

THURSDAY, MAY 18, 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, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim.—31.

A quorum present.

By request of the Chaplain, Rev. A. V. Reese, pastor of the Baptist Church, Crawfordville, Fla., offered prayer.

The Journal was corrected and approved.

Mr. Adams moved that Senate Joint Resolution No. 285 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Joint Resolution No. 285:

Being a joint resolution proposing an amendment to Article 16 of the Constitution of the State of Florida relating to the drainage, reclamation and improvement of the swamp and overflowed lands; the creation of Board of Drainage Commissioners, prescribing its powers and duties, authorizing the establishment of drainage districts, a drainage system, the building of canals, levees, dikes and reservoirs for purposes of drainage, irrigation and commerce, the assessment of lands to be drained, reclaimed, improved and benefitted by means thereof, the collection of necessary funds by assessments of benefits and taxation, and providing for the management and maintenance thereof, and for exercise of the right of eminent domain, and for the sale and uses of said lands for the purposes of drainage, reclamation and improvement of said swamp and overflowed lands within the State of Florida.

Was taken up and read a second time in full.

Mr. Adams offered the following amendment to Senate Joint Resolution No. 285:

Amend Joint Resolution No. 285 by adding at the end of Section 33 the following words:

"Said commissioners shall have a lien superior to all other liens upon the taxable lands in any such drainage district, to be enforced by tax levy, for the cost of any work done under the provisions hereof, or done prior to the adoption of this amendment under the provision of an act of the Legislature passed in 1905."

Mr. Adams moved the adoption of the amendment,

Which was agreed to.

Mr. Adams offered the following amendment to Senate Joint Resolution No. 285:

Amend Joint Resolution No. 285 by inserting after the word "May" in the 5th line of Section 34, the following words:

"Pending condemnation proceedings."

Mr. Adams moved the adoption of the amendment.

Which was agreed to.

And Senate Joint Resolution No. 285, as amended, was ordered referred to the Committee on Engrossed Bills.

INTRODUCTION OF RESOLUTIONS.

Mr. West introduced the following:

Senate Resolution No. 46:

Whereas, it has been asserted and charged on the floor of the Senate by a senator that it is rumored that members of the Board of State Institutions are interested in and own stock in the Capital Publishing Company and are contracting with themselves purchasing supplies, goods and material from themselves as such stockholders, in violation of the laws of this State; therefore,

Be it resolved by the Senate, that a committee of three members of the Senate be appointed by the President to investigate said charge, and said committee is hereby authorized and empowered to take such evidence as may be available for the purpose of ascertaining the truthfulness of said charge and report their findings as soon as practicable.

Mr. West moved the adoption of the resolution.

Mr. Harris offered the following amendment to Senate Senate Resolution No. 47:

Strike out all after the word "empowered," in third line from bottom, and insert the following:

"To administer oaths, to send for persons and papers, to take such evidence as may be available for the purpose of ascertaining the truthfulness of said charge, to employ a stenographer and report their findings as soon as practicable."

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Mr. West moved the adoption of the resolution as amended.

Which was agreed to.

Mr. Harris introduced the following:

Senate Resolution No. 47:

Be it resolved by the Senate that the Governor be and he is requested to furnish to the Senate with as little delay as possible an itemized statement showing:

1. The total amount of insurance on State property taken out since the 1st day of August, 1901.
2. The amount of premiums paid out.
3. The name of the agent or agents of insurance companies to whom the premiums were paid and the respective amounts paid to each.
4. The location of all State property insured.
5. The amount of money paid out for any service in connection with said insurance affairs of the State to any one for any services whatever connected therewith, and the name of such person receiving said sums of money.
6. The nature of the services performed by said person.
7. Under and by what authority or law was said person or persons appointed.
8. Out of what fund was said person or persons paid.
9. The name of any person now employed by the Governor or Board of Public Institutions, if any, in connection with said insurance affairs.

Mr. Harris moved the adoption of the resolution.

Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Massey:

Senate Bill No. 334:

A bill to be entitled an act to amend Section 8 of Article 4, Section 1 of Article 6 and Section 9 of Article 9, of an act entitled an act to abolish the present municipal government of the city of Sanford, Orange county,

Florida, and organize a city government for the same, and to provide its jurisdiction and powers, approved May 24, 1893.

Which was read the first time by its title.

Mr. Massey moved that the rules be waived and Senate Bill No. 334 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 334 was read a second time by its title only.

Mr. Massey moved that the rules be waived and Senate Bill No. 334 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. 334 was placed on the calendar of bills on third reading.

By Mr. Zim:

Senate Bill No. 335:

A bill to be entitled an act classifying log or other tram-roads operated by locomotives as railroads in so far as relates to fencing and the killing of live stock.

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

By Mr. Faulkner:

Senate Joint Resolution No. 336:

A joint resolution proposing an amendment to Article VII of the Constitution of the State of Florida.

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

By Mr. Trammell (by request):

Senate Bill No. 337:

A bill to be entitled an act providing a pension for Mrs. Mary M. Matthews.

