

Thereupon the Senate stood adjourned until to-morrow, Tuesday, May 14, 1907, at 9:30 a. m.

TUESDAY, MAY 14, 1907.

The Senate met pursuant to adjournment.
The President in the chair.

SELECT ORDER.

Mr. Williams gave notice that on to-morrow he would move to reconsider the vote by which House Bill No. 298 failed to pass.

Special order for Wednesday, May 15, at 3 o'clock p. m.:

By Mr. Farris of Duval—

House Bill No. 449:

A bill to be entitled an act to prescribe the manner in which lands may be subdivided and the subdivision thereof made a matter of record in the several counties of this State; to prohibit the recordation of deeds in certain cases, and to prescribe the duties of the Board of County Commissioners, and the Clerk of the Circuit Court, and of the Tax Assessor in each of the several counties in relation thereto; and to fix the fees and charges of the Clerks of the Circuit Court for the performance of the duties devolving upon them in connection therewith.

The Committee on Judiciary report favorably, with amendments.

Two hundred copies ordered printed.

Special order for Thursday, May 16, at 11 o'clock a. m.

By the Committee on Reapportionment—

House Bill No. 431:

A bill to be entitled an act to apportion the representation in the Senate of the State of Florida.

Placed on the Calendar without reference to committee.

Two hundred copies ordered printed.

Special order for Thursday, May 16, 1907:

By Mr. Knight of Citrus—

House Bill No. 322:

A bill to be entitled an act to create a State Bureau of

Immigration ; to provide for a general immigration agent ; to define the duties and powers of said bureau and said agent : and to provide for subordinate agents and agencies of said bureau, and to make appropriation to carry out the objects of the same.

The Committee on Judiciary report unfavorably.

Two hundred copies printed.

Special order for Thursday, May 16 :

By Mr. DuPont of St. Johns—

House Bill No. 445 :

A bill to be entitled an act to appropriate funds for the encouragement of immigration and to pay the expenses thereof.

The Committee on Judiciary report without recommendation.

Two hundred copies ordered printed.

Special order for Saturday, May 18, at 10 o'clock a. m. :

House Bill No. 203 :

A bill to be entitled an act making three (3) cents per mile the maximum rate for passenger traffic by common carriers in this State, and providing a penalty for any charge in excess of said rate.

Now on third reading.

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

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Cottrell, Crane Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, West (1st District), West (4th District), Zim—30.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

INTRODUCTION OF BILLS.

By Mr. Alford—

Senate Bill No. 399 :

A bill to be entitled an act to amend "an act to incorporate the town of Carrabelle, Franklin County, Florida."

Approved May 11, 1893.

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

By Mr. Beard—

Senate Bill No. 400:

A bill to be entitled an act designating the 12th day of October of each year as a public holiday, to be known as "Columbus Day."

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

By Mr. Sams—

Senate Bill No. 401:

A bill to be entitled an act to amend Section 1235 of the General Statutes of the State of Florida, relative to fences.

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

REPORTS OF COMMITTEES.

Senate Chamber.

Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

In response to Senate Resolution No. 52, I have the honor to report that the Clerk of the Committees on Constitutional Amendments and Drainage and Reclamation is, Mr. C. L. Beard, of Fernandina, Florida.

Respectfully,

JOHN S. BEARD,

Chairman of Committees on Constitutional Amendments and Drainage and Reclamation.

Also the following—

Senate Chamber,
Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

Complying with Senate Resolution requiring the certification by the chairmen of the various standing committees as to the names and addresses of the clerks of said committees, beg to advise the Hon. J. S. Goodbread, of Hamilton County, postoffice address White Springs, Fla. is Clerk of the Committee of Appropriations.

Obediently yours,

FRANK ADAMS,
Chairman Committee on Appropriations.

Also the following:

Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

In compliance with Senate Resolution No. 52:
This is to certify that Mr. E. S. Smith, of Monticello, Jefferson County, Florida, is the regularly appointed and acting clerk of the standing committees as named hereinbelow.

E. L. COTTRELL,
Chairman Committee of Agriculture.

A. J. ALFORD,
Chairman Committee State Prisons and Convicts.

LEWIS W. ZIM,
Chairman Committee on Mineral Resources.

W. M. GIRARDEAU,
Chairman Committee on State Boundaries.

Also the following:

Senate Chamber.
Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,
President of the Senate:

Sir:

Under resolution recently passed by the Senate, I have

the honor to inform you that the gentleman who was duly appointed, and is now serving as Clerk of the Senate Judiciary Committee, Mr. J. L. Billingsley, is a resident of the City of Jacksonville, in the State of Florida.

Respectfully,

H. H. BUCKMAN,
Chairman Senate Judiciary Committee.

Also the following:

Senate Chamber,
Tallahassee, Fla., May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

This is to certify that Guy J. Metcalf was, on April 17, 1907, duly appointed Clerk of the Committee on Indian Affairs and the Committee on Commerce and Navigation.

Respectfully,

F. M. HUDSON,
Chairman Committee on Indian Affairs.

T. S. DAVIS,
Chairman Committee on Commerce and Navigation.

Also the following:

Senate Chamber,
Tallahassee, Fla., May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

This is to certify that Otto R. Kirchof, of De Leon Springs, Volusia County, is Clerk to the Committees on Game, Fisheries and Temperance.

Respectfully,

JOHN R. WILLIS,
Chairman Committee on Game.

F. W. SAMS,
Chairman Committee on Fisheries.

J. H. HUMPHRIES,
Chairman Committee on Temperance.

Also the following:

Senate Chamber,
Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

In compliance with Senate Resolution No. 52, the undersigned hereby certify that the Clerk of the Committees on Canals and Telegraphs and Public Lands is Mr. W. J. Sams, of New Smyrna, Fla.

Respectfully yours,

J. B. CREWS,

Chairman Canals and Telegraphs and Public Lands.

Also the following:

Senate Chamber.
Tallahassee, Fla., May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

In accordance with instructions contained in Senate Resolution No. 52, adopted May 9, 1907, I submit the following names and residences of all clerks of the Committee on Enrolled Bills:

J. F. Canova, Enrolling Secretary, Lake City, Florida.
Miss Sarah Appleyard, Lake City, Florida.
Miss Jessie Allen, DeFuniak Springs, Florida.
Miss Nell Jackson, Inverness, Florida.
T. J. Appleyard, Lake City, Florida.
Leo Fisher, New Smyrna, Florida.
A. C. Canova, Sanderson, Florida.
Charles Sams, New Smyrna, Florida.
B. C. Williams, Williston, Florida.
Miss Clarisse Owen, Jacksonville, Florida.
H. E. Canova, Lake City, Florida.

It may be proper to state that this force will have to be materially increased during the latter days of the session.

Very respectfully,

F. W. SAMS,

Chairman of Committee on Enrolled Bills.

Also the following:

Senate Chamber.

