

MONDAY, MAY 15, 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, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, Neel, Newlan, Rauey, Scott, Stockton, Wadsworth, West, Wilson, Zim—27.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

SPECIAL ORDER.

Senate Bill No. 196:

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

Was taken up, the time set for its consideration having arrived.

Mr. Wilson moved that Senate Bill No. 196, special order, be postponed until printed bill arrives.

Which was agreed to.

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 action against railroad companies or any person operating a railroad in this State, and regulating the practice in such cases.

Was taken up, the time set for its consideration having arrived.

Mr. Harris moved that Senate Bill No. 214 be laid on table subject to call.

Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Carter:

Senate Bill No. 299:

A bill to be entitled an act to extend the provisions of Title seven (7), Chapter one (1), of the Revised Statutes of the State of Florida, known as the attachment statutes to suits for tort, where the tort was committed in the State of Florida, and the tort-feasor has, prior to the filing of the suit, removed beyond the limits of the State of Florida.

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

By Mr. Trammell:

Senate Bill No. 300:

A bill to be entitled an act to validate a certain tax deed issued by W. H. Johnston, Clerk of the Circuit Court of Polk county, on January 12, 1898, conveying Section 30, Township 21, South of Range 23 East.

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

By Mr. Trammell:

Senate Bill No. 301:

A bill to be entitled an act for the relief of J. W. West & Co. for money paid for tax deed upon lands belonging to the United States.

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

By Mr. Humphries:

Senate Bill No. 302:

A bill to be entitled an act constituting the Governor, the Attorney-General and the State Treasurer a Board of Commissioners to examine into and report upon claims against the State arising from moneys received by the State on account of Indian War Claims.

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

By Mr. Humphries :

Senate Bill No. 303 :

A bill to be entitled an act for the relief of Isaac Smith, Henry Smith, T. T. Brown, S. L. Griffin and W. O. Skipper.

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

By Mr. Adams :

Senate Bill No. 304 :

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

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

By Committee on Temperance :

Senate Bill No. 305 :

A bill to be entitled an act to prescribe the manner in which domestic wines, beers and other intoxicating beverages shall be sold by the manufacturers thereof, and prescribing a penalty for the violation thereof.

Which was read the first time by its title.

Mr. Crews moved that the rules be waived, and that Senate Bill No. 305 be placed on calendar of bills on second reading.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 305 was placed on calendar of bills on second reading.

By Mr. West :

Senate Bill No. 306 :

A bill to be entitled an act to regulate the payment of a license tax by aliens and non-residents taking oysters from natural oyster beds in this State.

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

By Mr. Jackson :

Senate Bill No. 307 :

A bill to be entitled an act for the relief of James A. Hay

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

By Mr. Zim:

Senate Bill No. 308:

A bill to be entitled an act for the protection and preservation of food fish in the St. Johns River, south of Jacksonville, in the State of Florida.

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

By Mr. Sams:

Senate Bill No. 309:

A bill to be entitled an act requiring material men who furnish any building material used in the construction, repair, or use of any building, railroad, canal or telegraph line, wharf, bridge, mill, distillery or other manufacturing work or structure to notify the owner of the property that such material has been furnished.

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

By Mr. Sams:

Senate Bill No. 310:

A bill to be entitled an act to amend an act entitled an act to revoke and abolish the present municipal government of the town of New Smyrna, and organize a city government for the said town, being Chapter 5358 of the Laws of Florida.

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

By Mr. Gillen:

Senate Bill No. 311:

A bill to be entitled an act to permit the calling and holding of an election in the city of Lake City during the year 1905, to determine whether bonds shall be issued for certain public purposes.

Which was read the first time by its title.

Mr. Gillen moved that the rules be waived and Senate Bill No. 311 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 311 was read a second time by its title only.

Mr. Gillen moved that the rules be further waived, and that Senate Bill No. 311 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. 311 was read a third time in full.