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

By Mr. Hudson:

Senate Bill No. 338:

A bill to be entitled an act to provide for the establishment and maintenance of a State Sanitarium for the detention and treatment of epileptics, dipsomaniacs, inebriates, and persons addicted to the excessive use of morphine, cocaine, or other narcotic drugs.

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

By Mr. Faulkner:

Senate Bill No. 339:

A bill to be entitled an act to amend Section seven (7) of Article three (3) of Chapter 5356, Acts of 1903, the same being an act to organize a municipal government for the town of Mayo, and to provide for its government.

Which was read the first time by its title.

Mr. Faulkner moved that the rules be waived and that Senate Bill No. 339 be read a second time.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 339 was read a second time in full.

Mr. Faulkner moved that the rules be further waived, and that Senate Bill No. 339 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. 339 was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Criil, Lavis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim—31.

Nays—None.

So Senate Bill No. 339 was passed, title as stated.

Mr. Faulkner moved that the rules be waived and that Senate Bill No. 339 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 339 was so certified.

By Mr. Faulkner:

Senate Bill No. 340:

A bill to be entitled an act making it unlawful for any person, or persons, or firm or corporation, to sell whiskey, wine, beer or other intoxicating liquors in any incorporated town with less than two hundred registered voters, and to provide penalties therefor.

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

By Mr. Canova:

64 S. B.

Senate Bill No. 341:

A bill to be entitled an act to provide for the payment of damages for any and all personal property destroyed under the direction of the State Board of Health.

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

Mr. West moved that Senate Bill No. 281 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 281:

A bill to be entitled an act relating to the drainage and reclamation of the swamp and overflowed lands in Florida; to create a Board of Drainage Commissioners, prescribing its powers and duties, authorizing the establishment of drainage districts, establishing a drainage system, the building of canals, levees, dikes and reservoirs for the purpose of drainage, irrigation and commerce, the assessment of lands to be drained and benefited, the collection of necessary funds by assessment of benefits and taxation, providing for the management and maintenance thereof and for the exercise of the right of eminent domain, and for the sale and uses of said lands for the purpose of drainage, reclamation and improvement aforesaid.

Was taken up and read a second time in full.

Mr. West offered the following amendment to Senate Bill No. 281:

At end of line 5, after the word "May," in Section 3, insert the following: "pending condemnation proceedings."

Mr. West moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 281, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. Zim moved that Senate Bill No. 14 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 14:

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

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

Upon call of the roll on Senate Bill No. 14 the vote was:

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

Nays—Senator Clarke—1.

So the bill passed, title as stated.

Mr. Zim moved that the rules be waived and that Senate Bill No. 14 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 14 was so certified.

Mr. Sams moved that Senate Bill No. 142 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 142:

A bill to be entitled an act for the protection of shad in the State of Florida, and prescribing a penalty for any violation thereof.

Was taken up.

Mr. Sams moved that the rules be further waived, and that Senate Bill No. 142 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. 142 was read a third time in full.

Upon call of the roll on Senate Bill No. 142 the vote was:

Yeas—Mr. President, Senators Adams, Alford, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim—29.

Nays—none.

So Senate Bill No. 142 was passed, title as stated.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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 Substitute for—

House Bill No. 1:

A bill to be entitled an act to amend Sections 2642 and 2643 of the Revised Statutes of Florida relating to vagrants.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Substitute for House Bill No. 1, 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 17, 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—

House Bill No. 351:

A bill to be entitled an act to legalize and confirm the incorporation of the town of Blountstown, in Calhoun County, Florida, and to declare the same a legally incorporated town.

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. 351, 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 18, 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 Memorial No. K:

A memorial to the Congress asking an appropriation for deepening the entrance to St. Andrews Bay, and for the deepening the channel at the mouth of Bear Creek and Bayou George Creek in Washington county.

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. K contained in the above message, was read the first time by its title and referred to the Committee on Commerce and Navigation.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 18, 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. 325:

A bill to be entitled an act to regulate the effect of the recording of any mortgage in any county in this State where the record of such mortgage has been destroyed.

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. 325, 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 18, 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. 324:

A bill to be entitled an act in relation to lien on judgments and decrees for the payment of money in counties where the records of the court have been destroyed.

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. 324, 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 18, 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. 189:

A bill to be entitled an act to reimburse the county of Orange 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 House Bill No. 189, 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 18, 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. 295:

A bill to be entitled an act to enlarge powers of the Board of County Commissioners of the several counties of this State, to assess lands benefited, or to be benefited, by public drains and auxiliaries thereto, where the said drains have been constructed, or are now in process of construction, or may be hereafter constructed, by assessing against the said lands the full amount of the actual cost of the construction, maintenance and repair thereof, and also by assessing against said lands any cost incurred necessarily in enlarging or deepening said drains, and authorizing said Boards of County Commissioners to make and enter into any and all contracts necessary for the construction, completion, enlarging, maintenance and repairing of said drains and for the collection and enforcement of said assessments.

