

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

Mr. Stockton moved that Senate Bill No. 74, set for 11 a. m. tomorrow, be changed so as to be special order for Wednesday, May 3, at same hour.

Which was agreed to.

Mr. Gillen was excused from attendance for a few days.

Mr. Crane moved that the Senate adjourn.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow Tuesday May 2, 1905, at 10 o'clock a. m.

## TUESDAY, MAY 2, 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 Alford, Bailey, Canova, Carter, Crane, Crill, Faulkner, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Stockton, Scott, Wadsworth, West, Zim.—24.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

Mr. Crill moved that Senate Bill No. 65, which had been set for 11:30 a. m. today, be made a special order subject to call.

Which was agreed to.

## CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 29:

A concurrent resolution requesting the Congress of the United States to appropriate money for deepening the water at the head of Charlotte Harbor and in front of Punta Gorda, and for deepening the mouth of Charlotte Harbor at Boca Grande.

Was taken up and read a second time.

Mr. Humphries moved the adoption of the resolution.

Which was agreed to.

## INTRODUCTION OF RESOLUTIONS.

Mr. Jackson introduced the following:

Senate Concurrent Resolution No. 15:

Be it resolved by the Senate, the House concurring, That the committee appointed to visit and inspect the Florida Coast Line and Transportation Company be authorized to employ a stenographer, if the committee deems it necessary.

Mr. Jackson moved that the rules be waived and the resolution be read a second time.

Which was agreed to by a two-thirds vote.

Mr. Jackson moved the adoption of the resolution.

Which was agreed to.

Mr. Jackson moved that the rules be waived and that Senate Concurrent Resolution No. 15 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And,

Senate Concurrent Resolution No. 15 was so certified.

## INTRODUCTION OF BILLS.

By Mr. Crill:

Senate Bill No. 192:

A bill to be entitled an act relating to guardians, and authorizing certain charitable or benevolent corporations to be appointed and to act as guardians of minor children, and validating all such appointments heretofore made.

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

## REPORTS OF COMMITTEES.

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

Senate Chamber,

Tallahassee, Fla., May 2, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

SIR—Your Committee on Engrossed Bills 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 find it correctly engrossed.

Very respectfully,

JOHN NEEL,

Acting Chairman of Committee.

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

Mr. Stockton, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 2, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

## House Bill No. 140:

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.

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

Very respectfully,

TELFAIR STOCKTON,

Chairman of Committee.

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

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

Senate Chamber,

Tallahassee, Fla., May 2, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

SIR—Your Committee on Engrossed Bills 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 find it correctly engrossed.

Very respectfully,

JOHN NEEL,  
Acting Chairman of Committee.

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

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

Senate Chamber,  
Tallahassee, Fla., May 2, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

Senate Bill No. 131:

A bill to be entitled an act to provide a method of assistance to any elector applying to vote in the primary election in this State, who, by reason of blindness or the loss of a hand or hands, or who is from any cause whatsoever, unable to prepare his ballot by the inspectors of such election, and providing a penalty for any violation of this act.

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

Very respectfully,

GEO. P. RANEY,  
Chairman of Committee.

And Senate Bill No. 131, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 2, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

Senate Bill No. 153:

A bill to be entitled an act to prevent children under the age of fourteen years from working in any factory, workshop or mine in the State of Florida, and affixing penalties for the violation thereof.

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

In line 5, Section 1, substitute words "Public Instruction" in place of "County Commissioners."

In line 3, Section 3; substitute words "Public Instruction" in place of "County Commissioners."

Very respectfully,

JOHN NEEL,

Chairman of Committee.

And Senate Bill No. 153, contained in the above report, together with the amendments, was placed on the calendar of bills on second reading.

Mr. Wadsworth, Chairman of the Committee on Agriculture, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 2, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

SIR—Your Committee on Agriculture to whom was referred—

Senate Bill No. 174:

A bill to be entitled an act for the protection of the groves, orchards and fruit trees of Orange County, Florida, from injurious insects and scale, and providing for the appointment of a Board of Horticultural Commissioners for the said county, and defining their duties and powers, and fixing a penalty for interfering with the discharge of same.

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

Very respectfully,

B. D. WADSWORTH,  
Chairman of Committee.

And Senate Bill No. 174, contained in the above report, was placed on the calendar of bills on second reading.

#### ON TABLE SUBJECT TO CALL.

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."

Was taken up.

Mr. Zim ask permission to withdraw Senate Bill No. 123.

Which was granted.

And Senate Bill No. 123 was withdrawn.

Senate Bill No. 45:

A bill to be entitled an act to authorize the county of Monroe to issue bonds for the purpose of paying for sites, and erecting buildings for school purposes thereon.

Was taken up.

Mr. Harris moved that the rules be waived and Senate Bill No. 45 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 45 was read a second time by its title only.

Mr. Harris moved that the rules be waived and Senate Bill No. 45 be placed on calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 45 was placed on calendar of bills on third reading.

