

MONDAY, MAY 29, 1905.

The Senate met pursuant to adjournment.

The President in the Chair.

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

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

A quorum present.

Prayer by the Chaplain.

The journal was corrected and approved.

A message was received from the House of Representatives.

A message was received from the Governor.

#### INTRODUCTION OF RESOLUTIONS.

Mr. Crill introduced the following:

Senate Concurrent Resolution No. 21:

Be it resolved by the Senate the House of Representatives concurring, that the Secretary of State is authorized to have enclosed a portion of the space under the stairway the use of the State Treasurer, whose office room is now wholly inadequate for State purposes.

Which was read the first time.

Mr. Crill moved that the rules be waived and that Senate Concurrent Resolution be read a second time.

Which was agreed to by a two-thirds vote.

Mr. Crill moved the adoption of the resolution.

Which was agreed to.

Mr. Crane introduced the following:

Senate Resolution No. 52:

Resolved by the Senate, that after the completion of the first roll call for bills on second and third reading, the Calendar be followed in regular order, except by a waiver of the rules by two-thirds majority..

Mr. Crane moved the adoption of the resolution.

Which was agreed to.

## INTRODUCTION OF BILLS.

By Mr. Massey:  
Senate Bill No. 379:

A bill to be entitled an act to authorize the city of Orlando to issue additional bonds to the amount of one hundred and fifty thousand dollars.

Which was read the first time by its title..

Mr. Massey moved that the rules be waived and Senate Bill No. 379 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 379 was read a second time by its title only.

Mr. Massey moved that the rules be further waived, and that Senate Bill No. 379 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. 379 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, Blount, Canova, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCrary, Massey, Newlan, Raney, Scott, Stockton, Wadsworth, Zim—27.

Nays—None.

Senate Bill No. 379 was passed, title as stated.

By Mr. Blount:

Senate Bill No. 380:

A bill to be entitled an act in aid and furtherance of the objects of the Florida Horticultural Society.

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

By Mr. Blount:

Senate Bill No. 381:

A bill to be entitled an act to amend Section 20, Chapter 4338, Laws of Florida, entitled an act to provide for establishing, working and maintaining the public roads and bridges of the several counties of this State and to provide penalties for failure thereof, approved May 29, 1895.

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

By Mr. Blount:

Senate Bill No. 382:

A bill to be entitled an act for the relief of A. D. McKinnon, of Escambia county, Florida.

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

By Mr. Scott:

Senate Bill No. 383:

A bill to be entitled an act to extend the time limit for the commencement and construction of the St. Andrews, Quincy and Northern Railway, and to preserve the land grant to aid in its construction.

Which was read the first time by its title.

Mr. Scott moved that the rules be waived and Senate Bill No. 383 be read a second time by its title only.

Which was agreed to by a two-thirds vote,

And Senate Bill No. 383 was read a second time by its title only.

Mr. Scott moved that the rules be waived and Senate Bill No. 383 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. 383 was placed on calendar of bills on third reading.

By Mr. Blount:

Senate Bill No. 384:

A bill to be entitled an act to repeal Chapter 4703, Acts of 1899, entitled an act to prevent persons from beating their way on railroad trains in this State.

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

By Mr. McCreary:

Senate Bill No. 385:

A bill to be entitled an act granting a pension to Mrs. Henrietta E. Townsend, of Alachua county, Florida.

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

By Mr. Gillen:

Senate Bill No. 386:

A bill to be entitled an act to extend the time for beginning work upon the Pan-American Railway, and there-

upon to confirm to said railway all rights, powers, privilege and grants heretofore conferred upon the same.

Which was read the first time by its title.

Mr. Gillen moved that the rules be waived and Senate Bill No. 386 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 386 was read a second time by its title only.

Mr. Gillen moved that the rules be waived and Senate Bill No. 386 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. 386 was placed on calendar of bills on third reading.

By Mr. Adams:

Senate Bill No. 387:

A bill to be entitled an act creating and providing for a special commission to inspect, examine into and report upon the needs and requirements at the State Hospital for the Insane, and making appropriations for the actual expenses of such commission.

Which was read the first time by its title.

Mr. Adams moved that the rules be waived and Senate Bill No. 387 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 387 was read a second time in full.

Mr. Adams moved that Senate Bill No. 387 be informally passed.

Which was agreed to.

By Mr. Massey:

Senate Bill No. 388:

A bill to be entitled an act to amend an act entitled an act to prescribe the mode of procedure in cases of supposed insanity, to provide for competent examination, to define the duties of county and circuit judges, and to repeal all laws in conflict with this act.

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

By Mr. Massey:

Senate Bill No. 389:

A bill to be entitled an act providing for buildings and other improvements for the Florida Hospital for the Insane.

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

By Mr. McCreary :

Senate Bill No. 390 :

A bill to be entitled an act to authorize the city of Gainesville, in Alachua County, to issue bonds for educational purposes.

Which was read the first time by its title.

Mr. McCreary moved that the rules be waived and that Senate Bill No. 390 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 390 was read a second time by its title only.

Mr. McCreary moved that the rules be further waived and that Senate Bill No. 390 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. 390 was read a third time in full.

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

Mr. President, Adams, Alford, Bailey, Baskin, Blount, Canova, Clarke, Crews, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Ney, Sams, Scott, Stockton, Wadsworth, Zim  
—27.

Senate bill No. 390 was passed, title as stated.

By Mr. Blount :

Senate Bill No. 391 :

A bill to be entitled an act to induce the prompt payment of State and County taxes.

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

#### MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read :

House of Representatives,  
Tallahassee, Fla., May 29, 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. 431:

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

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 431 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 29, 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. 509:

A bill to be entitled an act granting a pension to William Robert Napier, of Putnam County 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. 509 contained in the above message was read the first time by its title and referred to the Committee on Pensions.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 29, 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. 537:

A bill to be entitled an act to prohibit the shooting of alligators and limpkins in the Ocklawaha River in this State.

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. 537 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 29, 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. 488:

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

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 488 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 29, 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 laid on the table—

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 com-

mission, to make preparations for carrying this act into effect and providing penalties for violation of same.

