

JOURNAL OF THE SENATE

WEDNESDAY, APRIL 5, 1905.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adams, Alford, Bailey, Blount, Brown, Canova, Clark, Crane, Crews, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Stockton, Scott, Wadsworth, West, Wilson, Zim.—30.

A quorum present.

Prayer by the Chaplain.

Mr. Humphries moved that the reading of the Journal be dispensed with.

Which motion was agreed to.

The Journal was corrected and approved.

The President announced the appointment of the following standing committees of the Senate:

STANDING COMMITTEES.

JUDICIARY.

W. Hunt Harris, of the 24th, Chairman;

Thos. F. West, of the 1st;

Guy Gillen, of the 14th;

W. A. Blount, of the 2nd;

C. L. Wilson, of the 4th;

L. C. Massey, of the 19th;

Geo. P. Raney, of the 8th;

Frank W. Sams, of the 28th;

J. B. Crews, of the 15th;

E. S. Grill, of the 26th;

J. R. Newlan, of the 17th;

CONSTITUTIONAL AMENDMENTS

W. A. Plount, of the 2nd, Chairman;
 C. L. Wilson, of the 4th;
 Thos. F. West, of the 1st;
 Guy Gillen, of the 14th;
 L. C. Massey, of the 19th;

FINANCE AND TAXATION.

E. S. Crill, of the 26th, Chairman;
 James E. Crane, of the 11th;
 Telfair Stockton, of the 18th;
 C. L. Wilson, of the 4th;
 W. A. Plount, of the 2nd;

APPROPRIATIONS.

Frank Adams of the 30th, Chairman;
 Jos. H. Humphries, of the 27th;
 Guy Gillen, of the 14th;
 Geo. P. Raney, of the 8th;
 H. H. McCreary, of the 32nd.

COMMITTEE ON RULES.

E. B. Bailey, of the 22nd, Chairman;
 J. A. Alford, of the 5th;
 F. M. Hudson, of the 13th;
 W. Hunt Harris, of the 24th;
 H. H. McCreary, of the 32nd.

ORGANIZED LABOR.

John Neel, of the 3rd, Chairman;
 Thos. S. Davis, of the 16th;
 C. M. Brown, of the 20th;
 B. D. Wadsworth, of the 10th;
 E. E. Canova, of the 29th.

CITY AND COUNTY ORGANIZATION.

Frank W. Sams, of the 28th, Chairman;
 F. M. Hudson, of the 13th;
 James E. Crane, of the 11th;

Jos. H. Humphries, of the 27th;
C. L. Wilson, of the 4th.

COMMERCE AND NAVIGATION.

Thos. S. Davis, of the 16th, Chairman;
W. A. Blount, of the 2nd;
James F. Crane, of the 11th;
J. A. Alford, of the 5th;
W. Hunt Harris, of the 24th.

EDUCATION.

Guy Gillen, of the 14th, Chairman;
T. M. Scott, of the 6th;
H. H. McCreary, of the 32nd;
Telfair Stockton, of the 18th;
L. C. Massey, of the 19th.

PRIVILEGES AND ELECTIONS.

Geo. P. Raney, of the 8th, Chairman;
W. A. Blount, of the 2nd;
Jos. H. Humphries, of the 27th;
E. S. Grill, of the 26th;
C. L. Wilson, of the 4th.

ENGROSSED BILLS.

S. W. Clark, of the 25th, Chairman;
E. B. Bailey, of the 22nd;
Geo. M. Lee, of the 23rd;
John Neel, of the 3rd;
L. W. Zim, of the 30th.

PUBLIC LANDS.

T. J. Faulkner, of the 12th, Chairman;
N. R. Carter, of the 21st;
C. M. Brown, of the 20th;
S. W. Clark, of the 25th;
E. B. Bailey, of the 22nd.

STATE BOUNDARIES.

L. C. Massey, of the 19th, Chairman;
J. B. Crews, of the 15th;
E. E. Canova, of the 29th;
N. R. Carter, of the 21st;
J. R. Newlan, of the 17th.

MINING AND PROSPHATE.

W. K. Jackson, of the 9th, Chairman;
Geo. M. Lee, of the 23rd;
C. M. Brown, of the 20th;
E. B. Bailey, of the 22nd;
John Neel, of the 3rd.

TEMPERANCE.

J. B. Crews, of the 15th, Chairman;
T. J. Faulkner, of the 12th;
L. C. Massey, of the 19th;
L. W. Zim, of the 30th;
John Neel, of the 3rd.