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

Mr. President	Davis	Neel
Adams	Crews	Newman
Alford	Lee	Raney
Bailey	Faulkner	Sams
Baskin	Gillen	Stockton
Canova	Harris	Wadsworth
Carter	Humphries	West
Clark	Jackson	Wilson
Crane	McCreary	Zim

Yeas—28.

Nays—None.

So Senate Bill No. 311 was passed title as stated.

Mr. Gillen moved that the rules be waived and that Senate Bill No. 311 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 311 was so certified.

By Mr. McCreary:

Senate Bill No. 312:

A bill to be entitled an act providing for the refunding and payment of any unused and unexpired portion of license tax issued by the State of Florida, and any county, for the sale of wines, beers and liquors, in counties where wet and dry elections were held since January 1st, 1902, and are hereafter held in any county in the State of Florida, where the result of said election is the discontinuing of the sale of wines, beers and liquors prior to the expiration of said license, and authorizing the county commissioners of any county to refund and pay to such party its portion of said license tax so issued for the unexpired and unused portion of the license tax issued by the county in such cases.

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

SPECIAL ORDER.

House Concurrent Resolution No. 14:

Instructing the Trustees of the Improvement Fund to

institute legal proceedings to compel a settlement of said indebtedness by railroad and canal companies.

Was taken up, the time set for its consideration having arrived.

Mr. Stockton moved that House Concurrent Resolution No. 14 be made a special order for Friday, May 19th, at 11 o'clock a. m.

Which was agreed to.

RESOLUTIONS ON SECOND READING.

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.

Was taken up and read a second time.

Mr. Faulkner moved the adoption of the resolution.

Mr. McCreary moved that House Concurrent Resolution No. 36 be referred to the Committee on Printing.

Which was agreed to.

House Concurrent Resolution No. 20:

Relative to swamp and overflowed lands.

Was taken up and read a second time.

Mr. Stockton moved the adoption of the resolution.

Mr. McCreary moved that House Concurrent Resolution No. 20 be made a special order for Thursday, May 18, at 4 o'clock p. m., and that 200 copies be printed.

Which was agreed to.

A message was received from the House of Representatives.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 15, 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. 174:

A bill to be entitled an act regulating the abolition, extension or contraction of the limits of Special Tax School Districts.

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. 174 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 15, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Judiciary Committee substitute for—

House Bill No. 43:

A bill to be entitled an act in relation to obtaining money or other personal property under false promises, whether in writing or not, and providing penalties therefor.

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. 43 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 15, 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. 398:

A bill to be entitled an act to repeal Chapter 4032 of the Laws of Florida entitled "An Act in relation to obtaining money or any other personal property under false promises or for violation of contracts, and providing penalties therefor."

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. 398 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 15, 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. 310:

A bill to be entitled an act providing for the extension of the corporate limits of the city of Jacksonville.

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

Mr. Stockton moved that the rules be waived and that House Bill No. 310 be placed on calendar of bills on second reading without reference to a committee.

Which was agreed to by a two-thirds vote.

And House Bill No. 310 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 15, 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. 218:

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

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. 218 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 15, 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. 209:

A bill to be entitled an act to prohibit the use of automatic shot guns in hunting birds and game, 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. 209 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 15, 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. 263:

A bill to be entitled an act for the relief of H. S. Mattox, B. G. McDonnell and S. S. Mattox.

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

Mr. Davis moved that the rules be waived, and that House Bill No. 263 be placed on calendar of bills on second reading without reference to committee.

Which was agreed to by a two-thirds vote.

And House Bill No. 263 was placed on calendar of bills on second reading.

Mr. Davis requested permission to withdraw Senate Bill No. 180.

Which was granted.

And Senate Bill No. 180 was withdrawn.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 15, 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. 213:

A bill to be entitled an act to cure certain informalities in the execution of deeds and other instruments conveying or transferring real or personal property, made by

married women prior to the 15th day of April A. D. 1905.
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. 213 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 15, 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. 273:

A bill to be entitled an act to exempt dentists and undertakers from jury duty.

