

der said Ordinance No. 366 and proceedings or resolutions of the City Council of said city under said ordinance.

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

Very respectfully,

T. M. SCOTT,
Chairman of Committee.

Mr. Jackson asked to be excused indefinitely on account of committee work.

The request was granted.

Mr. Stockton asked to be excused for tomorrow.

The request was granted.

Mr. Gillen moved that the Senate adjourn until tomorrow at 10 o'clock a. m.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Wednesday, April 26, 1905, at 10 o'clock a. m.

WEDNESDAY, APRIL 26, 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, Bailey, Blount, Brown, Canova, Carter, Clark, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Wadsworth, West, Wilson, Zim.—31.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

Mr. West moved that the Enrolling Secretary be authorized to change the word "for" to "form" in line fifteen Section 2, of Senate Bill No. 8.

Which was agreed to unanimously.

Mr. Clarke moved that a vote of thanks be tendered to the ladies of Tallahassee for the beautiful flowers with which they have decorated the Senate chamber today.

Which was agreed to.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 25, 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. 10:

Be it resolved, That a committee, consisting of one from the Senate and two from the House, be appointed to visit the Confederate Soldier's and Sailor's Home at Jacksonville, Fla., and report upon the conditions and needs of the Home.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The President appointed on the committee on the part of the Senate under Senate Concurrent Resolution No. 10 Mr. Gillen.

INTRODUCTION OF BILLS.

By Mr. Massey:

Senate Bill No. 154:

A bill to be entitled an act to amend Section 1 of Chapter 4147, as amended by Chapter 4928, Laws of Florida, relating to carrying of fire arms.

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

By Mr. Neel:

Senate Bill No. 155:

A bill to be entitled an act providing for the division of Holmes County, and the formation of the County of Bloxham.

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

By Mr. Crane:

Senate Bill No. 156:

A bill to be entitled an act relative to crossing of railway and street railway tracks by locomotives, trains or cars.

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

By Mr. Newlan:

Senate Bill No. 157:

A bill to be entitled an act to prohibit certain games and sports on Sunday.

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

By Mr. Sams:

Senate Bill No. 158:

A bill to be entitled an act to legalize the incorporation of the town of Lake Helen, in the county of Volusia, and to declare the incorporation of the town of Lake Helen valid and of full force and effect.

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

By Mr. Sams:

Senate Bill No. 159:

A bill to be entitled an act requiring admission to the bar as a qualification for county judges in the State of Florida, and for enlarging their probate jurisdiction.

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

By Mr. Sams:

Senate Bill No. 160:

A bill to be entitled an act to legalize the incorporation of the town of Daytona Beach, in the County of Volusia, and to declare the incorporation of the town of Daytona Beach valid and of full force and effect.

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

By Mr. Bailey:

Senate Bill No. 161:

A bill to be entitled an act authorizing and directing the State Board of Pensions to record the name of Joseph Gibner on the roll of pensioners of the State of Florida, and declare him entitled to the benefit arising out of Chapter 4894, Laws of Florida, approved May 3, A. D. 1901.

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

By Committee on Appropriations:

Senate Bill No. 162:

A bill to be entitled an act making appropriations for

the expenses of the State Government for six months of the year 1905, and for the year 1906, and for six months of the year 1907.

Which was read the first time by its title.

Mr. Adams moved that 300 copies of Senate Bill No. 162 be printed.

Which was agreed to.

Mr. Adams moved that the rules be waived and that Senate Bill No. 162 be placed on calendar of bills on second reading without reference.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 162 was placed on calendar of bills on second reading.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 69:

A bill to be entitled an act to define additional duties of clerks of the circuit courts as clerks and accountants of the boards of county commissioners in the several counties of this State.

Have examined the same and recommend that it do not pass.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And Senate Bill No. 69, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 120:

A bill to be entitled an act to amend Section 1 of Chapter 5139, Laws of Florida, the same being an act to amend Section 2 of Chapter 4147 of the Laws of Florida, entitled "An Act to regulate the carrying of fire arms," approved June 2, 1893.