#### BILLS ON SECOND READING.

Senate Bill No. 125:

A bill to be entitled an act to provide for the payment of mileage to sheriffs when required to go beyond the limits of the State.

Was taken up and read a second time in full.

Mr. Stockton moved that Senate Bill No. 125 be placed on table subject to call.

Which was agreed to.

Senate Bill No. 104:

A bill to be entitled an act to repeal Chapter 4030, approved June 8, 1891, same being "An act to provide for the payment of attorneys' fees in garnishment before justices of the peace and county judges."

Was taken up and read a second time in full.

And Senate Bill No. 104 was ordered referred to the Committee on Engrossed Bills.

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.

Was taken up and read a second time in full.

Mr. Crill moved that the rules be waived and Senate Bill No. 137 be placed on calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 137 was placed on calendar of bills on third reading.

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.

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 Section 1, line 1, after the word "that" strike out the words "from and after the passage and approval of this act."

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Strike out Section 3, and substitute the following:

Section 3. This act shall go into effect on the first day of November, 1905

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.  
 And Senate Bill No. 136, as amended, was referred to the Committee on Engrossed Bills.

House Bill No. 62:

A bill to be entitled an act to require proposed Constitutional amendments to be displayed at voting precincts on election days.

Was taken up and read a second time in full.

Mr. McCreary offered the following amendment to House Bill No. 62:

Add to Section 1: "Such printed amendments to be furnished the County Commissioners by the Secretary of State."

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

Mr. McCreary offered the following amendment to House Bill No. 62:

Add as Section 2:

Section 2. Nothing in this act shall be construed as repealing the law requiring constitutional amendments to be published in a newspaper in each county of the State.

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

And House Bill No. 62, as amended, was ordered placed on the calendar of bills on third reading.

Senate Joint Resolution No. 38:

A joint resolution proposing an amendment to Article V of the Constitution of the State of Florida, relative to the judiciary department.

Was taken up and read the third time in full.

Mr. Crane moved that the rules be waived and Senate Joint Resolution No. 38 be placed on calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 38 was placed on calendar of bills on third reading.

At 10:30 o'clock a. m. Mr. Raney moved that the Senate take a recess for ten minutes.

Which was agreed to.

At 10:40 o'clock the Senate met.

The President in the chair.

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

Mr. President, Senators Bailey, Canova, Carter, Crane, Crill, Faulkner, Harris, Humphries, Jackson, McCreary, Massey, Neel, Newlan, Sams, Stockton, Scott, Wadsworth, West, Zim.—20.

A quorum present.

Mr. Bailey gave notice that on tomorrow he would move to reconsider the vote by which Senate Bill No. 161 was indefinitely postponed on yesterday.

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

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Wednesday, May 3, 1905, at 10 o'clock a. m.

### WEDNESDAY, MAY 3, 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 Alford, Bailey, Brown, Canova, Carter, Crane, Crill, Faulkner, Harris, Hudson, Humphries, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Stockton, Scott, Wadsworth, West, Wilson, Zim.—25.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

Mr. McCreary asked that Mr. Gillen be excused for the week.

The request was granted.

A message was received from the Governor.

A message was received from the House of Representatives.

The President laid the following before the Senate:

Railroad Commission, State of Florida,  
Tallahassee, May 2, 1905.

Hon. P. M. Trammell,

President of the Senate,

Tallahassee, Florida.

SIR—In accordance with Senate Resolution No. 40, adopted April 28, A. D. 1905, I have the honor to transmit moneys have been paid out by the Railroad Commission

of the State of Florida since its organization in July, 1897, on account of employment of special counsel, and all other information called for by said resolution.

### AMOUNT PAID OUT

By the Railroad Commissioners of the State of Florida for Attorneys' Fees From Date of Organization, July A. D. 1897, to May 1, 1905, as per Itemized Statement Hereto Attached.

Amount paid J. M. Barrs, attorney's fees and traveling expenses .....	\$ 6664 35
Amount paid B. S. Liddon, attorney's fees and traveling expenses .....	1598 10
Amount paid A. W. Cockrell, attorney's fees and traveling expenses .....	571 90
Amount paid J. Emmett Wolfe, attorney's fees and traveling expenses .....	1235 55
	\$ 10069 90

Respectfully,  
JEFFN B. BROWNE,

Chairman.

Dict. J. B. B.

### TOTAL AMOUNT PAID OUT

By The Railroad Commission of the State of Florida For Attorneys' Fees From Date of Its Organization, July A. D. 1897, to the Present Time.

1898.

June 9—J. M. Barrs, legal services in case of Commission vs. Southern Express Co.....\$ 15 00

1899.