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. 295, 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 18, 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. 99:

A bill to be entitled an act to require all meetings of city or town councils, or boards of aldermen, of the cities and towns of the State of Florida, to be held openly, and to provide that all records and books of any such city or town shall at all times be open to the inspection of the citizens thereof, and providing penalties for violation of this act.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 99, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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. 185:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 185, 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 18, 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. 92:

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

With the following amendment:

“Provided, That this act shall not prevent the administration of whiskey or any other liquor by or on the prescription of any reputable physician.”

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

Mr. Hudson moved that the Senate concur in the amendments of the House of Representatives to Senate Bill No. 92.

Which was agreed to.

And Senate Bill No. 92, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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 Concurrent Resolution No. 17:

Whereas, In accordance with a communication from his

Excellency, N. B. Broward, the Governor, under date of Tallahassee, Fla., May 15th, 1905, it has been discovered that an error was made in enrolling Senate Bill No. 55, and

Whereas, The said mistake was not discovered before being signed by the Speaker and Chief Clerk of the House of Representatives, and the President and Secretary of the Senate; therefore,

Be it resolved by the Senate, the House of Representatives concurring, That said Senate Bill No. 55, as returned by the Governor, be recommitted to the Joint Committee on Enrolled Bills for correction, and that when so corrected, the said bill be again reported to the House of Representatives and Senate for proper signature, before being returned to the Governor for his approval or disapproval.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Concurrent Resolution No. 17 was referred to the Committee on Enrolled Bills, together with Senate Bill No. 55, the latter to be re-enrolled.

REPORTS OF COMMITTEES.

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

Senate Chamber,

Tallahassee, Fla., May 18, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 204:

A bill to be entitled an act to enable any county in the State of Florida in which the records, or any material part thereof, concerning the title to property, have been destroyed by fire or other causes, so that a connected chain of title cannot be taken therefrom, to acquire by condemnation any abstracts, copies, minutes, extracts, maps or plats, made from such records, or copies thereof, for the public use as part of the public records.

Be it leave to report that they have carefully consid-

ered the same and recommend the adoption of the following amendments:

Amend Section three by adding at the end thereof the following:

If the defendant so appearing shall, in his return to such order, elect that the condemnation sought by the petitioner shall, if any such condemnation be allowed, be of copies of such abstracts, copies, minutes, extracts, maps or plats, and not of the originals thereof, no condemnation shall be allowed of such originals, and the petition, in case it shall have sought a condemnation of such originals, shall thereupon be amended so as to seek only a condemnation of a copy of said abstracts, copies, minutes, extracts, maps or plats.

Amend Section five by adding after the word "petition" in the last line of said section the following words:

And said judge shall render judgment against the petitioner for the costs.

Amend Section ten by striking out all after the words "common law cases" in line two and substituting therefor the following words:

And a supersedeas may be had by giving bond with good and sufficient surety in such sum as the judge may direct conditioned to obey the order of the Court if affirmed.

And recommend that it do pass as amended.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And Senate Bill No. 204, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

Mr. Crews, Chairman of the Committee on Temperance, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 18, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

Senate Bill No. 305:

A bill to be entitled an act to prescribe the manner in which domestic wines, beers and other intoxicating beverages

ages shall be sold by the manufacturers thereof, and prescribing a penalty for the violation thereof.

Have had the same under consideration and recommend

Very respectfully,
 J. B. CREWS,
 Chairman of Committee.

And Senate Bill No. 305, contained in the above report, was placed on the Calendar of Bills on second reading.

Mr. Crews, Chairman of the Committee on Temperance, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 18, 1905.

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

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

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.

Have had the same under consideration and return said bill to the Senate without recommendation.

Very respectfully,
 J. B. CREWS,
 Chairman of Committee.

And Senate Bill No. 209, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
 Tallahassee, Fla., May 18, 1905.

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

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

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:

Also,

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.

House Bill No. 303:

A bill to be entitled an act to declare the town of Center 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.

Also,

Senate Bill No. 211:

A bill to be entitled an act to amend Section seven 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.

Also,

Senate Bill No. 261:

A bill to be entitled an act to amend and supplement the charter of the town of Punta Gorda, Florida, designated as Chapter 5085, Laws of Florida of 1901.

Also,

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 constitute a municipality to be known and designated as daries, and to provide for its jurisdiction, powers and privileges.

Also,

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 gov-

ernment of the town of New Smyrna, and organize a city government for the said town, being Chapter 5358 of the Laws of Florida.

Also,

Senate Bill No. 316:

A bill to be entitled an act to amend an act entitled "An act to provide for the reorganization of the city of Fernandina," approved May 31, 1887; to extend the territorial area of said city; describe the boundaries thereof; and to provide for the incorporation of said annexed territory with the present city of Fernandina.

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

Very respectfully,

F. W. SAMS,

Chairman of Committee.

And House Bills Nos. 236, 260 and 303, and Senate Bills Nos. 211, 261, 304, 310 and 316, 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 18, 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 injuring 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 person 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.

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

Senate Chamber,
Tallahassee, Fla., May 18, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

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.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

And Committee substitute for House Bill No. 82, contained in the above report, was placed on the calendar of bills on third reading.

A message was received from the House of Representatives.

BILLS ON SECOND READING.

Senate Bill No. 75:

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

Was taken up and read a second time in full.

