORSYTH BYNUM,  
Chief Clerk House of Representatives.

And Senate Bill No. 221, contained in the above message, together with the amendments thereto, was placed before the Senate.

Mr. Dimick moved that the Senate concur in the House amendments.

Which was agreed to.

And Senate Bill No. 221, as amended by the House of Representatives, and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 19, 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. 200:

A bill to be entitled an act to legalize the incorporation of the town of White Springs, in Hamilton county, Florida, to fix and define the boundaries thereof, to declare the incorporation an ordinances of said town valid and of full force and effect, and to provide for its jurisdiction, powers and privileges.

And respectfully request the concurrence of the Senate therein.

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

And Senate Bill No. 200, 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 19, 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. 288:

A bill to be entitled an act for the relief of Mrs. Jennette Prevatt.

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

And Senate Bill No. 288, 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 19, 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 indefinitely postponed—

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.

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

The Senate resumed consideration of—

#### BILLS ON THIRD READING.

Senate Bill No. 276:

A bill to be entitled an act to make an appropriation for transportation of the Florida State Troops, and for

their pay and subsistence, during encampments, or while participating in practice marches, during the years 1903 and 1904.

Was taken up.

Mr. Butler asked permission to withdraw Senate Bill No. 276.

Which was granted.

And Senate Bill No. 276 was withdrawn.

Mr. Butler moved that the rules be waived, and House Bill No. 399, on table subject to call, be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

House Bill No. 399:

A bill to be entitled an act to make an appropriation for transportation of the Florida State Troops and for their pay and subsistence during encampments, or while participating in practice marches during the years of 1903 and 1904.

Was taken up.

Mr. Butler moved that the rules be waived and House Bill No. 399 be read a second time.

Which was agreed to by a two-thirds vote.

And House Bill No. 399 was read a second time in full.

Mr. Butler moved that the rules be further waived and that House Bill No. 399 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 399 was read a third time in full.

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

Yeas—Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Faulkner, Gillen, Harris Law, MacWilliams, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Whidden, Williams, Wilson of the 7th—26.

Nays—None.

So the bill passed, title as stated.

Mr. Harris moved that the rules be waived and Senate Bill No. 251 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

## Senate Bill No. 251:

A bill to be entitled an act to protect the sponge beds of the State of Florida, and to license non-residents taking sponge therefrom.

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

Upon call of the roll on Senate Bill No. 251, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Williams, Wilson of the 7th.—27.

Nays—None.

So the bill passed, title as stated.

## Senate Bill No. 184:

A bill to be entitled an act to prescribe the compensation of sheriffs when going to another state for prisoners.

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

Upon call of the roll on Senate Bill No. 184 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Williams, Wilson of the 7th.—28.

Nays—None.

So the bill passed, title as stated.

## Senate Bill No. 205:

A bill to be entitled an act to make tax deeds issued or to be issued under the provisions and in the form prescribed by Chapter 4888, of the Laws of Florida, prima facie evidence of title.

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

Upon call of the roll on Senate Bill No. 205 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Harris, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Williams, Wilson of the 7th.—26.

Nays—None.

So the bill passed, title as stated.

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.

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

Yeas—Mr. President, Messrs. Bailey, Blitch, Blount, Brown, Butler, Crews, Crill, Dimick, Faulkner, Harris, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Palmer, Rouse, Sams, Scott, Stockton, Wadsworth, Williams, Wilson of the 7th—25.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 211:

A bill to be entitled an act to require railroad companies and other carriers to equip their flat cars used for carrying lumber and timber, with standards, supports, strips, railings, and other appliances necessary to the safe carriage of such lumber and timbers; to provide that the weight of all of said appliances be included in the weight of the cars; to provide pay for the shipper by the carrier in case of default on the part of the latter, and for other purposes.

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

Upon call of the roll on Senate Bill No. 211 the vote was:

Yeas—Messrs. Blitch, Brown, Butler, Crews, Faulkner, Gillen, McCaskill, Miller, Scott, Stockton, Williams—11.