Very respectfully,

J. G. KELLUM,  
Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 29, 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. 232:

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

With the following amendment, to-wit:

Add in second line, after the word "sale," the following, "and dispcsal."

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

Mr. Raney moved that the Senate concur in the amendments of the House of Representatives to Senate Bill No. 232.

Which was agreed to.

And Senate Bill No. 232, 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 29, 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. 243:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 243 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,

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. 111:

A bill to be entitled an act to repeal Chapter 5291, of the Laws of Florida, acts of 1903, entitled "An act to regulate the catching or taking of fish in the waters of Manatee County, of the State of Florida, and to prohibit the taking or catching of fish, except for personal consumption, during the period from the twenty-third of November to the thirty-first of December of each and every year, and to regulate the manner and means to be employed in taking fish from said waters, and the length, depth, and kind of nets that may be employed in the taking of fish from said waters, and to prescribe a limit to the size of mesh of nets allowed to be used for the purpose of catching and taking fish from the waters of said county, and to prohibit the transportation for the purpose of sale of any food fish from the limits of said county, from the twenty-third day of November to the thirty-first day of December

of each and every year, and to prescribe a penalty for the violation of the provisions of this act.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 111 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 29, 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 passed by the constitutional three-fifths vote of all members elected to the House of Representatives—

Senate Joint Resolution No. 66:

A joint resolution proposing to amend Section of Article V. of the Constitution of the State of Florida, relating to the salaries of the Justices of the Supreme Court and Circuit Judges.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Joint Resolution No. 66 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 29, 1905.

Hon. Par M. Trammell,

*President of the Senates*

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives herewith returns House Bill No. 367 as requested by the Senate—

Senate—

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.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 367, contained in the above message, was placed before the Senate.

Mr. Blount moved that the rules be waived and that House Bill No. 367 be placed back on second reading for amendments.

Which was agreed to by a two-thirds vote.

And House Bill No. 367 was placed back on calendar of bills on second reading.

Mr. Blount moved that House Bill No. 367 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

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.

Was taken up, and read a second time in full.

Mr. Blount offered the following amendment to House Bill No. 367:

Amend the title by inserting after the words "an act," the words "to amend an act entitled an act."

Mr. Blount moved the adoption of the amendment.

Which was agreed to.

Mr. Blount 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, as amended, was read a third time in full.

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

Yeas—

Mr. President, Adams, Bailey, Baskin, Blount, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth.—25.

Nays—none.

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

#### REPORTS OF COMMITTEES.

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

90 S. B.

Senate Chamber,  
Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Bill No. 377:

A bill to be entitled an act relating to the recording of decrees and orders in chancery in this State.

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

Very respectfully,

W. HUNT HARRIS.

Chairman of Committee.

And Senate Bill No. 377, 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 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

SIR—Your Committee on Judiciary to whom was referred—

Senate Bill No. 226:

A bill to be entitled an act relating to motions for new trials in civil cases.

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

Amend the first Section by adding at the end thereof the following sentence:

“It shall not be necessary to incorporate in a motion for new trial any matter in pais as to which an exception has been previously taken for the purpose of having the same reviewed by any appellate court.”

And recommend that it do pass as amended.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And Senate Bill No. 226 contained in the above report, together with amendments, was placed on the calendar of bills on second reading.

Mr. Humphries Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

SIR—Your Committee on Claims to whom was referred—

Senate Bill No. 317:

A bill to be entitled an act for the relief of T. H. Jackson of Liberty county, Florida.

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

Very respectfully,

J. H. HUMPHRIES,

Chairman of Committee.

And Senate Bill No. 317, 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 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

SIR—Your Committee on Engrossed Bills, 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 defendants therein.

I have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

And Senate Bill No. 357, 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 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Bill No. 61:

A bill to be entitled an act requiring any person, firm or corporation operating any railroad in this State to construct and maintain good and sufficient stock guards.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

And Senate Bill No. 61, contained in the above report, was placed on the Calendar of Bills on third reading.

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An act declaring the town of Noma in the county of Holmes to be a legally incorporated town.

Also,

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.

Also,

An act to prohibit the catching or taking of food fish from the waters of Lake Weir, by the use of seines, gill nets, or haul nets, or any other nets or device, except hook and line.

Also,

An act to provide for the appointment of an assistant State Auditor; to prescribe his duties and powers, and fix his compensation; to provide penalties for refusing to produce and submit books and records for his examination by State and County officials; and to appropriate money to carry the provisions of this act into effect.

Also,

An act to amend Chapter 4769, Laws of Florida, being an act entitled "An act to provide for the working of pub-

lic roads of the State, and the working of convicts thereon."

Also,

An act to require the Trustees of the Internal Improvement Fund to pay into the State Treasury all money 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 safekeeping of the same, and to repeal Chapter 5245, Laws of Florida, relating to the disposition of

Also,

An act to declare Bayou George Creek and Bear Creek in Washington county, Florida, to be navigable streams.

Also,

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.

Also,

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.

Have examined the same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

And the acts contained in the above reports were 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.

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

Senate Bill No. 264:

A bill to be entitled an act to define legal holidays in the State of Florida.

Have examined the same and recommend that it do pass.

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

And Senate Bill No. 264, 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 29, 1905.

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

SIR—Your Committee on Judiciary to whom was referred—

Senate Bill No. 360:

A bill to be entitled an act defining what shall constitute due diligence on the part of a bank in the collection of checks, drafts, notes or other negotiable instruments, and fixing the liability of bank, drawer, maker, guarantor, surety, and endorser.

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

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

And Senate Bill No. 360, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
 Tallahassee, Fla., May 29, 1905.

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

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

An act declaring the town of Noma in the county of Holmes to be a legally incorporated town.

Also,

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.

Also,

An act to prohibit the catching or taking of food fish from the waters of Lake Weir, by the use of seines, gill nets, or haul nets, or any other nets or device, except hook and line.

Also,

An act to provide for the appointment of an assistant State Auditor; to prescribe his duties and powers, and fix his compensation; to provide penalties for refusing to produce and submit books and records for his examination by State and County officials; and to appropriate money to carry the provisions of this act into effect.

Also,

An act to amend Chapter 4769, Laws of Florida, being an act entitled "An act to provide for the working of public roads of the State, and the working of convicts thereon."