Tallahassee, Fla., May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

In compliance with Senate Resolution No. 52, the undersigned hereby certify that the Clerk of the Committees on City and County Organization and Legislative Expenses is Miss Nellie L. Cowan of Tampa, Fla., pay dating from April 3, 1907.

Respectfully yours,

JAMES E. CRANE,
 Chairman City and County Organization.
 LOUIS C. MASSEY,
 Chairman Legislative Expenses.

Also the following:

Senate Chamber,
 Tallahassee, Fla., May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

This is to certify that W. E. Griffis, of Fort Myers, Lee County, Florida, is serving as Clerk upon the Committees of Rules and Public Roads and Highways.

Respectfully,

E. E. CANOVA,
 Chairman on Rules.
 S. W. CLARKE,
 Chairman on Public Roads and Highways.

Also the following:

Tallahassee, Fla., May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate.
Tallahassee, Fla.

Sir:

Complying with Senate resolution requiring the certification by the chairmen of the various standing commit-

tees as to the names and address of the clerks of said committees.

Beg to advise that Mr. Paul V. Lang of Leon County, Tallahassee, Florida, is clerk of the Committee on Railroads.

Very respectfully yours,
JOHN W. HENDERSON,
Chairman.

Also the following:

Tallahassee, Fla., May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate,
Tallahassee, Fla.

Sir:

Complying with Senate resolution requiring the certification by the Chairmen of the various standing committees as to the names and addresses of the clerks of said committees.

Beg to advise that Mr. T. J. McRae, Jr., of Alachua County, Gainesville, Florida, is clerk of the Committee on Education.

Very respectfully yours,
JOHN W. HENDERSON,
Chairman.

Also the following:

Senate Chamber.
Tallahassee, May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

This is to certify that A. M. Jackson, whose residence is Inverness, Fla., was appointed clerk of the Committee on Claims April 5, as certified to the Chairman on Legislative Expenses April 5.

W. K. JACKSON,
Chairman Claims Committee

Also the following:

Senate Chamber,
Tallahassee, Fla., May 13, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

Complying with Senate resolution requiring the certification by the chairmen of the various standing committees as to names and addresses of the clerks of said committees.

Beg to advise that Mr. Murry Sams, New Symrna, Fla.; Miss Edna Yon, Tallahassee, Fla.; Miss Edith Fannin, Blountstown, Fla., are employed on Committee on Engrossed Bills.

I certify that the above is a list of all clerks employed on Engrossing Committee to this date.

S. W. CLARKE,
Chairman Committee.

Also the following:

Senate Chamber,
Tallahassee, May 14, 1907.

Hon. W. Hunt Harris,
President of the Senate,

Sir:

In accordance with Senate Resolution No. 53, we report that J. A. Cox of Kathleen, Polk County, has been the clerk of our committees since April 4, and is still serving us.

PARK TRAMMELL,
Chairman Committee on Corporations.
THEOP. WEST,
Chairman Committee on Public Health.

Also the following:

Senate Chamber.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

This is to certify in accordance with Senate Resolution No. 52 that L. J. Brumby is clerk of the Committee on

Immigration, State Affairs and Public Printing, and that his residence and postoffice address is Ocala, Marion County, Florida.

D. H. BAKER,

Chairman Committee on Immigration.

JOHN NEEL,

Chairman Committee on State Affairs.

H. H. M'CREARY,

Chairman Committee on Public Printing.

Tuesday May 14, 1907.

Mr. F. W. Sams, Chairman of the Committee on Fisheries, submitted the following report:

Senate Chamber,

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Fisheries, to whom was referred—

House Bill No. 95:

A bill to be entitled an act requiring the payment of a license tax by all non-residents of this State before they shall catch with any seine, net or set device any fish in the waters of this State or engage in the fish business as dealers and prescribing a penalty for their failure to do so.

With committee amendment as follows:

Section 4. Strike out Sections 4 and renumber subsequent sections accordingly.

Section 5, in line 3, after the word "non-residents," insert the words "not having a license as aforesaid."

Section 5. Strike out all after the end of line 24 to the end of the section and insert in lieu thereof the words "shall be paid into the fine and forfeiture fund of the county."

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

Very respectfully,

F. W. SAMS,

Chairman of Committee.

And House Bill No. 95 with the committee amend-

ments thereto, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. West, chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,

Hon. W. Hunt Harris,
President of the Senate.

Sir:

Your Committee on Public Health, to whom was referred —

Senate Bill No. 379:

A bill to be entitled an act for the better enforcement of Section 3618 of the General Statutes of the State of Florida, relating to the practice of dentistry without certificates.

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

Very respectfully,

Chairman of Committee.

And Senate Bill No. 379, 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 14, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred:

Substitute for Senate Bill No. 50:

A bill to be entitled an act providing State aid further than the one mill State School Tax and prescribing the duty of County School Boards, its chairman and County Treasurer for certain common schools of this State, not otherwise receiving State aid.

Beg leave to report that they have carefully examined the same and find correctly engrossed.

Very respectfully,

S. W. CLARK.

Chairman Committee on Engrossed Bills.

And Senate Bill No. 50, contained in the above report, was placed on the Calendar of Bills on Third Reading.

By Mr .Crane—

Senate Bill No. 118:

A bill to be entitled an act legalizing all contracts, assessments and other proceedings, to establish public drains, ditches or canals under Chapter 5035 of the Laws of Florida.

Committee on Drainage and Reclamation report favorably.

Was taken up and read a second time in full.

Mr. Crane moved that Senate Bill No. 312 be substituted for Senate Bill No. 118, which was agreed to.

And Senate Bill No. 118 by consent was withdrawn.

Senate Bill No. 312:

A bill to be entitled an act to legalize and validate all contracts made and entered into by the City of Tampa through the Board of Commissioners of Public Works of said city, and all ordinances, resolutions, acts and things passed or done either by the City Council or the Commissioner of Public Works of the said city of Tampa in the matter of grading, paving, curbing, sewerage, sidewalks, or any other internal municipal improvements and all assessments for such improvements heretofore made or which may hereafter be made under any contract heretofore made and entered into by the city of Tampa, as well as for the cost of work done by the city of Tampa itself, including work now in process of construction; and to legalize and make valid all certificates of indebtedness for the amount so assessed against the abutting property which have already been issued or which may be issued by the city of Tampa in the matter of cost of any grading, paving, curbing, sewerage, sidewalks or any other internal municipal improvements already done or which may hereafter be done under any existing contract heretofore entered into by the city of Tampa, including work now in process of construction.

Mr. Crane moved that the rules be waived and that Senate Bill No. 312 be read 2nd time by its title only.

Which was agreed to by a two-thirds vote.

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

Mr. Crane moved that Senate Bill No. 312 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 274:

A bill to be entitled an act amending Sections 1, 2, 4, 8, 10 of an act entitled an act extending and enlarging the territorial limits and powers of the city of Gainesville, a municipal corporation organized and existing in Alachua County, Florida, and providing for the exercise of those powers, the same being Chapter 5497, Laws of Florida, Acts of 1905.