June 30—J. M. Barrs, legal services in express and passenger rate matters ..... 50 00

July—J. M. Barrs, services as special counsel in old L. & N. 3c passenger rate case, and cotton rate case, and Jacksonville Terminal Station case ..... 1000 00

July—B. S. Liddon, (Same as above) ..... 1000 00

Nov. 6—B. S. Liddon, expenses trip to Tallahassee July 27, trip to Tallahassee Aug. 1, and

trip to Jacksonville Nov. 3, in L. & N. 3c rate case .....	73 10
1900.	
Feb'y.—B. S. Liddon, traveling expenses to New Orleans in L. & N. cotton rate case .....	25 00
1901.	
Sept. 27—J. E. Wolfe, part payment services as special counsel in cases against L. & N., to require building of depots at Bluff Springs and Cottondale .....	300 00
Dec. 16—J. E. Wolfe, balance due as special counsel in mandamus cases to require building depots at Bluff Springs and Cottondale. Traveling expenses Pensacola to Tallahassee and return .....	235 82
Dec. 21—B. S. Liddon and J. M. Barrs, special counsel in L. & N. 3c rate case.....	1000 00
1902.	
March 1—J. M. Barrs, Manatee River Steamboat case vs. S. A. L. Ry.....	250 00
March 19—J. M. Barrs, traveling expenses Jacksonville to Tallahassee, to advise with Commission, as special counsel.....	15 25
Sept. 30—J. M. Barrs, legal opinion in cases of A. J. Grant, W. S. Doyle, E. C. Price, A. M. Thrasher .....	500 00
Oct. 31—J. M. Barrs, expenses two trips Jacksonville to Tallahassee, to advise with Commission in Robinson and J. F. Hill cases.....	27 00
Oct. 31—J. M. Barrs, services as special counsel in Lake City depot case, preparing order, etc.	250 00
Nov. 28—J. E. Wolfe, opinion in J. Q. Reece and other interstate claims.....	50 00
Nov. 29—J. M. Barrs, expenses trip to Tallahassee to advise Commission in Lowery case, Nov. 10, 11, 21, 22, and 23d.....	33 50
Dec. 11—J. M. Barrs, services as special counsel, and expenses trip to Tallahassee in Lowery case .....	265 30
1903.	
May 19—J. M. Barrs, expenses three trips to	

Tallahassee, bringing stenographer twice, in freight rate Fernandina, and L. & N. Passenger Rate Cases and fee for advice in both cases	323 05
May 19—J. E. Wolfe, services as special counsel in L. & N. 3c rate case	500 00
May 20—A. W. Cockrell, special counsel, 3c rate case	500 00
May 20—J. M. Barrs, special counsel, 3c rate case	500 00
May 22—J. E. Wolfe, expenses two trips to Tallahassee and return from Pensacola in Lowery case. Expenses trip to Tallahassee and return and to Atlanta and return in L. & N. 3c rate case	88 20
July 1—J. M. Barrs, trip to Atlanta in L. & N. 3c rate case, and services as special counsel in Ponce de Leon depot case	278 50
Nov. 21—J. M. Barrs, special counsel for Commission in matter of passenger train service between Fernandina and Baldwin, and expenses two trips to Tallahassee to advise Commission in phosphate rate cases	279 50
1904.	
Feb. 13—J. M. Barrs, services as special counsel in phosphate rate case	25 00
April 20—J. M. Barrs, services as special counsel and expenses trip to Tallahassee in Florida West Shore case	265 00
July 15—J. M. Barrs, services as special counsel in phosphate rate case, expenses two trips to Tallahassee	282 00
July 30—J. M. Barrs, trip to White Springs and Tallahassee in Milton Cotton case, trip to Tallahassee in phosphate and Florida West Shore cases	35 00
Aug. 1—J. M. Barrs, special counsel in three phosphate rate cases, and mandamus in Florida West Shore rate case	1000 00
Sept.—J. E. Wolfe, expenses trip to Quincy from Pensacola, and return, in L. & N. fine case	45 28
Oct. 14—J. M. Barrs, services as special counsel of the Commission, and expenses trips to Tal-	

lahassee and return, in phosphate rate case and Florida West Shore case .....	279 00
1905.	
Jan. 11—J. M. Barrs, services as special counsel in phosphate rate case and Florida West Shore case, and trip to Tallahassee and return from Jacksonville .....	266 25
March 25—J. E. Wolfe, expenses account trip to Tallahassee and return from Pensacola in L. & N. 3c rate case .....	16 25
March 25—A. W. Cockrell, expenses trip to Atlanta, May 26, 1903, and expenses trip to Tallahassee March 25, 1905, to confer with Commission in L. & N. 3c passenger rate case....	41 40
March 25—A. W. Cockrell, expenses trip to Tallahassee, May 3 and 4, 1903, in L. & N. 3c passenger rate case and trip to Tallahassee, May 21, 1903, relative to L. & N. 3c passenger rate case .....	30 50

There are now pending in the courts six cases in which the Railroad Commissioners are parties, to-wit:

The Railroad Commission vs. L. & N. R. R. Suit to enforce the payment of \$7,000 fine, imposed on that road by the Commissioners.

