

### CONFIRMATIONS.

Francis B. Carter, to be judge of the First Judicial Circuit of Florida, from May 25, A. D. 1905, to May 28, A. D. 1905, same being the unexpired term of Hon. Charles B. Parkhill, resigned, which term expires on May 27, A. D. 1905.

Francis B. Carter, to be judge of the First Judicial Circuit of Florida, for the term of six years, beginning May 28, A. D. 1905, and ending May 27, A. D. 1911, same being the term for which the Hon. Charles B. Parkhill was appointed and confirmed on May 22, A. D. 1905, the Hon. Charles B. Parkhill having resigned.

---

### THURSDAY, MAY 25. 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, Messrs. Adams, Alford, Bailey, Baskin, Canova, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Newlan, Raney, Sams, Scott, Stockton, West, Wilson, Zim.—27.

A quorum present.

Prayer by the chaplain.

The Journal was corrected and approved.

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

State of Florida,  
Executive Department,  
Tallahassee, May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate,*

Tallahassee, Florida.

SIR—Mrs. Broward and I extend to you and all other members of the Legislature a cordial invitation to be present at the reception given at our residence, in honor of the Legislature, Thursday, May 25th, from 8 to 10:30 p.

m., and I would be grateful should you extend this invitation to the Senate, upon convening this morning.

Yours very respectfully,

N. B. BROWARD,  
Governor.

Mr. Stockton moved that the invitation be accepted with thanks.

Which was agreed to.

The following telegram was read:

Huntington, W. Va., May 23, 1905.

To Hon. Park M. Trammell,

*President of the Senate,*

Tallahassee.

I desire to state that all reference to me and my administration of State Hospital in committee report charging inattention or inhuman treatment, neglect or otherwise reflecting on my management can be shown to be groundless, conceived in malice. I want the people of Florida to know, and I assert that no such conditions existed as I gather from report. Can I have a hearing?

V. H. GWYNN.

Mr. McCreary moved that the telegram be spread on the Journal.

Which was agreed to

Mr. Harris asked permission to withdraw Senate Bill No. 315.

Which was granted.

And Senate Bill No. 315 was withdrawn.

#### INTRODUCTION OF BILLS.

By Mr. Newlan :

Senate Bill No. 363 :

A bill to be entitled an act to prohibit the county commissioners from dis-establishing special tax road districts so long as said special tax road districts are indebted.

Which was read the first time by its title.

Mr. Newlan moved that the rules be waived, and that Senate Bill No. 363 be placed on calendar of bills on second reading without reference to a committee.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 363 was placed on calendar of bills on second reading.

By Mr. Humphries:

Senate Bill No. 364:

A bill to be entitled an act to amend Section 473 of the Revised Statutes of the State of Florida, relating to natural or maternal oyster beds.

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

By Mr. Wilson:

Senate Bill No. 365:

A bill to be entitled an act forbidding telegraph companies to receive messages when they cannot transmit them speedily, without first informing the sender of the

fact, and to compel them to transmit and deliver all messages received by them, if they can be lawfully sent, whether the message is in plain English or cipher, or in any other language, or partly in one and partly in another, and providing a forfeiture or failure to do so.

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

By Mr. Newlan:

Senate Bill No. 366:

A bill to be entitled an act for the relief of Mrs. N. J. Lane, wife of W. R. Lane.

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

By Mr. Crill:

Senate Bill No. 367:

A bill to be entitled an act to appropriate the necessary funds, to enforce the provisions of an act to provide for the inspection and analysis of commercial feeding stuffs and prevent the sale of fraudulent feeding stuffs, etc.

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

By Mr. Crane (by request):

Senate Bill No. 368:

A bill to be entitled an act to define the rights of persons, firms or corporations with reference to the examination or copying of the public records in the custody of the clerks of the circuit courts and county judges in this State.

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

By Mr. Faulkner:  
Senate Bill No. 369:

A bill to be entitled an act to amend section one of Article one, and Section three of Article one, and Section nine of Article two, and Section seven of Article three, and Section one of Article five, and Section one of Article six, and to repeal Section one, Article seven, all of Chapter 5359 of the Laws of Florida, entitled an act to organize a municipal government for the town of Perry, and to provide for its government, which became a law without the approval of the Governor.

Which was read the first time by its title.

Mr. Faulkner moved that the rules be waived and Senate Bill No. 369 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 369 was read a second time by its title only.

Mr. Faulkner moved that the rules be further waived, and that Senate Bill No. 369 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. 369 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, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim—28.

Nays—none.

So Senate Bill No. 369 was passed, title as stated.

Mr. Baskin moved that House Bill No. 81 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

House Bill No. 81:

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

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

Upon call of the roll on House Bill No. 81 the vote was:

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, Crane, Crews, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim—27.

Nays—none.

So the bill passed, title as stated.

Mr. Raney moved that Senate Bill No. 232 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 232:

A bill to be entitled an act to authorize the sale of duplicate volumes of books belonging to the Supreme Court Library.