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

Section 1, line 5, after the word "age" insert the words, "and of good moral character."

Have examined the same and recommend that it do pass as amended.

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

And Senate Bill No. 120, contained in the above report, together with the amendments, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 123:

A bill to be entitled an act to amend Chapter 4123 of the Laws of Florida, entitled "An Act disallowing fees in cases before committing magistrates where informations are not filed nor indictments found."

Have examined the same and recommend that it do not pass.

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

And Senate Bill No. 123, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

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

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

Senate Bill No. 103:

A bill to be entitled an act to amend Chapter 5140, of the Laws of Florida, 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, approved May 30, 1903.

Have examined the same and recommend that it do not pass.

Very respectfully,

W. HUNT HARRIS,
Chairman of Committee.

And Senate Bill No. 103, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

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

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

Senate Bill No. 127:

A bill to be entitled an act to amend Section 3 of Chapter 4223, Laws of Florida, being an act entitled "An Act to establish a criminal court of record in the county of Hillsborough," approved April 10th, 1893.

Have examined the same and recommend that it do pass.

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

And Senate Bill No. 127, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 9.

A bill to be entitled an act to protect sureties.

Have examined the same and recommend that it do pass.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And House Bill No. 9, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 84.

A bill to be entitled an act to fix the fees of the clerks of the circuit court for recording any paper in the records kept by him as recorder of deeds, etc., specified in Section 1391 of the Revised Statutes of 1892, or in judgment assignment and satisfaction record, the foreign judgment record, and the pendens docket, kept by him under the provisions of Section 1390 of the said Revised Statutes.

Have examined the same and recommend that it do pass.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And Senate Bill No. 84, contained in the above report, was placed on the calendar of bills on second reading.

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

20 S. B.

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

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

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

Senate Bill No. 151:

A bill to be entitled an act to amend Section 1, of Chapter 5235, of the Laws of Florida, relating to working and repairing and maintaining the public roads and bridges of the several counties of this State, and to provide penalties for the violation thereof.

Have examined the same and recommend that it do pass.

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

And Senate Bill No. 151, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

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

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

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.

Have examined the same and recommend that it do pass.

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

And Senate Bill No. 139, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 149:

A bill to be entitled an act to provide for the privileges of witnesses in investigations and prosecutions for the violation of the statutes against bribery, gaming and gambling, and for violation of the statutes against the illegal sale of spirituous, vinous or malt liquors.

Have examined the same and recommend that it do pass.

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

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

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 128:

A bill to be entitled an act to prescribe the fees of sheriffs in lunacy proceedings.

Have examined the same and recommend that it do pass.

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

And Senate Bill No. 128, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 30:

A bill to be entitled an act regulating the running of automobiles or motor vehicles on the public roads or highways in the State of Florida.

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

In Section 20 strike out all after the figures "20" and insert the following:

"Owners of automobiles who have paid a license in any other State, shall upon exhibition of such license, be exempt from paying a license in this State, for thirty days after said automobiles have been brought into this State."

Have examined the same and recommend that it do pass as amended.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And House Bill No. 30, contained in the above report, together with the amendments, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 85:

A bill to be entitled an act to provide for the acquisition of property by and suits by and against, persons associated together under a common name.

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

In Section 1, line 13, strike out all after the word "process" and insert the following as Section 2.

"Section 2. Nothing in this act contained shall affect any right of action now existing under the law against any such partners, or association upon the liability of the partnership or association."

Have examined the same and recommend that it do pass as amended.

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

And Senate Bill No. 85, contained in the above report, together with the amendments, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 122:

A bill to be entitled an act to amend Section 1, of Chapter 4147 of the Laws of Florida, entitled an act to regulate the carrying of firearms, as amended by Chapter 4928 of the Laws of the State of Florida, approved May 9th, 1901.