Mr. Massey moved that the rules be waived and Senate Bill No. 75 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. 75 was placed on calendar of bills on third reading.

Senate Bill No. 154:

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

Was taken up and read a second time in full.

Mr. Massey moved that the rules be waived and Senate Bill No. 154 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. 154 was placed on calendar of bills on third reading.

Senate Bill No. 170:

A bill to be entitled an act to validate certain deeds and mortgages, and to validate certain acknowledgments of conveyances and mortgages, and the recording of said deeds, conveyances and mortgages.

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

The following committee amendment was read:

Strike out Section 3.

Mr. Massey moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Make Section 4 Section 3.

Mr. Massey moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 170, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 172:

A bill to be entitled an act providing for the establishment and maintenance of teachers' county institutes.

Was taken up.

Mr. Massey moved that the rules be waived and Senate Bill No. 172 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 172 was read a second time by its title only.

Mr. Massey offered the following amendment to Senate Bill No. 172:

Strike out the words "2.00 for each member enrolled at said institute" in Section 4, in lines 4 and 5 of the printed bill, and insert in lieu thereof the following: "3.00 for each teacher's position to be filled in the county during the past school year."

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 172, as amended, was ordered referred to the Committee on Engrossed Bills.

House Bill No. 23:

A bill to be entitled an act to amend Section 2, Chapter 5014, Laws of Florida, entitled an act to regulate the

holding of political primary elections in the State of Florida, for nominating candidates for any office under the laws of the State, and for nominating delegates to political conventions.

Was taken up and read a second time in full.

Mr. Wilson moved that House Bill No. 23 be laid on the table subject to call.

Which was agreed to.

House Bill No. 53:

A bill to be entitled an act to prescribe the compensation to be paid jurors and witnesses serving in the several circuit courts and criminal courts of record of the State of Florida.

Was taken up and read a second time in full.

Mr. Harris moved that House Bill No. 53 be indefinitely postponed.

Which was agreed to.

House Bill No. 113:

A bill to be entitled an act requiring notaries public to have their appointment entered in the clerk's office of the county in which they reside and prescribing a fee therefor, and requiring the county commissioners to furnish a book for that purpose.

Was taken up and read a second time in full.

Mr. Harris moved that House Bill No. 113 be indefinitely postponed.

Which was agreed to.

Senate Bill No. 213:

A bill to be entitled an act to require certain wills to be recorded to be valid, and effective, as against purchasers, from the heirs of the deviser for value and without notice.

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 9, after the word "deviser," insert the following:

"In all cases in which a deviser shall have died before the taking effect of this act, a record of the will made by him shall be effective as against purchasers for value and without notice from the heirs if such record be made within one year from the taking effect of this act or before the right of such purchaser shall accrue."

65 S. B.

Mr. Wilson moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 213, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. Crane moved that House Bill No. 207 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote,

And

House Bill No. 207:

A bill to be entitled an act to amend Section three of Chapter 2223, Laws of Florida, being an act entitled "An act to establish a criminal court of record in the county of Lakeborough," approved April 10th, 1893.

Was taken up and read a second time in full.

Mr. Crane moved that the rules be further waived, and that House Bill No. 207 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. 207 was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Alford, Baskin, Canova, Carter, Clarke, Crane, Crews, Davis, Faulkner, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, Zim.—25.

Nays—None.

So House Bill No. 207 passed, title as stated.

House Bill No. 54:

A bill to be entitled an act to provide for the payment of costs in cases of commitment trials before county judges and justices of the peace.

Was taken up and read a second time in full.

Mr. Clarke moved that House Bill No. 54 be indefinitely postponed.

Which was agreed to.

Senate Bill No. 252:

A bill to be entitled an act to amend Section 1 of an act entitled "An act to require railroad companies in the State of Florida to fence their tracks, to provide the time and manner in which fence shall be constructed, and to provide a penalty for failure so to do, and to provide the measure of damages for cattle killed or injured by trains

or engines on railroads not fenced, and providing for the payment of attorneys' fees and double damages for the killing or injury to domestic live stock under certain conditions by the companies refusing or neglecting to fence their roads as required," approved June 5th, 1899, being Chapter 4706, Laws of Florida.

Was taken up and read a second time in full.

Mr. Raney moved that the rules be waived and Senate Bill No. 252 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. 252 was placed on calendar of bills on third reading.

House Bill No. 61:

A bill to be entitled an act relating to binding witnesses over by justices of the peace and county judges when sitting as committing magistrates, to appear before the grand jury.

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

The following committee amendment was read:

In Section 3, line 1, strike out the word "habitual" and insert in lieu thereof the words "intentional or continued."

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

And House Bill No. 61, as amended, was ordered placed on calendar of bills on third reading.

Senate Bill No. 239:

A bill to be entitled an act for the relief of Mrs. Mary Elizabeth Dickison, widow of the lamented General J. J. Dickison.

Was taken up.

Mr. McCreary moved that Senate Bill No. 239 be placed on table subject to call.

Which was agreed to.

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.

Was taken up.

Mr. McCreary moved that Senate Bill No. 239 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 254:

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

Was taken up.