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

Upon call of the roll on Senate Bill No. 232 the vote was:

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, rane, Crews, Davis, Faulkner, Gillen, Harris, Hudson, Jackson, McCreary, Massey, Newlan, Raney, Sams, Scott, Wadsworth, West, Zim—23.

Nays—none.

So the bill passed, title as stated.

Mr. Stockton moved that House Bill No. 48 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

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.

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

Mr. Stockton moved that the rules be waived and House Bill No. 48 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 48 was read a second time by its title only.

The following committee amendment was read:

Strike out all after the enacting clause and insert the following:

Section 1. The Governor of the State, the Comptroller and three suitable persons, citizens of this State, shall constitute a commission to be known as the "Governor's Mansion Commission," of which Commission the Governor shall be Chairman and the Comptroller the Secretary. The Governor shall select and appoint the three citizens to be members of the Commission provided for herein, and they shall be chosen from different counties of the State, and he may fill any vacancies that may occur during the continuance thereof. The terms of the office of such Commissioners shall expire with the completion of the purposes provided for by this act, and the three Commissioners to be so appointed shall be paid only their actual expenses while serving as such.

Section 2. It shall be the duty of the Commission as soon as practicable after their appointment to select and acquire a lot or tract of land within the corporate limits of the City of Tallahassee or its vicinity as a suitable site for the erection of a building or buildings thereon to be known as the Governor's Mansion, and to select and approve plans and specifications for the construction of such building or buildings and for the complete furnishing of the same; and shall contract for the building of such mansion and necessary outhouses and fences, including the painting of the same and complete furnishing thereof, and for the proper laying out and adornment of the grounds surrounding the same; and to advertise for plans and specifications and for an architect, whose duty it shall be under such employment by the Commission upon the acceptance of the plans and specifications to see that such plans and specifications are properly executed.

Section 3. Nothing in this act shall prevent the acquisition or use of the park or square in the City of Tallahassee known as "Jackson Park" or "Jackson Square" for such site, and such commission are authorized to ascertain if such park or square is the property of the State or may be lawfully appropriated to the purposes of this act, and if such Commission shall find that such park or square is suitable for a site and may be lawfully appro-

priated for the purposes of this act and shall acquire the same for such purposes by indefeasible title in fee simple in the State of Florida, then such Commission shall file in the office of the Secretary of State a written declaration of their having selected, and the State's having acquired such park or square for such site; Provided always, That such Commission shall exercise their judgment whether to select such park or square for such purpose or acquire some other site and erect buildings thereon and improve the same as provided in this act.

Section 4. The Commission shall let all contracts to the lowest responsible bidder or bidders, and shall require from the contractor or contractors undertaking the work or any portion thereof, as a guarantee that the same will be properly done, and that said building or buildings and improvements shall be properly and completely erected within one year after the said contract is let, a bond with good and sufficient surety, and conditioned as above indicated, and such Commission is hereby authorized and empowered to do every other matter and thing necessary to the carrying out of the purposes of this act.

Section 5. That the sum of twenty-five thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of the moneys in the Treasury not otherwise appropriated for the purposes provided for by this act; and no payment shall be made except by warrant drawn by the Comptroller on the Treasurer and upon itemized accounts approved by the Commission, or a majority of them, and duly audited by the Comptroller, and no more than the sum hereby appropriated shall be used for the purposes of this act; Provided, however, and it is distinctly understood that in case said Jackson or other park or square in the City of Tallahassee shall not be selected and acquired for the purposes of this act, then no money appropriated by this act shall be used for any purpose of this act until a site for such mansion suitable to said Commission shall have been donated and conveyed by proper deed in fee simple free from all incumbrance to the State of Florida, without expense to said State, to be used for the purposes of this act.

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Strike out the title and insert the following:

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.

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

Mr. Harris moved that the rules be further waived, and that House Bill No. 48 as amended be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 48 as amended was read a third time in full.

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

Yeas—Senators Bailey, Crane, Crill, Davis, Harris, Hudson, Massey, Newlan, Raney, Sams, Scott, Stockton, West, Wilson, Zim—15.

Nays—Mr. President, Senators Adams, Alford, Canova, Crews, Faulkner, Gillen, Humphries, Jackson, Lee, McCreary, Wadsworth—12.

So House Bill No. 48 as amended was passed, title as stated.

Mr. Stockton moved that the rules be waived and that House Bill No. 48 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And House Bill No. 48 was so certified.

By permission—

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

Senate Chamber.

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

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 Pen-

sacola, 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.

Also,

An act to prescribe the time for holding the terms of the circuit court in and for the Eighth Judicial Circuit of the State of Florida.

Also,

An act to amend Section 2441 of the Revised Statutes of 1892 relative to petit larceny.

Also,

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.

Also,

An act to define and suppress opium dens, to prohibit visiting the same and to prescribe rules of evidence in such cases.