Nays—Mr. President, Messrs. Bailey, Blount, Crill, Dimick, Kirk, Law, McCreary, Neel, Peacock, Raney, Rouse, Sams, Wadsworth, Whidden, Wilson, of the 7th.—16.

So the bill failed to pass.

Senate Bill No. 215:

A bill to be entitled an act to amend Section 1 of Chapter 4928, Laws of the State of Florida, entitled an act to regulate the carrying of firearms, approved May 9th, 1901.

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

Upon call of the roll on Senate Bill No. 215, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Crews, Crill, Dimick, Faulkner, Harris, Kirk, Law, McCaskill, McCreary, Miller, Neel, Peacock, Raney, Rouse, Sams, Scott, Stockton—21.

Nays—Messrs. Brown, Butler, Wadsworth—3.

So the bill passed, title as stated.

Senate Bill No. 236:

A bill to be entitled an act making costs in criminal cases when defendant is bound over to a county court, a criminal court of record or a circuit court, or held without bail payable without awaiting further disposition of the case.

Was taken up.

Mr. McCaskill asked permission to withdraw Senate Bill No. 236.

Which was agreed to.

And Senate Bill No. 236 was withdrawn.

Mr. McCaskill moved that the rules be waived and Senate Bill No. 296 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 296:

A bill to be entitled an act for the protection of wild deer, wild turkeys, partridges and squirrels in the county of Santa Rosa, State of Florida.

Was taken up.

Mr. McCaskill moved that the rules be waived and that Senate Bill No. 296 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 296 was read a second time by its title.

Mr. McCaskill moved that the rules be further waived and that Senate Bill No. 296 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 296 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, Brown, Butler, Crews, Dimick, Faulkner, Gillen, Law, McCaskill, Miller, Neel, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Williams—21.

Nays—Messrs. Blount, Kirk—2.

So the bill passed, title as stated.

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

Which was agreed to.

Mr. Peacock moved to adjourn.

Which was agreed to.

Thereupon the Senate adjourned until 4 o'clock this afternoon.

#### AFTERNOON SESSION, 4 O'CLOCK.

The 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. Miller being absent.

By permission—

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

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

House Bill No. 253:

A bill to be entitled an act prohibiting foreign corporations from hereafter controlling, managing or operating railroads in this State under and by virtue of their foreign charters or franchises, or without obtaining charters and franchises under and pursuant to the laws of the State of Florida; to provide measures for the enforcement of this act, and affixing penalties for the violation thereof.

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

Very respectfully,  
P. W. BUTLER,  
Chairman of Committee.

And House Bill No. 253, contained in the above report, was placed on the calendar of bills on second reading. The Senate resumed consideration of—

## BILLS ON THIRD READING.

## Senate Bill No. 249:

A bill to be entitled an act to declare the obtaining of advances of money or supplies upon the part of farm laborers, and the failure to carry out such contract, a misdemeanor, and to fix the penalty therefor.

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

Upon call of the roll on Senate Bill No. 249, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blich, Brown, Crill, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th.

Nays—None.

So the bill passed, title as stated.

## Senate Joint Resolution No. 204:

A joint resolution proposing an amendment to Section 1, Article X, of the Constitution of the State of Florida, relating to homestead exemption against debts contracted for family support.

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

Mr. Scott moved that Senate Joint Resolution No. 204 be placed on the table subject to call.

Which was agreed to.

Mr. Peacock moved that the rules be waived and Senate Bill No. 219, on table subject to call, be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

## Senate Bill No. 219:

A bill to be entitled an act to provide for the holding of Farmers' Institutes in the several counties of the State of Florida, and providing for the payment of the expense thereof.

Was taken up and read a third time in full.

Mr. Peacock moved that Senate Bill No. 219 be placed back on second reading for amendment.

Which was agreed to.