Also,

An act to require the Trustees of the Internal Improvement Fund to pay into the State Treasury all money 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 safekeeping of the same, and to repeal Chapter 5245, Laws of Florida, relating to the disposition of the said money, approved June 8, 1903.

Also,

An act to declare Bayou George Creek and Bear Creek in Washington county, Florida, to be navigable streams.

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 first permanent settlement made in the United States by English speaking people in the year sixteen hundred and seven.

Also,

An act providing for the extension of the corporate lim-

its of cities and towns: Excepting therefrom the city of Jacksonville, unless accepted by it, by ordinance.

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 declaring the town of Noma in the county of Holmes to be a legally incorporated town.

Also,

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.

Also,

An act to prohibit the catching or taking of food fish from the waters of Lake Weir, by the use of seines, gill nets, or haul nets, or any other nets or device, except hook and line.

Also,

An act to provide for the appointment of an assistant State Auditor; to prescribe his duties and powers, and fix his compensation; to provide penalties for refusing to produce and submit books and records for his examination by State and County officials; and to appropriate money to carry the provisions of this act into effect.

Also,

An act to amend Chapter 4769, Laws of Florida, being an act entitled "An act to provide for the working of public roads of the State, and the working of convicts thereon."

Also,

An act to require the Trustees of the Internal Improvement Fund to pay into the State Treasury all money 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 safekeeping of the same, and to repeal Chapter 5245, Laws of Florida, relating to the disposition of the said money, approved June 8, 1903.

Also,

An act to declare Bayou George Creek and Bear Creek in Washington county, Florida, to be navigable streams.

Also,

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.

Also,

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.

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.

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

House Bill No. 517:

A bill to be entitled an act for the safe-guarding of persons from injury during automobile racing.

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

Very respectfully,

W. HUNT HARRIS,  
Chairman of Committee.

And House Bill No. 517. contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 23, 1905.

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

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

An act declaring the town of Noma in the county of Holmes to be a legally incorporated town.

Also,

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.

Also,

An act to prohibit the catching or taking of food fish from the waters of Lake Weir, by the use of seines, gill nets, or haul nets, or any other nets or device, except hook and line.

Also,

An act to provide for the appointment of an assistant State Auditor; to prescribe his duties and powers, and fix his compensation; to provide penalties for refusing to produce and submit books and records for his examination by State and County officials; and to appropriate money to carry the provisions of this act into effect.

Also,

An act to amend Chapter 4769, Laws of Florida, being an act entitled "An act to provide for the working of public roads of the State, and the working of convicts thereon."

Also,

An act to require the Trustees of the Internal Improvement Fund to pay into the State Treasury all money 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 safekeeping of the same, and to repeal Chapter 5245, Laws of Florida, relating to the disposition of the said money, approved June 8, 1903.

Also,

An act to declare Bayou George Creek and Bear Creek in Washington county, Florida, to be navigable streams.

Also,

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 the first permanent settlement made in the United States by English speaking people in the year sixteen hundred and seven.

Also,

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.

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

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

House Bill No. 162:

A bill to be entitled an act to extend the powers of the Railroad Commissioners so as to give them power and authority to regulate charges of telegraph companies for the transmission of messages by telegraph; to apply the powers given to said Commissioners by law over railroad companies to all persons or companies owning, controlling or operating a line or lines of telegraph, and to make the penalties prescribed against railroads for violating Commissioners rules apply to the companies and persons herein named whose line or lines is or are wholly or in part in this State, and for other purposes.

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

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And House Bill No 162, contained in the above report, was placed on the Calendar of Bills on second reading.

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

State of Florida,  
Executive Department,  
Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

“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.”

Also,

“An act authorizing City or Town Clerks to appoint deputies.”

Also,

“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.”

Also,

“An act declaring Morrison Spring and Creek, in the county of Walton, in the State of Florida, navigable, and providing penalties for violation thereof.”

Also,

“An act to amend Chapter 4758 of the Laws of Florida, being an act to amend Section 1 of Chapter 4390, Laws of Florida, Acts of 1895, relative to care of convicts.”

Also,

“A Concurrent Resolution, Be it resolved by the Senate, the House of Representatives concurring, that the Board of Commissioners of State Institutions be requested to take such steps as in their judgment may be necessary to have all white prisoners confined in the State Prison of

Florida, in so far as is possible, confined and worked in separate camps from the colored prisoners."

Also,

"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 purposes of drainage, reclamation and improvement aforesaid."

Also,

"Joint Resolution proposing an amendment to Article XVI of the Constitution of the State of Florida, relating to the drainage, reclamation and improvement of the swamp and overflowed lands, the creation of a 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 benefited by means thereof, the collection of necessary funds by assessment of benefits and taxation and 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 purposes of drainage, reclamation and improvement of said swamp and overflowed lands within the State of Florida."

I would further inform you that I have caused the aforesaid acts and resolutions to be filed in the office of the Secretary of State.

I have the honor to be,

Very respectfully,

N. B. BROWARD,

Governor.

The following communication from the Governor was read and ordered spread upon the Journal:

State of Florida,  
Executive Department,  
Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

SIR—In transmitting to you under this date my approval of Senate Joint Resolution proposing an amendment to Article 16, Constitution of the State of Florida, relating to the drainage, reclamation and improvement of the swamp and overflowed lands; creation of a Board of Drainage Commissioners, etc. I desire to call to your attention the provisions of Article 17, Section one, of the Constitution of the State of Florida, which provides as follows:

Section 1. Either branch of the Legislature, at a regular session thereof, may propose amendments to this Constitution; and if the same be agreed to by three-fifths of all the members elected to each House, *such proposed amendments shall be entered upon their respective journals with the "yeas" and "nays."*

In pursuance of this provision of the Constitution, I deem it necessary that the Journals of the Senate, showing the action and vote of the Senate upon Senate Joint Resolution Number 285, should be corrected so as to set out or enter in full the proposed amendment.

I have the honor to be,

Very respectfully,

N. B. BROWARD,  
Governor.

Mr. Scott moved that Senate Bill No. 164 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 164:

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

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

Upon call of the roll on Senate Bill No. 164, the vote was:

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Blount, Canova, Crane, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Jackson, Lee, McCreary, Massey,

Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, Zim—26.