ENROLLED BILLS.

T. M. Scott, of the 6th, Chairman;
Thos. F. West, of the 1st;
E. E. Canova, of the 29th;
H. H. McCreary, of the 32nd;
F. M. Hudson, of the 13th.

CANALS AND TELEGRAPHS.

Thos. F. West, of the 1st, Chairman;
L. W. Zim, of the 30th;
Geo. P. Raney, of the 8th;
B. D. Wadsworth, of the 10th;
Geo. M. Lee, of the 23rd.

AGRICULTURE.

B. D. Wadsworth, of the 10th, Chairman;
T. J. Faulkner, of the 12th;
J. B. Crews, of the 15th;

J. R. Newlan, of the 17th;
L. W. Zim, of the 30th.

CORPORATIONS.

Thos. F. West, of the 1st, Chairman;
N. R. Carter, of the 21st;
S. W. Clark, of the 25th;
T. J. Faulkner, of the 12th;
Thos. S. Davis, of the 16th.

RAILROADS.

S. W. Clark, of the 25th, Chairman;
L. C. Massey, of the 19th;
W. Hunt Harris, of the 24th;
E. S. Crill, of the 26th;
Thos. F. West, of the 1st.

LEGISLATIVE EXPENSES.

Geo. P. Raney, of the 8th, Chairman;
W. A. Blount, of the 2nd;
H. H. McCreary, of the 32nd;
L. W. Zim, of the 30th;
Guy Gillen, of the 14th.

IMMIGRATION.

F. M. Hudson, of the 13th, Chairman;
W. K. Jackson, of the 9th;
Geo. M. Lee, of the 23rd;
John Neel, of the 3rd;
Telfair Stockton, of the 18th.

STATE AFFAIRS.

L. W. Zim, of the 30th, Chairman;
C. M. Brown, of the 20th;
T. S. Davis, of the 16th;
B. D. Wadsworth, of the 10th;
Thos. F. West, of the 1st.

PUBLIC HEALTH.

Telfair Stockton, of the 18th, Chairman;
 W. Hunt Harris, of the 24th;
 James E. Crane, of the 11th;
 Geo. P. Raney, of the 8th;
 W. A. Blount, of the 2nd.

PUBLIC PRINTING.

H. H. McCreary, of the 32nd, Chairman;
 J. H. Humphries, of the 27th;
 W. K. Jackson, of the 9th;
 T. M. Scott, of the 6th;
 J. A. Alford, of the 5th.

FISHERIES.

Frank W. Sams, of the 28th, Chairman;
 J. A. Alford, of the 5th;
 J. H. Humphries, of the 27th;
 F. M. Hudson, of the 13th;
 Geo. M. Lee, of the 23rd.

MILITIA.

C. L. Wilson, of the 4th, Chairman;
 Telfair Stockton, of the 18th;
 W. Hunt Harris, of the 24th;
 L. W. Zim, of the 30th;
 Guy Gillen, of the 14th.

CLAIMS.

J. H. Humphries, of the 27th, Chairman;
 Frank Adams, of the 30th;
 Guy Gillen, of the 14th;
 T. M. Scott, of the 6th;
 W. K. Jackson, of the 9th.

INDIAN AFFAIRS.

N. R. Carter, of the 21st, Chairman;
 J. B. Crews, of the 15th;
 S. W. Clark, of the 25th;

T. J. Faulkner, of the 12th;
 F. S. Davis, of the 16th.

GAME.

J. R. Newlan, of the 17th, Chairman;
 T. M. Scott, of the 6th;
 J. E. Crane, of the 11th;
 Frank W. Sams, of the 28th;
 B. D. Wadsworth, of the 10th.

MINERAL RESOURCES OF FLORIDA.

E. B. Bailey, of the 22nd, Chairman;
 E. S. Crill, of the 26th;
 W. K. Jackson, of the 9th;
 T. J. Faulkner, of the 12th;
 J. A. Alford, of the 5th.

STATE PRISON AND CONVICTS.

E. E. Canova, of the 29th, Chairman;
 Telfair Stockton, of the 18th;
 E. B. Bailey, of the 22nd;
 J. R. Newlan, of the 17th;
 T. M. Scott, of the 6th.

FORESTRY.

C. M. Brown, of the 20th, Chairman;
 W. K. Jackson, of the 9th;
 F. M. Hudson, of the 13th;
 John Neel, of the 3rd;
 B. D. Wadsworth, of the 10th.

