

MONDAY, APRIL 24, 1905.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Adams, Alford, Blount, Brown, Canova, Carter, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Stockton, Scott, Wadsworth, West, Wilson, Zim.—31.

A quorum present.

Prayer by Rev. A. J. McKelway of the Presbyterian Church, Charlotte, N. C.

The Journal was corrected and approved.

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 24:

House concurrent resolution instructing committee investigating the East Coast Canal and Transportation Co.

Was read the second time.

Mr. Harris moved the adoption of the resolution.

Mr. Sams moved that the House Concurrent Resolution No. 24 be indefinitely postponed.

Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Canova:

Senate Bill No. 133:

A bill to be entitled an act making it unlawful to play base ball or foot ball on Sunday in this State.

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

By Mr. Crews:

Senate Bill No. 134:

A bill to be entitled an act to require manufacturers of patent medicines to publish on label the per centum of alcohol contained, as necessary to permission to vend same within the State of Florida.

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

By Mr. Jackson:

Senate Bill No. 135:

A bill to be entitled an act to limit and define the time within which motions to quash indictments, pleas in abatement and other pleas of a dilatory character, shall be allowed to be filed in criminal cases.

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

By Mr. Jackson:

Senate Bill No. 136:

A bill to be entitled an act to define and limit the time within which writs of error may be sued out in criminal cases.

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

By Mr. Crill:

Senate Bill No. 137:

A bill to be entitled an act to amend Section 1508 of the Revised Statutes of the State of Florida, relating to the removal of disabilities of married women.

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

By Mr. Harris:

Senate Bill No. 138:

A bill to be entitled an act to amend Sections 801, 802, 805 and 810 of the Revised Statutes of the State of Florida, relating to the appointment of Boards of Medical Examiners.

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

By Mr. Crane:

Senate Bill No. 139:

A bill to be entitled an act to define and suppress opium dens, to prohibit visiting the same, and to prescribe rules of evidence in such cases.

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

By Mr. McCreary:

Senate Bill No. 140:

A bill to be entitled an act to amend Section three of Chapter 5199, Laws of Florida, being an act "providing for the publication of the acts of the Legislature of a general and permanent nature in newspapers, prescribing

the duties of the Secretary of State and the boards of county commissioners, and providing compensation for publishers," approved June 4, 1903.

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

By Mr. Sams:

Senate Bill No. 141:

A bill to be entitled an act to amend Chapter 5185 of the Laws of Florida, being an act entitled "an act regulating and providing for the establishment and maintenance of ferries across rivers where the operation of ferries on regular schedules and at frequent intervals appear to be necessary to public convenience."

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

By Mr. Sams:

Senate Bill No. 142:

A bill to be entitled an act for the protection of shad in the State of Florida, and prescribing a penalty for any violation thereof.

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

By Mr. Humphries:

Senate Bill No. 143:

A bill to be entitled an act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Manatee, and for other purposes.

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

ON TABLE SUBJECT TO CALL.

Senate Bill No. 50:

A bill to be entitled an act for the relief of Marion County.

Mr. Brown moved that Senate Bill No. 50 be indefinitely postponed.

Which was agreed to.

Senate Bill No. 25:

A bill to be entitled an act to regulate the sale of all syrups and adulterations thereof within this State, and for other purposes.

Mr. Zim asked permission to withdraw Senate Bill No. 25.

Which was granted.

And Senate Bill No. 25 was withdrawn.

House Concurrent Resolution No. 10:

A resolution relative to a committee to visit the Military College at Bartow and the St. Petersburg Normal and Industrial School at St. Petersburg, Fla., and report upon their condition and needs.

Mr. Adams moved that House Concurrent Resolution No. 10 be indefinitely postponed.

Which was agreed to.

Senate Bill No. 31:

A bill to be entitled an act for the relief of estate of George L. King.

Mr. Crane requested that Senate Bill No. 31 be passed informally.

Which was granted.

Senate Bill No. 15:

A bill to be entitled an act imposing a penalty upon any State, county or municipal officer who shall accept a free pass, free transportation or discrimination in passenger, telegraph or telephone rates from any person or corporation.

Mr. Zim asked that Senate Bill No. 15 be passed informally.

Which was granted.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives.

Tallahassee, Fla., April 21, 1905.

Hon. Park M. Trammell.

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 No. 11:

Relative to the trip to Pensacola.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
 J. G. KELLUM,
 Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
 Tallahassee, Fla., April 21, 1905.