The L. & N. R. R. vs. Railroad Commissioners. Bill to enjoin the Commissioners from enforcing their order for 3c passenger fare on said road.

The State of Florida, ex rel. J. B. Whitfield, Attorney-General, and J. M. Barrs, Special Counsel, vs. The Seaboard Air Line Ry. Mandamus to compel the Seaboard Air Line to operate the Commission's rates on the Florida West Shore Branch.

The State of Florida, ex rel. W. H. Ellis, Attorney-General, and J. M. Barrs, Special Counsel, vs. Atlantic Coast Line Ry.

The State of Florida, ex rel. W. H. Ellis, Attorney-General, and J. M. Barrs, Special Counsel, vs. Seaboard Air Line Ry.

The State of Florida, ex rel. W. H. Ellis, Attorney-General, and J. M. Barrs, Special Counsel, vs. Jacksonville & Southwestern R. R.

Mandamus to require the Atlantic Coast Line Ry., the Seaboard Air Line Ry. and the Jacksonville and Southwestern Ry. to operate phosphate rate prescribed by the Railroad Commissioners.

In the case against the L. & N. R. R. Co., to enforce the payment of \$1,000 fine imposed by the Commissioners upon that railroad for failure to furnish cars for the transportation of cotton seed from Marianna to Tallahassee, the Commissioners employed, with the consent of the Attorney-General, Messrs. J. M. Barrs, J. Emmett Wolfe and John L. Neeley as Special Counsel. They are to be paid their traveling expenses and a percentage of the amount collected, contingent upon success.

In the suit by the L. & N. R. R. Co. to enjoin the Commissioners from enforcing a 3c passenger rate on the P. & A. Division of the L. & N. Ry. the Commissioners, with the consent of the Attorney-General, employed Messrs. J. M. Barrs, A. W. Cockrell and J. Emmett Wolfe, as Special Counsel, under the following contract:

"I agree to represent the Railroad Commissioners as counsel before the United States and State Courts in the matter of litigation with the Louisville and Nashville Railroad Company for the enforcement of a three cent passenger rate. My compensation as such counsel to be fixed and determined by said Commissioners and the Attorney-General.

"And the Railroad Commissioners agree to employ J. Emmett Wolfe, Esq., in connection with J. M. Barrs, Esq., and A. W. Cockrell, Esq., in the above terms, and in addition to pay their expenses incurred in said litigation."

In the mandamus case against the Seaboard Air Line Ry. to compel it to operate the Commissioners' rate on the Florida West Shore Branch and in the three cases to enforce the operation of the phosphate rate, J. M. Barrs, Esq., is employed as special counsel.

In the last four cases the Supreme Court of the State of Florida decided in favor of the Commissioners, and the railroads have taken appeals to the Supreme Court of the United States, where the same are now pending.

For several years the Commissioners paid out something over \$1,000 per year for advice from special counsel, with the consent of the Attorney-General, owing to the fact that the latter was so occupied with other official duties as to preclude his advising the commissioners in important matters as promptly as was necessary.

Since January, 1905, no special counsel has been employed to advise the Commission, as the Attorney-General

has performed all such services for the Commissioners when requested to do so.

Mr. West moved that the communication be spread on the Journal.

Which was agreed to.

#### ORDERS OF THE DAY.

Notice of Mr. Bailey to move to reconsider vote by which Senate Bill No. 161 was indefinitely postponed.

Was taken up.

Mr. Bailey moved that the vote by which Senate Bill No. 161 was indefinitely postponed be reconsidered.

Which was agreed to.

And Senate Bill No. 161 was again placed before the Senate.

Mr. Bailey moved that Senate Bill No. 161 be recommitted to the Committee on Pensions.

Which was agreed to.

#### INTRODUCTION OF BILLS.

By Mr. Humphries:

Senate Bill No. 193:

A bill to be entitled an act to amend Chapter 4932 of the Laws of the State of Florida, approved May 9th, A. D. 1901, the same being entitled "An Act to provide a penalty for selling liquors in counties or precincts voting against such sales," and to repeal Chapter 4746, of the Laws of Florida, approved June 2, A. D. 1899, the same being entitled "An Act to amend Section 2634 of Article 14, Chapter 7, of the Revised Statutes of the State of Florida, relating to the selling of liquors in counties or precincts voting against such sale."

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

By Mr. Humphries:

Senate Bill No. 194:

A bill to be entitled an act to amend Sections 8, 9, 21, 46, 50 and 51 of Chapter 5080, Laws of Florida, entitled, "An Act to abolish the present municipal government of the town of Arcadia, in the county of DeSoto, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the city of

Arcadia, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges," approved May 29th, 1901.