Nays—Mr. Crews—1.

So the bill passed, title as stated.

Mr. Lee moved that House Bill No. 28 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote,

And,

House Bill No. 28:

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

Was taken up.

Mr. Lee moved that the rules be waived and House Bill No. 28 be read a second time by its title only.

Which was agreed to by a two-thirds vote,

And House Bill No. 28 was read a second time by its title only.

Mr. Lee moved that the rules be further waived, and that House Bill No. 28 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. 28 was read a third time in full.

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

Yeas—Senators Alford, Bailey, Baskin, Blount, Cano, va, Crane, Crews, Davis, Faulkner, Gillen, Harris, Hudson, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Scott, Stockton, Wadsworth, Zim—23.

Nays—Senators Clarke and Sams—2.

So House Bill No. 28 was passed, title as stated.

Mr. Stockton asked that Mr. Wilson be excused from attendance for the morning session.

The request was granted.

Mr. Blount asked that Mr. West be excused for today.

Mr. West was excused.

Mr. Hudson moved that Senate Bill No. 318 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 318:

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

Was taken up and read a second time in full.

Mr. Hudson moved that the rules be further waived, and that Senate Bill No. 318 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. 318 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, Crane, Crews, Faulkner, Hudson, Jackson, Scott, Stockton, Zim—11.

Nays—Senators Adams, Alford, Blount, Canova, Clarke, Crill, Davis, Gillen, Harris, Humphries, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Wadsworth—18.

So Senate Bill No. 318 failed to pass.

Mr. Gillen moved that House Bill No. 472 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

House Bill No. 472:

A bill to be entitled an act to prohibit the formation of combinations on the part of manufacturers of ice in the State of Florida for the purpose of controlling prices, or of maintaining an agreed price, or of preventing the shipment of ice for sale from one place to another in said State or for the purpose of any agreement in the nature of a trust; declaring all such agreements and combinations unlawful, prescribing penalties for violations of this act and making it unlawful for any dealer in ice to refuse or fail to give purchasers full weight.

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 3, line 1, after the word "ice," strike out the words "who refuses or fails," and insert the following: "or other person who delivers or sells ice who wilfully refuses or wilfully fails."

Mr. Gillen moved the adoption of the committee amendment.

Which was agreed to.

Mr. Scott moved that House Bill No. 472 be indefinitely postponed.

The yeas and nays were demanded on the motion of Mr. Scott to indefinitely postpone House Bill No. 472.

Upon call of the roll the vote was:

Yeas—Senators Bailey, Clarke, Crill, Harris, Humphries, Massey, Raney, Sams, Scott, Wadsworth—10.

Nays—Mr. President, Senators Adams, Alford, Baskin, Blount, Canova, Crews, Faulkner, Gillen, Jackson, Lee, McCreary, Neel, Newlan, Stockton, Zim—16.

So the motion was not agreed to.

Mr. Scott moved that House Bill No. 472 be made a special order for tomorrow at 10:30 a. m.

Which was agreed to.

Mr. Hudson moved that House Concurrent Resolution No. 14 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

House Concurrent Resolution No. 14:

Instructing the Trustees of the Improvement Fund to institute legal proceedings to compel a settlement of said indebtedness by railroads and canal companies.

Was taken up and read a second time in full.

Mr. Hudson offered the following amendment to House Concurrent Resolution No. 14:

Strike out all after the word "maintainable" in line 2 of the last page of the engrossed bill.

Mr. Hudson moved the adoption of the amendment.

Which was not agreed to.

Mr. Adams moved that House Concurrent Resolution No. 14 be laid on the table subject to call.

Which was agreed to.

#### BILLS ON SECOND READING.

House Bill No. 75:

A bill to be entitled an act to amend Chapter 4975, Laws of Florida, entitled an act to establish a standard of weights and measures of the State of Florida, approved May 30, 1901.

Was taken up and read a second time in full.

Mr. Stockton moved that House Bill No. 75 be indefinitely postponed.

Which was agreed to.

91 S. B.

**Senate Bill No. 255:**

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

Was taken up.

Mr. Crane asked permission to withdraw Senate Bill No. 255.

Which was granted.

And Senate Bill No. 255 was withdrawn.

Mr. Crane moved that Senate Bill No. 351 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

**Senate Bill No. 351:**

A bill to be entitled an act to create a Board of Park Commissioners for the City of Tampa, a municipal corporation existing under the laws of the State of Florida, and defining their powers and duties, and permitting the City of Tampa to levy a tax for the purpose of maintaining public parks of the City of Tampa.

Was taken up.

Mr. Crane offered the following substitute to Senate Bill No. 351, with the following title:

A bill to be entitled an act amending the city charter and affecting the government, duties, jurisdiction, and enlarging the powers of the Board of Commissioners of Public Works of the City of Tampa, to provide for the management, care and control of all public parks and buildings situated thereon, in the City of Tampa, and to permit the City of Tampa to levy a tax for the purpose of maintaining public parks of the City of Tampa.

Mr. Crane moved the adoption of the substitute.

Which was agreed to.

Mr. Crane moved that the rules be waived and Substitute Senate Bill No. 351 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Substitute Senate Bill No. 351 was read a second time by its title only.

Mr. Crane moved that the rules be further waived, and that Substitute Senate Bill No. 351 be read third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Substitute Senate Bill No. 351 was read 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, Clarke, Crane, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Scott, Stockton, Wadsworth, —24.

Nays—none.

So Substitute Senate Bill No. 351 was passed, title as stated.

House Bill No. 19:

A bill to be entitled an act to provide for the disposition by the several counties of the State of Florida, of the funds arising from and apportioned to the said several counties from the hire of State convicts.

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 all of Section 1 and insert in lieu thereof the following:

Section 1. That the fund arising from the hire of State convicts, and apportioned to the several counties of this State, shall be credited by the Board of County Commissioners to the school fund, the fine and forfeiture fund, or to any other regular county fund, as may be deemed proper in the discretion of the Board of County Commissioners.

Mr. Baskin moved the adoption of the committee amendment.

Which was agreed to.