Hon. Park M. Trammell,
President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

House Memorial No. E:

A memorial to Congress asking for an appropriation for the Chattahoochee river.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
 J. G. KELLUM,

Chief Clerk of the House of Representatives.

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

REPORTS OF COMMITTEES.

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

Senate Chamber,
 Tallahassee, Fla., April 21, 1905.

Hon. Park M. Trammell,
President of the Senate:

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

Senate Bill No. 42:

A bill to be entitled an act to prohibit the issuing by any one of checks or orders upon banks or other persons, when the makers of such orders or checks have not sufficient funds on deposit with the drawee to pay such or-

ders; to prescribe a rule of evidence therein, and to provide punishment therefor.

Beg leave to report that they have carefully considered the same and recommend the adoption of the following amendments:

Strike out Sections one and two, and insert the following:

Sec. 1. Whoever gives, makes, or issues to another any draft, order or check either in his own behalf, or as agent for any person or persons, firm or corporation, upon any bank, banking house, person, firm, or corporation in payment for any goods or chattels, lands or tenements or other thing of value, the titles or possession of which shall have been transferred upon the faith of the payment of such draft, order, or check and shall not at the time of giving, making, or issuing such draft, order, or check have sufficient money on deposit with such bank, or banking house, person, firm, or corporation to pay said draft, order or check, or have reason to believe from an existing contract or from previous dealings with the bank, banking house, person, firm, or corporation drawn upon, that such draft, order, or check will be paid, and who upon the non-payment of such draft, order, or check by the bank, banking house, person, firm, or corporation drawn upon, shall not within twenty-four hours after notice of the presentation to and non-payment by such bank, banking house, person, firm, or corporation of such draft, order, or check, make full and complete restitution by returning the consideration received for such draft, order, or check to the person or persons in whose favor such draft, order, or check was given, issued, or delivered, or by paying the amount of the same, shall be deemed guilty of felony, and upon conviction shall be punished by imprisonment in the State prison for a period not greater than ten years, or by fine not exceeding three thousand dollars, or by both such fine and imprisonment.

And as thus amended, they recommend the passage of the bill.

Very respectfully:

W. HUNT HARRIS,
Chairman of Committee.

And Senate Bill No. 42, contained in the above report, together with the amendments, was placed on the Calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 24, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

Senate Bill No. 88:

A bill to be entitled an act to authorize State Normal Schools to issue State normal certificates and to prescribe the conditions for the issuance thereof and for the acceptance thereof as teachers' certificates.

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

“Strike out Sections 6, 7 and 8, and make Section 9 Section 6.”

Very respectfully,

GUY GILLEN,
Chairman of Committee.

And Senate Bill No. 88, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

Mr. Newlan, Chairman of the Committee on Game, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 19, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 37:

A bill to be entitled an act to prohibit the shooting of live pigeons, fowl or other birds for amusement or as a test of skill in marksmanship.

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

Very respectfully,

J. R. NEWLAN,
Chairman of Committee.

And Senate Bill No. 37, contained in the above report, was placed on the Calendar of bills on second reading.

BILLS ON SECOND READING.

Senate Bill No. 108:

A bill to be entitled an act extending and enlarging the territorial limits and powers of the city of Gainesville, a municipal corporation organized and existing in Alachua county, Florida, and providing for the exercise of those powers.

Mr. McCreary moved that Senate Bill No. 108 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 108 was taken up.

Mr. McCreary moved that the rules be waived and Senate Bill No. 108 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 108 was read a second time by its title only.

Mr. McCreary moved that the rules be waived, and that Senate Bill No. 108 be placed on calendar of bills on third reading without reference to Committee on Engrossed Bills.

Which was agreed to by a two-thirds vote,

And Senate Bill No. 108 was placed on the Calendar of bills on third reading.

By Mr. Crane:

Senate Bill No. 100:

A bill to be entitled an act to legalize and validate Ordinance No. 366 of the city of Tampa, entitled "An ordinance to provide for the issuing of bonds of the city of Tampa, and for the expenditure and disbursing of funds received from the sale of said bonds," passed by the city council of the city of Tampa on the 13th day of December, A. D. 1904, and approved on the 13th day of December, A. D. 1904, by the acting mayor of the city of Tampa, and to legalize and validate the special election held on the 24th day of January, A. D. 1905, by the quali-

fied electors of the city of Tampa under Section 7 of said ordinance No. 366, and to legalize and make valid any and all bonds issued, or which may hereafter be issued, by the city of Tampa under said ordinance No. 366, and proceedings or resolutions of the city council of said city under said ordinance.

