

FRIDAY, MAY 12, 1905.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Adams, Bailey, Baskin, Blount, Canova, Carter, Clarke, Crane, Crews, Crill, Faulkner, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim.—30.

A quorum present.

Prayer by the chaplain.

The Journal was corrected and approved.

INTRODUCTION OF BILLS.

By Mr. Faulkner:

Senate Bill No. 291:

A bill to be entitled an act to authorize and empower the Board of County Commissioners of Taylor county to levy a special road tax of one dollar (\$1.00) per annum upon every person subject to road duty in said county, in addition to the tax now authorized by law on personal property and real estate, and to provide penalties for refusing to pay said special road tax by the person subject to said road duty.

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

By Mr. Faulkner:

Senate Bill No. 292:

A bill to be entitled an act to prevent trapping in this State.

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

By Mr. Crane:

Senate Bill No. 293:

A bill to be entitled an act to provide for the recording in the office of the clerk of the circuit court of the lists of lands upon which delinquent taxes due to municipalities.

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

By Mr. Crane:
Senate Bill No. 294:

A bill to be entitled an act to amend Sections 2190 and 2191 of the Revised Statutes, relating to the reports of the Comptroller and the examination by the Comptroller of banks.

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

By Mr. Bailey:
Senate Bill No. 295:

A bill to be entitled an act to provide for the appointment of a fish commissioner for the State of Florida, to define his duties and powers, and to provide a system of license taxes for the several branches of the fisheries industry of this State, the levying and collection of the same, and to prescribe a penalty for its violation.

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

ON TABLE SUBJECT TO CALL.

House Bill No. 82:

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

Was taken up.

Mr. Blount offered the following substitute for House Bill No. 82, which was read the first time in full:

Substitute for House Bill No. 82:

A bill to be entitled an act to provide for the payment to the several counties of the State for the use of armories furnished by such counties for State troops.

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

Section 1. That the Comptroller, Adjutant General and Attorney General are hereby constituted a board to receive, consider and adjudicate any claim filed with them for any county under the provisions of this Act.

Section 2. That any county which since the 8th day of June, A. D. 1887, and before the 21st day of October, 1902, has furnished at its expense an armory for the use of any

company of State troops, may within one year from the passage and approval of this act present a claim against the State of Florida for the use of such armory by said troops. And it shall be the duty of said board to determine from the evidence produced before it, or which it may cause to be produced before it, whether such county has furnished for such troops any armory during the time aforesaid, and if it shall so find, then to further find a reasonable amount of rent for such use.

Section 3. Upon such finding by said board it shall file a statement of such finding with the Comptroller, whose duty it shall be to draw a warrant upon the Treasurer for the amount so found, by the board and the duty of the Treasurer to pay the same out of any funds in the treasury not otherwise appropriated. The expense of procuring any evidence on behalf of the State shall be drawn for and paid in the same manner.

Section 4. That this act shall take effect upon its passage and approval by the Governor.

Mr. Blount moved that 200 copies of substitute for House Bill No. 82 be printed.

Which was agreed to.

Senate Bill No. 146:

A bill to be entitled an act to define the effect of the record of deeds or mortgages, unacknowledged or defectively acknowledged.

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

Upon call of the roll on Senate Bill No. 146 the vote was:

Mr. President	Crill	Newlan
Adams	Faulkner	Scott
Bailey	Harris	Stockton
Baskin	Hudson	Wadsworth
Blount	Humphries	West
Canova	Jackson	Wilson
Carter	Lee	Zini
Clark	McCreary	
Crews	Neel	

Yeas—25.

Nays—None.

So the bill passed, title as stated

REPORTS OF COMMITTEES.

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

Senate Chamber.

Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 6:

A bill to be entitled an act to legalize and validate all warrants heretofore issued by Boards of County Commissioners for work and materials in constructing court houses and jails for county purposes.

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

In Section 1, line 2, strike out the words "Boards of County Commissioners of the several counties of the State of Florida" and insert in lieu thereof the words:

"The Board of County Commissioners of Columbia county."

In Section one, line four, strike out the words "Houses and jails" and insert in lieu thereof the words "House and jail."

Amend the title by striking out the words "Boards of County Commissioners." and insert in lieu thereof the words: "The Board of County Commissioners of Columbia county."

Recommend that it do pass as amended.

Very respectfully,

T. F. WEST,

Acting Chairman of Committee.

And House Bill No. 6, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 46:

A bill to be entitled an act to amend Section 967, Second Division, Title I, Chapter 1, Article 1, of the Revised Statutes of the State of Florida, prescribing the disqualifications of judges.

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

In Section 967, line five after the word "father" strike out the word "brother."

In Section 967, line six after the word "son" strike out the words "or son-in-law."

In Section 967, after the words "qualified tribunal" in the last line add the following words:

"Provided, that no justice of the peace or county judge when exercising the jurisdiction of justice of the peace, shall be disqualified because the father or son is the attorney at law for either party in such cause."

Recommend that it do pass as amended.

Very respectfully,

T. F. WEST,

Acting Chairman of Committee.

And House Bill No. 46, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,

Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

SIR—Your Committee on Railroads to whom was referred—

Senate Bill No. 284:

A bill to be entitled an act for the extension of the time limit for completing first ten miles of the Alafia, Manatee and Gulf Coast Railway.

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

Very respectfully,
S. W. CLARKE,
Chairman of Committee.

And Senate Bill No. 284, contained in the above report, was placed on the Calendar of Bills on second reading.

Mr. Clarks, Chairman of the Committee on Railroads, submitted the following report—

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

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

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

House Bill No. 156:

A bill to be entitled an act to regulate the delivery of messages by all telegraph companies, or other companies, or persons receiving and transmitting messages for pay, messages within the corporate limits of any incorporated city or town within this state, and to provide a penalty for failure or refusal to do so.

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

Very respectfully,
S. W. CLARKE,
Chairman of Committee.