Mr. Crane moved that the rules be further waived, and that House Bill No. 19 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. 19 as amended 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, Blount, Canova, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, Zim—27.

Nays—none.

So House Bill No. 19 as amended was passed, title as stated.

Senate Bill No. 160:

A bill to be entitled an act to legalize the incorporation of the town of Daytona Beach, in the County of Volusia, and to declare the incorporation of the town of Daytona Beach valid and of full force and effect.

Was taken up.

Mr. Sams asked permission to withdraw Senate Bill No. 160.

Which was granted.

And Senate Bill No. 160 was withdrawn.

Mr. Sams moved that House Bill No. 517 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

House Bill No. 517:

A bill to be entitled an act for the safe-guarding of persons from injury during automobile racing.

Was taken up and read a second time in full.

Mr. Sams moved that the rules be further waived, and that House Bill No. 517 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. 517 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, Blount, Canova, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, Zim—25.

Nays—None.

So House Bill No. 517 was passed, title as stated.

Mr. Stockton moved that Senate Joint Resolution No. 325 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Joint Resolution No. 325:

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

Was taken up.

Mr. Stockton moved that the rules be further waived,

and that Senate Joint Resolution No. 325 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 325 was read a third time in full.

Upon call of the roll on the passage of the joint resolution, the vote was:

Yeas— Mr. President, Senators Adams, Alford, Bailey, Baskin, Blount, Canova, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, Zim—27.

Nays—Mr. Harris—1.

Senate Joint Resolution No. 325 having received the Constitutional majority of three-fifths of all the members elected to the Senate was passed title as tated.

By permission—

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

Senate Chamber,  
Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

Senate Bill No. 258:

A bill to be entitled an act to regulate appellate procedure and practice.

Beg leave to report that they have carefully considered the same and recommend the passage of the accompanying substitute in lieu thereof with the same title.

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And Senate bill No. 258, contained in the above report, together with the substitute therefor, was placed on the Calendar of Bills on second reading.

Mr. Harris moved that substitute for Senate Bill No. 258 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote,

And

Senate Bill No. 258:

A bill to be entitled an act to regulate appellate procedure and practice.

Was taken up and read a second time in full, together with the substitute offered by the Committee on Judiciary, with the following title:

A bill to be entitled an act to regulate appellate procedure and practice.

Mr. Harris moved the adoption of the substitute.

Which was agreed to.

Mr. Harris moved that the rules be waived and substitute for Senate Bill No. 258 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And substitute for Senate Bill No. 258 was read a second time by its title only.

Mr. Harris moved that the rules be further waived, and that substitute for Senate Bill No. 258 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And substitute for Senate Bill No. 258 was read a third time in full.

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

Mr. President, Adams, Bailey, Baskin, Blount, Canova, Crews, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, Massey, Neel, Newlan, Raney, Sams, Scott, Wadsworth, Zim.—23.

Nays—Mr. Clarke—1.

So substitute for Senate Bill No. 258 was passed, title as stated.

By permission—

Mr. Zim introduced—

Senate Bill No. 392:

A bill to be entitled an act giving the Florida Railroad Commission authority to fix the rate of toll on toll bridges now constructed, or to be hereafter constructed, over and across the Matongas and North rivers, in the State of Florida, and providing for the maximum rates of toll thereon, the hours during which said toll bridges shall **remain open for traffic, and authorizing the said Railroad Commission to prescribe penalties for the violation thereof, and penalties for the violation of such rules and regulations made in compliance herewith.**

Which was read the first time by its title.

Mr. Zim moved that the rules be waived and Senate Bill No. 392 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 392 was read a second time by its title only.

Mr. Zim moved that the rules be further waived, and that Senate Bill No. 392 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. 392 was read a third time in full.

Mr. Harris moved that the Senate adjourn until 3:30 o'clock this afternoon.

Which was agreed to.

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

#### AFTERNOON SESSION

3:30 O'CLOCK 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, Adams, Alford, Baskin, Blount, Canova, 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.

The Senate resumed consideration of—

Senate Bill No. 392:

A bill to be entitled an act giving the Florida Railroad Commission authority to fix the rates of toll on toll bridges now constructed, or to be hereafter constructed, over and across the Matongas and North rivers, in the State of Florida, and providing for the maximum rate of toll thereon, the hours during which said toll bridges shall remain open for traffic, and authorizing the said Railroad Commission to prescribe penalties for the violation thereof, and penalties for violation of said rules and regulations made in compliance herewith.

The bill having been 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, Clarke, Crane, Crews, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Scott, Stockton, Wadsworth, West, Zim—26.

Nays—Sams—1.

So the bill passed, title as stated.

And,

Senate Bill No. 224:

A bill to be entitled an act to amend Section twenty-eight hundred and fourteen (2814) of the Revised Statutes of Florida, relating to grand jurors as witnesses.

Was taken up and read a second time in full.

Mr. Blount moved that the rules be further waived, and that Senate Bill No. 224 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. 224 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, Blount, Canova, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary Massey, Neel, Newlan, Raney, Scott, Stockton, Wadsworth, West, Zim—27.

Nays—None.

So Senate Bill No. 224 was passed, title as stated.

By permission—

Mr. Blount introduced the following:

Senate Resolution No. 53:

Resolved, That the Secretary of the Senate be and is hereby directed to correct the Journals of each day of this session upon which a joint resolution proposing an amendment to the Constitution has been passed, to wit, the Journals of each of said days shall have spread at length thereon such resolution together with the ayes and nays thereon.

Mr. Blount moved the adoption of the resolution.

Which was agreed to.

House Bill No. 38:

A bill to be entitled an act to amend Section 3024 of the Revised Statutes of Florida, relating to coroners fees.

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 6, strike out the words "ten cents for each mile," and insert in lieu thereof the words "five cents for each mile."

Mr. Harris moved the adoption of the committee amendment.

Which was agreed to.

And House Bill No. 38 was ordered placed on calendar of bills on third reading.

Mr. Scott requested permission to exchange places on the Calendar with Senate Bill No. 147 and House Bill No. 215 be taken up.

The request was granted.

And,

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.

Was taken up.

Mr. Harris moved that the rules be waived and House Bill No. 215 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 215 was read a second time by its title only.