Mr. Crane moved that Senate Bill No. 100 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100 was taken up.

Mr. Crane moved that the rules be waived and Senate Bill No. 100 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100 was read a second time by its title only.

Mr. Crane moved that the rules be waived and that Senate Bill No. 100 be placed on calendar of bills on third reading without reference to the Committee on Engrossed Bills.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100 was placed on calendar of bills on third reading.

Senate Bill No. 78:

A bill to be entitled an act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric light and power business within the municipality of Braidentown, and for other purposes.

Mr. Humphries moved that Senate Bill No. 78 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78 was taken up.

Mr. Humphries moved that the rules be waived and Senate Bill No. 78 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78 was read a second time by its title only.

Mr. Humphries moved that the rules be waived, and that Senate Bill No. 78 be placed on calendar of bills on third reading without reference to the Committee on Engrossed Bills.

Which was agreed to by a two-thirds vote.

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And Senate Bill No. 78 was placed on calendar of bills on third reading.

SPECIAL ORDER.

The hour of 4:30 p. m. having arrived the Senate proceeded to the consideration of—

Senate Bill No. 74:

A bill to be entitled an act to control, manage and maintain certain educational institutions in the State of Florida.

The same being set for this time, and the bill having been previously read a second time in full—

Mr. Stockton moved that special order go over till tomorrow at 11 o'clock.

Which was agreed to.

A message was received from the House of Representatives.

The Senate resumed consideration of—

BILLS ON SECOND READING.

Senate Bill No. 65:

A bill to be entitled an act to provide for the inspection and analysis of, and to regulate the sale of commercial feeding stuffs in this State; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to define the term commercial feeding stuffs; to provide for guarantees of the ingredients of commercial feeding stuffs; for the affixing of labels and stamps to the packages thereof, as evidence of the guarantee and inspection thereof; to provide for the collection of an inspection fee from the manufacturers of commercial feeding stuffs; to fix penalties for the violation of the provisions of this act; to authorize the appointment of an additional Assistant State Chemist, two inspectors of commercial feeding stuffs, to appropriate the necessary funds to enforce the provisions of this act, and to repeal all laws or parts of laws in conflict with this act.

Was taken up, together with the amendments of the Committee on Judiciary.

The following committee amendment was read:

In Section 6, line 13, page 4, strike out the word "District" and substitute therefor the word "State."

Mr. Crill moved the adoption of the committee amendment.

Which was agreed to.

Mr. McCreary moved that Senate Bill No. 65 be made a special order for Thursday, April 27, at 11 o'clock a. m.

Which was agreed to.

Mr. Crane moved that the rules be waived, and that he be allowed to call up out of its order Senate Bill No. 100, now on its third reading.

Which was agreed to by a two-thirds vote.

Senate Bill No. 100:

A bill to be entitled an act to legalize and validate Ordinance No. 366 of the city of Tampa, entitled "An ordinance to provide for the issuing of bonds of the city of Tampa, and for the expenditure and disbursing of funds received from the sale of said bonds." passed by the city council of the city of Tampa on the 13th day of December, A. D. 1904, and approved on the 13th day of December, A. D. 1904, by the acting mayor of the city of Tampa, and to legalize and validate the special election held on the 24th day of January, A. D. 1905, by the qualified electors of the city of Tampa under Section 7 of said ordinance No. 366, and to legalize and make valid any and all bonds issued, or which may hereafter be issued, by the city of Tampa under said ordinance No. 366, and proceedings or resolutions of the city council of said city under said ordinance.

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

Upon call of the roll on Senate Bill No. 100 the vote was:

Mr. President	Crill	Massey
Adams	Davis	Neel
Alford	Faulkner	Newlan
Blount	Gillen	Raney
Brown	Harris	Sams
Canova	Hudson	Stockton
Carter	Humphries	Scott
Clark	Jackson	Wadsworth
Crane	Lee	Wilson
Crews	McCreary	Zim

Yeas—30.

Nays—None.

So the bill passed, title as stated.

Mr. Crane moved that the rules be waived and that Senate Bill No. 100 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100 was so certified.

Senate Bill No. 98:

A bill to be entitled an act authorizing city or town clerks to appoint deputies.