PUBLIC ROADS AND HIGHWAYS.

James F. Crane, of the 11th, Chairman;
 T. M. Scott, of the 6th;
 Telfair Stockton, of the 18th;
 Frank Adams, of the 30th;
 E. E. Canova, of the 29th.

DRAINAGE AND RECLAMATION OF LANDS.

J. A. Alford, of the 5th, Chairman;
 Frank Adams, of the 30th;
 Geo. P. Raney, of the 8th;
 T. S. Davis, of the 16th;
 Frank W. Sams, of the 28th.

COMMITTEE ON PENSIONS.

Geo. M. Lee, of the 23rd, Chairman;
 W. K. Jackson, of the 9th;
 C. M. Brown, of the 20th;
 N. R. Carter, of the 21st;
 J. A. Alford, of the 5th.

RECORDED PROCEEDINGS.

J. R. Newlan, of the 17th, Chairman;
 S. W. Clark, of the 25th;
 J. B. Crews, of the 15th;
 N. R. Carter, of the 21st;
 E. E. Canova, of the 29th.

Mr. Harris moved that 300 copies of the Rules of the Senate and the Committees be printed for the use of the Senate.

Which was agreed to.

The President presented the following communications to the Senate:

Tallahassee, Fla., April 4, 1905.

To the President of the State Senate of the State of Florida:

I, James G. Baskin, of Dunnellon, Marion County, in the Twentieth Senatorial District of the State of Florida, do hereby file this as a formal protest against the seating of the Hon. C. M. Brown as a state senator from the said Twentieth Senatorial District of the State of Florida; and further hereby give notice that I am the duly elected and qualified state senator from said Senatorial District for the session of the legislature of the State of Florida for the year 1905, under the laws and the Constitution of the State of Florida, and respectfully ask that I be allowed to show to the said Senate of the State of Florida that I am the state senator from the said Twentieth Senato-

rial District, and that said C. M. Brown is not entitled to the seat in the said senate of the said State of Florida for the session of 1905.

Respectfully submitted,

JAMES G. BASKIN.

STATE OF FLORIDA,
Office Secretary of State.

SS.

I, H. Clay Crawford, Secretary of State of the State of Florida, do hereby certify that

JAMES G. BASKIN

was elected State Senator from the 20th Senatorial District composed of the counties of Marion and Sumter, of the State of Florida at the Special Election held on the twenty-eighth day of March, A. D. 1905, having received the highest number of votes for said office at said election, the whole number of votes cast for such office was five hundred and forty-seven (547) of which number James G. Baskin received 541 votes,
C. M. Brown received 2 votes,
E. P. Thaggard received 2 votes,
H. G. Dunn received 1 vote,
W. K. Zewadski received 1 vote,
As shown by the Election Returns on file in this office.

(SEAL.) Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the fourth day of April, A. D. 1905.

H. CLAY CRAWFORD,
Secretary of State.

Mr. Crill moved that above communications be referred to the Committee on Privileges and Elections.

Which was agreed to.

The communications were referred to the Committee on Privileges and Elections.

INTRODUCTION OF RESOLUTIONS.

Mr. Clark introduced the following:

Senate Resolution No. 2.

Be it resolved, That the Secretary of State be re-

requested to furnish to the Sergeant-at Arms, upon requisition, as many copies of the Revised Statutes of Florida and subsequent session laws as Senators may need for their use.

Mr. Clark moved the adoption of the resolution.

Which was agreed to.

Mr. Crews offered the following:

Senate Resolution No. 3.

Resolved by the Senate, That the Chairman of the Committees on Temperance, on City and County Organization, on Fisheries, on Agriculture, and on Railroads, be authorized to employ one clerk to serve the five committees.

Mr. Crews moved the adoption of the resolution.

Which was agreed to.

Mr. Canova introduced the following:

Senate Resolution No. 4.

Resolved by the Senate, That the Chairmen of the Committees on Claims, on Commerce and Navigation, and on State Prison and Convicts, be authorized to employ one clerk to serve the three committees.

Mr. Canova moved the adoption of the resolution.

Which was agreed to.

Mr. Massey introduced the following:

Senate Resolution No. 5:

Resolved, That the Comptroller be, and he is hereby, requested to supply 125 copies of an Index to the Laws of Florida of a general nature subsequent to the Revised Statutes by T. P. Warlow, of Orlando, for the use of the members of this Legislature.