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. 273 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:

Tallahassee, Fla., May 15, 1905.
House of Representatives,

Hon. Park M. Trammell,

President of the Senates

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

House Memorial No. "J":

A memorial to the Congress of the United States, asking that a duty of at least ten cents per pound be levied

on all importations of Egyptian and other long staple cotton brought into the United States as raw material.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Memorial No. "J", contained in the above message was read the first time by its title.

Mr. Crews moved that the rules be waived and House Memorial No. "J," be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Memorial No. "J" was read a second time by its title only.

Mr. Crews moved that the rules be further waived, and that House Memorial No. "J" be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

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

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

Adams	Crews	Neel
Bailey	Crill	Sams
Baskin	Faulkner	Scott
Canova	Gillen	Wadsworth
Carter	Lee	
Yeas—14.		
Mr. President	Davis	Stockton
Alford	Humphries	West
Clark	McCreary	Wilson
Crane	Raney	Zim

Nays—12.

So House Memorial No. "J" was passed, title as stated.

Mr. Harris was excused from voting.

Mr. Crews asked permission to withdraw Senate Memorial No. 287.

Which was granted.

And Senate Memorial No. 287 was withdrawn.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 15, 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. 265:

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

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. 265 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 15, 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. 277:

A bill to be entitled an act to provide for the appointment of a commission to select and recommend to the next Legislature suitable ground to be acquired as a permanent camp site for the Florida State Troops.

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. 277 contained in the above message was read the first time by its title and referred to the Committee on State Militia.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 15, 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. 282:

A bill to be entitled an act for the relief of Nassau county.

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. 282 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 15, 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. 276:

A bill to be entitled an act to provide for a succession to the office of governor in certain cases, and to provide for the filling of vacancies therein.

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. 276 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 15, 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. 299:

A bill to be entitled an act for the relief of Suwannee county and Barrett Lodge No. 43, F. & A. M.

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. 299 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 15, 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. 308:

A bill to be entitled an act to prevent the dismissing by an appellate court of this State of records taken there to upon writs of error or appeal for technical defects or clerical errors existing therein and to allow such defects and errors to be amended upon motion of either party to such cases.

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. 308 contained in the above mes-

sage 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 15, 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. 40:

A bill to be entitled an act to amend Section 33, Chapter 4328 of the Laws of Florida, the same being an act entitled an act to provide for the registration of all legally qualified voters in the several counties of the State, and to provide for general and special elections and for the returns of elections, approved May 25, 1895.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 40 contained in the above message was read the first time by its title and referred to the Committee on Privileges and Elections.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 15, 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. 280:

A bill to be entitled an act to amend Section 7 of an act to enable the town council of the town of Kissimmee City, Florida, to levy certain taxes and provide for a more complete assessment of the property in said town for town purposes, the same being Chapter 3954, Laws of Florida.

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

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. 350:

A bill to be entitled an act providing for the extension of the corporate limits of cities and towns; excepting therefrom the City of Jacksonville, unless accepted by it by ordinance.

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. 350, 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. 288:

A bill to be entitled an act to prohibit any life insurance company doing business in this State from making

or permitting any distinction or discrimination in favor of individuals between insurants of the same class and expectation of life in the amount or payment of premiums, and providing a penalty therefor.

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. 288, 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:

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. 190:

A bill to be entitled an act to amend Chapter 5334, Laws of Florida, the same being an act entitled an act for the relief of S. I. Wailes and the estate of W. K. Beard, deceased, and in full settlement of any claims which the said S. I. Wailes and estate of W. K. Beard, deceased, may have against the State of Florida.

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. 190, 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. 28:

A bill to be entitled an act to create a State Board of Accountancy and to prescribe its powers and duties, to provide for the examination of qualified accountants and to provide a penalty for the violation of this act.

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. 28, 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 15, 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, with amendments—

Senate Bill No. 73:

A bill to be entitled an act providing for the sale of certain property now or hereafter in the custody of the police department of the City of Jacksonville, and for the pension and relief of the members of the said department and their families.