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

By Mr. Humphries:

Senate Bill No. 195:

A bill to be entitled an act to legalize the election held in the city of Arcadia on the 6th day of April, A. D. 1905, to determine by an affirmative vote of two-thirds of the electors voting at the said election, whether or not the bonds proposed by an ordinance, entitled "An Ordinance to provide for the issuing of bonds by the city of Arcadia, and for the expenditure and disbursing of funds received from the sale of bonds," passed by the council of said city on the 7th day of February, A. D. 1905, and approved by the mayor of said city on the 8th day of February, A. D. 1905, should be authorized and issued, and to declare and render valid and legal said election and notice thereof, and the result as shown by the returns thereof and declare and render legal and valid said ordinance and to authorize the issue of bonds as provided by said ordinance.

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

By Mr. Carter:

Senate Bill No. 196:

A bill to be entitled an act to amend Section one (1) of an act, Chapter 4894, Laws of Florida, the same being an act to provide annuities for disabled soldiers and sailors and wives of deceased soldiers and sailors of the State of Florida, approved May 3, 1901.

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

By Mr. Sams:

Senate Bill No. 197:

A bill to be entitled an act to provide for compulsory attendance of children at school; providing for exemption from such compulsory attendance in certain cases; making it a misdemeanor for a parent, guardian or other person in control of a child to violate this act and providing penalty for such violation; providing for the appointment and employment of a truant officer and fixing his duties,

making it the duty of all principals and teachers of schools to make certain reports; and providing that fines collected become a part of the general school fund of the counties.

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

By Mr. Stóckton:

Senate Bill No. 198:

A bill to be entitled an act in aid of the Confederate Soldiers and Sailors Home at Jacksonville, Florida.

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

By Mr. Stockton:

Senate Bill No. 199:

A bill to be entitled an act to define sick and funeral benefit insurance, limit the amount of risks to be taken, and to prescribe the terms on which sick and funeral benefit companies or corporations and life insurance companies or corporations may engage in the business of sick and funeral benefit insurance in this State, to provide penalties for violation thereof, and to repeal Chapter 5222, Acts of 1903, Laws of Florida.

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

By Mr. Harris:

Senate Bill No. 200:

A bill to be entitled an act to authorize all insurance companies organized under the Laws of Florida to conduct their business in this State upon the payment of the same license taxes as are imposed upon insurance companies organized under the laws of other States or foreign countries.

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

#### MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 3, 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 passed—

House Concurrent Resolution No. 30:

Resolved by the House of Representatives, the Senate concurring: That a committee of five, three on the part of the House and two on the part of the Senate, be appointed to investigate and report on the feasibility of purchasing the Mrs. Ellen Call Long's house and grounds for a Governor's mansion and home.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Concurrent Resolution No. 30, contained in the above message, was read the first time and laid over under the rules.

The following message from the House of Representatives was read:

House of Representatives,

Tallahassee, Fla., May 3, 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 concurred in Senate amendments to House Bill No. 30, as follows:

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."

After the word "intersection," in line 3, Section 7, strike out the word "of" and insert in lieu thereof the word "or."

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., May 3, 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 passed—

House Bill No. 23:

A bill to be entitled an act to amend Section 2, Chapter 5014, Laws of Florida, 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 the State, and for nominating delegates to political conventions.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 23, contained in the above message, was read the first time by its title and referred to the committee on Privileges and Elections.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 3, 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 passed—

House Bill No. 91:

A bill to be entitled an act to amend Section eight (8) of Chapter No. 4537 of the Laws of Florida, approved June 7, 1897, entitled "An act to amend Sections 2, 3, 4, 6, 10, 12, 22, 24, 25, 30, 37 and 40 of an act to provide for the registration of all legally qualified voters in the several counties of the State, and to provide for general and

special elections, and for the returns of elections, approved May 25, 1895.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 91, contained in the above message, was read the first time by its title and referred to the committee on Privileges and Elections.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 3, 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 passed—

House Bill No. 57:

A bill to be entitled an act to provide a compensation to be allowed justices of the peace and county judges of the State of Florida when engaged in any trial before them.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 57, 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 1, 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 passed—

Senate Bill No. 20:

A bill to be entitled an act to protect sureties.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 20, 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 3, 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 passed—

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.

With the following amendments:

Strike out all of Section 5.

Strike out all of Section 6.

Strike out the figure "7" after the word "Section" in Section 7, and insert in lieu thereof the figure 5, so as to read "Section 5."

Strike out the figure 8 after "Section" in Section 8 and insert in lieu thereof the figure 6, so as to read "Section 6."

Strike out the figure 9 after "Section" in Section 9 and insert in lieu thereof the figure 7, so as to read "Section 7."

Strike out the figure 10 after "Section" in Section 10 and insert in lieu thereof the figure 8, so as to read "Section 8."

Strike out from the title of the bill the words "to provide for fair and reasonable rates of freight and passage by the corporation constructing it."

In the second "whereas, line 5, strike out all after "State."

Add after the word "its," in line 2, Section 10, the words "passage and."

Add to Section 6: "Provided, That any corporation, firm, person, or persons, constructing any new line of railway as provided for in this act or any previous act, shall neither have or claim from this State any land or grant of land for such extension or for any part thereof, from the mainland to the Island of Key West, except the 200 feet on each side of aforesaid railway, as provided in this act."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 11, contained in the above message, together with amendments of the House of Representatives thereto, was placed before the Senate.