Mr. Massey moved the adoption of the resolution.

Which was agreed to.

Mr. Clark offered the following:

Senate Resolution No. 6.

Resolved, That the Committee on Engrossed Bills be allowed a clerk.

Mr. Clark moved the adoption of the resolution.

Which was agreed to.

Mr. Bailey offered the following:

Senate Resolution No. 7:

Resolved by the Senate, That the Committees on Pensions, on Mining and Phosphate, on Mineral Resources, Education, and Rules, be allowed a clerk.

Mr. Bailey moved the adoption of the resolution.

Which was agreed to.

Mr. Sams offered the following:

Senate Concurrent Resolution No. 1.

Whereas, The Florida Coast Line Canal and Transportation Company is about to apply to the Legislature for an extension of time to complete the cut between the headwaters of the Halifax River and the waters of the Matanzas River; therefore

Be it resolved by the Senate, the House of Representatives concurring, That a joint committee of six be appointed, three on the part of the Senate and three on the part of the House, to investigate and report as to the condition of the canal of the Florida Coast Line Canal and Transportation Company extending from the Halifax River to Biscayne Bay, and also what progress has been made and work done by said company in constructing the canal between the headwaters of the Halifax River and the waters of Matanzas River since June 1st, 1903, and what extension of time should be given said company to complete the canal connecting the Halifax and Matanzas Rivers.

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

Mr. Humphries offered the following:

Senate Concurrent Resolution No. 2.

Be it resolved, That a committee, consisting of one from the Senate and two from the House, be appointed to visit the South Florida Military College at Bartow, Fla., and the East Florida Seminary at Gainesville, Fla., and report upon their condition and needs.

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

Mr. Zim offered the following:

Senate Concurrent Resolution No. 3.

Relative to the appointment of a committee to visit the Florida School for the Blind, Deaf and Dumb, at St. Augustine, Fla.

Be it resolved by the Senate, the House of Representatives concurring, That a committee, to be composed of one on the part of the Senate and two from the House of Representatives, be appointed to visit the Florida School for the Blind, Deaf and Dumb, to examine into and investigate the present condition of the Institute, ascertain what improvements may be deemed necessary and report with as little delay as possible their findings to this

Legislature, to the end that it may be advisable to at once provide for the same.

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

Mr. Neel offered the following:

Senate Concurrent Resolution No. 4.

Resolved by the Senate the House of Representatives concurring, That a committee of one on the part of the Senate and two on the part of the House of Representatives be appointed to visit the State Normal School at DeFuniak Springs

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

INTRODUCTION OF BILLS.

By Mr. Crews:

Senate Bill No 1:

A bill to be entitled an act to abolish the present municipal government of the town of Lake Butler, in the county of Bradford, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the city of Lake Butler, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

Which was read the first time by its title.

Mr. Crews moved that the rules be waived and that Senate Bill No. 1 be read a second time by its title.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1 was read a second time by its title only.

Mr. Crews moved that the rules be further waived and that Senate Bill No. 1 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1 was read a third time in full.

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

Mr. President	Davis	Newlan
Adams	Faulkner	Raney
Alford	Gillen	Sams
Bailey	Hudson	Stockton
Brown	Jackson	Scott
Canova	Lee	Wadsworth
Clark	McCreary	West
Crane	Massey	Zim
Crews	Neel	
Yeas—26.		
Blount	Humphries	
Nays—2.		

So the bill passed, title as stated.

Mr. Wilson was excused from voting.

Mr. Crill was excused from voting.

Mr. Harris was excused from voting.

By Mr. Crane:

Senate Bill No. 2:

A bill to be entitled an act to punish keeping and maintaining gaming devices and parties permitting the operation of such devices.

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

By Mr. McCreary:

Senate Bill No. 3:

A bill to be entitled an act to define vagrancy in the State of Florida, and to provide for the punishment of the same.

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

By Mr. McCreary:

Senate Bill No. 4:

A bill to be entitled an act to prescribe the time for holding the terms of the circuit court in and for the Eighth Judicial Circuit of the State of Florida.

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

By Mr. McCreary:

Senate Bill No. 5:

A bill to be entitled an act to create a State School Book Commission and a County School Book Commis-

sion, and to procure for use in the public schools of the State of Florida a uniform series of text books, and to define the duties and powers of said commission, to make preparations for carrying this act into effect and providing penalties for violation of same.