Have examined the same and recommend that it do not pass.

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

And Senate Bill No. 122, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 82:

A bill to be entitled an act requiring the county commis-

sioners to publish a budget, and to make contracts, purchase property, and appropriate and pay out the public money only under the prescribed conditions, and also prescribing crimes and penalties in this behalf.

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

In Section three strike out all after the word "shall" where it first occurs, and insert the following:

"Upon conviction be punished by a fine not to exceed two hundred and fifty dollars, or by imprisonment in the county jail not to exceed six months."

Have examined the same and recommend that it do pass as amended.

Very respectfully,

W. HUNT HARRIS,
Chairman of Committee.

And Senate Bill No. 82, contained in the above report, together with the amendments, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 25, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 98:

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

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,
Chairman of Committee.

And Senate Bill No. 98, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., April 25, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

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.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

And Senate Bill No. 41, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber,

Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 92:

A bill to be entitled an act to punish the sale, gift, barter or exchange of intoxicating drinks to Indians in this State, and providing penalties therefor.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

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

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

Senate Chamber,

Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 71:

A bill to be entitled an act for the preservation of wild otter and beaver in the State of Florida.

Have examined the same and find it correctly engrossed.
Very respectfully,

S. W. CLARKE,
Chairman of Committee.

And Senate Bill No. 71, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

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.

Have examined the same and find it correctly engrossed.
Very respectfully,

S. W. CLARKE,
Chairman of Committee

And Senate Bill No. 107, contained in the above report, was placed on the calendar of bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., April 25, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 32:

A bill to be entitled an act prescribing that where there is a total loss of personal 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.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,
Chairman of Committee.

And Senate Bill No. 32, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 55:

A bill to be entitled an act prohibiting the exaction or the acceptance of a reward, compensation or remuneration by public officers or appointees for the performance, non-performance or violation of any act, rule or regulation that may be incumbent upon them to administer, perform, execute or to have executed.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,
Chairman of Committee.

And Senate Bill No. 55, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

SIR—Your Committee on Public Printing, to whom was referred—

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.

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

Very respectfully,
H. H. McCREARY,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. ark M. Trammell,

President of the Senate:

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

Senate Bill No. 121:

A bill to be entitled an act to relieve John G. Ruge for services and expenses as Commissioner of Fisheries of the State of Florida.

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

Very respectfully,
J. H. HUMPHRIES,
Chairman of Committee.

And Senate Bill No. 121, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 82:

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

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

Very respectfully,
J. H. HUMPHRIES,

Chairman of Committee,

And House Bill No. 82, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Adams, Chairman of the Committee on Appropriations, submitted the following report, on behalf of the majority of the committee:

Senate Chamber,

Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate.

SIR—Your Committee on Appropriation to whom was referred—

House Bill No. 100:

A bill to be entitled an act to make an appropriation for the estimated deficiency in the pension tax fund for the years 1904 and 1905.

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

Strike out the words in fifth line of said bill, "To be paid out of funds arising from the hire of State convicts."

Very respectfully,

FRANK ADAMS,

Chairman of Committee.

Mr. Adams, Chairman of the Committee on Appropriations, submitted the following report on behalf of the minority of the committee:

Senate Chamber,

Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate.

SIR—The undersigned a minority of your Committee on Appropriations to whom was referred—

House Bill No. 100:

A bill to be entitled an act to make an appropriation for the estimated deficiency in the pension tax fund for the years 1904 and 1905.

Have had the same under consideration and recommend that it pass without amendment for the following reasons:

1. The State has obligated to pay to the worthy and honored pensioners placed on the roll in accordance with law an annual sum of money payable in quarterly payments and owing to the fact that the pension tax fund is exhausted it is impossible to meet these obligations without financial aid from another source.