And House Bill No. 156, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

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

SIR—Your Committee on Recorded Proceedings, to whom was referred—

A message from H. Clay Crawford Secretary of State, stating that the written record of the proceedings of the session of the Senate of 1901 has not been delivered to that office as required by law.

Have had same under consideration and find that on the 17th day of April, 1905, one (1) volume of such recorded proceedings was delivered to the Secretary of State at his office, but have no definite information as to when remainder of said work will be delivered; and your committee would recommend that hereafter the pay for extra time allowed for the completion of the written proceedings be withheld until they have been filed complete in the office of Secretary of State.

Very respectfully,
J. R. NEWLAN,
Chairman of Committee.

Mr. Newlan moved the adoption of the report of the committee.

Which was agreed to.

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 267:

A bill to be entitled an act to provide for the assessment, levy and collection of revenue for the City of Pensacola, approved May 22, 1901.

Have examined the same and recommend that it do pass.

Very respectfully,
T. F. WEST,
Acting Chairman of Committee.

And Senate Bill No. 267, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 266:

A bill to be entitled an act to provide for the registration of all legally qualified voters in the city of Pensacola, Florida, and to define the qualifications of such voters.

Have examined the same and recommend that it do pass.

Very respectfully,

T. F. WEST,

Acting Chairman of Committee.

And Senate Bill No. 266, contained in the above report, 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 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Memorial No. 287:

A memorial to our Senators and Representatives in Congress in reference to a duty on Egyptian or Long Staple Cotton, or the importation thereof.

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

Very respectfully,

B. D. WADSWORTH,

Chairman of Committee.

And Senate Memorial No. 287, contained in the above report, was placed on the Calendar of Bills on second reading.

Mr. Adams, Chairman of Special Committee on part of the Senate to visit and inspect the work of the East Coast Canal and transportation Company, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

Your Committee appointed under Senate Concurrent Resolution No. 1, adopted April 5th, and Senate Concurrent Resolution No. 14, adopted April 27th, appointing

committee to visit and report on the condition of the Florida East Coast Canal & Transportation Company, beg leave to report as follows:

We left St. Augustine on Tuesday morning, May 2nd, and, after a run of a few miles, to the south, we passed through a canal cut by the company through the shoals formed by the meeting of the tides, which ebb and flow through the St. Augustine and Matanzas Inlets. Before this canal was cut boats drawing over 2 feet of water were informed, were unable to navigate the river between St. Augustine and Matanzas at low tide; but since its construction about two and one-half years ago, the minimum depth of water between these Inlets, (which are 18 miles apart) has not been less than six feet at mean low water.

After passing Matanzas Inlet, eighteen miles south of St. Augustine, we entered the Summer Haven River where a series of canals aggregating four miles in length were constructed by the company; but owing to the nature of the material, and the current, it was found impossible to maintain the channels, and it is the intention of the Canal Company, as stated by their superintendent, to abandon this portion of the route and to cut a canal about three and one-half miles in length through the marshes west of Matanzas Inlet, which will shorten the route by nearly one mile.

After leaving Summer Haven River, we entered the north end of the approach to the Matanzas and Halifax canal, and ran through the newly cut channel to the Company's first dredge, located at a point about twenty-eight miles from St. Augustine, and seven miles from the entrance to the northern approach of this canal. For a distance of nearly four miles the work done by the company on this section has been very heavy, and it can be readily seen why it has not been more rapidly carried on. The material shows, in places, a strong inclination to slide, and at times, we were told, only a few feet ahead can be made by the dredge in a day, while at other times an advance of from fifty to seventy-five feet per day can be easily made. This uncertainty is due to the quality of the material met with, and, in consequence, it is difficult to estimate the time required to complete any given section of the work. For about three miles the banks of this canal

stand nearly twenty feet above water level, and in order to dispose of the dredged material two powerful pumps are in use washing it back into the woods.

After leaving the northern section of this canal, we drove seven miles to the second dredge, which is cutting north from the Halifax River, and on the way we crossed the summit cut of this canal, which has been excavated, to within about six feet of mean low water level by men and "horse-scrapers", over one hundred thousand cubic yards of material having been moved by the Canal Company in this manner.

On reaching the second dredge we boarded the launch Cherokee, (fifty-five feet in length) and ran through about six miles of canals cut through solid ground, and ten miles of approaches, cut through the water of the Halifax River, to Ormond.

From that point we ran down the Halifax and Hillsborough River and Mosquito Lagoon to the head of the Indian River. On this run we passed through several canals including the heavy cuts at Oak Hill and the Haul-Over, the latter being through solid rock for a considerable portion of its length. In the Haulover canal (which connects the Halifax and Indian Rivers) we found a suction dredge belonging to the Company improving the channels, which have a tendency to shoal.

We then ran down the Indian River for its whole length between Titusville and Jupiter—though this portion of the route has been taken in charge by the United States Government and an act of the Legislature was passed in 1893 relieving the Canal Company of all responsibility in connection with the maintenance of the Indian River channels between the points above mentioned. In order to fully understand the value of the water-way for transportation purposes, however, it was necessary to investigate this important link in the route, and we found that seventeen canals, cut by the Canal Company in the Indian River, and St. Lucie and Hobe Sounds, have maintained their width and depth in a satisfactory manner, except where inlets at Gilbert Bar and Jupiter have damaged the channels.

We have been informed that an appropriation of \$20,000 has recently been made by Congress for the improvement of the channels at these points, which will

make the Indian River navigable at all stages of water in the future.

South of Jupiter the Canal Company has straightened and improved Lake Worth Creek and cut a canal about five miles in length through high ground for the purpose of connecting the waters of this creek with Lake Worth.

The total length of the canals on this section of the route; (namely, between Indian River and Lake Worth) approximate seven miles, and they seem to have held their width and depth in a satisfactory manner, except near the Lake Worth entrance of the canal, where the Company is now making plans to establish protection works in order to permanently maintain the channel at that point.