Was taken up and read a second time, together with the amendments of the House of Representatives.

The following House amendment was read:

First—In Section 4, page 5, strike out the words “the electors qualified to vote at such election, or if a majority of all of the qualified electors shall not have voted at such election, then by a majority of.”

Mr. McCreary moved that the Senate concur in the amendment No. 1 of the House of Representatives to Senate Bill No. 274.

Which was agreed to.

And the amendment was concurred in.

The following House amendment was read:

Second—On page 4, line 22, Section 3, strike out the words “in a newspaper.”

Mr. McCreary moved that the Senate concur in the amendments of the House of Representatives to Senate Bill No. 274.

Which was agreed to.

And the amendment was concurred in.

The following committee amendment was read:

Third—Strike out all of Section 5 and make present Section 6 read Section 5 and present Section 7 read Section 6.

Mr. McCreary moved that the Senate concur in the amendment of the House of Representatives to Senate Bill No. 274.

Which was agreed to.

And Senate Bill No. 274 was ordered referred to the Committee on Engrossed Bills.

Mr. West, of the First, in the chair.

Mr. Adams moved that Senate Bill No. 116 be taken up out of its order and be now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 116:

A bill to be entitled an act for the relief of J. R. Eaker of Leesburg, Lake County, Florida, for the loss of horses and mules ordered killed by Chas. F. Dawson, veterinarian of the University of Florida.

Was taken up.

Mr. Adams moved that the rules be waived and House Bill No. 116 be read a second time in full.

Which was agreed to by a two-thirds vote.

And House Bill No. 116 was read a second time in full.

House Bill No. 116 was taken up and read a second time, together with the amendments of the Committee on Public Health.

The following committee amendment was read:

Amend Section 1 of a bill to be entitled "An act for the relief of J. R. Eaker, of Leesburg, Florida, for the loss of horses and mules ordered killed by Charles F. Dawson, veterinarian of the University of Florida," by striking out the words "In the State Treasury" and inserting the words "Provided and appropriated for the expenses of the State Board of Health."

Mr. West of the First moved the adoption of the committee amendment.

Which was agreed to.

Mr. Crill moved that further action on House Bill No. 116 be deferred and that the bill and amendment lay on the table subject to call.

Which was agreed to.

BILLS UPON SECOND READING.

By Mr. West of First District—

Senate Bill No. 96:

A bill to be entitled an act to provide for the establishment and maintenance of schools of agriculture and me-

chanic arts in the respective Congressional Districts of this State.

Was taken up.

Mr. West of the First moved that Senate Bill No. 76 be laid on the table subject to call.

Which was agreed to and so ordered.

House Bill No. 83:

A bill to be entitled an act to prescribe the time for holding the regular meetings of the Boards of County Commissioners in the State of Florida.

Was taken up and read a second time in full.

Mr. Crane moved that House Bill No. 83 be indefinitely postponed.

Which was agreed to and the bill was indefinitely postponed.

Mr. Baker moved that Senate Bill No. 86 be substituted for Senate Bill No. 172.

Which was agreed to.

And Senate Bill No. 86 was advanced to the place of Senate Bill No. 172 on the Calendar.

By Mr. Baker—

Senate Bill No. 172:

A bill to be entitled an act for the repeal of Section 1866 of the General Statutes of the State of Florida, relating to the service of process on non-resident defendants and to provide for the service of process in chancery causes on non-resident defendants and other defendants in chancery causes who conceal themselves or otherwise make it impossible to obtain personal service upon them.

Was taken up.

Mr. Buckman moved that Senate Bill No. 172 be indefinitely postponed.

Pending which—

Mr. Baker asked permission to withdraw Senate Bill No. 172.

The request was granted and Senate Bill No. 172 was withdrawn.

House Bill No. 86:

A bill to be entitled an act to amend Section 1512 of the General Statutes of the State of Florida, relating to the pay of witnesses.

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 word "two" and insert in lieu thereof the word "one."

Mr. Neel moved the adoption of the committee amendment.

Which was agreed to.

Mr. Neel moved that the rules be further waived and that House Bill No. 86 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 86 was read a third in full.

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

Yeas—Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clarke, Cone, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, West (1st District), West (4th District), Zim—30.

Nays—None.

So the bill passed, title as stated.

House Bill No. 58:

A bill to be entitled an act to fix a penalty and other liabilities upon any telegraph company owning or operating a telegraph line or lines wholly or partly in this State engaged in the transmission of messages, for a consideration, for the refusal of such company, its agents or employees to receive any message tendered to it or to any of its agents or employees, together with the usual charge for the transmission of such messages at any office or place where such messages are usually received for transmission.

sion, during the usual hours in which messages are received at said office or place for transmission to the destination to which the message so refused is addressed, and to prescribe a rule of evidence in actions to recover same.

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

The following committee amendment was read:

Committee Amendment No. 1—In line 3 of the title of the bill strike out the word "of" and insert in lieu thereof the word "or."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Committee Amendment No. 2—In Section 1, line 9, after the word "addressed" and before the word "together" insert the words "provided such destination is a place to which messages are usually transmitted."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Committee Amendment No. 3—In Section 1, line 10, after the word "sender" and before the word "of" insert the words "and addressed."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Committee Amendment No. 4—In Section 1, beginning in line 14, strike out the words "including such damages as the jury, or the court in the event a jury shall be waived, may award for mental suffering."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Committee Amendment No. 5—Strike out all of Section 2.

Mr. Buckman moved the adoption of the committee amendment.

Upon which an aye and nay vote was demanded.

Upon call of the roll the vote was:

Yeas—Mr. President, Senators Buckman, Canova, Clarke, Crane, Crill, Humphries, Massey, Sams, Willis, West (1st District)—11.

Nays—Senators Alford, Baker, Beard, Broome, Cone, Cottrell, Crews, Davis, Girardeau, Hudson, Jackson, Leggett, McCreary, Neel, Trammell, West (4th District), Zim—17.

So the amendment was not adopted.

The following committee amendment was read:

Committee Amendment No. 6—Make Section 3 read "Section 2."

Mr. Buckman moved the adoption of the committee amendment.

Which was not agreed to.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading.

House Bill No. 56:

A bill to be entitled an act to fix a penalty and other liabilities upon any telegraph company owning or operating a telegraph line or lines wholly or partly in this State, and engaged in the transmission of messages, for a consideration, for the negligent failure immediately to transmit and deliver to the addressee any message received by it or by any of its agents or employees for transmission, and to fix a rule of evidence in actions to recover same.

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

The following committee amendment was read:

Committee Amendment No. 1—Strike out the word "immediately" wherever it appears in the title and body of the bill, and insert in lieu thereof wherever so stricken out, the word "promptly."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Committee Amendment No. 2—In Section 1, beginning in line 11, after the word "aforesaid," strike out the words "including such damages as the jury, or the court in the

event a jury shall be waived, may award for mental suffering."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Committee Amendment No. 3—Strike out all of Section 3 of said bill, and insert in lieu thereof the following: "Section 3. The provisions of this act, relative to the delivery of messages, shall apply only to deliveries in incorporated cities and towns."