The amendments were read.

Mr. Crill moved that the Senate concur in the amendments of the House of Representatives to Senate Bill No. 11.

Which was agreed to.

And Senate Bill No. 11, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

### REPORTS OF COMMITTEES.

Mr. Sams, Chairman of the Committee on City and County Organization, submitted the following report:

Senate Chamber,

Hon. Park M. Trammell,

*President of the Senate:*

SIR—Your Committee on City and County Organization, to whom was referred—

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.

Also,

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.

Also,

Senate Bill No. 184:

A bill to be entitled an act authorizing the city of Orlando to pass and enforce ordinances relative to the city cemetery, which lies outside of the municipal boundaries.

Also,

Senate Bill No. 185:

A bill to be entitled an act authorizing the city council of the city of Orlando to allow a discount on certain taxes paid within a limited time.

Also,

Senate Bill No. 191:

A bill to be entitled an act to authorize the county of Manatee to constitute special road and bridge districts, and to levy and collect a special tax for the construction and maintenance of roads and bridges within the said special road and bridge districts.

Also,

House Bill No. 133:

A bill to be entitled an act to declare legal the incorporation of the town of Reddick in the county of Marion,

State of Florida, incorporated under the general laws for incorporating cities and towns and legalizing same.

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

Very respectfully,

FRANK W. SAMS.

Chairman of Committee.

And Senate Bills Nos. 143, 158, 184, 185 and 191, and House Bill No. 133, contained in the above report, were 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., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Bill No. 95:

A bill to be entitled an act to provide for the appointment of a State Game Commissioner, and County Game Wardens, defining their duties and powers, and fixing their compensation; creating a State and County game fund, and repealing Chapter 4563, Laws of 1897, entitled, "An Act for the appointment of fish and game wardens, in the various counties of the State of Florida," approved June 5, 1897, and all amendatory acts thereof.

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

Very respectfully,

J. R. NEWLAN,  
Chairman of Committee.

And Senate Bill No. 95, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

Senate Bill No. 82:

A bill to be entitled an act requiring the county commissioners 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.

Have examined the same and find it correctly engrossed.

Very respectfully,

JOHN NEEL,

Acting Chairman of Committee.

And Senate Bill No. 82, contained in the above report, was placed on the Calendar of Bills on third reading.

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

Senate Chamber,

Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

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

Have examined the same and find it correctly engrossed.

Very respectfully,

JOHN NEEL,

Acting Chairman of Committee.

And Senate Bill No. 136, contained in the above report, was placed on the Calendar of bills on third reading.

Mr. Sams, Chairman of the Committee on Fisheries, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Bill No. 118:

A bill to be entitled an act making it unlawful to use or place live or other poisonous substances in any of the fresh water lakes, ponds or streams in this State for the purpose of killing blinding or otherwise injuring any fish that may be in such streams.

Have examined the same and recommend that it do pass.

Very respectfully,  
FRANK W. SAMS,  
Chairman of Committee.

And Senate Bill No. 118, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1905.

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

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

Senate Bill No. 104:

A bill to be entitled an act to repeal Chapter 4030, approved June 8, 1891, same being "An act to provide for the payment of attorneys' fees in garnishment before justices of the peace and county judges."

Have examined the same and find it correctly engrossed.

Very respectfully,  
JOHN NEEL,  
Acting Chairman of Committee.

And Senate Bill No. 104, contained in the above report, was placed on the Calendar of bills on third reading.

Mr. Stockton, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1905.

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

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

Senate Bill No. 75:

A bill to be entitled an act authorizing the Governor to reduce the tax for the maintenance and support of the State Board of Health under certain circumstances.

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

Very respectfully,  
TELFAIR STOCKTON,  
Chairman of of Committee.

And House Bill No. 75, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1905.

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

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

Senate Bill No. 24:

A bill to be entitled an act to provide liens for mechanics, artisans and laborers, and the manner in which such liens shall be acquired, and to provide a remedy for the enforcement of such liens.

Have examined the same and find it correctly engrossed.

Very respectfully,

JOHN NEEL,

Acting Chairman of Committee.

And Senate Bill No. 24, contained in the above report, was placed on the Calendar of bills on third reading.

The following communication was ordered spread on the Journal:

State of Florida,  
Executive Department,  
Tallahassee, May 2, 1905.

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

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

An act to provide for State aid to public schools in this State, to prescribe conditions, and to make appropriations therefor.

Also,

An act to amend Section 13 of an act entitled "an act to provide for the assessment and collection of the taxes for the city of Orlando, and for the collection of the back taxes and tax sale certificates of said city, approved April 30, 1903."

I beg further to inform you that the above acts have been delivered to the Secretary of State.

Very respectfully,  
N. B. BROWARD,  
Governor.