Amendment No. 1:

In Sec. 5, 3rd line, after the word "decease" add "his widow, or if he leave no widow, such child or children as he shall leave him surviving dependent upon him for support."

Amendment No. 2:

Strike out the words "members of his family" in 4th line of Sec. 5.

Amendment No. 3:

In Sec. 5, 31st line, after the word "widowhood" strike out the words "or other dependent member of his family" and insert in lieu thereof "or other dependent child or children of such member him."

Amendment No. 4:

Add after the word "discontinued," last line, Section 5: Provided, That no pension or relief under this act shall be voted or paid unless the money is in the said fund at the time for such payment, and any pension or relief granted hereunder may be discontinued by said board in their discretion.

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. 73, contained in the above message, together with amendments of the House of Representatives thereto, was placed before the Senate.

The following amendments were read:

In Sec. 5, 3rd line, after the word "decease" add "his widow, or if he leave no widow, such child or children as he shall leave him surviving dependent upon him for support."

Strike out the words "members of his family" in 4th line of Sec. 5.

In Sec. 5, 31st line, after the word "widowhood" strike out the words "or other dependent member of his family" and insert in lieu thereof "or other dependent child or children of such member him."

Mr. Stockton moved that the Senate concur in the above amendments of the House of Representatives to Senate Bill No. 73.

Which was agreed to.

The following amendment was read:

Add after the word "discontinued," last line, Section 5: Provided, That no pension or relief under this act shall be voted or paid unless the money is in the said fund at the time for such payment, and any pension or relief granted hereunder may be discontinued by said board in their discretion.

Mr. Stockton moved that the Senate non-concur in the amendment of the House of Representatives to Senate Bill No. 73, and that the House of Representatives be requested to recede therefrom.

Which was agreed to.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate.

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendments to—

House Bill No. 46:

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

As follows:

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:

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

Very respectfully,

J. G. KELLUM.

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate.

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendments to—

House Bill No. 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.

As follows:

Amendment No. 2 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.

Amendment No. 2 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 methods 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 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, 1935, shall constitute a separate offence.

Amendment No. 3 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 or division, he shall be guilty of a misdemeanor and punishable by a fine of not exceeding fifty dollars or imprisonment for not exceeding thirty days or both in the discretion of the court.

Amendment No. 4 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.

Amendment No. 5 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.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 15, 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 indefinitely postponed—

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.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

REPORTS OF COMMITTEES.

Mr. Wilson, Acting Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate:

SIR—Your Committee on Constitutional Amendments to whom was referred—

Senate Joint Resolution No. 207:

Proposing an amendment to Section 1, Article X, of the Constitution of the State of Florida, relating to homesteads and exemptions.

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

Very respectfully,

C. L. WILSON,

Acting Chairman of Committee.

And Senate Joint Resolution No. 207, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Wilson, Chairman of the Committee on State Militia, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate.

SIR—Your Committee on State Militia, to whom was referred—

Senate Bill No. 227:

A bill to be entitled an act to provide for the appointment of a commission to select and recommend to the next Legislature suitable grounds to be acquired as a permanent camp site for the Florida State Troops.

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

Very respectfully,

C. L. WILSON,

Chairman of Committee.

And Senate Bill No. 227, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 118:

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

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

S. W. CLARKE,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 175:

A bill to be entitled an act to permit owners of mill ponds, and the lands upon which same are located, to prohibit fishing therein, and to provide a penalty for persons fishing therein without the consent of the owner thereof or his agent.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,
Chairman of Committee.

And Senate Bill No. 175, contained in the above report, was placed on the calendar of bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 202:

A bill to be entitled an act to fix and establish a legal

and standard box or create for oranges.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARK,

Chairman of Committee.

And Senate Bill No. 202, contained in the above report, was placed on the calendar of bills on third reading.