The canal between Lake Worth and Jupiter was quite a heavy cut, being at one point at least twenty feet in depth from the surface of the ground to the bottom of the canal.

From the south end of Lake Worth to Miami, on Biscayne Bay, we passed through nearly fifty miles of canals, all of which were in good condition, except at a few points where temporary, or permanent inlets from the ocean had slightly damaged the channels. In going through these canals we noted the fact that a large amount of land was drained by the company and now in cultivation and large tomato plantations were established upon lands which before the canals were cut, we are advised, were covered with water.

From the foregoing statement of conditions, it will be understood that before the works of the Canal Company were commenced the inland waters along the east coast of Florida were not navigable except for short distances; but since the company began operations it has removed the obstructing shoals in all the rivers and lagoons between St. Augustine and Miami, and has cut many miles of canals through solid land removing large quantities of rock, as well as clay and sand, until now, with the exception of a little less than seven miles of cutting yet to be done between the Matanzas and Halifax Rivers, a continuous waterway of nearly three hundred and fifty miles has been constructed between St. Augustine and Miami, which enabled us to make the inspection trip with little difficulty all the way in fair sized boats; with the exception of

the seven miles above mentioned over which we drove in teams.

The completion of this work cannot fail to prove of great advantage to the east coast of Florida, as it will reclaim a large acreage of land along the route at different points, and when completed it will provide a navigable water-way which will attract thousands of visitors to the State during the winter, and which will be capable of conveniently carrying passengers and freight for the full length of the coast, thus insuring to the people in the territory bordering the water-way, fair and equitable transportation rates for all time.

We found that since the Canal Company commenced work they have received from the State about 575,000 acres of land out of which they donated to the Florida East Coast Railway 276,000 acres in order to insure the construction of the road from Rockledge to Miami.

The Canal Company still owns 150,000 acres approximately, the balance having been sold and all the money received therefor, together with a large sum subscribed by the stockholders, has we are assured, been used in paying the expenses of the construction works.

We have been informed that the sum expended by the Canal Company to date, exclusive of interest, amounts to \$1,200,000 of which about \$76,000 has been spent in the last two years. While including accumulated interest, and other legitimate charges to construction, the canal works have cost the company to date about \$1,600,000.

The quantity of material excavated by the company up to the present time amounts we believe to about 6,500,000 cubic yards. Since the last Legislative committee investigated the affairs of the Canal Company, the dredge at the north end of the cut between the Matanzas and Halifax Rivers has advanced about four miles to the south through very heavy cutting, much of which had to be gone over several times in order to obtain the required width and depth. This dredge during the past two years has excavated we believe, over 450,000 cubic yards.

During that time the dredge at the south end of this canal had advanced six miles north from the Halifax River and has excavated about 435,000 cubic yards.

There now remains between these two dredges about

seven miles of moderately high country yet to be cut through; necessitating the removal of nearly 700,000 cubic yards of material; besides which certain improvement works and changes are necessary, which will mean about 200,000 additional cubic yards; this means that there are yet 900,000 cubic yards to be dredged in order to properly complete the water-way between St. Augustine and Miami.

Since the last Legislative investigation the Canal Company has opened up a new route near New River in order to pass round an inlet from the sea, cut by some irresponsible parties, which has ruined the channel of New River Sound and practically closed it to navigation.

This change in the route made it necessary to cut two new canals, which meant the dredging of nearly 100,000 cubic yards, through very unfavorable material, but this work has been done by the company and we used the new canals when going south to Biscayne Bay.

We also found that while the State specifications called for canals only fifty feet in width and five feet in depth, at mean low tide, the company has been generally cutting its canals sixty feet in width, and 6 to 7 feet in depth, which seems to indicate that there is no desire on the part of the company to avoid compliance with the specifications.

During the past two years the Canal Company has been constantly at work constructing and improving its canal and we found three dredges in operation on the works while on our inspection.

The water-way generally is in good condition, and a suction dredge is always kept in commission, which moves from place to place for the purpose of removing any shoals that may form in the canals; we, therefore, consider that the Canal Company is doing all in its power to hasten completion of its construction works, and to maintain in good condition the canals already constructed.

We therefore recommend that the extension of time ask-

ed for by the Canal Company in which to complete their work be granted.

F. S. DAVIS,
Chairman.

F. ADAMS,

On part of Senate.

CHAS. S. NOBLE,

(With exception of recommendation of extension which I think should be left to Legislature).

G. F. SPRAGUE,

On part of the House.

Mr. Clarke, Chairman of the Special Committee to visit and inspect the convicts and their conditions, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

Tallahassee, Florida.

SIR—We, your joint committee appointed to visit and inspect the convicts and their conditions, most respectfully submit the following:

We find all the camps and prisoners in as good condition as circumstances will allow, with the exception of Messrs. Varn Brothers, in Escambia County, where we find that in our opinion the prisoners are mistreated and their health is poor. In nearly all cases, if not all, we find their feet swollen and in some cases so badly swollen that they could not wear shoes, and we recommend that the State Inspector look into the matter, Mr. W. M. Ulmer. We find the eating department in bad condition and recommend that the State Inspector investigate.

We find the health in all the camps in the best of condition, but we find that one State Inspector cannot give them the attention that should be given; the distance is so great and there being 28 camps in the State and scattered in all parts of the State.

In view of the fact of the revenue derived from the convicts the best attention should be given them, and we most respectfully recommend that the State Inspector be allowed an assistant.

And we further recommend that in some manner the white prisoners be located in a separate camp to them-

selves; and that the State Board take this matter up and have them separated from the negroes at the expiration of the present lease.

Most respectfully submitted,

S. W. CLARKE,
J. B. CREWS,
Committee on part of Senate.

BILLS ON SECOND READING.

Senate Bill No. 118:

A bill to be entitled an act making it unlawful to use or place lime 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.

Was taken up and read a second time in full.