Also,

An act for the protection of the groves, orchards and fruit trees of Orange county from injurious insects, and providing for a horticultural commission for said county for that purpose.

Have examined the same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

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

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Bill No. 257:

A bill to be entitled an act to require the return of the

pro rata portion of license tax paid by any dealer in spirituous, vinous or malt liquors in any county or election district where an election is held under the provisions of Article nineteen of the Constitution of the State of Florida, and the sale of such spirituous, vinous or malt liquors are prohibited, after the issue of such license.

Have examined the same and find it correctly engrossed.

Very respectfully,

JOHN NEEL,

Acting Chairman of Committee.

And Senate Bill No. 257 contained in the above report, was placed on the calendar of bills on third reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Joint Resolution No. 333:

A joint resolution proposing an amendment to Section 8 of Article 8 of the Constitution of the State of Florida.

Also.

Senate Joint Resolution No. 336:

A joint resolution proposing an amendment to Article 7 of the Constitution of the State of Florida.

Also,

Senate Joint Resolution No. 253:

A joint resolution proposing an amendment to Section 3 of Article 7 of the Constitution of the State of Florida, relative to the apportionment of representation in the Senate and House of Representatives.

Also,

Senate Joint Resolution No. 286:

A joint resolution proposing amendments to Section 30 of Article XVI of the Constitution of the State of Florida.

Beg leave to report same without recommendation.

Very respectfully,

C. L. WILSON,

Acting Chairman of Committee.

And Senate Joint Resolutions Nos. 233, 336, 253 and 286 contained in the above report was placed on the calendar of bills on second reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

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.

Have examined the same and find it correctly engrossed.

Very respectfully,

JOHN NEEL,

Acting Chairman of Committee.

And Senate Bill No. 341, contained in the above report, was placed on the Calendar of Bills on third reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

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.

Also,

An act to prescribe the time for holding the terms of the circuit court in and for the Eighth Judicial Circuit of the State of Florida.

Also,

An act to amend Section 2441 of the Revised Statutes of 1892 relative to petit larceny.

Also,

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.

Also,

An act to define and suppress opium dens, to prohibit visiting the same and to prescribe rules of evidence in such cases.

Also,

An act for the protection of the groves; orchards and fruit trees of Orange county from injurious insects, and providing for a horticultural commission for said county for that purpose.

Have examined the same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

The acts contained in the above report were ordered referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives for the signature of the Speaker and Chief Clerk thereof.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Bill No. 112:

A bill to be entitled an act to create a State School Book Commission, and to procure for use in the public schools of the State of Florida, a uniform series of text books, and to define the duties and powers of said commission, to make preparations for carrying this act into effect and providing penalties for violation of same.

Have examined the same and find it correctly engrossed.

Very respectfully,

JOHN NEEL,

Acting Chairman of Committee.

And Senate Bill No. 112, contained in the above report, was placed on the Calendar of Bills on third reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

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.

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

Very respectfully,

F. A. ADAMS,

Chairman of Committee.

And Senate Bill No. 338, contained in the above report, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Bill No. 241:

A bill to be entitled an act to regulate the transporta-

tion of live stock, and to provide penalties for the violation thereof.

Have examined the same and find it correctly engrossed.

Very respectfully,

JOHN NEEL,

Acting Chairman of Committee.

And Senate Bill No. 241, contained in the above report, was placed on the Calendar of Bills on third reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

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.

Also,

An act to prescribe the time for holding the terms of the circuit court in and for the Eighth Judicial Circuit of the State of Florida.

Also,

An act to amend Section 2441 of the Revised Statutes of 1892 relative to petit larceny.

Also,

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.

Also,

An act to define and suppress opium dens, to prohibit visiting the same and to prescribe rules of evidence in such cases.

Also,

An act for the protection of the groves, orchards and fruit trees of Orange county from injurious insects, and providing for a horticultural commission for said county for that purpose.

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

Very respectfully.

T. M. SCOTT,

Chairman of Committee.

### ENROLLED.

The President announced that he was about to sign—

An act to amend 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.

Also,

An act to prescribe the time for holding the terms of the circuit court in and for the Eighth Judicial Circuit of the State of Florida.

Also.

An act to amend Section 2441 of the Revised Statutes of 1892 relative to petit larceny.

Also,

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.

Also,

An act to define and suppress opium dens, to prohibit visiting the same and to prescribe rules of evidence in such cases.

Also,

An act for the protection of the groves, orchards and fruit trees of Orange county from injurious insects, and providing for a horticultural commission for said county for that purpose.

The acts were therefore duly signed by the President

and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

A message was received from the House of Representatives.

By permission—

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 24, 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 the Senate amendments to House Bill No. 6, as follows:

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

"The Board of County Commissioners of Columbia county."

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

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Mr. Harris moved that House Bill No. 350 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

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.

Was taken up and read a second time, together with the

amendments of the Committee on City and County Organization.

Mr. Faulkner moved that further consideration of House Bill No. 350 be made a special order for this afternoon at the convening of the Senate and that 200 copies be printed.