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

Senate Chamber,

Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

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.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

And Senate Bill No. 200, contained in the above report, was placed on the calendar of bills on third reading.

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

Senate Chamber,

Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

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.

Have examined the same and find it correctly engrossed.

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

And Senate Bill No. 119, contained in the above report, was placed on the calendar of bills on third reading.

A message was received from the Governor.

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

State of Florida,
Executive Department,
Tallahassee, May 13, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

An act to authorize the City of Pensacola to issue negotiable bonds for municipal purposes and provide for the payment thereof.

I beg to further inform you that I have caused the said act to be filed in the office of the Secretary of State.

I have the honor to be,

Yours respectfully,

N. B. BROWARD,
Governor.

BILLS ON SECOND READING.

Senate Bill No. 90:

A bill to be entitled an act providing that railroads and express companies shall pay such damage and loss as a shipper may sustain by reason of delays and negligence of such transportation company in carrying or transporting fruits, vegetables and other farm products, within a certain time, and fixing a rule of damages upon their failure to do so

Was taken up and read a second time in full.
And Senate Bill No. 90 was ordered referred to the
Committee on Engrossed Bills.

The following message from the Governor was read:

State of Florida,
Executive Department,
Tallahassee, Fla., May 15, 1905.

Hon. Park M. Trammell,

President of the Senate:

SIR—I have the honor to return to you herewith Senate Bill No. fifty-five, same being—

An act to prohibit 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, execute or to have executed.

After an examination of the original bill, I beg to call your attention to the omission in the enrollment of this bill. In Section two, third line of the enrolled bill, after the words "civil or criminal" the word "action" has been left out which word I find in the original bill, and must have been a clerical error on the part of the enrolling clerk. I submit the same for such correction as your honorable body may deem proper.

I have the honor to be,

Yours very truly,
N. B. BROWARD,
Governor.

Mr. Zinn moved that the act returned by the Governor, on account of an error be passed informally until tomorrow.

Which was agreed to.

At 5:30 o'clock—

Mr. Stockton moved that the Senate go into executive session.

Which was agreed to.

And the doors were closed.

At 5:35 o'clock—

The doors were opened.

The President in the chair.

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

Mr. President	Davis	Newlan
Adams	Faulkner	Raney
Alford	Gillen	Sams
Bailey	Harris	Scott
Baskin	Hudson	Stockton
Canova	Humphries	Wadsworth
Carter	Jackson	West
Crews	Lee	Wilson
	McCreary	Zim
Crill	Neel	
29.		

A quorum present.

The Senate resumed consideration of bills on second reading.

Mr. Wilson moved that Senate Bill No. 265 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 265:

A bill to be entitled an act to amend Sections 88, 95 and 105 of an act entitled an act to provide for the creation of the City of Pensacola, now known as the provisional municipality of Pensacola, and for the government of said City of Pensacola, and to provide for its officers and their terms of office, and to provide for the support and maintenance of said government and improvement of said city.

Was taken up.

Mr. Wilson moved that the rules be waived and Senate Bill No. 265 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 265 was read a second time by its title only.

Mr. Wilson moved that the rules be further waived, and that Senate Bill No. 265 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. 265 was read a third time in full.

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

Mr. President	Faulkner	Newlan
Adams	Gillen	Raney
Bailey	Harris	Sams
Baskin	Hudson	Scott
Canova	Humphries	Stockton
Carter	Jackson	Wadsworth
Crane	Lee	West
Crews	McCreary	Wilson
Davis	Neel	Zim

Yeas—27.

Nays—none.

So Senate Bill No. 265 was passed, title as stated.

Mr. Lee moved that House Bill No. 257 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

House Bill No. 257:

A bill to be entitled an act declaring the town of Umattilla, in the county of Lake, State of Florida, to be a legally incorporated town, and the officers thereof legally elected and qualified and the ordinances and rules thereof valid and legal.

Was taken up.

Mr. Lee moved that the rules be waived and House Bill No. 257 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 257 was read a second time by its title only.