Mr. Buckman moved the adoption of the committee amendment upon which an aye and nay vote was demanded.

Upon the call of the roll the vote was:

Yeas—Mr. President, Senators Adams, Buckman, Canova, Clarke, Crill, Humphries, McCreary, Massey, Neel, Sams, Willis, West (1st District)—13.

Nays—Senators Alford, Baker, Beard, Broome, Cottrell, Crane, Crews, Davis, Girardeau, Jackson, Leggett, Trammell, West (4th District), Zim—14.

So the amendment was not adopted.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading.

By Mr. Beard—

Senate Bill No. 56:

A bill to be entitled an act to fix the penalty and other liabilities upon any telegraph company owning or operating a telegraph line or lines wholly or partly in this State engaged in transmission of messages, for a consideration, for the refusal of such company, its agents and employees, to receive any message tendered to it or to any of its agents or employees, together with the usual charges for the transmission of such messages at any office or place where such messages are usually received for transmission, during the usual hours in which messages are received at said office or place for transmission to the destination to which the message so refused is addressed, and to prescribe a rule of evidence in action to cover same.

Was taken up.

Mr. Beard moved that Senate Bill No. 19 be substituted for Senate Bill No. 56.

Which was agreed to.

Mr. Beard asked permission to withdraw Senate Bill No. 56.

Which was granted.

And the bill was withdrawn.

Senate Bill No. 19:

A bill to be entitled an act for the relief of James R. Landrum, former Justice of the Peace, Second District, of Escambia County, State of Florida, for loss of fees during his suspension from said office.

Was taken up and read the second time in full.

Mr. Beard moved that the rules be further waived and that Senate Bill No. 19 be read a third time and put upon its passage.

Which was not agreed to.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

Senate Bill No. 55:

A bill to be entitled an act to fix a penalty and other liabilities upon any telegraph company owning or operating a telegraph line or lines wholly or partly in this State and engaged in the transmission of messages, for a consideration for the negligent failure immediately to transmit and deliver to the addressee any message received by it or by any of its agents or employees for transmission, and to fix a rule of evidence in actions to recover same.

Was taken up.

Mr. Beard moved that Senate Bill No. 204 be substituted for Senate Bill No. 55.

Which was agreed to.

Mr. Beard asked permission to withdraw Senate Bill No. 55.

Which was agreed to.

And Senate Bill No. 55 was withdrawn.

Senate Bill No. 204:

A bill to be entitled an act to authorize Boards of Pilot Commissioners to employ attorneys, providing for the

payment of the salaries of said attorneys, and other costs and expenses incurred by the Boards of County Commissioners of the several counties.

Was taken up and read a second time in full.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

House Bill No. 79:

A bill to be entitled an act requiring railroad companies and other common carriers to furnish separate accommodations for the separation of white and colored passengers on railroads, and conferring certain powers on the Railroad Commissioners of the State of Florida in relation thereto.

Was taken up and read a second time in full.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

By Mr. Canova—

Senate Bill No. 262:

A bill to be entitled an act to require agents of express companies and agents of railroad companies in the State of Florida to personally inspect each and every cowhide offered for shipment over their respective lines, and requiring them to keep a record of the marks and brands on each and every hide so offered for shipment, and providing fees for such services and a penalty for the violation thereof.

Was taken up and read a second time in full.

Mr. Clarke moved that Senate Bill No. 261 be substituted for Senate Bill No. 262:

Which was agreed to.

And Senate Bill No. 261 took its place on the Calendar.

Mr. Clarke asked permission to withdraw Senate Bill No. 262.

Which was granted and the bill was withdrawn.

By Mr. Canova—

Senate Bill No. 261:

A bill to be entitled an act to provide for the payment

of damages for any and all personal property destroyed under the direction of the State Board of Health.

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

The following committee amendment was read:

Committee Amendment to Senate Bill No. 261:

After the word "Health," Section 1, line 3, insert, "After a full investigation by the State Board of Health as to the necessity for the destruction of said property in order to protect the health of individuals or animals."

Mr. West of the Fourth moved the adoption of the committee amendment.

Which was agreed to.

Mr. Adams in the chair.

And Senate Bill No. 261, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. West of the First moved that House Bill No. 147 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 147:

A bill to be entitled an act to provide for State aid for public schools in this State and to prescribe conditions and to make appropriations therefor

Was taken up and read a second time in full.

Mr. West of the First offered the following amendment to House Bill No. 147:

Strike out the words and figures "ten" (10) in line 10, Section 2, and insert in lieu thereof the following: "Twenty (20)."

Mr. West of the First moved the adoption of the amendment.

Which was agreed to.

Mr. West of the First moved that the rules be further waived, and that House Bill No. 147 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. 147 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, Baker, Beard, Broome, Buckman, Canova, Clarke, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell Willis, West (1st District), West (4th District), Zim—29.

Nays—None.

So the bill passed, title as stated.

Mr. Humphries moved that Senate Bills Nos. 101, 16 and 34 be made a special order for 3:30 o'clock p. m. tomorrow.

Which was agreed to.

By Mr. DuPont of St. Johns—

House Bill No. 110:

A bill to be entitled an act to protect loggerhead and green turtles on the coasts of the State of Florida.

The Committee on Fisheries report favorably.

Which was taken up and read a second time in full.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

By Mr. Hudson—

Senate Bill No. 270:

A bill to be entitled an act to regulate the catching or taking of fish in the waters of Biscayne Bay, on the coast of Florida.

Was taken up and read a second time in full.

Mr. Hudson offered the following amendment to Senate Bill No. 270:

Insert the words "a drift net or," after the second word in line 3 of Section 1.

Which was agreed to.

And Senate Bill No. 270, as amended, was ordered to the Committee on Engrossed Bills.

Mr. Hudson moved that the Committee on Railroads be requested to return House Bill No. 8.

Mr. Hudson moved that House Bill No. 8 and Senate

Bill No. 31 be made special order for 11:30 o'clock a. m. to-morrow.

Which was agreed to.

By Mr. Trammell—

Senate Bill No. 11:

A bill to be entitled an act authorizing the Railroad Commission to inspect railroads and every part thereof; to require that all railroad tracks, rolling stock and all other railroad equipment be kept in such condition as will render travel over such railroads safe and expeditious, and providing that the Commission may employ assistance to carry out the provisions of said act.

The Committee on Railroads report unfavorably.

Was taken up.

Mr. Trammell moved that Senate Bill No. 173 be substituted for Senate Bill No. 11.

Which was agreed to.

And Senate Bill No. 173 took the place of Senate Bill No. 11 on the Calendar.

Mr. Trammell asked permission to withdraw Senate Bill No. 11.

Which was agreed to.

The request was granted.

And Senate Bill No. 11 was withdrawn.