Mr. McCreary moved that Senate Bill No. 254 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 234:

A bill to be entitled an act to amend an act giving to counties certain rights of eminent domain, being Chapter 5230, approved May 13, 1903.

Was taken up.

Mr. Harris moved that Senate Bill No. 234 be indefinitely postponed.

Which was agreed to.

House Bill No. 64:

A bill to be entitled an act to amend Section two, of Chapter 4147, as amended by Chapter 5139, of the Laws of Florida, relating to licenses to carry firearms.

A bill to be entitled an act to provide for service by publication upon unknown parties in interest in property involved in certain chancery suits, and for decrees and other proceedings after such service.

Was taken up and read a second time in full.

Mr. Clarke moved that House Bill No. 64 be indefinitely postponed.

Which was agreed to.

House Bill No. 67:

A bill to be entitled an act for the relief of John Y. Detwiler for services as fish commissioner.

Was taken up and read a second time in full.

Mr. Sams moved that the rules be waived and that House Bill No. 67 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. 67 was read a third time in full.

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

Yeas—Senators Adams, Alford, Bailey, Baskin, Carter, Crane, Crill, Faulkner, Harris, Hudson, Humphries, Jackson, McCreary, Massey, Newlan, Sams, Scott, Wadsworth, Zim—19.

Nays—None.

So House Bill No. 67 passed, title as stated.

Mr. Bailey moved that the Senate adjourn until 2:30 p. m.

Which was not agreed to.

Senate Bill No. 241:

A bill to be entitled an act to regulate the transportation of live stock, and to provide penalties for the violation thereof.

Was taken up and read a second time in full.

Mr. Stockton offered a substitute for Senate Bill No. 241:

Senate Bill No. 241:

A bill to be entitled an act to regulate the transportation of live stock, and to provide penalties for the violation thereof.

Mr. Stockton moved the adoption of the substitute.

Which was agreed to.

Mr. Stockton moved that the rules be waived and substitute for Senate Bill No. 241 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And substitute for Senate Bill No. 241 was read a second time by its title only.

Mr. Harris moved that substitute for Senate Bill No. 241 be recommitted to Committee on Judiciary.

Which was agreed to.

Mr. Stockton moved that Judiciary Committee be requested to report substitute for Senate Bill No. 241 by Saturday's session if possible.

Which was agreed to.

Mr. Stockton moved that substitute for Senate Bill No. 241 be made a special order for 4:30 p. m. Monday May 22.

And that 200 copies be printed.

Which was agreed to.

Mr. Sams moved that the Senate adjourn until 3:30 p. m. this afternoon.

Which was agreed to.

Thereupon the Senate stood adjourned until 3:30 o'clock this afternoon.

AFTERNOON SESSION.

3:30 O'CLOCK.

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, Carter, Harris Hudson, Humphries, Newlan, Raney, Sams, Scott, Wadsworth—14.

Not a quorum present.

Mr. Harris moved that the Senate adjourn until 4:30 o'clock this afternoon.

Which was agreed to.

Thereupon the Senate stood adjourned until 4:30 p. m.

4:30 P. M.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crill, Davis, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim—29.

A quorum present.

Mr. Adams moved that Mr. Carter be excused from further attendance on the Senate after this week.

Which was agreed to.

The President announced as a committee under Senate Resolution No. 47 adopted this morning, Messrs. West, Harris and Clarke.

By permission—

Mr. Adams introduced—

Senate Bill No. 342:

A bill to be entitled an act declaring canal companies to be "common carriers" subject to regulation and control by the Railroad Commissioners of the State of Florida, to the same extent as railroads, and authorizing the Railroad Commissioners to fix and regulate canal tolls

and the charges for transportation on canals, and to require canal companies to keep their canals in proper condition.

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

By permission—

Mr. Adams introduced—

Senate Bill No. 343:

A bill to be entitled an act to appropriate five thousand dollars annually for two years to aid the "Middle Florida Fair," to be held in Jasper, Hamilton county, Florida, in making a display of the agricultural and other resources of the State, between September the first and November the first of the years 1905 and 1906, and to provide for the payment thereof.

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

By permission—

Mr. Gillen introduced:

Senate Bill No. 344:

A bill to be entitled an act to appropriate five thousand dollars annually for two years to aid the "Middle Florida Fair," to be held in Lake City, Florida, in making a display of the agricultural and other resources of the State, between September the first and November the first, of the years 1905 and 1906, and to provide for the payment thereof.

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

By permission—

Mr. Harris introduced:

Senate Bill No. 345:

A bill to be entitled an act to provide for the organization of a cadet corps, to be composed of certain of the faculty and the white male students at all State institutions of learning where military science is a prescribed part of the regular course of instruction; to promote the efficiency of such corps and provide for it a uniform system of instruction.

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

By permission—

Mr. Jackson introduced:

Senate Bill No. 346:

A bill to be entitled an act for the relief of J. G. Baskin.
Which was read the first time by its title and referred
to the Committee on Claims.