Mr. Peacock offered the following amendment to Senate Bill No. 219:

Strike out the words "Florida Agricultural College," wherever it appears, and insert in lieu thereof the following:

"University of Florida."

Mr. Peacock moved the adoption of the amendment.

Which was agreed to.

Mr. Peacock offered the following amendment to Senate Bill No. 219:

After the word "State," in line 18, section 1, add the following: "Upon request by petition to the Agriculturist of the University of Florida, of five or more reputable citizens of any such county."

Also in line 24, section 1, after the word "Horticulture," insert the word "interest."

Mr. Peacock moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 219, as amended, was ordered referred to the Committee on Engrossed Bills.

A message was received from the Governor.

#### BILLS ON SECOND READING.

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.

Was taken up and read a second time in full.

Mr. Stockton offered the following amendment to Senate Bill No. 257:

Strike out the words, "To the Treasurer of the State to apply to the public school fund," in the last sentence of section 10, and insert in lieu thereof the following: "Into the fine and forfeiture fund."

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

And Senate Bill No. 257, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. Blount moved that the rules be waived and Senate Bill No. 304 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

## Senate Bill No. 304:

A bill to be entitled an act to amend Sections 2022, 2023, 2025 (as amended by Section 4, of Chapter 4044, of the Laws of Florida), and Section 2029 of the Revised Statutes of Florida, all relating to timber and lumber adrift, and the appointment of a custodian thereof.

Was taken up.

Mr. Blount moved that the rules be waived and Senate Bill No. 304 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 304 was read a second time by its title only.

Mr. Blount moved that the rules be further waived and that Senate Bill No. 304 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. 304 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, Crews, Crill, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, MacWilliams, Neel, Palmer, Sams, Scott Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th.—24.

Nays—None.

So the bill passed title as stated.

By permission—

Mr. Brown introduced—

Senate Bill No. 350:

A bill to be entitled an act to authorize the purchase for the State, of an armory building, erected and owned by the county of Marion, State of Florida.

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

By permission—

Mr. McCreary introduced—

Senate Bill No. 351:

A bill to be entitle an act constituting a State Text Book Commission and directing and empowering said commission to select and adopt a uniform series or system of text books for use in the public schools of the State of Florida.

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

By permission—

Mr. Gillen introduced—

Senate Bill No. 352:

A bill to be entitled an act requiring the Board of State Institutions of the State of Florida, and other State officials in insuring the public property of the State to give the preference for writing of such insurance to any home insurance company of said State.

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

By permission—

Mr. Gillen introduced—

Senate Bill No. 353:

A bill to be entitled an act prohibiting the Railroad Commission of the State of Florida from employing special counsel in any case instituted or defended by them.

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

By permission—

Mr. Kirk, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

SIR: Your Committee on Claims, to whom was referred—

House Bill No. 150:

A bill to be entitled an act for the relief of J. H. Williams for services as stenographer in the Circuit Court of Duval county, Florida.

Also,

House Bill No. 154:

A bill to be entitled an act for the relief of the representatives of Allison J. Tinsley.

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

Very respectfully,

B. F. KIRK,  
Chairman of Committee.

And House Bills Nos. 150 and 154, contained in the above report, were placed on the calendar of bills on second reading.

By permission—

Mr. Kirk, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 19, 1903.

Hon. Frank Adams,

*President of the Senate:*

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

Senate Bill No. 316:

A bill to be entitled an act for the relief of Charles Rheinauer upon the suretyship of said Rheinauer on the bond of C. B. Collins as State Treasurer.

Also,

House Bill No. 118:

A bill to be entitled an act for the relief of John Y. Detwiler for services as fish commissioner.

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

Very respectfully,

B. F. KIRK,

Chairman of Committee.

And Senate Bill No. 316 and House Bill No. 118, contained in the above report, was placed on the calendar of bills on second reading.

The Senate resumed consideration of—

#### BILLS ON SECOND READING.

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 jury of any one's character or reputation in this State.