Mr. Harris moved that the rules be further waived, and that House Bill No. 215 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. 215 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, Blount, Canova, 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.

Nays—None.

So House Bill No. 215 was passed, title as stated.

Mr. Adams moved that Senate Bill No. 387 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

**Senate Bill No. 387:**

A bill to be entitled an act directing and providing for a special committee to inspect, examine into and report upon the needs and requirements at the State Hospital for the Insane, and making appropriations for the actual expenses of such commission.

Was taken up.

Mr. Adams offered the following substitute for Senate Bill No. 387:

**A BILL  
To Be Entitled**

An act creating and providing for a special commission to inspect, examine into and report upon the needs and requirements of the State Hospital for the Insane; to take into consideration the advisability of locating the State Hospital for the Insane, either in whole or in part, at some other point in this State; to report and recommend such legislation as in their opinion is best suited to the welfare of the insane in this State; and making an appropriation for the actual expenses of such commission.

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

Section 1. That a special commission of six is hereby created, consisting of the Governor, Comptroller, State Health Officer and three other citizens of this State, who shall be appointed by the Governor, who shall inspect, examine into, report and recommend to the next Legislature whatever in their opinion is necessary or requisite and best suited to the welfare of the insane in this State in every way, including a change of location in whole or in part, that the Hospital for the Insane may be placed on the highest plane and in keeping with the most advanced and improved methods for the care of such institutions, together with the most approved method of treatment of insane persons.

Section 2. That the report of the special commission shall be transmitted by the Governor with his message to the next Legislature on the day that the Legislature convenes.

Section 3. That the members of the special commission shall be allowed their actual expenses while performing the duties provided for in this act, and the Comptroller is hereby authorized and directed to draw warrants on the State Treasurer in payment of such actual expenses, and

the State Treasurer is directed to pay said warrants out of any money in the State Treasury not otherwise appropriated.

Mr. Adams moved the adoption of the substitute.

Which was agreed to.

Mr. Adams moved that the rules be waived and substitute for Senate Bill No. 387 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And substitute for Senate Bill No. 387 was read a second time by its title only.

Mr. Adams moved that the rules be further waived, and that substitute for Senate Bill No. 387 be read a third time in full and put upon its passage.

And substitute for Senate Bill No. 387 was read a third time in full.

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

Yeas—

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

Nays—None.

So substitute for Senate Bill No. 387 was passed, title as stated.

#### SPECIAL ORDERS.

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 falls of 1905 and 1906, and to provide for the payment thereof.

Was taken up and read a second time in full.

The hour of 4 o'clock p. m., the time set for its consideration having arrived.

And Senate Bill No. 319 was ordered referred to the Committee on Engrossed Bills.

House committee substitute for—

House Bill No. 252:

A bill to be entitled an act defining the manner and causes of commitment of minors to the Florida State Reform School at Marianna, defining who shall be committed and for what time, and upon what conditions, regulating the discipline, providing for the proper management of said Reform School and appropriating money for the benefit of said institution.

Was taken up.

The hour of 4 o'clock p. m., the time set for its consideration having arrived.

Pending its reading—

Mr. McCreary moved that further consideration of House Bill No. 252 be dispensed with, and that the bill be referred to the Committee on Appropriations.

Which was agreed to.

And House Bill No. 252 was referred to the Committee on Appropriations.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 29, 1935.

Hon. Park M. Trammell,

*President of the Senate:*

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

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.

Also,

An act regulating the abolition, extension or contraction of the limits of Special Tax School Districts.

Also,

An act to amend Sections 2642 and 2643 of the Revised Statutes of Florida relating to vagrants.

Also,

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.

Also,

An act for the relief of Mrs. Mary Elizabeth Dickison, widow of the lamented General J. J. Dickison.

Also,

An act to protect the food fishes in the fresh water streams, rivers, lakes and ponds in the State of Florida.

Also,

An act to amend and supplement the charter of the town of Punta Gorda, Florida, designated as Chapter 5085, Laws of Florida of 1901.

Have examined the same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

And the acts contained in the above report was 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. Scott, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

An act to provide for the registration of all legally qualified voters in the City of Pensacola, Florida; and to define the qualifications of such voters.

Also,

An act to provide a method of assistance to any elector applying to vote in the primary election in this State, who, by reason of blindness, or the loss of a hand or hands, or who is unable to read or write, to prepare his ballot by the inspectors of such election, and providing a penalty for any violation of this act.

Also,

An act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Bradentown, and for other purposes.

Also,

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

Also,

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

Also,

An act to legalize and validate the election held at Perry, Taylor county, Florida, on the tenth (10) day of May, A. D. 1905, under ordinance No. 10 of the town council of the said town of Perry, Taylor county, Florida, for the purpose of deciding whether or not the said town of Perry should issue fifteen thousand dollars (\$15,000.00) worth of bonds for the purpose of establishing a system of water works in said town.

Also,

An act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Manatee, and for other purposes.

Have examined same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

And the acts contained in the above report was referred to the Joint Committee on Enrolled Bills.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

House Bill No. 497:

A bill to be entitled an act to repeal all fence laws in Township forty-five South of Range twenty-one East; and that part of Township forty-six South of Range twenty-one East, which lies in Captiva and Buck Keys.

Have examined the same and recommend that it do pass.

Very respectfully,  
FRANK W. SAMS,  
Chairman of Committee.

And House Bill No. 497, contained in the above report, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,  
Tallahassee, Fla., May 29, 1905.

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

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

Senate Bill No. 391:

A bill to be entitled an act to secure the prompt payment of State and county taxes.

Beg to return same herewith:

And recommend the passage of the committee substitute with the following title:

A bill to be entitled an act to induce the prompt payment of State and county taxes.

Very respectfully,

E. S. CRILL,  
Chairman of Committee.

And Senate Bill No. 391, contained in the above report, together with the substitute therefor, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,  
Tallahassee, Fla., May 29, 1905.

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

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

House Bill No. 78:

A bill to be entitled an act imposing a license tax on dogs and providing a penalty for violation of same.

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And House Bill No. 78, contained in the above report, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An act to provide for the registration of all legally qualified voters in the City of Pensacola, Florida; and to define the qualifications of such voters.