By permission—

Mr. West introduced:

Senate Bill No. 347:

A bill to be entitled an act for the protection and preservation of game birds in this State; to regulate the hunting of the same; and to provide penalties in relation thereto.
Which was read the first time by its title and referred to the Committee on Game.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 18, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

House Bill No. 272:

A bill to be entitled an act to provide for the taking of the census of the State of Florida in the year 1905.

Also,

House Bill No. 48:

A bill to be entitled an act to provide for the purchase of a site and the erection, building and furnishing of a mansion thereon for the Governor of the State of Florida and making appropriations for the same and other purposes pertaining thereto.

Also,

Senate Bill No. 319:

A bill to be entitled an act to appropriate four thousand dollars to aid the West Florida Fair Association in making a display of the agricultural resources of the State, at the West Florida Fair to be held in DeFuniak Springs in the fall of 1905 and 1906, and to provide for the payment thereof.

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

Very respectfully,
F. ADAMS,
Chairman of Committee.

And House Bills Nos. 272 and 48, and Senate Bill 319, contained in the above report, was placed on the calendar of bills on second reading.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 18, 1905.

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

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

Senate Bill No. 315:

A bill to be entitled an act to provide for the participation of the State of Florida in the Jamestown ter-centennial exposition, to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year 1907, in commemoration of the first permanent settlement made in the United States by English-speaking people in the year sixteen hundred and seven, and to provide for an appropriation for said purpose.

Have had the same under consideration and recommend the following amendment:

In Section 5, line 2, strike out the words "fifty thousand," and insert in lieu thereof "twenty-five thousand," and that as thus amended the bill do not pass.

Very respectfully,
F. ADAMS,
Chairman of Committee.

And Senate Bill No. 315, contained in the above report, together with the amendments, was placed on the calendar of bills on second reading.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 18, 1905.

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

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

House Bill No. 48:

Abill to be entitled an act to provide for the purchase of a site and the erection, building and furnishing of a mansion thereon for the Governor of the State of Florida, and making appropriations for the same and other purposes pertaining thereto.

Have had the same under consideration and report a substitute therefor with the following title:

A bill to be entitled an act to provide for the acquisition of a site, and the erection, building and furnishing of a mansion thereon, for the Governor of the State of Florida, and making appropriations for the same, and other purposes pertaining thereto.

Very respectfully,

FRANK ADAMS,
Chairman of Committee.

And House Bill No. 48 contained in the above report, together with the substitute therefor, was placed on the Calendar of Bills on second reading.

BILLS ON SECOND READING.

Senate Bill No. 212:

A bill to be entitled an act to fix the fees of sheriffs for removing prisoners to and from jail.

Was taken up and read a second time in full.

And Senate Bill No. 212 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 171:

A bill to be entitled an act to amend Sections 2125 of the Revised Statutes of 1892, as amended by Chapter 4169 of the Laws of Florida, approved May 2, 1893, relative to the issue and delivery of letters patent incorporating corporations for profit.

Was taken up and read a second time in full.

Mr. Massey offered the following amendment to Senate Bill No. 171:

Strike out the words "Provided, That no such charter

fee shall be less than fifteen dollars nor more than one thousand dollars," and insert in lieu thereof the following: "Provided, That no such charter fee shall be less than ten dollars nor more than five hundred dollars."

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to Senate Bill No. 171:

Add to Section 1 the following words: "And provided further, That no corporation chartered under or by the laws of another State or Territory, or of a foreign country, except those now transacting business in this State, shall transact any business in this State until it shall have paid to the Secretary of State a sum equivalent to that which would have been the charter fee if it had been incorporated under or by the laws of this State; and if any such corporation shall transact business in this State without first paying such sum, its stockholders shall be personally liable as provided in Section 2127.

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to Senate Bill No. 171:

Add to the title the words "and charter fees and taxes."

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 171, as amended, was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 229:

A bill to be entitled an act to require commission merchants, produce merchants, and other persons selling produce on commission in this State, to make out and mail to the shipper or consignor of produce certain reports within a certain time from the delivery and sale of such produce, and fixing a penalty for failure therein.

Was taken up and read a second time in full.

Mr. Harris moved that the rules be further waived, and that Senate Bill No. 229 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. 229 was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Alford, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Davis, Harris, Hudson, Humphries, Lee, McCreary, Massey, Neel, Newlan, Sams, Scott, Stockton, Wadsdorth, Wilson, Zim—25.

Nays—none.

So Senate Bill No. 229 was passed, title as stated.

Mr. Trammell (Mr. Wilson in the chair) moved that the rules be waived and that Senate Bill No. 229 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 229 was so certified.

Mr. Harris moved that the Judiciary Committee be requested to return House substitute for House Bill No. 1.

Which was agreed to.

By permission—

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

Senate Chamber;

Tallahassee, Fla., May 18, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House substitute for—

House Bill No. 1:

A bill to be entitled an act to amend Sections 2642 and 2643 of the Revised Statutes of Florida relating to vagrants.

Herewith return the said bill at the request of the Senate.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And House substitute for House Bill No. 1, contained in the above report, was placed on the calendar of bills on second reading.

BILLS ON SECOND READING.