Senate Bill No. 173:

A bill to be entitled an act to require common carriers to pay claims for lost or damaged freight or express and overcharges on freight or express within a certain time, and providing that in the event a common carrier fails to pay said claim within said time that such common carrier shall in certain cases be liable for interest on said claim at the rate of fifty per cent per annum, and shall also be liable for a reasonable attorney's fee.

Waas taken up and read a second time in full.

Mr. Trammell moved that the rules be further waived, and that Senate Bill No. 173 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. 173 was read a third time in full.

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

Yeas—Senators Alford, Baker, Beard, Broome, Canova, Cone, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Hen-

derson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Sams, Trammell, Willis, West (1st District), West (4th District), Zim—26.

Nays—Mr. President, Senators Buckman, Clarke—3.

So the bill passed, title as stated.

By Mr. Buckman—

Senate Bill No. 183:

A bill to be entitled an act to provide for the examination and certification of forged checks and the liabilities of banks and others therefor.

Was taken up and read a second time in full.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

Senate Bill No. 247:

A bill to be entitled an act to provide for the examination, auditing and payment of claims against the State of Florida, for services rendered during the Seminole Indian Wars, and for the examination, auditing and payment of claims for forage, subsistence and transportation furnished during said wars.

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

The following committee amendment was read:

In line four, Section one, after the word "furnished," insert the following: "By authority of the State of Florida or its duly authorized officials."

Mr. Jackson moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

In line two, Section three, after the word "furnished," insert the following: "By authority of the State of Florida or its duly authorized officials."

Mr. Jackson moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Make Section nine read Section ten.

Mr. Jackson moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

After Section eight insert the following for Section nine: "Section 9. That only such claims shall be allowed and paid as have been used by the State of Florida in making its account against the Government of the United States, admitted by the National Government, and paid to the State of Florida."

Mr. Jackson moved the adoption of the committee amendment.

Which was agreed to.

Mr. West of the Fourth moved that 200 copies of Senate Bill No. 247, with amendments thereto, be printed and be made a special order for Thursday at 11 a. m.

Mr. Cone moved to amend the motion as follows:

That 200 copies of Senate Bill No. 247 be printed; that it be made a special order for 11 o'clock a. m. Thursday next, and that it remain on second reading.

Which was agreed to.

And the motion of Mr. West as amended was adopted.

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

Which was agreed to by a two-thirds vote.

And—

House Bill No. 164:

A bill to be entitled an act to amend Section 3570 of the General Statutes of the State of Florida, relating to vagrants.

Was taken up.

Mr. Buckman moved that House Bill No. 164 be recommitted to the Committee on Judiciary.

Which was agreed to.

By permission.

Messrs. Sams and Hudson, special committee, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

We have the honor to submit the following propositions for sale of property for Capitol enlargement:

PROPOSAL.

Tallahassee, Fla., May 10, 1907.

*Senators Sams and Hudson,
Tallahassee, Florida.*

Gentlemen:

We propose to offer for sale the plot of ground (one hundred and sixteen feet and nine inches) on Pensacola street and one hundred feet on Adams street, being the plot of ground opposite the State Capitol. We will furnish this plot for six thousand five hundred (\$6,500.00) dollars.

Very respectfully,

LEVY BROS.

*Hon. Frank Sams,
Committee of Senate of Florida.*

Dear Sir:

I hereby authorize you to announce that if the State desires to purchase for public use the block owned by me situated across the street southeast from the Capitol building, I will convey the same by perfect title at the price of ten thousand (\$10,000) dollars.

Yours respectfully,

MRS. D. G. WALKER.

The hour having arrived for the special consideration of—

Senate Bill No. 151:

A bill to be entitled an act to provide for the erection of a public building at the State capital for the Supreme Court and other officers of the State.

It was taken up and read a second time in full.

Mr. Buckman offered the following amendment to Senate Bill No. 151:

Strike out the words "one hundred thousand," in line 1 of Section 1, and insert in lieu thereof the following: "Eighty thousand."

Mr. Buckman moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 151 was ordered referred to the Committee on Engrossed Bills.

Mr. Harris moved that Senate Bill No. 151 be recalled from the Committee on Engrossed Bills.

Which was agreed to.

And the bill was recalled.

Senate Bill No. 252:

A bill to be entitled an act to provide for the enlargement and repair of the State Capitol.

Was taken up in its order for special consideration, and read a second time in full.

Mr. Cone offered the following amendment to Senate Bill No. 252:

Strike out the figures "\$100,000," in Section 1 of the bill, and insert in lieu thereof the following: "\$40,000."

Mr. Cone moved the adoption of the amendment.

Upon which a yea and nay vote was demanded.

Upon call of the roll the vote was:

Yeas—Senators Alford, Canova, Cone—3.

Nays—Mr. President, Senators Adams, Baker, Beard, Broome, Clarke, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Neel, Sams, Trammell, West (1st District), West (4th District), Zim—25.

So the amendment was not adopted.

Mr. Willis offered the following amendment to Senate Bill No. 252:

Section 1. Strike out the words "one hundred thousand, and insert in lieu thereof the following: "Eighty thousand dollars."

Mr. Willis moved the adoption of the amendment.

Which was not agreed to.

Mr. Cone moved that Senate Bill No. 252 be made a special order for Friday next at 11 o'clock a. m.

Which was not agreed to.

Mr. Harris moved that Senate Bill No. 252 be indefinitely postponed.

Which was agreed to.

Mr. Harris moved that Senate Bill No. 151 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 151:

A bill to be entitled an act to provide for the erection of a public building at the State Capital for the Supreme Court and other officers of the State.

Having been returned by the Committee on Engrossed Bills.

Was taken up.

Mr. Harris moved that Senate Bill No. 151 be indefinitely postponed.

Upon which a yea and nay vote was demanded.

Upon the call of the roll the vote was:

Yeas—Mr. President, Senators Alford, Canova, Clarke, Crill, Sams—6.

Nays—Senator Adams, Baker, Beard, Broome, Cone, Cottrell, Crane, Crews, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Trammell, Willis, West (1st), West (4th), Zim—22.

So the bill failed to pass.

Mr. Hudson moved that the rules be further waived, and that Senate Bill No. 252 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. 252 was read a third time in full.

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

Yeas—Senators Beard, Crane, Davis, Henderson, Hudson, Massey, Neel, Sams—8.

Nays—Mr. President, Senators Adams, Alford, Baker, Broome, Buckman, Canova, Clarke, Cone, Crews, Crill, Girardeau, Humphries, Jackson, McCreary, Trammell, Willis, West (1st), West (4th), Zim—20.

So the bill was indefinitely postponed.

REPORTS OF COMMITTEES.