And Senate Bill No. 118 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 119:

A bill to be entitled an act to require telegraph companies doing business in towns of five hundred or more inhabitants in this State to deliver telegrams to the person addressed.

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

The following committee amendment was read:

In Section 1 line 10, after the word "aforesaid" add the words "without unnecessary delay and without charges for messenger services."

Mr. HARRIS moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

In Section 1, line 3, strike out the word "special."

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

In Section 3, line 4, strike out all after the words, "nor more than one hundred dollars," down to Section 3.

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:
Let Section 3 stand.

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 119, as amended was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 70:

A bill to be entitled an act to amend Section 36 of Chapter 5106, Laws of Florida, being "An Act imposing license and other taxes, providing for the payment thereof, and prescribing penalty for doing business without a license, or for other failure to comply with the provisions thereof," approved June 9th 1903.

Was taken up.

Mr. Alford asked permission to withdraw Senate Bill No. 70.

Which was agreed to.

And Senate Bill No. 70 was withdrawn.

Senate Bill No. 62:

A bill to be entitled an act exempting certain persons, professions, occupations, manufacturing and operating enterprises, from paying occupation or license tax.

Was taken up and read a second time in full.

Mr. Crill moved that Senate Bill No. 62 be indefinitely postponed.

The yeas and nays were demanded on motion of Mr. Crill to indefinitely postpone Senate Bill No. 62.

Upon the call of the roll on the adoption of the motion to indefinitely postpone Senate Bill No. 62 the vote was:

Adams	Harris	Sams
Baskin	Humphries	Scott
Carter	Lee	Stockton
Crane	McCreary	West
Crews	Newlan	Wilson
Crill	Raney	
Faulkner		
Yeas—18.		
Mr. President	Clark	Jackson
Alford	Gillen	Wadsworth
Bailey	Hudson	Zim

Nays—9.

So the motion was agreed to.

Mr. Neel was excused from voting.

Senate Bill No. 46:

A bill to be entitled an act to amend Section 36 of an act entitled "An Act imposing license and other taxes, providing for the payment thereof, and prescribing penalties for doing business without a license, or other failure to comply with the provisions thereof," being Chapter 5106, Laws of Florida, approved June 9, 1903.

Was taken up.

Mr. McCreary asked permission to withdraw Senate Bill No. 46.

Which was agreed to.

And Senate Bill No. 46 was withdrawn.

Senate Bill No. 77:

A bill to be entitled an act to provide for the levy of a pension tax for each of the years A. D. 1905, and A. D. 1906, and to provide for the payment of pensions.

Was taken up and read a second time in full.

Mr. Carter moved that the rules be further waived, and that Senate Bill No. 77 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 77 was read a third time in full.

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

Mr. President	Crews	Newlan
Adams	Crill	Raney
Alford	Faulkner	Sams
Bailey	Harris	Scott
Baskin	Humphries	Stockton
Carter	Jackson	Wadsworth
Clark	Lee	West
Crane	McCreary	Zim

Yeas—24.

Nays—None.

So Senate Bill No. 77 was passed, title as stated.

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.

Was taken up.

Mr. Humphries moved that the rules be waived and that Senate Bill No. 194 be read a second time by its title only. Which was agreed to by a two-thirds vote.

And Senate Bill No. 194 was read a second time by its title only.

Mr. Humphries moved that the rules be waived and Senate Bill No. 194 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. 194 was placed on calendar of bills on third reading.

A message was received from the House of Representatives.

Mr. Gillen moved that House Bill No. 46 be taken up out of its order and now considered

Which was agreed to by a two-thirds vote.

And

House Bill No. 46:

A bill to be entitled an act to amend Section 967, Second Division, Title I, Chapter 1, Article 1, of the Revised Statutes of the State of Florida, prescribing the disqualifications of judges.

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

The following committee amendment was read:

In Section 967, line 5, after the word "father," strike out the word "brother."

Mr. Gillen moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

In Section 967, line 6, after the word "son," strike out the words "or son-in-law."

Mr. Gillen moved the adoption of the committee amendment.

Which was agreed to.

In Section 967, after the words "qualified tribunal," in the last line, add the following words: "Providing, That no justice of the peace or county judge when exercising the jurisdiction of justice of the peace shall be disquali-

fied because a father or son, is the attorney-at-law for either party in such cases."

Mr. Gillen moved the adoption of the committee amendment.

Which was agreed to.

Mr. Hudson offered the following amendment to House Bill No. 46:

Add to Section 967 the words: "Provided, no justice of the Supreme Court shall be disqualified because a father or son is the attorney for either party in such cause."

Mr. Hudson moved the adoption of the amendment.

Which was not agreed to.

Mr. Gillen moved that the rules be further waived, and that House Bill No. 46 as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 46, as amended, was read a third time in full.

Upon call of the roll on the passage of the bill as amended, the vote was:

Adams	Crane	McCreary
Alford	Crews	Neel
Bailey	Crill	Newlan
Baskin	Faulkner	Raney
Blount	Gillen	ams
Canova	Harris	West
Carter	Humphries	Wilson
Clark	Lee	Zinn
Yeas—24.		
Hudson	Jackson	Stockton
Nays—3.		

So House Bill No. 46, as amended, passed, title as stated.

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.

Was taken up.

Mr. Harris requested permission to exchange places on

the calendar with Senate Bill No. 95 and Senate Bill No. 200.

The request was granted.

And

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.

Was taken up and read a second time, together with the amendments of the Committee on Finance and Taxation.

The following committee amendment was read:

At end of Section 1 add: Provided, further, Each of said companies shall during the month of January of each year make to the State Treasurer a statement under oath showing the gross receipts from premiums received during the previous year ending December 31st."

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 200 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 202:

A bill to be entitled an act to fix and establish a legal and standard box or crate for oranges.

Was taken up and read a second time in full.

Mr. Crill offered the following amendment to Senate Bill No. 202:

In line 11, strike out the words "without sale."