Was taken up and read a second time in full.

Mr. Raney moved that Senate Bill No. 258 be indefinitely postponed.

Which was agreed to.

Senate Bill No. 79:

A bill to be entitled an act to provide for the surrender and cancellation of certain tax certificates now held

by the State of Florida, which were sold prior to the year 1898.

Was taken up and read the second time in full.

Mr. Sams offered the following amendment to Senate Bill No. 79:

Strike out the figures "1898," in line 2, Section 1, and insert in lieu thereof the following: "1888."

Mr. Sams moved the adoption of the amendment.

Which was agreed to.

Mr. Harris offered the following amendment to Senate Bill No. 79:

Strike out the figures "1898" and insert "1895."

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

And the Secretary was instructed to make the amendment in the bill.

Mr. Wilson of the 7th moved that the rules be waived and that Senate Bill No. 79 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. 79 was read a third time in full.

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

Yeas—Messrs. Bailey, Blitch, Blount, Brown, Butler, Crews, Dimick, Law, Neel, Palmer, Peacock, Rouse, Sams, Stockton, Wadsworth, Whidden, Wilson of the 7th—17,

Nays—Mr. President, Messrs. Crill, Harris, Kirk, McCaskill, McCreary, MacWilliams, Raney, Scott, Williams, —10.

So the bill passed, title as stated.

Senate Bill No. 229:

A bill to be entitled an act amending Section 1296 of the Revised Statutes of the State of Florida, concerning the publication of legal and official advertisements.

Was taken up and read a second time in full.

And Senate Bill No. 279 was ordered referred to the Committee on Engrossed Bills.

House Bill No. 192:

A bill to be entitled an act providing the time in which a motion for a new trial or a motion in arrest of judgment shall be set down for hearing by the court, and determining the result for failure thereof.

Was taken up and read a second time in full.

Mr. Raney moved that House Bill No. 192 be indefinitely postponed.

Which was agreed to.

Mr. Harris moved that the rules be waived and that all bills passed by the Senate today be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And the bills were so certified.

Senate Bill No. 194:

A bill to be entitled an act to create a commission for the revision of the Laws of Florida, relating to taxation, provide for the appointment of the commissioners, prescribe the duties, and fix the compensation for same.

Was taken up and read a second time in full.

Mr. Peacock offered the following amendment to Senate Bill No. 194:

Strike out the words "at least two of whom," and insert in lieu thereof the following: "All of whom,"

Mr. Peacock moved the adoption of the amendment.

Which was agreed to.

Mr. Crill moved that Senate Bill No. 194 be indefinitely postponed.

Which was agreed to.

Senate Bill No. 143:

A bill to be entitled an act affecting the government, powers, duties, officers, boards and elections of the city of Jacksonville, a municipal corporation in the county of Duval, Florida.

Was taken up.

Mr. Stockton asked permission to withdraw Senate Bill No. 143:

Which was granted.

And Senate Bill No. 143 was withdrawn.

Senate Bill No. 47:

A bill to be entitled an act for the relief of Otto C. Butterwick for services as stenographer in circuit court, Sumter county, Florida.

Was taken up.

Mr. Kirk asked permission to withdraw Senate Bill No. 47.

Which was granted.

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.

Was taken up and read a second time in full.

Mr. Scott offered the following amendment to Senate Bill No. 259:

Insert the following after the words "wild ducks."  
"Blue Petes, coots and bullfrogs."

Mr. Scott moved the adoption of the amendment.

Which was not agreed to.

Mr. Sams moved that the rules be waived and that Senate Bill No. 259 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 259 as 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, Crill, Gillen, Harris, Law, McCaskill, McCreary, MacWilliams, Neel, Rouse, Sams, Scott, Stockton, Wilson of the 7th.—19.

Nays—Messrs. Carson, Crews, Kirk.—3.

So the bill passed, title as stated.

Senate Bill So. 266:

A bill to be entitled an act for the relief of Samuel R. Hudson.