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

Senate Chamber.

Tallahassee Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An Act to amend Section 19, of Chapter 4493, Acts of 1895, entitled an act supplementary to an act to establish the municipality of Key West, provide for its government and prescribe its jurisdiction and powers, approved May 16th, 1889, and to extend the powers of said municipality.

Also,

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, 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.

Have examined the same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

The acts contained in the above report were ordered referred to the Joint Committee on Enrolled Bills.

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

Senate Chamber,

Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

An Act to make an appropriation for the estimated deficiency in the Pension Tax Fund for the years 1904 and 1905.

Also,

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 the 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 Tampa under said Ordinance No. 347, and the proceedings or resolutions of the city council of said city under said ordinance.

Have examined the same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

The acts contained in the above report were ordered 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. Scott, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An Act to amend Section 19, of Chapter 4493, Acts of 1895, entitled an act supplementary to an act to establish the municipality of Key West, provide for its government and prescribe its jurisdiction and powers, approved May 16th. 1889, and to extend the powers of said municipality.

Also,

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, 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.

Have examined the same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

The acts contained in the above report were ordered 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. Scott, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An Act to make an appropriation for the estimated deficiency in the Pension Tax Fund for the years 1904 and 1905.

Also,

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 the 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 Tampa under said Ordinance No. 347, and the proceedings or resolutions of the city council of said city under said ordinance.

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

Very respectfully,

T. M. SCOTT,  
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—  
An Act to make an appropriation for the estimated deficiency in the Pension Tax Fund for the years 1904 and 1905.

Also,

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 the 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 Tampa under said Ordinance No. 347, and the proceedings or resolutions of the city council of said city under said ordinance.

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

Senate Chamber.

Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An Act to amend Section 19, of Chapter 4493, Acts of

1895, entitled an act supplementary to an act to establish the municipality of Key West, provide for its government and prescribe its jurisdiction and powers, approved May 16th, 1889, and to extend the powers of said municipality.

Also,

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, 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.

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

Very respectfully,

T. M. SCOTT,  
Chairman of Committee.

### ENROLLED.

The President announced that he was about to sign—

An Act to amend Section 19, of Chapter 4493, Acts of 1895, entitled an act supplementary to an act to establish the municipality of Key West, provide for its government and prescribe its jurisdiction and powers, approved May 16th, 1889, and to extend the powers of said municipality.

Also,

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, 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.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An Act to make an appropriation for the estimated deficiency in the Pension Tax Fund for the years 1904 and 1905.

Also,

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 the 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 Tampa under said Ordinance No. 347, and the 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. Scott, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An Act to amend Section 19, of Chapter 4493, Acts of 1895, entitled an act supplementary to an act to establish the municipality of Key West, provide for its government and prescribe its jurisdiction and powers, approved May 16th, 1889, and to extend the powers of said municipality.

Also,

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, 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.

Be it reported that the same has been presented to the Governor for his approval.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

Mr. McCreary moved that the rules be waived and that the Senate take up bills on third reading.

Which was agreed to to by a two-thirds vote.

#### 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.

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

Upon call of the roll on Senate Bill No. 78, the vote was:

Mr. President	Faulkner	Yee!
Alford	Harris	Newlan
Bailey	Hudson	Sams
Brown	Humphries	Wadsworth
Canova	Lee	

Yeas—14.

Carter	McCreary	Stockton
Crane	Massey	Scott
Crill	Raney	West

Nays—9.

So the bill passed, title as stated.

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 permission to exchange places on the Calendar of Senate Bill No. 139 and 31, so that Senate Bill No. 139 be taken up, and Senate Bill No. 31 take place on Calendar now occupied by Senate Bill No. 139.

The request was granted.

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.

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

Upon call of the roll on Senate Bill No. 139, the vote was:

Mr. President	Faulkner	Newlan
Alford	Harris	Raney
Bailey	Hudson	Sams
Brown	Humphries	Stockton
Canova	Lee	Scott
Carter	McCreary	Wadsworth
Crane	Massey	West
Crill	Neel	Wilson

Yeas—24.

Nays—None.

So the bill passed, title as stated.

#### SPECIAL ORDER.

Senate Bill No. 74:

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

Was taken up.

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

**Senate Bill No. 74:**

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

Was read a second time in full, together with the amendments of the Committee on Education.

The following committee amendment was read:

Amend Section 1, after the word "Senate" in the fourth line as follows:

Provided, That five of such trustees shall be appointed from each of the three congressional districts and that no person shall be eligible for appointment as a member of said board of trustees who resides in a county in which is located either of the State institutions hereinafter mentioned."

Nays—None.

Mr. Stockton moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Amend Section 5, insert before the words "St. Petersburg" the words "The normal and industrial department supported by the State in the."

Mr. Stockton moved the adoption of the committee amendment.

Which was agreed to.

Mr. Stockton offered the following amendment to Senate Bill No. 74.