Mr. Crill moved the adoption of the amendment.

Which was agreed to.

Mr. Crill offered the following amendment to Senate Bill No. 202:

In line ten, Section 2, after the word "the," insert the word "sale."

Mr. Crill moved the adoption of the amendment.

Which was agreed to.

Mr. Harris offered the following amendment to Senate Bill No. 202:

Strike out the words "Be it enacted by the Legislature of the State of Florida."

Mr. Harris moved the adoption of the amendment.

Mr. Harris withdrew the amendment.

And Senate Bill No. 202, as amended, was ordered referred to the Committee on Engrossed Bills.

House Bill No. 216:

A bill to be entitled an act to require the Trustees of the Internal Improvement Fund to deliver to the State Auditor all books, records, vouchers and accounts belonging to the said Internal Improvement Fund; to require the State Auditor to check and audit said books, records, vouchers and accounts and report thereon.

Was taken up and read a second time, together with the amendments of the Committee on Finance and Taxation.

The following committee amendment was:

Section 3. The Auditor shall have the right to employ such extra clerical assistance in the performance of the foregoing duties as he may find necessary, at a cost of not to exceed six hundred dollars, which sum, or so much thereof as may be necessary, is hereby appropriated.

Make Section 3 of the bill Section 4.

Mr. Crill withdrew the committee amendment.

And House Bill No. 216 was ordered placed on the calendar of bills on third reading.

Senate Bill No. 51:

A bill to be entitled an act regulating the width of tires of certain kinds of vehicles used to haul wood or other heavy loads over paved, hard or improved roads in counties now having or that may hereafter have paved, hard or improved roads, and prescribing the time and mode of procedure in which this act is go into effect, and providing a penalty for its violation.

Was taken up.

Mr. Baskin asked permission to withdraw Senate Bill No. 51.

Which was granted.

And Senate Bill No. 51 was withdrawn.

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

State of Florida,
Executive Department,
Tallahassee, Fla., May 11, 1905.

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

SIR—I have the honor to inform you that I have ap-

proved and signed the following Acts which originated in your honorable body:

An act designating who shall act in case of absence or disability of the police justice in and for the City of Key West, a municipality existing under the laws of the State of Florida.

Also,

An act to protect sureties.

Also,

An act to repeal sections one to seven 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.

I beg to further inform you that I have caused the above acts as enumerated to be filed in the Office of the Secretary of State.

I have the honor to be,

Very respectfully,

N. E. BROWARD,

Governor.

By permission—

Mr. Faulkner introduced—

Senate Bill No. 296:

A bill to be entitled an act to repeal Section 25, Chapter 4115, Acts of 1893, Laws of Florida, relating to publishing of financial statement.

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

By permission—

Mr. Faulkner introduced—

Senate Bill No. 297:

A bill to be entitled an act making it unlawful to own, carry, or in any way use or have in possession any gun or other fire-arm, without first giving bond to and securing a permit from the Board of County Commissioners, and providing penalties for violation of same.

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

By permission—

Mr. Hudson introduced—

Senate Bill No. 298:

A bill to be entitled an act to exempt physicians from paying occupation or license taxes.

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

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

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

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

Senate Bill No. 110:

A bill to be entitled an act to amend Section 1394 of the Revised Statutes of the State of Florida, relating to compensation of clerks of circuit courts and recorder.

Have examined the same and find them correctly engrossed.

Very respectfully,
S. W. CLARKE,
Chairman of Committee.

And Senate Bill No. 110, contained in the above report, was placed on the Calendar of Bills on third reading.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

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

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

An act providing a local system for the establishment, construction and maintenance of the public roads and bridges of Osceola county, in the State of Florida; prescribing a method for the condemnation of the right of way for same; and legalizing certain roads within said county.

Also,

An act prohibiting the exaction or the acceptance of a reward, compensation or remuneration by public officers or appointees for 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.

Also,

An act relative to the taking of depositions in disbarment proceedings.

Also,

An act to amend Section four (4) of Chapter 4657, Laws of Florida, being an act to incorporate the town of Williston, in the county of Levy, approved June 2nd, 1897.

Also,

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.

Also,

An act declaring the town of Williston, in Levy county, Florida, to be a legally incorporated town, the officers thereof to be legally elected and qualified, and to declare the ordinances of said town valid and of full force and effect.

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.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 33:

A bill to be entitled an act to provide for the payment by the State of Florida of the actual traveling expenses of the judges of the Circuit Court of this State, when holding sessions of court in their respective circuits.

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

After the word "dollars," line 14, Section 1, add: "Provided further, that should the Constitution of the State be so amended as to increase the salary of the judges of the circuit court, then no further sum or sums of money shall be paid said judges for traveling expenses under this act.

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

And House Bill No. 33, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

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

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

Senate Bill No. 164:

A bill to be entitled an act to regulate the ohlding of festivals for private gain in this State.

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

Strike out all after the word "upon" in line 13, Section two," and insert in lieu thereof the following: "conviction be fined in a sum not exceeding twenty-five dollars or confined in the county jail not more than ninety days, or by both such fine and imprisonment."

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

And Senate Bill No. 164, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

An act providing a local system for the establishment, construction and maintenance of the public roads and bridges of Osceola county, in the State of Florida; prescribing a method for the condemnation of the right of way for same; and legalizing certain roads within said county.

Also,

An act prohibiting the exaction or the acceptance of a reward, compensation or remuneration by public officers or appointees for 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.

Also,

An act relative to the taking of depositions in disbarment proceedings.

Also,

An act to amend Section four (4) of Chapter 4657, Laws of Florida, being an act to incorporate the town of Williston, in the county of Levy, approved June 2nd, 1897.

Also,

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.

Also,

An act declaring the town of Williston, in Levy county, Florida, to be a legally incorporated town, the officers thereof to be legally elected and qualified, and to declare the ordinances of said town valid and of full force and effect.