By permission, Mr. F. P. Cone, Chairman of the Committee on Forestry, submitted the following report:

Senate Chamber.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Forestry, to whom was referred—

Senate Bill No. 359:

A bill to be entitled an act to provide for the better protection and preservation of the forests, fish and game of the State, and for the proper enforcement of the laws relating to the same; for the appointment of County For-

est, Fish and Game Wardens, and fixing their terms of office; for the creation of a separate county forest, fish and game protection fund; fixing the compensation of the County Forest, Fish and Game Wardens, etc.

Have had the same under consideration and respectfully return it without recommendation.

Very respectfully,

F. P. CONE,

Chairman of Committee.

And Senate Bill No. 359, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,

Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Committee Substitute for Senate Bill No. 292:

A bill to be entitled an act to amend Sections 1293 and 1295 of the General Statutes of the State of Florida, relating to the powers and duties of Pilot Commissioners.

Beg leave to report that they have carefully examined the same and find correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 292, contained in the above report, was placed on the Calendar of Bills on Third Reading.

Mr. Clarke moved that the Senate adjourn until 3:30 o'clock p. m.

Which was agreed to.

Thereupon the Senate stood adjourned until 3 o'clock.

AFTERNOON SESSION, 3:30 O'CLOCK P. M.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clarke, Cone, Cottrell, Crane, Crews, Crill, Girardeau, Henderson, Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st District), West (4th District), Zim—27.

Mr. West of the 4th asked that Mr. Broome be excused from attendance on account of death in his family.

Which was granted.

Mr. Crane asked that Mr. West of the 1st be excused from attendance on account of attending court.

Which was granted.

By permission.

Mr. Girardeau introduced—

Senate Bill No. 402:

A bill to be entitled an act for the relief of J. W. H. McClelland of Drifton, Florida, for loss of horses ordered killed by Charles F. Dawson, Veterinarian of the University of Florida.

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

Mr. Crane moved that the rules be waived and that the Senate now take up the consideration of House messages.

Which was agreed to by a two-thirds vote.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,
President of the Senate,
Sir:

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

House Bill No. 312:

A bill to be entitled an act to amend Section 1807 of the General Statutes of the State of Florida, relating to the time of holding the Circuit Court in the Third Judicial Circuit of the State of Florida.

Also—

House Memorial No. 17:

A memorial to the Congress of the United States asking an appropriation to improve the navigation of the upper St. Johns River between Sanford and Lake Poinsett.

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

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

Which was agreed to by a two-thirds vote.

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

Mr. Cottrell moved that the rules be further waived and that House Bill No. 312 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 312 was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Alford, Baker, Beard, Canova, Clarke, Cone, Cottrell, Crane, Crews, Crill, Girardeau, Henderson, Hudson, Humphries, Jackson, McCreary, Massey, Neel, Sams, Trammell, Willis, West (4th District), Zim—25.

Nays—None.

So the bill passed, title as stated.

And House Memorial No. 17, contained in the above message, was read the first time by its title and went over under the rules.

Also the following:

House of Representatives,
Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,
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. 492:

A bill to be entitled an act authorizing the town of Perry, Taylor County, Florida, to borrow money on notes or other obligations, and to provide the method by which loans may be obtained by said town of Perry, Florida, and the terms and conditions of the same, and the methods and persons by whom notes or other obligations may be signed by the said town of Perry, Florida, in order that the said town of Perry, Florida, may borrow money on the same.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 492, contained in the above message, was read the first time by its title.

Mr. Cottrell moved that the rules be waived, and that House Bill No. 492 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 492 was read a second time by its title only.

Mr. Cottrell moved that the rules be further waived, and that House Bill No. 492 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 492 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, Baker, Beard, Buckman, Canova, Clarke, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson, Humphries, Jackson, Massey, Neel, Sams, Trammell, Willis, West (4th District), Zim—24.

Nays—None.

So the bill passed, title as stated.

The following message from the House of Representatives was read.

House of Representatives,
Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris,

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. 256:

A bill to be entitled an act to authorize the County of St. Lucie, State of Florida, to issue bonds for the purpose of building hard surface roads, for the election of bond trustees, imposing penalties for the violation of this act, and other purposes.

Also—

House Bill No. 98:

A bill to be entitled an act in relation to banks, bankers, banking firms, banking companies or associations doing business in the State of Florida; providing for examinations thereof and providing for compensation for such examinations; requiring reports therefrom, and from bank receivers and banks going into voluntary liquidation.

Also—

House Bill No. 314:

A bill to be entitled an act to amend Section 180 of the General Statutes of the State of Florida, relating to Supervisors of Registration.

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

And House Bill No. 98, contained in the above message, was read the first time by its title and referred to the Committee on Corporations.

And House Bill No. 314, contained in the above message, was read the first time by its title and referred to the Committee on Privileges and Elections.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris.

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. 87:

By Mr. Adams—

A bill to be entitled an act to amend Section 12 of Chapter 5382, Laws of Florida, entitled "An act to define the grades of instruction which shall be taught in the uniform system of public schools of Florida; to aid and encourage the establishment of public high schools; to prescribe the conditions, and to make appropriations therefor.

Also—

Senate Bill No. 125:

A bill to be entitled an act to empower Boards of County Commissioners to contract with electric or other passenger railway companies for the joint construction and maintenance of bridges along public highways, and for the construction and maintenance of railway tracks on such bridges, and to validate such contracts heretofore made.

Also—

Senate Bill No. 94:

A bill to be entitled an act for the improvement of the

public roads and bridges in Volusia County, providing for the employment of convicts under certain conditions, and for the levying and collection of a road and bridge tax, and the means of its expenditure.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 87, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 125, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 94, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

By Mr. DuPont of St. Johns—

House Bill No. 111:

A bill to be entitled an act to prevent the butchering of cattle upon uninclosed lands in the State of Florida and providing for butchering unmanageable cattle by the owner or agent in the presence of one or more witnesses.

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

The following amendment was read:

Strike out the words "butchering purpose," in line 3, Section 1, and insert in lieu thereof the following: "Any purposes."

Mr. Zim moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

No. 2: Strike out the words "upon uninclosed lands," in line 4, Section 1.

Mr. Zim moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

No. 3: Insert the following at end of Section 1: "Without inspection by a regularly appointed inspector, except as is provided in Section 2 of this act."

Mr. Zim moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

No. 4: Strike out Section 2 and add in lieu thereof the following: "The butchering of any such animal by the owner, his or her agent, if killed in the presence of one or more disinterested, reputable persons, shall not be unlawful."

Mr. Zim moved the adoption of the committee amendment.

Which was agreed to.

And House Bill No. 111 was advanced to the Calendar of Bills on Third Reading.

Senate Bill No. 166:

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

Committee on State Affairs report without recommendation.

Was taken up and read a second time in full.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

Senate Chamber,

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committees on Mining and Phosphate and Recorded Proceedings, in compliance with Resolution No. 52—

Submit the name of F. W. Reams, Greenville, Florida, as committee clerk for the two committees.

C. L. LEGGETT,

Chairman Committee on Mining and Phosphate.

I. N. WITHERS,

Chairman Committee on Recorded Proceedings.