Which was not agreed to.

The following committee amendment was read:

Add the following at the end of Section 3:

The provisions of this act shall not apply to cities and towns of less than ten thousand population.

Mr. Humphries offered the following substitute for committee amendment to House Bill No. 350:

Amend section one by inserting in line two, after the word "State," "having a population of over ten thousand inhabitants."

Mr. Humphries moved the adoption of the amendment.

Which was agreed to.

Mr. Humphries offered the following amendment to House Bill No. 350:

Amend title by inserting in line three after the word "town"—"having a population of over ten thousand inhabitants."

Mr. Humphries moved the adoption of the amendment.

Which was agreed to.

Mr. Harris moved that the rules be further waived, and that House Bill No. 350, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House No. 350, as amended, was read a third time in full.

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

Yeas—Senators Alford, Baskin, Canova, Crane, Davis, Harris, Hudson, Humphries, Jackson, Lee, Massey, Neel, Raney, Scott, Stockton, West, Wilson, Zim—18.

Nays—Mr. President, Senators Adams, Crews, Crill, Faulkner, Gillen, McCreary, Newlan, Sams, Wadsworth—10.

So House Bill No. 350, as amended, was passed, title as stated.

Mr. Bailey was excused from voting.

Mr. Crane moved that the rules be waived and that House Bill No. 350 as amended be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And House Bill No. 350 as amended was so certified.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

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.

Also,

An act to prescribe the time for holding the terms of the circuit court in and for the Eighth Judicial Circuit of the State of Florida.

And,

An act to amend Section 2441 of the Revised Statutes of 1892 relative to petit larceny.

Also,

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.

Also,

An act to define and suppress opium dens, to prohibit visiting the same and to prescribe rules of evidence in such cases.

Also,

An act for the protection of the groves, orchards and fruit trees of Orange county from injurious insects, and providing for a horticultural commission for said county for that purpose.

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

Very respectfully,  
T. M. SCOTT,  
Chairman of Committee.

By permission—

Mr. Massey, Chairman of the Special Committee on the part of the Senate, submitted the following report:  
Senate Chamber.

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

SIR—The Joint Committee appointed under a concurrent resolution of the Senate and House of Representatives to examine the report of the Commissioners to revise and consolidate the statutes of this State, respectfully report that they have carefully examined the same and recommend that it be adopted. They present hereto a bill to carry the same into effect.

LOUIS C. MASSEY,  
F. M. HUDSON,  
GUY GILLEN,  
W. HUNT HARRIS,

On the part of the Senate.

CHAS. L. KNOWLES,  
G. B. WELLS,  
J. BAXTER CAMPBELL,  
W. J. OVEN,  
JEFFERSON D. STEPHENS,

On the part of the House of Representatives.

By Special Joint Committee:  
Senate Bill No. 370:

A bill to be entitled an act to enact the general statutes of the State of Florida, and to provide for the printing, sale and distribution thereof, and making an appropriation for the compensation of the commissioners appointed to revise the statutes.

Which was read the first time by its title.

Mr. Massey moved that the rules be waived and Senate Bill No. 370 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 370 was read a second time by its title only.

81 S. B.

Mr. Massey moved that the rules be further waived, and that Senate Bill No. 370 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. 370 was read a third time in full.

Mr. Massey moved that the reading of the general revision of the entire laws embodied in the bill be wholly dispensed with.

Which was agreed to by a two-thirds vote.

Upon call of the roll on the passage of Senate Bill No. 370 the vote was:

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, Crews, Crill, Davis, Faulkner, Harris, Hudson, Humphries, Jackson, Lee, Massey, Neel, Newlan, Sams, Scott, Stockton, Wilson, Zim—23.

Nays—none.

So Senate Bill No. 370 was passed, title as stated.

Mr. West was excused from voting.

Mr. Humphries moved that House Bill No. 295 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

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 benefitted, or to be benefitted, 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 land the full amount of the actual cost of the construction, maintenance and repairs thereof, and also by assessing against said lands any cost incurred necessarily in enlarging or deepening said drains, and authorizing said Board 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.

Mr. Humphries moved that the rules be waived and House Bill No. 295 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 295 was read a second time by its title only.

Mr. Humphries moved that the rules be further waived,

and that House Bill No. 295 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. 295 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 Bailey, Baskin, Canova, Crane, Crews, Crill, Davis, Faulkner, Harris, Hudson, Humphries, Massey, Newlan, Raney, Sams, Scott, West, Zim—19.

Nay—Senator Alford—1.

So House Bill No. 295 was passed, title as stated.

Mr. Hudson moved that the Senate adjourn until 3 o'clock this afternoon.

Which was agreed to.

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

#### AFTERNOON SESSION.

3 O'CLOCK P. M.

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, Crane, Crews, Crill, Davis, Faulkner, Gillev, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, West, Wilson, Zim—28.

A quorum present.

#### MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 25, 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. 240:

A bill to be entitled an act to provide for official reporters in the circuit courts of the State, and to repeal Section 1399 of Revised Statutes and Chapter 5122, Acts of 1903, relating to the appointment and compensation of stenographers, and to prescribe the effect as evidence of the transcripts made by said reporters.

And respectfully requests the concurrence of the Senate thereto.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 240, 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 25, 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. 510:

A bill to be entitled an act to provide for the keeping of a permanent and accurate copy of the proceedings of each Legislature.

And respectfully requests the concurrence of the Senate thereto.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 510, 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 25, 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. 16:

Requesting the Commissioners of State Institutions, in so far as possible to have the white and colored prisoners confined and worked in separate camps.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Concurrent Resolution No. 16, 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 25, 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. 178:

A bill to be entitled an act declaring the Morrison Spring and Creek, in the county of Walton, in the State of Florida, navigable, and providing penalties for violation thereof.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 178, 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 25, 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. 246:

A bill to be entitled an act authorizing the City of Tallahassee, in Leon county, State of Florida, to impose a

license tax upon the business or occupation of keeping a livery, sale or feed stable, within the limits of said city, or of keeping or using horses or mules for the purpose of conveying passengers or carrying freight within the limits of said city, and to fix the amount of such license.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 246, 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 25, 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. 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 purposes of drainage, irrigation and commerce, the assessment of lands to be drained and benefitted, 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.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 281, 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 25, 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. 98:

A bill to be entitled an act authorizing city or town clerks to appoint deputies.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 98, 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 25, 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. 106:

A bill to be entitled an act regulating the abolition, extension or construction of the limits of special tax school districts.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Fla., May 25, 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. 144:

A bill to be entitled an act to provide for the appointment of assistant coroners in certain counties of this State; to define their duties and to fix their compensation.

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 25, 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. 40:

A bill to be entitled an act to regulate and control the practice of veterinary medicine and surgery within the State of Florida.

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 25, 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. 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.

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 25, 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 refused to concur in the following Senate amendment to House Committee 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.

Strike out the words "by imprisonment not more than six months" in Section 2, line ten.

And insert in lieu thereof—

“Imprisoned not more than six months or may be held on bond with sufficient surety in a sum not exceeding five hundred dollars conditioned that the vagrant keep the peace for six months.”

And respectfully requests the Senate to recede from said amendment.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Mr. Harris moved that the Senate recede from Senate amendment to House Committee Substitute for House Bill No. 1.

Which was agreed to.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 25, 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. 361:

A bill to be entitled an act authorizing the city of Lake City, a municipal corporation organized and existing in Columbia county, Florida, to issue bonds for the purchase of public utilities and other municipal purposes and to provide for the expenditure of moneys for municipal purposes and the management of public utilities.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 361, contained in the above message was referred to the Committee on Enrolled Bills.

## REPORT OF COMMITTEES.

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

Senate Chamber,

House of Representatives,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

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.

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

Very respectfully,

W. HUNT HARRIS,  
Chairman of Committee.

And House Bill No. 325, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

Senate Bill No. 353:

A bill to be entitled an act for the relief of D. M. C. Fulford, and to remove the legal disability now existing against the said D. M. C. Fulford.

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

Very respectfully,

W. HUNT HARRIS,  
Chairman of Committee.

And Senate Bill No. 353, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,

Tallahassee, Fla., May 25, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

Senate Bill No. 318:

A bill to be entitled an act to enlarge the powers of the Railroad Commission of the State of Florida.

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

Very respectfully,  
W. HUNT HARRIS,  
Chairman of Committee.

And Senate Bill No. 318, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

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.

Have examined the same and recommend that it do pass.

Very respectfully,  
W. HUNT HARRIS,  
Chairman of Committee.

And House Bill No. 215, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

Senate Bill No. 355:

A Bill to be entitled an act to prohibit railroad companies from charging over three cents per mile for passenger fare, and providing penalty for violations of the provisions of this act.

Have examined the same and recommend that it do pass.

Very respectfully,  
W. HUNT HARRIS,  
Chairman of Committee.

And Senate Bill No. 355, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

House Bill No. 324:

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

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

Very respectfully,  
W. HUNT HARRIS,  
Chairman of Committee.

And House Bill No. 324, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

House Bill No. 392:

A bill to be entitled an act to regulate appeals in probate matters and authorize and regulate the making up of bills of exceptions in appeals in probate matters.

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

Very respectfully,  
W. HUNT HARRIS,  
Chairman of Committee.

And House Bill No. 392, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

House Bill No. 221:

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

Have examined the same and recommend that it do pass.

Very respectfully,

W. HUNT HARRIS,  
Chairman of Committee.

And House Bill No. 221, contained in the above report, was placed on calendar of bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

Senate Bill No. 314:

A bill to be entitled an act to amend Section fourteen hundred and eighty (1480) of the Revised Statutes of the State of Florida, relating to grounds for divorce.