Senate Bill No. 218:

A bill to be entitled an act to repeal Section 350 of the Revised Statutes and Chapter 5229 of the Laws of Flor-

ida, and to provide for the appointment of county enumerators for collecting agricultural, horticultural, manufacturing and industrial and other statistics, and to provide for their pay.

Was taken up and read a second time in full.

Mr. Adams offered the following amendment to Senate Bill No. 218:

Strike out the word "alternate," and insert in lieu thereof the following: "Fifth."

Mr. Adams moved the adoption of the amendment.

Which was agreed to.

Mr. Clarke offered the following amendment to Senate Bill No. 218:

Strike out the words "six cents," where it appears in the bill, and insert in lieu thereof the following: "Ten cents."

Mr. Clarke moved the adoption of the amendment.

Mr. Clarke withdrew the amendment.

And Senate Bill No. 218, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. Newlan moved that Senate Bill No. 233 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote,

And

Senate Bill No. 233:

A bill to be entitled an act for the relief of the estate of John A. Pearce, late sheriff of Leon County, Florida.

Was taken up and read a second time in full.

Mr. Newlan moved that the rules be further waived, and that Senate Bill No. 233 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. 233 was read a third time in full.

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

Yeas—Messrs. Adams, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Davis, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim.—27.

Nays—None.

So Senate Bill No. 233 was passed, title as stated.

Mr. Newlan moved that the rules be waived and that Senate Bill No. 233 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 233 was so certified.

House Memorial No. C:

A memorial to the Congress of the United States requesting that the pension laws of the United States be so amended as to permit and allow the widows of soldiers and sailors of the Mexican war of the United States to draw a pension of \$12.00 per month in lieu of \$8.00 per month as now provided by law.

Was taken up.

Mr. Trammell (Mr. Wilson in the chair) moved that the rules be waived and House Memorial No. C be read a second time by its title only.

Which was agreed to by a two-thirds vote.

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

Mr. Crane moved that the rules be further waived, and that House Memorial No. C 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. C was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Davis, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Stockton, Wadsworth, Wilson, Zim—28.

Nays—Scott.—1.

So House Memorial No. C was passed, title as stated.

Mr. Trammell (Mr. Wilson in the chair) 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 18, 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. 367:

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."

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

Mr. West moved that the rules be waived and House Bill No. 367 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 367 was read a second time by its title only.

Mr. West moved that the rules be further waived, and that House Bill No. 367 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. 367 was read a third time in full.

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

Yeas—Mr. President, Messrs. Adams, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim.—28.

Nays—None.

So House Bill No. 367 was passed, title as stated.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 18, 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. 374:

A bill to be entitled an act to prohibit the catching of fish in Lake Tohopekaliga, in Osceola county, State of Florida, with any seine, net or set device and provide 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. 374 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 18, 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. 375:

A bill to be entitled an act to further protect wild deer, and wild turkeys in the county of Polk, and provide a game warden 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. 375 contained in the above message was read the first time by its title.

Mr. Trammell (Mr. Wilson in the chair) moved that the rules be waived and House Bill No. 375 be placed on calendar of bills on second reading without being engrossed.

Which was agreed to by a two-thirds vote.

And House Bill No. 375 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 18, 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. 378:

A bill to be entitled an act for the protection of wild deer, wild turkeys, partridges and squirrels in the county of Jackson, 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. 378 contained in the above message was read the first time by its title and referred to the Committee on Game.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 19, 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. 356:

A bill to be entitled an act to amend Chapter 4794 of the Laws of the State of Florida, as amended by Chapter 5057 of the Acts of 1901, approved May 31, 1901, the same being an act to prohibit the catching and taking of fish

66 S. B.

from the fresh water streams and lakes of Calhoun county, State of Florida, in the months of April and May of each year.

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

Mr. Clarke moved that the rules be waived and House Bill No. 356 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 356 was read a second time by its title only.

Mr. Clarke moved that House Bill No. 356 be indefinitely postponed.

Which was agreed to.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 18, 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. 259:

A bill to be entitled an act to prohibit any sheriff, constable, bailiff, guard, or other officer having prisoners in their custody, from chaining, hand-cuffing or fastening white female or male prisoners to colored prisoners in their custody.

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. 259 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 18, 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. 297:

A bill to be entitled an act to amend Chapter No. 4894, of the Laws of Florida, entitled 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.

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

Mr. Harris moved that the rules be waived and House Bill No. 297 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 297 was read a second time by its title only.

Mr. Harris moved that House Bill No. 297 be indefinitely postponed.

Which was agreed to.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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. 321:

A bill to be entitled an act to prohibit the transportation for sale of food fish caught from waters in Sumter

county, beyond the limits of said county, and to fix 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. 321, contained in the above message, was read the first time by its title only, and referred to the Committee on Fisheries.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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. 241:

A bill to be entitled an act providing that corporations doing an express business, transporting express, shall pay claims for the loss or damage to any shipment received by the said corporation, within a certain time from the filing by the shipper of said claim with the said corporation and when under certain conditions they fail so to pay said claim the said corporation shall pay interest on the said claim at the rate of twenty-five per cent. per annum, and under certain conditions shall be allowed judgment for the said interest in addition to the said claim.