Senate Bill No. 191:

A bill to be entitled an act to establish a Department of Archives and History for the State of Florida; to prescribe its functions and duties, and to provide for its maintenance.

Was taken up and read a second time in full.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

By Mr. Hudson—

Senate Bill No. 268:

A bill to be entitled an act to amend Section 3755 of the General Statutes of the State of Florida, relating to license for hunting.

Was taken up and read a second time in full.

Mr. Willis moved that Senate Bill No. 268 be indefinitely postponed.

Which was agreed to.

And the bill was indefinitely postponed.

Senate Bill No. 9:

A bill to be entitled an act providing that widows of deceased pensioners, upon satisfactory proof of marriage, residence in the State and death of husband, shall be entitled to the widow's pension, without proof of husband's service.

Was taken up.

Mr. Trammell moved that Senate Bill No. 311 be substituted for Senate Bill No. 9.

Which was agreed to.

Mr. Trammel asked permission to withdraw Senate Bill No. 9.

The request was granted.

And Senate Bill No. 9 was withdrawn.

Senate Bill No. 311:

A bill to be entitled an act to amend Section 2921, entitled, "Mandamus, Injunction, etc.," Chapter 5, entitled

“Railroad Commissioners,” of the General Statutes of the State of Florida, relating to the institution and maintenance by the Railroad Commissioners of proceedings against common carriers.

Was taken up and read a second time in full.

Mr. Trammell moved that the rules be further waived, and that Senate Bill No. 311 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 311 was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Alford, Baker, Canova, Clarke, Cone, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, West (4th District), Zim—26.

Nays—None.

So the bill passed, title as stated.

Mr. Adams in the chair.

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

Which was agreed to by a two-thirds vote.

The following message was read:

House of Representatives,
Tallahassee, Fla., May . . ., 1907.

Hon. W. Hunt Harris,

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. 408:

A bill to be entitled an act to abolish the municipality of the town of Estero, in Lee 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. 408, contained in the above message, was read the first time by its title.

Mr. Harris moved that the rules be waived, and that House Bill No. 408 be read a second time by its title only. Which was agreed to by a two-thirds vote.

And House Bill No. 408 was read a second time by its title only.

Mr. Harris moved that the rules be further waived, and that House Bill No. 408 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 408 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, Baker, Beard, Buckman, Cone, Cottrell, Crane, Crews, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, West (4th District), Zim—22.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 109:

A bill to be entitled an act to amend Section 751 of the General Statutes of the State of Florida, relative to pensions.

Was taken up.

Mr. Baker moved that Senate Bill No. 110 be substituted for Senate Bill No. 109.

Which was agreed to.

Mr. Beard asked permission to withdraw Senate Bill No. 109.

Which was granted.

And Senate Bill No. 109 was withdrawn.

Senate Bill No 110:

A bill to be entitled an act to amend Section 851 of

the General Statutes of the State of Florida, relating to the employment by County Commissioners of labor for work on roads and bridges.

Was taken up and read a second time in full.

Under the rules the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

Senate Bill No. 62:

A bill to be entitled an act to amend Sections 751, 752, 755, 761 and to repeal Section 753 of the General Statutes of the State of Florida, relating to pensions for Confederate soldiers and sailors.

Was taken up.

Mr. Beard moved that Senate Bill No. 217 be substituted for Senate Bill No. 62.

Which was agreed to.

Mr. Beard asked permission to withdraw Senate Bill No. 62.

The request was granted.

And Senate Bill No. 62 was withdrawn.

Senate Bill No. 217:

A bill to be entitled an act relating to appeal and writs of error to the Supreme Court.

The Judiciary Committee report unfavorably.

Was taken up.

Mr. Beard moved that Senate Bill No. 203 be substituted for Senate Bill No. 217.

Which was agreed to.

Senate Bill No. 203:

A bill to be entitled an act to amend Section 1698 of the General Statutes of the State of Florida, relating to procurement and effect of writs of error.

The Judiciary Committee report favorably, with amendment.

Was taken up and read a second time in full.

The following committee amendment was read:

In section 1, line 9, after the word "day" and before the word "more," insert the words "either in term time or vacation."

Mr. Beard moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

In Section 1, line 4, after the figures "1698," insert the words, "Right to test, and service of."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

At the end of Section 1, add the following: "Section 2. The provisions of this act shall not affect any appeal or writ of error entered or sued out prior to the date when this act shall go into effect."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Make Section 2 read Section 3.

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 203 was ordered referred to the Committee on Engrossed Bills.

By Mr. Neel—

Senate Bill No. 99:

A bill to be entitled an act to amend Sections 751 and 752 of the General Statutes of the State of Florida, relative to pensions.

No report marked on bill.

Was taken up.

Mr. Neel moved that Senate Bill No. 287 be substituted for Senate Bill No. 99.

Which was agreed to.

Mr. Neel asked permission to withdraw Senate Bill No. 99.

The request was granted.

And the bill was withdrawn.

Senate Bill No. 287:

A bill to be entitled an act authorizing and empowering the County Commissioners of the respective counties of this State to grant to persons, companies and corporations doing business of a waterworks company the right to occupy public highways, roads and alleys of the

respective counties of this State, with its or their pipes and mains.

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

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 287 was ordered referred to the Committee on Engrossed Bills.

House Bill No. 30:

A bill to be entitled an act to require urban, suburban and interurban railway companies in this State to equip their cars with fenders and cushions or shields necessary to the safety of persons and property, and fixing penalties for the violation thereof.

Was taken up and read a second time in full.

Mr. Harris moved that House Bill No. 30 be made a special order for Friday at 4 o'clock p. m., and that 200 copies be printed.

Which was agreed to.

Senate Bill No. 275:

A bill to be entitled an act to punish the sale, gift, barter or exchange of intoxicating liquors to any person addicted to the use of said intoxicating drinks, after written notice has been given that said intoxicating drinks are harmful to a member or members of the family of person so addicted, or persons so using.

Was taken up and read a second time in full.

Mr. Harris moved that the rules be further waived, and that Senate Bill No. 275 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 275 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, Baker, Buckman, Canova, Clarke, Cone, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Trammell, Willis, West (4th), Zim—24.

Nays—Senator Alford—1.

So the bill passed, title as stated.

House Bill No. 194:

A bill to be entitled an act making it unlawful for any person or persons, individual, companies or corporations, public or private carriers to bring into, transport or transfer to other in any county, district, city, town or precinct in this State where the sale of intoxicating liquors has been prohibited, prescribing conditions under which liquor may be brought into such county, district, city, town or precinct, defining what is the plan of sale of such liquor, and providing penalties for violation of this act.

The Committee on Temperance report favorably.

Was taken up and read a second time in full.

Mr. Clarke moved that Senate Bill No. 194 be informally passed.

Which was not agreed to.

Mr. McCreary moved that House Bill No. 194 be made a special order for Friday at 3:30 o'clock, and that 200 copies be printed.