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

Very respectfully,

W. HUNT HARRIS,  
Chairman of Committee.

And Senate Bill No. 314, contained in the above report, was placed on the Calendar of Bills on second reading.



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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

House Memorial No. I:

A memorial to the Congress of the United States asking that the Congress of the United States shall acquire by purchase or otherwise suitable acreage at or near the Point of Dade's Massacre, in the State of Florida, for the purpose of setting aside a National Park in commemoration of the lives of the American citizens who lost their lives in such massacre, and the erection of a suitable monument to their memory at such point.

Have examined the same and recommend that it do pass.  
Very respectfully,

W. HUNT HARRIS,  
Chairman of Committee.

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

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

Senate Bill No. 230:

A bill to be entitled an act providing that any person who speaks falsely and maliciously concerning any person, shall be guilty of a misdemeanor, and prescribing punishment therefor:

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

Very respectfully,  
W. HUNT HARRIS,  
Chairman of Committee.

And Senate Bill No. 230, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

Senate Bill No. 354:

A bill to be entitled an act to require common carriers to deliver freight at the rate agreed upon in their bills of lading, and providing a penalty for failure so to do.

Have examined the same and recommend that it do pass.

Very respectfully,  
W. HUNT HARRIS,  
Chairman of Committee.

And Senate Bill No. 354, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 25, 1905.

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

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

Senate Bill No. 357:

A bill to be entitled an act to suspend the running of the statutes of limitations of actions concerning real estate in certain cases, and declaring what shall not be adverse possession as to the defendant's therein.

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

After the enacting clause add the words "Section one."

In Section one, line two, after the words "now pending," add the words: "in the Supreme Court or any Circuit Court of the State of Florida."

And recommend that it do pass as amended.

Very respectfully,

W. HUNT HARRIS,  
Chairman of Committee.

And Senate Bill No. 357, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

Mr. Hudson moved that House Bill No. 502 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

House Bill No. 502:

A bill to be entitled an act to abolish the present municipal government of the city of Miami, in the County of Dade, and State of Florida, and to organize and establish a city government for the same; to prescribe its jurisdiction and powers; and to authorize the imposition of penalties for the violation of its ordinances.

Was taken up.

Mr. Hudson moved that the rules be waived and House Bill No. 502 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 502 was read a second time by its title only.

Mr. Hudson moved that the rules be further waived, and that House Bill No. 502 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. 502 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, Crane, Crews, Crill, Davis, Faulkner, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Newlan, Raney, Sams, Scott, Stockton, Wadsworth—22.

Nays—None.

So House Bill No. 502 was passed, title as stated.

82 S. B.

Mr. Trammell (Mr. Humphries in the chair) moved that House Bill No. 241 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

House Bill No. 241:

A bill to be entitled an act providing that corporations doing an express business, transporting express, shall pay claims for a 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.

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

Upon call of the roll on Senate Bill No. 241, the vote was:

Yeas—Mr. President, Senators Alford, Bailey, Baskin, Crane, Crews, Davis, Faulkner, Hudson, Humphries, Jackson, Lee, Massey, Newlan, Scott, Stockton, Wadsworth, West, Zim.—19.

Nays—Senators Adams, Canova, Crill, Gillen, Harris, McCreary, Raney, Sams—8.

So the bill passed, title as stated.

Mr. Trammell (Mr. Humphries in the chair) moved that the bills passed today be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

Mr. McCreary moved that Senate Bill No. 312 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

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 wine, 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.

Was taken up.

Mr. McCreary moved that the rules be waived and Senate Bill No. 312 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 312 was read a second time by its title only.

Mr. McCreary moved that the rules be further waived, and that Senate Bill No. 312 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. 312 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, Canova, Crane, Crews, Crill, Davis, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Zim—23.

Nays—Mr. Faulkner—1.

So Senate Bill No. 312 was passed, title as stated.

Mr. Stockton, moved that Senate Bill No. 324 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 324:

A bill to be entitled an act to authorize the city of Jacksonville to make donations or payments to hospitals.

Was taken up.

Mr. Stockton moved that the rules be waived and Senate Bill No. 324 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 324 was read a second time by its title only.

Mr. Stockton moved that the rules be further waived, and that Senate Bill No. 324 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. 324 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, Crane, Crews, Crill, Davis, Faulkner, Gillen, Hudson, Humphries, Jackson, McCreary, Massey, Neel, Newlan, Raney, Scott, Stockton, Wadsworth, West, Zim—24.

Nays—None.

So Senate Bill No. 324 was passed, title as stated.

Mr. Crill moved that House Bill No. 171 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

House Bill No. 171:

A bill to be entitled an act to require the Trustees of the Internal Improvement Fund to pay into the State Treasury all moneys now in their possession or which may hereafter come into their possession for the said Internal Improvement Fund; to make the State Treasurer responsible under his official bond for the safe keeping of the same and to repeal Chapter 5245, Laws of Florida, relating to the disposition of the said money, approved June 8, 1903.

Was taken up.