Also,

An act to provide a method of assistance to any elector applying to vote in the primary election in this State, who, by reason of blindness, or the loss of a hand or hands, or who is unable to read or write, to prepare his ballot by the inspectors of such election, and providing a penalty for any violation of this act.

Also,

An act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Bradentown, and for other purposes.

Also,

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

Also,

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

Also,

An act to legalize and validate the election held at

Perry, Taylor county, Florida, on the tenth (10) day of May, A. D. 1905, under ordinance No. 10 of the town council of the said town of Perry, Taylor county, Florida, for the purpose of deciding whether or not the said town of Perry should issue fifteen thousand dollars (\$15,000.00), worth of bonds for the purpose of establishing a system of water works in said town.

Also,

An act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Manatee, and for other purposes.

Have examined the same and find them correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

And the acts contained in the above report was 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. Davis, Chairman of the Committee on Commerce and Navigation, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

SIR—Your Committee on Commerce and Navigation, to whom was referred—

Senate Bill No. 238:

A bill to be entitled an act to declare Bayou George Creek and Bear Creek, in Washington county, Florida, navigable streams.

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

Very respectfully,

T. S. DAVIS,

Chairman of Committee.

And Senate Bill No. 268, contained in the above report, was placed on the Calendar of Bills on second reading.

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By permissoin—

Mr. Davis, Chairman of the Committee on Commerce and Navigation, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

SIR—Your Committee on Commerce and Navigation, to whom was referred—

House Bill No. 363:

A bill to be entitled an act to amend Section 2701 of the Revised Statutes of the State of Florida, relating to obstructing of the navigable water courses of the State of Florida, and prescribing penalty therefor.

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

Very respectfully,

T. S. DAVIS,

Chairman of Committee.

And House Bill No. 363, contained in the above report, was placed on the Calendar of Bills on second reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

An act to provide for the registration of all legally qualified voters in the City of Pensacola, Florida; and to define the qualifications of such voters.

Also,

An act to provide a method of assistance to any elector applying to vote in the primary election in this State, who, by reason of blindness, or the loss of a hand or hands, or who is unable to read or write, to prepare his ballot by the inspectors of such election, and providing a penalty for any violation of this act.

Also,

An act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and

electric lighting and power business within the municipality of Bradentown, and for other purposes.

Also,

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

Also,

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

Also,

An act to legalize and validate the election held at Perry, Taylor county, Florida, on the tenth (10) day of May, A. D. 1905, under ordinance No. 10 of the town council of the said town of Perry, Taylor county, Florida, for the purpose of deciding whether or not the said town of Perry should issue fifteen thousand dollars (\$15,000.00) worth of bonds for the purpose of establishing a system of water works in said town.

Also,

An act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Manatee, and for other purposes.

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

Very respectfully,

T. M. SCOTT.

Chairman of Committee.

#### ENROLLED.

The President announced that he was about to sign—

An act to provide for the registration of all legally qualified voters in the City of Pensacola, Florida; and to define the qualifications of such voters.

Also,

An act to provide a method of assistance to any elector applying to vote in the primary election in this State, who, by reason of blindness, or the loss of a hand or

hands, or who is unable to read or write, to prepare his ballot by the inspectors of such election, and providing a penalty for any violation of this act.

Also,

An act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Bradentown, and for other purposes.

Also,

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

Also,

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

Also,

An act to legalize and validate the election held at Perry, Taylor county, Florida, on the tenth (10) day of May, A. D. 1905, under ordinance No. 10 of the town council of the said town of Perry, Taylor county, Florida, for the purpose of deciding whether or not the said town of Perry should issue fifteen thousand dollars (\$15,000.00) worth of bonds for the purpose of establishing a system of water works in said town.

Also,

An act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Manatee, and for other purposes.

The acts were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate.*

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

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.

Also,

An act regulating the abolition, extension or contraction of the limits of Special Tax School Districts.

Also,

An act to amend Sections 2642 and 2643 of the Revised Statutes of Florida relating to vagrants.

Also,

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.

Also,

An act for the relief of Mrs. Mary Elizabeth Dickison, widow of the lamented General J. J. Dickison.

Also,

An act to protect the food fishes in the fresh water streams, rivers, lakes and ponds in the State of Florida.

Also,

An act to amend and supplement the charter of the town of Punta Gorda, Florida, designated as Chapter 5085, Laws of Florida of 1901.

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 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.

Also,

An act regulating the abolition, extension or contraction of the limits of Special Tax School Districts.

Also,

An act to amend Sections 2642 and 2643 of the Revised Statutes of Florida relating to vagrants.

Also,

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.

Also,

An act for the relief of Mrs. Mary Elizabeth Dickison, widow of the lamented General J. J. Dickison.

Also,

An act to protect the food fishes in the fresh water streams, rivers, lakes and ponds in the State of Florida.

Also,

An act to amend and supplement the charter of the town of Punta Gorda, Florida, designated as Chapter 5085, Laws of Florida of 1901.

The acts were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills, to convey to the Governor for his approval.

By permission—

Mr Sams introduced the following:

Senate Resolution No. 54:

Be it resolved, That hereafter no bills coming from the House shall be considered by the Senate until and unless said bills shall first be referred to a committee and the committee shall have reported thereon.

Mr. Sams moved the adoption of the resolution.

Which was agreed to.

Mr. Wilson 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 29, 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. 540:

A bill to be entitled an act providing for the signing of vouchers of pensioners of this State by either clerks of the circuit court or notaries public.

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

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 29, 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. 332:

A bill to be entitled an act authorizing the city of Jacksonville to issue bonds and providing for the payment thereof.

Very respectfully,  
J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 332, 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 29, 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 its amendment to—

Senate Bill No. 291:

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

As follows:

At the end of Section 4 insert the following: And in default of the payment of such fine and cost, such person shall be imprisoned in the county jail for a period which may be just and right, in the discretion of the court, to be fixed out by the County Commissioners.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate No. 291 contained in the above message, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

Tallahassee, Fla., May 29, 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 receded from its amendment to—

Senate Bill No. 17:

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

As follows:

Strike out the words "two years" and insert in lieu thereof the following: "Twenty-two months."