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.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 187:

A bill to be entitled an act fixing the time for holding elections for Special Tax School Districts in Manatee county.

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And House Bill No. 187, contained in the above report, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 199:

A bill to be entitled an act to prescribe the per diem of sheriffs for attendance on courts.

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

In line 4, Section one, after the word "record" insert "county judge's court."

50 S. B.

Strike out the word "and" in line 4, Section one.

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And House Bill No. 199, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

An act providing a local system for the establishment, construction and maintenance of the public roads and bridges of Osceola county, in the State of Florida; prescribing a method for the condemnation of the right of way for same; and legalizing certain roads within said county.

Also,

An act prohibiting the exaction or the acceptance of a reward, compensation or remuneration by public officers or appointees for 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.

Also,

An act relative to the taking of depositions in disbarment proceedings.

Also,

An act to amend Section four (4) of Chapter 4657, Laws of Florida, being an act to incorporate the town of Williston, in the county of Levy, approved June 2nd, 1897.

Also,

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.

Also,

An act declaring the town of Williston, in Levy county, Florida, to be a legally incorporated town, the officers thereof to be legally elected and qualified, and to declare the ordinances of said town valid and of full force and effect.

Be it reported 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 providing a local system for the establishment, construction and maintenance of the public roads and bridges of Osceola county, in the State of Florida; prescribing a method for the condemnation of the right of way for same; and legalizing certain roads within said county.

Also,

An act prohibiting the exaction or the acceptance of a reward, compensation or remuneration by public officers or appointees for 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.

Also,

An act relative to the taking of depositions in disbarment proceedings.

Also,

An act to amend Section four (4) of Chapter 4657, Laws of Florida, being an act to incorporate the town of Williston, in the county of Levy, approved June 2nd, 1897.

Also,

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.

Also,

An act declaring the town of Williston, in Levy county, Florida, to be a legally incorporated town, the officers thereof to be legally elected and qualified, and to declare the ordinances of said town valid and of full force and effect.

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.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

Senate Bill No. 214:

A bill to be entitled an act to require a statement of the time and place of the killing or injury of live stock, and the amount claimed therefor, and of the character of the stock killed or injured, on the commencement of actions against railroad companies or any persons operating a railroad in this State, and regulating the practice in such cases.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

And Senate Bill No. 214, contained in the above report, was placed on the Calendar of Bills on third reading.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 12, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

An act providing a local system for the establishment, construction and maintenance of the public roads and bridges of Osceola county, in the State of Florida; prescribing a method for the condemnation of the right of way for same; and legalizing certain roads within said county.

Also,

An act prohibiting the exaction or the acceptance of a reward, compensation or remuneration by public officers or appointees for 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.

Also,

An act relative to the taking of depositions in disbarment proceedings.

Also,

An act to amend Section four (4) of Chapter 4657, Laws of Florida, being an act to incorporate the town of Williston, in the county of Levy, approved June 2nd, 1897.

Also,

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.

Also,

An act declaring the town of Williston, in Levy county, Florida, to be a legally incorporated town, the officers thereof to be legally elected and qualified, and to declare the ordinances of said town valid and of full force and effect.

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

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

BILLS ON SECOND READING.

House Bill No. 81:

A bill to be entitled an act regulating the width of tires of certain kind of vehicles used in making a business of hauling wood or other heavy loads over paved, hard or other improved roads in counties now having or that may

hereafter have paved, hard or improved roads, and prescribing the time and mode of procedure in which this act is to go into effect and providing a penalty for its violation.

Was taken up and read a second time in full.

And House Bill No. 81 was ordered placed on the calendar of bills on third reading.

House Bill No. 11:

A bill to be entitled an act to require street car companies and others in this State, to furnish separate cars or compartments for white and colored passengers; to require said companies and others to furnish comfortable seats well ventilated, heated and lighted cars and keep white and colored passengers in their respective cars or compartments; to give conductors and employes of said companies police powers, and to provide penalties for the violation of this act.

Was taken up and read a second time, together with the substitute therefor offered by the Judiciary committee.

The committee substitute with following title was read:

A bill to be entitled an act to provide for the separation of white passengers on street cars from negro passengers thereon.

Mr. Harris, for committee, withdrew the substitute.

Mr. Blount offered the following amendment to House Bill No. 11:

Amend Section 1 so that it shall read as follows:

Section 1. That all street car companies, persons, associations of persons, firms or corporations operating street car lines in this State shall furnish separate accommodations for white and colored passengers.

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Mr. Blount offered the following amendment to House Bill No. 11:

Amend Section 2 so that it shall read as follows:

Section 2. That every street car company or person operating a street car line in this State shall make provision, rules and regulations for the separation of white passengers from negro passengers by separate cars, or fixed divisions, or movable screens, or other method of division in the cars of such lines. A failure or refusal by such company or person to make such provision; rules, and regulations shall be a misdemeanor, and upon conviction

tion thereof it or he shall be punished by a fine not to exceed fifty (\$50.00) dollars for each offence. Each day of such failure or refusal after July 1st, 1905, shall constitute a separate offence.

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Mr. Blount offered the following amendment to House Bill No. 11:

Amend Section 6 so that it shall read as follows:

Section 6. If any employe having charge of any such car shall permit white and colored passengers to occupy the same car, in case separate cars be provided, or division in case separate cars be not provided, he shall be guilty of a misdemeanor and punishable by a fine of not exceeding fifty dollars or imprisonment of not exceeding thirty days, or both, in the discretion of the court.

Mr. Harris move dthe adoption of the amendment.

Which was agreed to.

Mr. Blount offered the following amendment to House Bill No. 11:

Amend Section 7 so that it shall read as follows:

Section 7. That the provisions of this act shall not apply to colored nurses having the care of white children or sick white persons.