Was taken up.

Mr. Carson asked permission to withdraw Senate Bill No. 266.

Which was granted.

Mr. Carson moved that the rules be waived and House Bill No. 334 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

House Bill No. 334:

A bill to be entitled an act giving the city of Orlando similar rights to those now held by the city of Sanford in the road and bridge taxes of Orange county, by granting to the city of Orlando annually one-half of the amount realized from said taxes on property within that city.

Was taken up.

Mr. Carson moved that the rules be waived and House Bill No. 334 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 334 was read a second time by its title only.

Mr. Carson moved that the rules be further waived, and that House Bill No. 334 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. 334 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, Blich, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Faulkner, Kirk, Law, McCaskill, McCreary, MacWilliams, Neel, Peacock, Raney, Rouse, Sams, Scott, Stockton, Williams, Wilson of the 7th—25.

Nays—None.

So the bill passed, title as stated.

Mr. Bailey gave notice that on tomorrow he would move to reconsider the vote by which Senate Bill No. 211 failed to pass.

House Bill No. 238:

A bill to be entitled an act prescribing a penalty for permitting and allowing dogs that have injured or killed sheep, or are in the habit of injuring and killing the same, from running at large.

Was taken up and read a second time in full.

Mr. Neel offered the following amendment to House Bill No. 238:

After the word "dogs," line 2, section 1, insert the following: "Hog or hogs."

Mr. Neel moved the adoption of the amendment.

Which was not agreed to.

And House Bill No. 238 was placed on calendar of bills on third reading.

Senate Bill No. 90:

A bill to be entitled an act to provide for the application of money received from the settlement of the Florida Indian War Claims, which amounts to \$692,946 and is now held by the State Treasurer in Indian War Claims Funds.

Was taken up.

And Senate Bill No. 90 was ordered placed on table, subject to call.

Senate Bill No. 89:

A bill to be entitled an act to provide for the payment of the bonded debt of the State of Florida from proceeds of Indian War Claims and hire of State Prisoners.

Was taken up.

And Senate Bill No. 89, was ordered placed on table, subject to call.

Senate Bill No. 234:

A bill to be entitled an act to appropriate all money paid to the State of Florida by the government of the United States, known as the Indian War Claim Fund.

Was taken up and read a second time in full.

Mr. Harris moved that Senate Bill No. 234 be made a special order for Tuesday next at 12 o'clock m.

Which was agreed to.

Mr. Butler moved that House Bill No. 27 be made a special order for Thursday at 12 o'clock m.

Which was agreed to.

Mr. Gillen moved that the rules be waived and Senate Bill No. 322 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 222:

A bill to be entitled an act to establish a county court in Columbia county, Florida.

Was taken up.

Mr. Gillen asked permission to withdraw Senate Bill No. 222.

Which was granted.

And Senate Bill No. 222 was withdrawn.

Mr. Rouse moved that the rules be waived and Senate Bill No. 256 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

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.

Was taken up.

Mr. Rouse asked permission to withdraw Senate Bill No. 256:

Which was granted.

And Senate Bill No. 256 was withdrawn.

Mr. Sams moved that the rules be waived and Senate Bill No. 270 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 270:

A bill to be entitled an act relating to the location of the office of the Florida Railroad Commission.

Was taken up.

Mr. Sams asked permission to withdraw Senate Bill No. 270:

Which was granted.

And Senate Bill No. 270 was withdrawn.

Mr. MacWilliams moved that 100 copies of Senate Bill No. 289 be printed.

Which was agreed to.

Mr. Palmer moved that the Senate 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 20, 1903.

WEDNESDAY, MAY 20, 1903.

The 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. Wilson of the 4th, being absent.

Prayer by Rev. J. C. Porter of the Baptist Church.

The reading of the Journal was dispensed with.

The Journal as corrected was approved.

#### INTRODUCTION OF BILLS.

By Mr. Neel (by request.)

Senate Bill No. 354