Was taken up and read a second time in full.

And Senate Bill No. 98 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 32:

A bill to be entitled an act prescribing that where there is a total loss of property insured and the company fails to pay the full amount covered by policy, there shall be returned to the insured the unearned premium for the excess over the amount paid in settlement.

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

The following committee amendment was read:

In line 1 of the title, insert the word "Personal" before the word property.

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

In Section 1, line 1, insert the word "Personal" before the word property.

Mr. Harris moved the adoption of the committee amendments.

Which was agreed to.

And Senate Bill No. 32, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 41:

A bill to be entitled an act to amend Section 1, Chapter 5204, Laws of Florida, the same being an act to provide for the certification of teachers, and to prescribe requirements for the various grades of certificates.

Was taken up and read a second time in full.

And Senate Bill No. 41 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 107:

A bill to be entitled an act regulating the attendance

of schools within special tax districts, by pupils residing outside of such special tax districts, providing for the payment of a fee therefor, and requiring the county treasurer to make reports to the board of public instruction of the county of all amounts coming into his hands for special tax school districts.

Was taken up and read a second time in full.

And Senate Bill No. 107 was ordered referred to the Committee on Engrossed Bills.

House Memorial No. A.

A memorial to the Congress of the United States, asking for an appropriation for Black Water River, in Santa Rosa county, Florida.

Was taken up and read a second time in full.

Mr. West moved that the rules be waived and that House Memorial No. A be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Memorial No. A was read a third time in full.

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

Mr. President	Davis	Neel
Adams	Faulkner	Newlan
Alford	Gillen	Raney
Blount	Harris	Sams
Brown	Hudson	Stockton
Canova	Humphries	Scott
Carter	Jackson	Wadsworth
Crane	Lee	West
Crews	McCreary	Wilson
Grill	Massey	Zim

Yeas—30.

Nays—None.

So the memorial passed, title as stated.

Senate Bill No. 79:

A bill to be entitled an act to amend Sections 54, 55, 70 and 84, and to repeal Section 81 of Chapter 5337 of the Laws of Florida, entitled "An Act to incorporate the city of Bradentown, and to provide for its government and to provide for and declare its jurisdiction and powers," approved May 19, 1903.

Was taken up.

Mr. Humphries moved that the rules be waived and that Senate Bill No. 79 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 79 was read a second time by its title.

Mr. Humphries moved that the rules be further waived and that Senate Bill No. 79 be read a third time 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.

Mr. Humphries moved that Senate Bill No. 79 be placed under order of the day for tomorrow.

Which was agreed to.

Senate Bill No. 94:

A bill to be entitled an act to amend an act entitled an act to provide for the creation of the city of Pensacola, now known as the provisional municipality of Pensacola, and for the government of said city of Pensacola, and to provide for its officers and their term of office, and to provide for the support and maintenance of said government and improvement of said city, approved May 27, 1895.

Was taken up.

Mr. Blount moved that the rules be waived and that Senate Bill No. 94 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94 was read a second time by its title.

Mr. Blount moved that the rules be further waived and that Senate Bill No. 94 be read a third time and put its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94 was read a third time in full.

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

Mr. President	Faulkner	Newlan
Adams	Gillen	Baney
Alford	Harris	Sams
Blount	Hudson	Stockton
Brown	Humphries	Scott
Canova	Jackson	Wadsworth
Carter	Lee	West
Crane	McCreary	Wilson

Crews	Massey	Zim
Davis	Neel	

Yeas—29.

Nays—None.

So the bill passed, title as stated.

Mr. Scott moved that the Senate adjourn.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Tuesday, April 25, 1905, at 10 o'clock a. m.

TUESDAY, APRIL 25, 1905.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adams, Alford, Bailey, Blount, Brown, Canova, Carter, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Stockton, Scott, Wadsworth, West, Wilson, Zim.—31.

A quorum present.

By request of the Chaplain, Rev. F. G. Bailey pastor First Presbyterian Church, Bartow, Fla., offered prayer.

The Journal was corrected and approved.

INTRODUCTION OF BILLS.

By Mr. Blount:

Senate Bill No. 144:

A bill to be entitled an act to provide for the appointment of assistant coroners in certain counties of this State; to define their duties and to fix their compensation.

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

By Mr. Blount:

Senate Bill No. 145:

A bill to be entitled an act to require record of instruments relied on as color of title.

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