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Mr. Blount offered the following amendment to House Bill No. 11:

Amend the title so that it shall read as follows:

A bill to be entitled an act to require street car companies in this State to furnish separate cars or divisions in cars or other provisions, for the separation of white and colored passengers; to require said companies to keep separate white and colored passengers; to give conductors and employes of said companies police powers, and to provide penalty for the violation of this act.

Mr. Harris moved the adoptio nof the amendment.

Which was agreed to.

Mr. Harris moved that the rules be waived, and that House Bill No. 11, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 11, as amended, was read a third time in full.

Upon call of the roll on the passage of the bill as amended, the vote was:

Mr. President	Crews	Neel
Adams	Crill	Newlan
Alford	Faulkner	Raney
Bailey	Gillen	Sans
Baskin	Hudson	Scott
Blount	Humphreys	Wadsworth
Canova	Jackson	West
Carter	Lee	Wilson
Clark	McCreary	Zim
Crane		

Yeas—28.

Nays—None.

So House Bill No. 11, as amended, was passed, title as stated.

Mr. Stockton was excused from voting.

Mr. Gillen moved that the rules be waived, and the action of the Senate on all bills today be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

Mr. Raney called up from the table Senate Joint Resolution No. 66:

And

Senate Joint Resolution No. 66:

A joint resolution proposing to amend Section 9 of Article V of the Constitution of the State of Florida, relating to the salaries of justices of the Supreme Court and circuit judges.

Was placed before the Senate, having previously been read a third time in full.

On the passage of Senate Joint Resolution No. 66 the vote was:

Bailey	Gillen	Paney
Baskin	Harris	Sans
Blount	Hudson	Scott
Canova	Humphries	Stockton
Clark	Lee	Wadsworth
Crane	McCreary	West
Crews	Neel	Wilson
Crill	Newlan	Zim

Yeas—24

Mr. President	Alford	Faulkner
Adams	Carter	Jackson

Nays—6.

Senate Joint Resolution No. 66 having received the constitutional majority of three-fifths of all the members elected to the Senate was passed, title as stated.

Mr. Bailey moved that when the Senate adjourn today it stand adjourned until 4 o'clock p. m. Monday, May 15, 1905.

The yeas and nays were demanded on the motion of Mr. Bailey to adjourn until 4 o'clock Monday, May 15, 1905.

Upon the call of the roll on the motion of Mr. Bailey the vote was:

Adams	Gillen	Scott
Bailey	Harris	Stockton
Baskin	Newlan	Wadsworth
Crane	Raney	West
Crill	Sams	Zim

Yeas—16.

Mr. President	Clark	Lee
Alford	Crews	Neel
Canova	Hudson	Wilson
Carter	McCreary	

Nays—12.

So the motion was agreed to.

Mr. Blount was excused from voting.

In explanation of his vote on the resolution to adjourn Senator Wilson said:

"I do not think the Senate should adjourn over until Monday for the reason that the session is drawing to its close, and we have a great deal of work before us needing attention. If these adjournments were taken for the purpose of enabling committees to work, I would favor them, but immediately upon this adjournment Senators will leave for home and no quorum will be left to do the work. My view is that if the Senators who favor adjournment every Friday morning think that the Legislature has more time than it needs in which to do its work, they should offer a resolution for an early final adjournment, and thereby save to the people the large sums necessarily paid out each day for Legislative expenses. The payment of

these expenses while the members are at home looking after their own private business is, I think, an unnecessary burden upon tax-paying people of Florida."

Mr. Stockton moved that the rules be waived and that the Senate proceed to the consideration of bills on third reading.

Which was agreed to by a two-thirds vote.

And the Senate proceeded to consider—

BILLS ON THIRD READING.

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.

Was taken up and read the third time in full.

Mr. Raney moved that Senate Bill No. 153 be placed back on second reading for amendments.

Which was agreed to.

Mr. Raney offered the following amendment to Senate Bill No. 153.

"Provided, however, this act shall not apply to any factory or workshop, as defined above, at which any agricultural products, or any perishable thing, may be cured, canned or boxed."

Mr. Raney moved the adoption of the amendment.

Which was not agreed to.

Mr. Carter offered the following amendment to Senate Bill No. 153:

"Provided this act shall not apply to opening and canning oysters."

And provided further—"Parents and guardians shall send their children to public schools at least 60 days during oyster season."

Mr. Carter moved the adoption of the amendment.

Which was not agreed to.

Mr. Scott offered the following amendment to Senate Bill No. 153:

"Provided the provisions of this act shall not apply to labor employed in the tobacco barns or tobacco warehouses of this State.

Mr. Scott moved the adoption of the amendment.

Which was not agreed to.

Mr. Carter offered the following amendment to Senate Bill No. 153:

"Provided this act shall not apply to opening and canning oysters."

Mr. Carter moved the adoption of the amendment.

Which was not agreed to.

Mr. Stockton moved that the rules be further waived, and that Senate Bill No. 153 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 153 was read a third time in full and put upon its passage.

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

Mr. President	Crill	Neel
Adams	Faulkner	Newlan
Alford	Gillen	Raney
Bailey	Harris	Sams
Baskin	Hudson	Scott
Blount	Eumphries	Stockton
Canova	Jackson	West
Carter	Lee	Wilson
Crane	McCreary	Zim
Crews		

Yeas—28.

Nays—None.

So Senate Bill No. 153 was passed, title as stated.

Mr. Harris moved that the rules be waived and that the Senate take up messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

And the Senate proceeded to consider—

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 247:

A bill to be entitled an act affecting the government, powers, duties and jurisdiction of the city of Jacksonville, a municipal corporation existing in Duval county, Florida; providing for the municipal officers thereof, prescribing their terms of office and providing for their election and appointment.

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. 247, contained in the above message, was read the first time by its title.

Mr. Stockton moved that the rules be waived and House Bill No. 247 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 247 was read a second time by its title only.

Mr. Stockton moved that the rules be further waived, and that House Bill No. 247 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 247 was read a third time in full.