Mr. Crill moved that the rules be waived and House Bill No. 171 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 171 was read a second time by its title only.

Mr. Crill moved that the rules be further waived, and that House Bill No. 171 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. 171 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, Canova, Crews, Crill, Gillen, Harris, Hudson, Humphries, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Wadsworth, West, Zim—21.

Nays—Mr. President, Senators Lee, Stockton—3.

So House Bill No. 171 was passed, title as stated.

Mr. Canova moved that House Bill No. 139 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

House Bill No. 139:

A bill to be entitled an act to protect the food fishes in the fresh water streams, rivers, lakes and ponds in the State of Florida.

Was taken up.

Mr. Canova moved that the rules be waived and House Bill No. 139 be read a second time by its title.

Which was agreed to by a two-thirds vote.

And House Bill No. 139 was read a second time by its title only.

Mr. Canova moved that the rules be further waived, and that House Bill No. 139 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. 139 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, Canova, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Zim—29.

Nays—None.

So House Bill No. 139 was passed, title as stated.

Mr. Harris moved that Senate Bill No. 200 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 200:

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

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

Upon call of the roll on Senate Bill No. 200, the vote was:

Yeas—Senators Adams, Alford, Bailey, Baskin, Canova, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Sams, Scott, Stockton, Wadsworth, West—25.

Nays—None.

So the bill passed, title as stated.

#### SPECIAL ORDER.

House Committee substitute for—  
House Bill No. 361:

#### A Bill to be Entitled

AN ACT to abolish the Florida Agricultural College, now officially designated as the University of Florida, located at Lake City; the West Florida Seminary now known as the Florida State College, located at Tallahassee; the White Normal School located at DeFuniak Springs; the East Florida Seminary, located at Gainesville; the South Florida College, located at Bartow; the Florida Agricultural Institute, located in Osceola county, and to vacate and revoke their charters, powers, franchises and privileges, and to abolish their Boards of Trustees, managers and officers; to declare their assets and property the property of the State of Florida, and to vest the title to same in the State Board of Education in trust for the purposes provided in this act; to require the conveyance of title and the delivery of all property and assets of said abolished institutions to the said State or other persons having the title, possession, custody or control of the assets of said institutions; requiring an accounting and reports therefrom, including a statement of all their liabilities and the auditing of the same; providing for the payment of the indebtedness of said institutions; revoking and abolishing all continuing appropriations made or granted thereto; for the repeal of Sections 278, 279, 280, 281, 282, 283, 284, 285, 287, 288, 289, 291, 292, 293, 294, 295, 296, 297, 298 and 299 of the Revised Statutes of Florida, relating to the creation and establishment of the Florida Agricultural College, its organization, powers,

rights and privileges and matters pertaining thereto; for the repeal of Sections 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 325, 326 and 327 of the Revised Statutes of Florida relating to the organization, creation and establishment of the Seminaries East and West of the Suwannee River, their location, powers, rights, privileges and matters pertaining thereto; the repeal of Section 268 of the Revised Statutes of Florida relating to the establishment of a White Normal School at DeFuniak Springs, and providing for the election of a faculty therefor; the abolishing of the Normal and Industrial department created in the St. Petersburg Normal and Industrial School located at St. Petersburg, and the repealing of Chapter 4998 of the Laws of Florida, entitled "an act to assist in the maintaining an Industrial and Normal department in the St. Petersburg Normal and Industrial School; to create scholarships therein and to make appropriations therefor," approved May 31, 1901; providing that no further appropriations or State aid shall be made to the said institution, the striking from the name of said institution of the words "Normal and Industrial," and the relinquishing to the county of Hillsborough of all interest possessed by the State in and to the said school or its property by reason of the appropriations made and aid granted thereto; for the amendment of Section 269 of the Revised Statutes of the State of Florida relating to the establishment of a normal school for colored teachers, and providing for the election of a faculty therefor; the establishment, creation and location of the University of the State to be known as the University of the State of Florida, and one female Seminary to be known as the Florida Female College, and for the maintenance and support of same; providing for the change of location of the Institute for the Blind, Deaf and Dumb now located at St. Augustine, and its enlargement, maintenance and support; providing for the maintenance, support and greater efficiency of the Colored Normal School located at Tallahassee, and for the change of location of the same as may be desired; for the creation of a Board of Control to manage and control all of said several institu-