Also

Strike out the words first day of June 1907 and insert in lieu thereof the following: "First day of April, 1907."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 17 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 29, 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 laid on the table—

Senate Bill No. 146:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 29, 1905.

Hon. Park M. Trammell,

*President of the Senate:*

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

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.

Also,

An act regulating the abolition, extension or contraction of the limits of Special Tax School Districts.

Also,

An act to amend Sections 2642 and 2643 of the Revised Statutes of Florida relating to vagrants.

Also,

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.

Also,

An act for the relief of Mrs. Mary Elizabeth Dickison, widow of the lamented General J. J. Dickison.

Also,

An act to protect the food fishes in the fresh water streams, rivers, lakes and ponds in the State of Florida.

Also,

An act to amend and supplement the charter of the town of Punta Gorda, Florida, designated as Chapter 5985, Laws of Florida of 1901.

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

Very respectfully,

T. M. SCOTT,  
Chairman of Committee.

### SPECIAL ORDERS.

House Bill No. 190:

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

Was taken up together with the amendments of the Committee on Judiciary.

Mr. Harris moved that the rules be waived and House Bill No. 190 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 190 was read a second time by its title only.

Mr. Harris offered the following amendment to House Bill No. 190.

After the word "Court," in line 4, Section 1, insert the following: "of the State of Florida."

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to the amendment to House Bill No. 190.

Make Section 3 Section 4, and insert in Section 3 the following:

Section 3, Chapter 5334, of the Laws of Florida, entitled "an act for the relief of S. I. Wailes and the estate of W. K. Beard deceased, and in full settlement of any claims which the said S. I. Wailes and the estate of W. K. Beard, deceased, may have against the State of Florida is hereby repealed.

Mr. Massey moved the adoption of the amendment to the amendment.

Which was agreed to.

The following committee amendment was read:

Strike out after the enacting clause, and substitute the following:

"Section 1. That Sidney I. Wailes and Letitia G. Beard, representing the estate of William K. Beard, deceased, or either of them, be and they are hereby authorized and empowered to bring suit or suits against the State of Florida in any court of competent jurisdiction for any monies claimed to be due them the said Sidney I. Wailes and the estate of William K. Beard, deceased, for commissions for services rendered by the said Sidney I. Wailes and the said William K. Beard, deceased, or either of them, in the collection of monies by the State of Florida from the National Government on account of expenditures made by the State of Florida in suppression of Indian Hostilities.

Section 2. In case of judgment against the State, the Comptroller is hereby authorized to draw his warrant on the Treasurer in the amount of the judgment, and the Treasurer is directed to pay the same out of any money in the Treasury not otherwise appropriated.

Section 3. This act shall take effect immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

Strike out the whole of the title and insert in lieu thereof the following, viz:

"A bill to be entitled an act to authorize and empower Sidney I. Wailes and Letitia G. Beard, representing the estate of William K. Beard, deceased, or either of them, to

bring suit against the State of Florida upon the claims of said Sidney I. Wailes and the Estate of William K. Beard, deceased, for commissions for services rendered by the said Sidney I. Wailes and the said William K. Beard, deceased, in the collection of monies by the State of Florida from the National Government on account of expenditures made by the State of Florida in the suppression of Indian Hostilities."

Mr. Harris moved the adoption of the amendment.

The yeas and nays were demanded on the adoption of the amendment offered by the Judiciary Committee to House Bill No. 190.

Upon the call of the roll on the adoption of the amendment the vote was:

Yeas—Senators Bailey, Blount, Crill, Davis, Harris, Hudson, Humphries, McCreary, Newlan, Raney, Sams, Scott, Stockton, West, Wilson.—15.

Nays—Mr. President. Adams, Alford, Baskin, Canova, Clarke, Crane, Crews, Faulkner, Gillen, Jackson, Lee, Massey, Neel, Wadsworth, Zim.—16.

So the amendment was not agreed to.

Mr. Harris moved to indefinitely postpone House Bill No. 190.

The yeas and nays were demanded on the motion of Mr. Harris to indefinitely postpone House Bill No. 190.

Upon the call of the roll the vote was:

Yeas—Bailey, Blount, Crill, Davis, Harris, Hudson, Humphries, Jackson, McCreary, Newlan, Raney, Sams, Scott, Stockton, West, Wilson.—16.

Nays—Mr. President. Adams, Alford, Baskin, Canova, Clarke, Crane, Crews, Faulkner, Gillen, Lee, Massey, Neel, Wadsworth, Zim.—15.

So the motion was agreed to.

Mr. Baskin moved to adjourn to 8:30 tonight.

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

The yeas and nays were demanded on the motion of Mr. Harris to adjourn until 10 o'clock a. m. tomorrow.

Upon the call of the roll, the vote was:

Yeas—Senators Adams, Alford, Blount, Canova, Clarke, Crill, Davis, Gillen, Harris, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Stockton, West, Wilson—19.

Nays—Mr. President, Senators Bailey, Baskin, Crane, Crews, Faulkner, Hudson, Humphries, Jackson, Scott, Wadsworth, Zim—12.

The motion of Mr. Harris was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Tuesday, May 30th, at 10 o'clock a. m.

### TESDAY, MAY 30, 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, Alford, Bailey, Baskin, Blount, Canova, 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.

**Prayer by the Chaplain.**

The Journal was corrected and approved.

The following was read and ordered spread on the Journal:

To the Members of the Senate and House of Representatives, Tallahassee, Florida:

Kind Friends—The telegram informing me of the passage of the appropriation bill introduced in my behalf, was a happy realization of a long cherished hope that there would be some recognition by the State of my husband's faithful services; not only on many battlefields, but his unwavering devotion during the time of dire peril when for ten weary years her people suffered a most grievous thralldom that tried the souls of the bravest men, and women, too. The laurels he won I proudly wear—a precious legacy, treasured in the sanctuary of a loyal, loving heart.

The provision you have made for me, in his beloved name, will be a comfort in life's decline, and my soul now chants a "Te Deum Laudamus." God bless you. May your names be recorded in the Lamb's book of life, is the fervent prayer of your friend,

MRS. J. J. DICKISON.

May 29, 1905.