Add to section 4 these words: "Provided nothing in this act contained shall be construed to give power to the said trustees to abolish any of the institutions named herein, or to change the location of any such institutions.

Mr. Stockton moved the adoption of the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to Senate Bill No. 74:

Add to Section 4 the following:

"The Board of Trustees at a meeting to be held not less than sixty days before each regular session of the Legislature, shall consider the financial requirements and needs of the said State educational institutions and shall prepare a budget of current expenses for each of them for

the next succeeding two years, and shall provide for each of them a separate budget for any buildings, additions, repairs and improvements, as in their opinion the said institutions may severally require. Said budgets shall be submitted not less than thirty days before the next regular session of the Legislature to the State Board of Education, and the State Board of Education shall transmit said budgets to the Legislature with its recommendations relative thereto.

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

Mr. McCreary offered the following substitute for Senate Bill No. 74:

Substitute for Senate Bill No. 74:

A bill to be entitled an act to provide for the Control, management and maintenance of certain Educational Institutions of the State of Florida, and to create a Board of Uniformity for State Educational Institutions.

*Be it Enacted by the Legislature of the State of Florida:*

Section 1. That the institutions for higher education in the State of Florida known as the University of Florida, located at Lake City; the Florida State College, located at Tallahassee; the East Florida Seminary, located at Gainesville; the South Florida Military College, located at Bartow; the State Normal School, located at DeFuniak Springs, and the St. Petersburg Normal and Industrial School, located at St. Petersburg, shall continue as they now are to be under the immediate practical control and management of the Boards of Trustees to be appointed by the Governor and confirmed by the Senate.

Sec. 2. That there shall be and is hereby constituted and created a Board of Uniformity to consist of two members of each of the Boards of Trustees of the State Schools mentioned in Section one of this act.

Sec. 3. That it shall be the duty of each of the several Boards of Trustees of the said named schools, at their first regular meeting after the passage of this act to elect two of its members who shall be members of the State Board of Uniformity and who shall serve on said board until the expiration of their respective terms of office or until their successors are duly elected and qualified. Thereafter each of the said several boards of trustees shall fill any vacancy it may have upon said board of uniform-

ity as soon as practicable. It shall be the duty of said board of uniformity at a meeting to be held by said board not less than ninety days prior to the convening of the Legislature of Florida in regular session, to consider the financial requirements and needs of the several State institutions referred to in this act and prepare a budget of current expenses for each of the several State institutions for the next succeeding two years and to provide for each of said institutions a separate budget for any buildings, additions, repairs, etc., as in their opinion the said several institutions may require. Which said budgets shall be submitted not less than sixty days prior to the convening of the Legislature in regular session, to the State Board of Education, and it shall be the duty of said Board of Education to consider said report and budgets submitted by the said board of uniformity and transmit said budgets to the Legislature with its recommendations relative to said financial requirements of the said institutions as suggested by the said board of uniformity.

Sec. 4. That the first meeting of the Board of Uniformity shall be upon the call of the Governor at Tallahassee, Florida.

Sec. 5. That all laws or parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Sec. 6. This act shall be of full force and effect from and after its passage and approval by the Governor.

Mr. McCreary moved the adoption of the substitute.

The yeas and nays were demanded on the adoption of the substitute for Senate Bill No. 74.

Upon call of the roll on the adoption of the substitute the vote was:

Mr. President	Crill	Newlan
Alford	Harris	Raney
Bailey	Humphries	Sams
Brown	Lee	Wadsworth
Canova	McCreary	Wilson
Carter	Neel	

Yeas—16.

Nays—8.

Crane	Jackson	Scott
Faulkner	Massey	West
Hudson	Stockton	

So the substitute was agreed to.

Mr. West moved that the rules be waived and substitute for Senate Bill No. 74 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And substitute for Senate Bill No. 74 was read a second time by its title only.

Mr. West moved that the rules be further waived, and that substitute for Senate Bill No. 74 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And substitute for Senate Bill No. 74 was read a third time in full.

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

Mr. President	Humphries	Neel
Carter	McCreary	

Yeas—5.

Nays—18.

Alford	Harris	Sams
Bailey	Hudson	Stockton
Brown	Jackson	Scott
Canova	Massey	Wadsworth
Crane	Newlan	West
Faulkner	Raney	Wilson

So the substitute failed to pass.

The following message and accompanying document from the Governor was ordered spread on the Journal:

State of Florida,  
Executive Department,  
Tallahassee, Fla., May 3, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

SIR—I have the honor to transmit herewith message relating to the drainage and reclamation of the swamp and overflowed lands, by the Trustees of the Internal Improvement Fund of the State of Florida, and respectfully ask that the same be spread upon your Journal.

Respectfully submitted,

N. B. BROWARD,  
Governor.

(For accompanying document, see Appendix.)

Mr. Bailey moved that Mr. Alford be added to the committee to investigate the charges made against Mr. Brown.

Which was agreed to.

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

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Thursday, May 4, 1905, at 10 o'clock a. m.