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

Mr. Harris moved that House Bill No. 241 be placed on Calendar of Bills on second reading, and that it be made a special order for Tuesday, May 23rd, at 11 a. m.

Which was agreed to by a two-thirds vote.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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. 221:

A bill to be entitled an act to regulate the entering into the inclosure of another by the owners of cattle or domestic animals, or by the agent or agents of any such owners.

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

The following message from the House of Representatives was read:

Tallahassee, Fla., May 17, 1905.
House of Representatives,

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. 275:

A bill to be entitled an act empowering county boards of public instruction and trustees of special tax school districts to establish kindergartens under certain conditions.

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. 275, 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 17, 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. 301:

A bill to be entitled an act to amend Chapter 5228, Laws of Florida, being an act to amend Sections one and two of Chapter 4945, Laws of Florida, approved June 2, 1891, the same being an act to amend an act entitled "An act to protect the interest of farmers, planters and others," Chapter 3012, approved February 17, 1877.

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

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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. 286:

A bill to be entitled an act to amend Section 2 of Chapter 4777, Acts of 1899, entitled an act to keep in repair all public roads and bridges and open new roads and condemn the right of way for same in the county of Brevard, State of Florida, and giving to said county certain rights and privileges, authorizing the levy of a school

road tax in each commissioners district, and providing the method by which said tax shall be levied and expended so as to allow the board of county commissioners of Brevard county to employ a manager to use machinery for building hard surface public roads and to use the county convicts on said roads.

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. 286, contained in the above message, was read the first time by its title and referred to the Committee on Public Roads and Highways.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 1905.

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 Bill No. 166:

A bill to be entitled an act to amend Section one (1) of Chapter 4929, of the Laws of the State of Florida, "entitled an act to prohibit the carrying of concealed weapons in this State and to provide a penalty therefor," approved May 31, 1901.

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. 166, 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 17, 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. 215:

A bill to be entitled an act to amend Article 5, Section 1973, of the Revised Statutes of the State of Florida, relating to the record and conveyances of real estate.

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. 215, 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 17, 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. 266:

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

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. 266, 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 17, 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. 195:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 195, 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 18, 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. 339:

A bill to be entitled an act to amend Section seven (7) of Article three (3) of Chapter 5356, Acts of 1903, the same being an act to organize a municipal government

for the town of Mayo, and to provide for its government.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 339, 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 17, 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. 158:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 158, 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 17, 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. 71:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 71, 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 17, 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. 41:

A bill to be entitled an act to amend Section 1, Chapter 5204, Laws of Florida, the same being an act to provide for the certification of teachers, and to prescribe requirements for the various grades of certificates.

Amend Sec. 1 by inserting at the end of line sixteen the following:

“Provided, That no person shall be permitted to the benefit of a second special examination under the provisions of this act.”

Very respectfully,
J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 41, contained in the above message, together with amendment of the House of Representatives thereto, was placed before the Senate.

Mr. Crews moved that the Senate concur in the amendments of House of Representatives to Senate Bill No. 41. Which was agreed to.

And Senate Bill No. 41, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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 receded from the following amendment to—

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.

To-wit:

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.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 73, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

SPECIAL ORDER.

Senate Bill No. 235:

A bill to be entitled an act relating to the powers of building and loan associations, and to provide for the regulation of their business.

Was taken up and read a second time, the time set for its consideration having arrived.

Mr. Harris moved that Senate Bill No. 235 be indefinitely postponed.

Mr. Harris withdrew the motion.

Mr. Crill offered the following amendment to Senate Bill No. 235:

In line 39, Section 1, insert after the words "from time to time." the words "from the stockholders only."

Mr. Crill moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 235, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. Harris moved that House Substitute for House Bill No. 1 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

House Substitute for—
House Bill No. 1:

A bill to be entitled an act to amend Sections 2642 and 2643 of the Revised Statutes of Florida relating to vagrants.

Was taken up and read a second time in full.

Mr. Harris offered the following amendment to House Substitute for House Bill No. 1:

Strike out the words "by imprisonment not more than six months," in Section 2, last line, and insert in lieu thereof the following: "Imprisonment not more than six months, or may be held on a bond with sufficient surety in a sum not exceeding five hundred dollars conditioned that the vagrant keep the peace for six months."

Mr. Harris moved that 200 copies of House Substitute for House Bill No. 1 be printed, and that House Substitute for House Bill No. 1 be laid on the table subject to call.

Which was agreed to.

Mr. Raney moved that the Senate adjourn until 11 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Friday, May 19, 1905, at 11 o'clock a. m.

FRIDAY, MAY 19, 1905.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators—Adams, A'ford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim—31.

A quorum present.

By request of the Chaplain, Rev. W. A. Cuddy, formerly Chaplain of the Arizona House of Representatives, offered prayer.

The Journal was corrected and approved.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 19, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Concurrent Resolution No. 36 as follows:

“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 chairmen of Committees on Enrolled Bills.

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

Very respectfully,

H. H. McCREARY,
Chairman of Committee.