Mr. Lee moved that the rules be further waived, and that House Bill No. 257 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. 257 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
Bailey	Gillen	Sams
Baskin	Hudson	Scott
Canova	Humphries	Stockton
Carter	Jackson	Wadsworth

Crews	Lee	West
Crane	McCreary	Wilson
Crill	Neel	Zim

Yeas—27.

Nays—None.

So House Bill No. 257 was passed, title as stated.

Senate Bill No. 209:

A bill to be entitled an act requiring county commissioners to offer a standing reward of one hundred dollars to sheriffs for the arrest and conviction of persons violating laws against the sale of intoxicating liquors.

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

The following committee amendment was read:

1st. Strike out the words "authorized and empowered" in line 2 of Section 1.

Mr. Crews moved the adoption of the committee amendment.

Which was not agreed to.

The following committee amendment was read:

2nd. Strike out the words "the sheriffs of their respective counties" in line 3 of Section 1, and insert in lieu thereof the words "any one."

Mr. Crews moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

3rd. In the 4th line of Section 1 strike out the words "the arrest and conviction of" and insert in lieu thereof the words "evidence that will convict."

Mr. Crews moved the adoption of the committee amendment.

Pending which—

Mr. Faulkner moved that Senate Bill No. 209 be re-committed to the Committee on Temperance.

Which was agreed to.

Senate Bill No. 193:

A bill to be entitled an act to amend Chapter 4932 of the Laws of the State of Florida, approved May 9th, A. D. 1901, the same being entitled "An act to provide a penalty for selling liquors in counties or precincts voting against such sales," and to repeal Chapter 4746, of the Laws of Florida, approved June 2, A. D. 1899, the same being en-

titled "An act to amend Section 2634 of Article 14, Chapter 7, of the Revised Statutes of the State of Florida, relating to the selling of liquors in counties or precincts voting against such sale."

Was taken up and read a second time in full.

And Senate Bill No. 193 was ordered referred to the Committee on Engrossed Bills.

Mr. Hudson moved that Senate Bill No. 188 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 188:

A bill to be entitled an act to make it unlawful for live stock to run at large within the corporate limits of the town of Melbourne, Brevard county, Florida, and to provide for impounding and sale of stock so running at large.

Was taken up.

Mr. Hudson moved that the rules be waived and Senate Bill No. 188 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 188 was read a second time by its title only.

Mr. Hudson moved that the rules be further waived, and that Senate Bill No. 188 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. 188 was read a third time in full.

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

Adams	Davis	Raney
Alford	Faulkner	Sams
Bailey	Gillen	Scott
Baskin	Hudson	Stockton
Canova	Humphries	Wadsworth
Carter	Lee	West
Crews	Neel	Wilson
	Newlan	Zim

Grill

Yeas—25.

Nays—None.

So Senate Bill No. 188 was passed, title as stated.

Mr. Hudson moved that the rules be waived and that Senate Bill No. 188 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 188 was so certified.

Mr. Humphries moved that Senate Bill No. 243 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill 243:

A bill to be entitled an act to prohibit the catching of food fish in the fresh water lakes of Manatee county, State of Florida, with any seine, net or set device; also to prohibit common carriers from transporting or receiving for transportation such fish within the limits of said county, and to prohibit persons from selling or offering for sale, shipping, or offering for shipment or transportation within the limits of said Manatee county, food fish caught or taken from the waters of such lakes otherwise than with a hook and line, and prescribing a penalty for violation thereof.

Mr. Humphries moved that the rules be waived and Senate Bill No. 243 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 243 was read a second time by its title only.

Mr. Humphries moved that the rules be further waived and that Senate Bill No. 243 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. 243 was read a third time in full.

Mr. Gillen moved that the Senate adjourn until 11 o'clock a. m. to-morrow.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Tuesday, May 16, 1905, at 11 o'clock a. m.

CONFIRMATIONS.

Samuel T. Shaylor, to be Judge of the Criminal Court of Record in and for Duval county, Florida.