tions created and provided to be supported and maintained by this act, and to provide for their appointment, terms of office, manner of their succession, organization, compensation, modes and manner of payment and matters connected therewith; granting unto said Board, the control and management of said institutions and every department thereof, full power and authority to that end, and for the employment of all instructors, teachers, servants and employees; for the purchase of all property, furniture, paraphernalia and matters for said institutions and the proper administration of the same, and the mode and manner by which the expense of their operation, support and maintenance shall be provided and paid; making the said Board and its actions subject to the control and supervision of the State Board of Education, and providing for joint meetings of the same; creating the said Board of Control a body corporate and prescribing its powers and duties; appropriating the assets and property of such institution so selected to the location, establishment, support and maintenance of the said institution or institutions that may be so located; providing as to how the said funds, assets and property of the abolished University of Florida shall be disposed of, including the funds arising under the Hatch and Morrill acts, and as to the establishment of the Experiment Station provided by the United States; providing for the disposition of any endowment or funds belonging to the said State College and not the property of the State of Florida in case none of said institutions created or maintained by this act shall be located at Tallahassee, and in case one of said institutions created by this act shall be located there, and for any necessary accounting between the City of Tallahassee and the State of Florida in re-University of the State of Florida created by this act of an Agricultural, Industrial and Mechanical Department and Normal Department for the Instruction of White Teachers, Summer Schools, a classical and scientific department, and such other departments of higher education as the said Boards shall

deem necessary; providing for the design of education for the admission of students for scholarships, for rules and regulations in that regard, and as to grades of education, and the powers of said Boards in regard thereto; providing for the appropriation of the Seminary Morrill and Hatch funds and the interest thereon as required by the act of Congress granting the same; providing for a settlement with the City of Gainesville and the town of Lake City in case neither of the Institutions created or maintained by this act shall be located at either of said places and for the refunding of donations made by said places respectively to the institutions formerly located thereat and abolished by this act, in case that none of the institutions are located by said Boards at such points; providing for the sale and disposal of all the assets by this act not specifically appropriated, and for the creation of a fund arising from any surplus assets and property, and the disposal of the same; providing for an appropriation by the State for the purpose of aiding and assisting in carrying out the provisions of this act, and for a continuing appropriation for the maintenance and support of said institutions as may be requisite and necessary from time to time; providing for the auditing and approving of all accounts in the operation, enlargement, maintenance and conduct of the institutions provided for and maintained by this act, and the modes and manner of their payment; providing as to who shall keep and have possession of all funds provided for under this act and subsequent acts in relation thereto, as to how the same shall be paid out and disposed of; providing for the powers and duties of the Board of Control in relation to the prescribing of examinations and the forms thereof in the public schools of this State and as to admission therefrom and from other institutions of learning into the said institutions created and maintained by this act, and the issuance of certificates in regard to the same; for the vesting in the State Board of Education of the title to all the assets and property of the Colored Normal School and the Institute for the Blind, Deaf and Dumb; requiring the abolition of such trustees,

managers and officers and the surrender of the management, possession and control of such institutions and their property to the Board of Control—the vesting in said board of all powers now provided by law and this act in regard thereto; the duties of the State Treasurer, Comptroller, Superintendent of Public Instruction, State Board of Education and Board of Control in regard to said institutions; to provide for a Normal Department and Summer School for white teachers in the Florida Female College and a Summer School for colored teachers in the colored normal school—whenever necessary and to repeal all laws in conflict with the provisions of this act.

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

Mr. Trammell (Mr. Humphries in the chair) offered a substitute for House Bill No. 361 with the following title:

A bill to be entitled an act to abolish the Boards of Trustees and Boards of Managers of the several State institutions for higher education and of the Institute for Blind, Deaf and Dumb; to declare the assets and property of said several institutions for higher education and the property for the institute for the Blind, Deaf and Dumb, the property of the State of Florida, and to vest the title to the same in the State Board of Education; providing for the conveyance of said property and assets to the said State Board of Education; requiring an accounting and report from said Boards of Trustees and auditing of the same; creating and providing for a Board of Control, and prescribing its duties, powers and privileges; granting certain powers and privileges to the State Board of Education and prescribing certain duties for said board; regulating the qualification of students to be entered in said institutions; providing an appropriation for said institutions for their maintenance and support for two years and for carrying out the provisions of this act; designating the officer to keep and have possession of said funds now or hereafter provided for said institutions; prescribing the mode and manner to regulate the paying out of said funds; providing that the said Board of Control make report and recommendations to the next Legislature as to the best system of higher education; prescribing

the duties of said Board of Control, the State Board of Education, State Treasurer, State Auditor, and Comptroller, in regard to the affairs of said institutions; and to repeal all laws in conflict with this act.

Which was read the first time in full.

Mr. Trammell (Mr. Humphries in the chair) moved that the substitute for House Committee Substitute for House Bill No. 361 be made a special order for tomorrow at 3 o'clock p. m., and that 300 copies of the substitute be printed.

The yeas and nays were demanded on the motion of Mr. Trammell.

Upon the call of the roll the vote was:

Yeas—Mr. President, Messrs. Alford, Bailey, Clarke, Crane, Crill, Hudson, Lee, McCreary, Massey, Neel, Raney, Sams, Wadsworth, Wilson, Zim.—16.

Nays—Messrs. Adams, Baskin, Canova, Crews, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Newlan, Scott, Stockton, West.—14.

So the motion was agreed to.

Mr. Harris moved that the Senate adjourn until 10:30 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until 10:30 o'clock a. m. tomorrow, Friday, May 26, 1905.