2. This aid can not be given from the General Revenue Fund for the reason that the amount now available in said fund is only \$236,513.85 with only a small portion of the one-half mill tax uncollected and no material increase can be expected from license taxes during the present license year as such taxes are practically all collected. From this balance in the General Revenue Fund payments must be made for the expenses of the Legislature, about \$85,000.00, jurors and witnesses before the grand jury, salaries executive and judicial departments, interest on State bonds in educational funds, as well as other necessary current expenses, including special appropriations made by the Legislature, and it should be evident that this fund will not be adequate to meet the further program contemplated by House Bill No. 100.

3. The fund derived from the hire of State convicts can be made available without delay, although the distribution to the counties was made on April 1st, 1905, & large payments thereto are made from time to time by the contractors.

4. An increase in the rate of taxation for the year 1905, would not afford the desired relief as any taxes assessed this year would not be collected and become available until next year, and those old pensioners whose needs are immediate would have to wait one year for their money which is now past due.

5. There is almost a universal agreement that the worthy and needy soldier or sailor or his widow should be provided for by the State and it was in recognition of this overwhelming sentiment that the obligation was created by law. The only difference of opinion now seems to be as to what fund should be used. As to this there does not appear to be any room for doubt as the hire of state convict fund offers the only source of relief at present. Shall the pensioners receive immediate relief

in fact, or must they be content with what at present amounts to simply a reiteration of the statutory obligation to pay them the stipend which is intended to meet their necessities.

Very respectfully,

FRANK ADAMS,

Minority Member of Committee on Appropriations.

Mr. Adams moved the adoption of the minority report.

The yeas and nays were demanded on the motion to adopt the minority report.

Upon call of the roll, the vote was:

Adams	Crane	Neel
Alford	Crews	Newlan
Bailey	Davis	Scott
Brown	Faulkner	Wadsworth
Canoy	Harris	Zim
Clark	Massey	

Yeas—17.

Mr. President	Hudson	Raney
Blount	Humphries	Sams
Carter	Lee	West
Crill	McCreary	Wilson
Gillen		

Nays—13.

So the report of the minority on House Bill No. 100 was adopted.

And House Bill No. 100, contained in the report, was placed on calendar of bills on second reading.

By permission—

Mr. Bailey introduced the following:

Senate Resolution No. 38:

Whereas, Section thirty-one (31) of Article sixteen (16) of the Constitution of the State of Florida prohibits transportation companies or common carriers from granting free passes to any member of the Legislature, and

Whereas, Section 2690 of the Revised Statutes, laws of Florida punishes any member of the Legislature who accepts a free pass, by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, and

Whereas, It appears upon the books of the Railroad Commissioners that C. M. Brown, elected State Senator from the 20th Senatorial District of Florida in 1902, has accepted a free pass from a transportation company,

Therefore be it Resolved by the Senate of the State of Florida, that a committee of five be appointed to examine into the question as to whether C. M. Brown did or did not accept a free pass from a transportation company, and to report the same to the Senate:

Resolved, further, That the said committee be empowered and authorized to send for persons, books and papers and to examine witnesses.

Mr. Bailey moved the adoption of the resolution.

Mr. Brown was permitted to have the following inserted in the Journal:

Mr. President and Gentlemen of the Senate:

Noticing some days since in a certain newspaper a publication substantially to the effect that I had been guilty of accepting and using free passes upon the railroads of the State and had therefore been guilty of a violation of law, I had intended at the proper time to call the matter to the attention of the Senate on a question of personal privilege, and in justice to myself as well as the Senate make explanation of the charge contained in such publication. I say I had intended to do this but regret that force of circumstances seems to demand that I make the explanation now which would appear to me an improper time owing to the fact that the contest for my seat in the Senate has not yet been terminated. I can see no reason why this matter has now been called to the attention of the Senate by others, and trust that it will not prejudice my case in the minds of my brother Senators. But be that as it may I shall make the explanation which I trust will be entirely satisfactory to the Senate and to the people of the State of Florida.