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

By Mr. Clark:

Senate Bill No. 6:

A bill to be entitled an act to amend Sections 2642 and 2643, Revised Statutes, which sections define vagrants and tramps and provides for the punishment of the same, by striking, in its entirety, said sections and substituting in lieu thereof the following in which is set forth a speedier method of pointing out and arresting persons alleged to be vagrants, and prescribing a more specific procedure and punishment in all cases contemplated by this act, and for other purposes.

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

By Mr. Scott:

Senate Bill No. 7:

A bill to be entitled an act to repeal Sections 1 to 7, inclusive, Chapter 4972, Laws of Florida, approved April 25, 1901, entitled an act making incurable insanity a ground for divorce of husband and wife and regulating proceedings in such cases.

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

By Mr. West:

Senate Bill No. 8:

A bill to be entitled an act to provide for State aid to certain public schools in this State, to prescribe conditions, and to make appropriations therefor.

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

By Mr. Crill:

Senate Bill No. 9:

A bill to be entitled an act establishing a geological survey for the State of Florida, to provide for the appointment of a State Geologist and to define his duties; also to provide for the maintenance of the survey.

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

By Mr. Crill:

Senate Bill No. 10:

A bill to be entitled an act to empower the Comptroller, Treasurer and Attorney-General of the State of Florida to equalize and determine a just valuation of all property subject to taxation for State purposes and the amount of taxes that shall be levied in all counties for general revenue purposes to meet appropriations, the one mill school tax, the pension tax, and any other direct tax required by the Legislature, and to require the boards of county commissioners to levy such rate of millage as will produce the amount of revenue certified by the Comptroller, Treasurer and Attorney-General to be necessary for State purposes.

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

By Mr. Crill:

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.

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

By Mr. Crane:

Senate Bill No. 12:

A bill to be entitled an act to appropriate the sum of fifteen thousand dollars annually for two years to aid the Florida State Midwinter Fair Association in making a display of the agricultural, mineral, industrial, horticultural, forestry, live stock and other resources of the State of Florida; to encourage and promote immigration from other States of the United States, also foreign countries, and to influence competition among the various producers, that will tend to improve the character of all products known to the State of Florida, the said fair to be held in the city of Tampa, Florida, between November 1st, 1905, and March 1, 1906; also between

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November 1, 1906, and March 1, 1907, and to provide for the payment therefor.

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

By Mr. Newlan:

Senate Bill No. 13:

A bill to be entitled an act to define and punish vagrancy.

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

By Mr. Zim:

Senate Bill No. 14:

A bill to be entitled an act to provide for the extension, improvement and the erecting of necessary buildings for the Florida School for the Blind, Deaf and Dumb, and to make an appropriation therefor.

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

By Mr. Zim:

Senate Bill No. 15:

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

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

By Mr. Zim:

Senate Bill No. 16:

A bill to be entitled an act enjoining clerks of courts from recording conveyances and mortgages of real estate that fail to comply with the provisions of this act.

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

By Mr. Zim:

Senate Bill No. 17:

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

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

By Mr. Crews:

Senate Bill No. 18:

A bill to be entitled an act defining vagrancy, declaring it to be a misdemeanor in certain cases, and prescribing the method of procedure against vagrants.

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

By permission—

Mr. McCreary offered the following:

Senate Resolution No. 8:

Resolved, That the chairmen of the Committees on Public Printing, Organized Labor and Public Lands be authorized to employ a clerk to serve said committees.

Mr. McCreary moved the adoption of the resolution.

Which was agreed to.

Mr. Harris offered the following:

Senate Resolution No. 9.

Resolved by the Senate. That the Secretary of State be and he is hereby requested to furnish a committee room on the 3rd floor of the capitol building for the use of the Judiciary Committee.

Mr. Harris moved the adoption of the resolution.

Which was agreed to.

By permission—

Mr. Crill introduced the following:

Senate Resolution No. 10.

Resolved, That the Committee on Finance and Taxation be allowed a clerk.

Mr. Crill moved the adoption of the resolution.

Which was agreed to.

By permission—

Mr. Harris introduced the following:

Senate Resolution No. 11.

Resolved, That the Committee on Judiciary be allowed a clerk.

Mr. Harris moved the adoption of the resolution.

Which was agreed to.

Mr. Crill moved that the Senate do now adjourn.

Which was agreed to.

Thereupon the Senate stood adjourned until 10 a. m., Thursday, April 6, 1905.

6 S. B.