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

Mr. President	Crane	Noel
Adams	Crews	Newlan
Alford	Grill	Raney
Bailey	Faulkner	Scott
Baskin	Hudson	Stockton
Blount	Humphries	West
Canova	Jackson	Wilson
Carter	Lee	Zinn
Clark		

Yeas—25.

Nays—None.

So House Bill No. 247 was passed, title as stated.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 251:

A bill to be entitled an act to permit owners of mill ponds in the State of Florida to prohibit fishing therein and to provide a penalty for persons fishing therein without first obtaining permission from the owners thereof or his agent.

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. 251, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 242:

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

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. 242, contained in the above message, was read the first time by its title.

Mr. Humphries moved that the rules be waived and that House Bill No. 242 be placed on the Calendar of bills on second reading without reference to committee.

Which was agreed to by a two-thirds vote.

And House Bill No. 242 was placed on Calendar of Bills on second reading.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 184:

A bill to be entitled an act prohibiting the giving or selling of cigarettes, cigarette tobacco, or cigarette papers to minors under twenty years of age, forbidding the use of same by minors and providing a penalty for violation of same.

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. 184, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 236:

A bill to be entitled an act to amend Section four of Chapter 4434, Laws of Florida, the same being an act entitled an act to organize a county court in and for the county of Dade, to prescribe its jurisdiction and powers,

to provide for the appointment of a prosecuting attorney and for the compensation of judge of said court.

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. 236, contained in the above message, was read the first time by its title and referred to the Committee on City and County Organization.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 196:

A bill to be entitled an act to reimburse the county of Lake for money paid for rental of an armory for use of State troops.

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. 196, contained in the above message, was read the first time by its title and referred to the Committee on Claims.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 303:

A bill to be entitled an act to declare the town of Cen-

ter Hill, in Sumter county, an incorporated town, to legalize the incorporation of said town, to validate the ordinances thereof and empower said town to make assessments of property therein and fix the valuation of property for assessment and to authorize said town to provide the manner of collection of its taxes.

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. 303, contained in the above message, was read the first time by its title and referred to the Committee on City and County Organization.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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 by a three-fifths vote of all the members elected to the House—

House Joint Resolution No. 93:

A joint resolution proposing an amendment to Article 5 of the Constitution of the State of Florida, relative to the Railroad Commission.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Joint Resolution No. 93 contained in the above message was read the first time by its title and referred to the Committee on Constitutional Amendments.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 192:

A bill to be entitled an act to repeal Section 3 of Chapter 5289, Laws of Florida, the same being an act entitled an act to regulate the catching of fish in the St. Lucie river in the counties of Brevard and Dade, State of Florida, to define the limit in which fishing shall be prohibited on the St. Lucie inlet by landmarks, and to provide a penalty for the violation thereof.

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. 192 contained in the above message was read the first time by its title and referred to the Committee on Fisheries.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 248:

A bill to be entitled an act to authorize corporations not for pecuniary profit to manage, care and provide for children who may be abandoned, neglected, destitute or subjected to perverted training.

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. 248 contained in the above message was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 279:

A bill to be entitled an act to regulate the qualifications of students at institutions of learning receiving State support.

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. 279 contained in the above message was read the first time by its title and referred to the Committee on Education.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 217:

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

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. 217 contained in the above message was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 260:

A bill to be entitled an act to repeal Section 350 of Title 6, Chapter 1, of the Revised Statutes of the State of Florida and Chapter 5229, Acts of 1903, Laws of Florida, relating to agricultural statistics.

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. 260 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 12, 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. 36:

Be it resolved by the House of Representatives, the Senate concurring, That sheets for enrolled bills be properly ruled and printed by the State printer, the same to be approved before printing, by the chairman of the Committee on Enrolled Bills.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 36 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 12, 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. 20:

A concurrent resolution relative to the appointment by the Governor of the State of a commission consisting of three citizens of this State, who shall be empowered to employ competent engineers for the purpose of making a preliminary survey of the swamp and overflowed lands now held by the Trustees of the Internal Improvement Fund.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 20 contained in the above message was read the first time by its title and laid over under the rules.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 12, 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. 116:

A bill to be entitled an act to provide for the issue of bonds by the town of Graceville, for building and constructing a brick public school building in said town of Graceville, and providing for the payment of the interest on, and the principal of such bonds.

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. 116 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 12, 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. 47:

A bill to be entitled an act to limit the amount of bonds that may be issued by any city or town for municipal purposes.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 47 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 12, 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. 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.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 45, 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 12, 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. 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.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 127, contained in the above message, was referred to the Committee on Enrolled Bills.

Mr. Raney moved that Senate Bill No. 126 be recommitted to the Committee on Judiciary.

Which was agreed to.

Mr. Blount asked to be excused until the latter part of next week.

The request was granted.

Mr. Bailey asked that the messenger be excused on account of sickness.

The request was granted.

Mr. Crane moved that Senate Bill No. 237 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 237:

A bill to be entitled an act to amend Sections 814, 816, 823 and 2672 of the Revised Statutes of Florida, relating to the practice of pharmacy in cities and towns of more than two hundred inhabitants, and the sale of poison in the State of Florida, and to affix penalties.

Was taken up.

Mr. Crane moved that the rules be waived and that Senate Bill No. 237 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 237 was read a second time by its title only.

Mr. Crane offered a substitute for Senate Bill No. 237 with the following title:

Senate Bill No. 237:

A bill to be entitled an act to amend Sections 814, 816, 823 and 2672 of the Revised Statutes of Florida, relating to the practice of pharmacy in cities and towns of more than two hundred inhabitants, and the sale of poisons, and to provide certain penalties for the violation thereof.

Mr. Crane moved the adoption of the substitute.

Which was agreed to.

Mr. Raney moved that the Senate adjourn until 4 o'clock p. m. Monday.

Which was agreed to.

Thereupon the Senate stood adjourned until Monday, May 15, at 4 o'clock p. m.