I deny most emphatically that I have used a free pass on any railroad in the State of Florida. I make this denial with full knowledge of the fact that the record in the office of the Railroad Commission of the State of Florida shows that during the month of January last a ticket, termed in said report as "Complimentary," from Palatka to St. Augustine, was issued to C. M. Brown. I frankly admit that the C. M. Brown therein referred to was myself but I most emphatically deny that said ticket was either complimentary, or free.

When I engaged in business last fall in Dade county I entered into a business arrangement with officials of the

Florida East Coast Railway Company by the terms of which I was to represent said Railway Company in the capacity of agent for the Land Department of said Railway Company and my duties were to aid in the sale of lands of said company and to induce immigration to the East Coast of the State of Florida and along the line of said railway company. As part of my compensation for this work the railroad officials agreed to furnish me with such transportation over their line of railway as should be necessary when traveling upon business connected with the Land Department and in the performance of my said duties under the contract so made with them. The pass or ticket referred to in the office of the Railroad Commission as having been issued during the month of January last to me was issued in pursuance of this contract and was paid for by my services in endeavoring to sell the lands of said company and induce persons to settle along their line of railway. It was in no sense either free or complimentary and was paid for by actual service rendered under the contract as stated.

I do not care to go further into details now, but court the fullest investigation of this matter, and as it has been given wide publicity through newspapers and otherwise I assure the Senate that I shall at the earliest opportunity appeal to a forum where witnesses under oath shall testify to the exact truth.

The yeas and nays were demanded on the adoption of Senate Resolution No. 38.

Upon a roll call of the roll on the passage of Senate Resolution No. 38 the vote was:

Mr. President	Phill	Wool
Adams	Devie	Newlan
Alford	Edinger	Raney
Pailey	Harris	Sams
Blount	Mason	Scott
Brown	Memphris	Wadsworth
Canova	Lee	West
Carter	McHenry	Wilson
Crape	Massey	Zim
Crews		

Yeas—28.

Nays—None.

So the resolution was agreed to.

By permission—

Mr. Clarke introduced:

Senate Bill No. 163:

A bill to be entitled an act relative to the taking of depositions in disbarment proceedings.

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

By permission—

Mr. Raney introduced the following:

Senate Resolution No. 39:

Resolved, That the Comptroller of the State be and is hereby requested to inquire of the several counties and report without delay what effect upon their financial condition the payment out of the convict fund of any appropriation to be made by the present Legislature will have.

Mr. Raney moved the adoption of the resolution.

Which was agreed to.

ON TABLE SUBJECT TO CALL.

Senate Bill No. 31:

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

Was taken up.

Mr. Crane requested that he be permitted to exchange places on the calendar with two bills, substituting, for Senate Bill No. 31, House Bill No. 3.

Which was agreed to.

And,

House Bill No. 3.

A bill to be entitled an act to legalize and validate Ordinance No. 347 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 27th day of September, A. D. 1904, and approved on the 29th day of September, A. D. 1904, by the Mayor of the city of Tampa; and to legalize and validate the special election held on the 8th day of November, A. D. 1904, by the qualified electors of the city of Tampa, under section 7 of said Ordinance No. 347, and to legalize and make valid any and all bonds issued or which may hereafter be issued, by the city of

21 S. B.

Tampa under said Ordinance No. 347 and the proceedings or resolutions of the City Council of said city under said ordinance.

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

Upon call of the roll on House Bill No. 3, as amended, the vote was:

Mr. President	Crill	Massey
Adams	Faulkner	Neel
Alford	Gillen	Newlan
Blount	Harris	Sams
Brown	Hudson	Scott
Canova	Humphries	Wadsworth
Carter	Lee	West
Clark	McCreary	Wilson
Crane		

Yeas—25.

Nays—None.

So the bill passed, as amended, title as stated.

Mr. Crane moved that the rules be waived and that House Bill No. 3, as amended, be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And House Bill No. 3, as amended, was so certified.

Mr. Clarke moved that Senate Bill No. 61 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 61:

A bill to be entitled an act requiring any person, firm or corporation operating any railroad in this State to construct and maintain good and sufficient stock guards.

Was taken up.

Mr. Clarke moved that Senate Bill No. 61 be recommitted to Committee on Railroads.

Which was agreed to.

And Senate Bill No. 61 was recommitted to the Committee on Railroads.

A message was received from the House of Representatives.

A message was received from the Governor.

Mr. Crill moved that Senate Bill No. 11 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

Senate Bill No. 11:

A bill to be entitled an act to encourage and secure the construction of a line of railway from the mainland of Florida to Key West; to provide for a fair and equitable assessment of taxes of the corporation constructing it; to provide for fair and reasonable rates of freights and passage by the corporation constructing it; and to grant right of way over the submerged and other lands belonging to the State and over the waters of the State and to authorize the filling of the submerged lands, and to construct buildings, docks and depots thereon.

Was taken up.

Mr. Crill asked unanimous consent to amend Senate Bill No. 11 on third reading.

Which was granted.

Mr. Crill offered the following amendment to Senate Bill No. 11:

Strike out all after the words "Key West," in line 9, Section 5 (printed bill), down to the end of the section.

Mr. Crill moved the adoption of the amendment.

Which was agreed to unanimously.

And,

Senate Bill No. 11:

A bill to be entitled an act to encourage and secure the construction of a line of railway from the mainland of Florida to Key West; to provide for a fair and equitable assessment of taxes of the corporation constructing it; to provide for fair and reasonable rates of freight, and passage by the corporation constructing it, and to grant right of way over the submerged and other lands belonging to the State, and over the waters of the State, and to authorize the filling of the submerged lands, and to construct buildings, docks and depots thereon.

As amended, was then read a third time in full.

Upon call of the roll on Senate Bill No. 11 the vote was:

Adams	Gillen	Newlan
Alford	Harris	Raney
Brown	Hudson	Sams
Canova	Humphries	Scott
Carter	Lee	Wadsworth
Crane	McCreary	West

Crews	Massey	Wilson
Crill	Neel	Zim
Faulkner		

Yeas—25.

Mr. President	Blount
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Nays—2.

So the bill passed, title as stated.

Mr. Harris moved that the rules be waived and that Senate Bill No. 11 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 11 was so certified.

Mr. Harris, in explaining his vote, said:

"Mr. President: I desire to explain my vote on this bill. I was 'paired' with Senator Telfair Stockton on this bill. If Mr. Stockton were present he would now vote for the bill as it stands. He was opposed to some of the provisions of Section 5 on account of what he thought would impair the usefulness of the Railroad Commission. I submitted to him on yesterday the proposed amendment which has been adopted, and he approved of it. He notified me that if this amendment was adopted that he would release me from my 'pair' and requested me to make the statement that if he were present that he would vote for the bill as it stands."

Mr. Clarke said that he was paired with Mr. Jackson on Senate Bill No. 11; that if Mr. Jackson was present he would vote "No," and he (Mr. Clarke) would vote "Aye."

Mr. Humphries asked to be excused for the week, on committee work.

The request was granted.

Mr. Crill asked to be excused until Monday on account of committee work.

The request was granted.

The following communication from the Governor was ordered spread on the Journal:

State of Florida,

Executive Department,

Tallahassee, Fla., April 26, 1905.

Hon. Park M. Trammell,

President of the Senate.

SIR—I have the honor to inform you that I have approved and signed the following Act which originated in your honorable body:

"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. 1905, 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."

I beg to further inform your honorable body that I have caused the said Act as enumerated above to be handed to the Secretary of State.

I have the honor to be,

Most respectfully,

N. B. BROWARD,
Governor.

Mr. Clarke moved to adjourn until 10 o'clock tomorrow. Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock a. m. Thursday, April 27, 1905.