Mr. Humphries offered as a substitute for Mr. McCreary's motion, that House Bill No. 194 be laid on the table subject to call, and that 200 copies be printed.

Which was agreed to.

Mr. Trammell moved that the rules be waived and that the action of the Senate upon all bills and resolutions be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

Senate Bill No. 184:

A bill to be entitled an act to provide for the payment of costs and attorneys' fees in all civil cases prosecuted in the Courts of Law and Chancery in this State by the person or persons against whom a judgment at law or a decree in chancery shall be rendered.

Was taken up.

Under the rule Mr. Buckman moved that Senate Bill No. 184 be indefinitely postponed.

Which was agreed to.

And the bill was indefinitely postponed.

House Bill No. 57:

A bill to be entitled an act to exempt the property of Young Men's Christian Associations from taxation.

Was taken up and read a second time in full.

Mr. Beard moved that the rules be further waived, and that House Bill No. 57 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 57 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, Baker, Beard, Buckman, Clarke, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Willis, West (4th District), Zim—25.

Nays—None.

So the bill passed, title as stated.

House Bill No. 113:

A bill to be entitled an act in relation to gypsy bands and camps, and to require the payment of a license tax by such troops or aggregations.

Was taken up and read a second time in full.

Mr. Zim moved that the rules be further waived, and that House Bill No. 113 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 113 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, Baker, Beard, Buckman, Clarke, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, West (4th District), Zim—26.

Nays—None.

So the bill passed, title as stated.

Mr. Harris moved that House Bill No. 44 be recommended to the Committee on Finance and Taxation.

Which was agreed to.

Mr. Clarke moved that Senate Bill No. 369 be made a special order for Friday at 10:30 o'clock a. m.

Which was agreed to.

Mr. Beard moved that Senate Bill No. 205 be made a special order for Monday at 4 o'clock p. m.

Which was agreed to.

Senate Bill No. 181:

A bill to be entitled an act to amend Section 1465 of the General Statutes of the State of Florida, concerning denial of existence and want of consideration, etc., of certain instruments.

Was taken up and read a second time in full.

Under the rule the bill was advanced to the Calendar of Bills on Third Reading without being referred to the Engrossing Committee.

By Mr. Trammell—

Senate Bill No. 226:

A bill to be entitled an act relating to the payment of license or privilege taxes by corporations rendering service to the public within the State of Florida.

Was taken up and read a second time in full.

Mr. Trammell offered the following—

Substitute for Senate Bill No. 226:

A bill to be entitled an act to provide for and require the payment of taxes on franchises, and to prescribe the method for the return, assessments and payment of said taxes.

Mr. Trammell moved that the Substitute for Senate Bill No. 226 be adopted.

Upon which a yea and nay vote was demanded.

Upon the call of the roll the vote was:

Yeas—Senators Alford, Beard, Cone, Cottrell, Crews, Girardeau, Leggett, Massey, Trammell, Zim—10.

Nays—Mr. President, Senators Adams, Buckman, Clarke, Crane, Crill, Davis, Henderson, Humphries, McCreary, Sams, Willis—12.

The following pairs were announced:

Mr. Hudson with Mr. West of the First, Mr. Hudson voting yea and Mr. West voting nay.

Mr. Neel with Mr. Johnson, Mr. Neel voting yea and Mr. Johnson voting nay.

Mr. West of the Fourth with Mr. Broome, Mr. West voting yea and Mr. Broome voting nay.

So the substitute was not adopted.

Mr. Harris moved that Senate Bill No. 226 be indefinitely postponed.

Upon which a yea and nay vote for demanded.

Upon call of the roll the vote was:

Yeas—Mr. President, Senators Adams, Alford, Baker, Beard, Buckman, Clarke, Crane, Crill, Davis, Henderson, Humphries, McCreary, Sams, Willis—15.

—15.

Nays—Senators Cone, Cottrell, Crews, Girardeau, Leggett, Massey, Trammell, Zim—8.

The following pairs were announced:

Mr. Hudson with Mr. West of 1st, Mr. Hudson voting nay and Mr. West of 1st voting yea.

Mr. Neel with Mr. Johnson, Mr. Neel voting nay and Mr. Johnson voting yea.

Mr. West of 4th with Mr. Broome, Mr. West of 4th voting nay and Mr. Broome voting yea.

So Senate Bill No. 226 was indefinitely postponed.

Mr. Harris moved that the rules be waived and that the Senate take up Bill on Third Reading.

Which was agreed to by a two-thirds vote.

And the Senate proceeded to consider—

BILLS ON THIRD READING.

Senate Bill No. 250:

A bill to be entitled an act to prohibit the taking of of tarpon (*Tarpon Atlanticus*) or bone fish (*Albula pes*) otherwise than with hook and line in the waters of this State, and to prohibit the selling or offering for sale of tarpon (*Tarpon Atlanticus*) or bone fish (*Albula Vulpes*) 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. 250 the vote was:

Yeas—Senators Adams, Baker, Buckman, Clarke, Cottrell, Crews, Crill, Davis, Girardeau, Henderson, Hudson,

Humphries, Jackson, Leggett, McCreary, Massey, Neel Sams, Trammell, Willis, West (4th District), Zim—22.

Nays—Mr. President—1.

So the bill passed, title as stated.

Senate Bill No. 66:

A bill to be entitled an act requiring common carriers of passengers to provide and maintain separate ticket windows for the sale of tickets to white and negro purchasers, and fixing penalties for the violation thereof.

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

Upon call of the roll on Senate Bill No. 66 the vote was:

Yeas—Senators Adams, Alford, Beard, Cone, Cottrell, Crews, Girardeau, McCreary, Trammell, Zim—10.

Nays—Mr. President, Senators Baker, Clarke, Crane, Crill, Henderson, Hudson, Humphries, Jackson, Leggett, Massey, Neel, Sams, Willis, West (4th)—15.

So the bill failed to pass.

Senate Bill No. 292:

A bill to be entitled an act to amend Sections 1293 and 1295 of the General Statutes of the State of Florida, relating to the powers and duties of Pilot Commissioners.

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

Upon call of the roll on Senate Bill No. 292 the vote was:

Yeas—Mr. President, Senators Adams, Buckman, Clarke, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, McCreary, Massey, Neel, Sams, Trammell, Willis, West (4th), Zim—21.

Nays—Senators Alford, Baker, Leggett—3.

So the bill passed, title as stated.

By unanimous consent.

Mr. Harris offered the following amendment to Senate Bill No. 292:

After the words "Carrabelle," in line 4, page 2, insert the following: "At both East and West Passes, inclusive."

Which was agreed to.

And the Secretary was ordered to insert said amendment in the bill.

The amendment was inserted in open session.

The President in the chair.

Mr. Henderson moved that House Bill No. 326 be re-committed to Committee on Claims.

Which was agreed to.

Mr. Buckman moved that Senate Bill No. 179 be indefinitely postponed.

Which was agreed to.

INTRODUCTION OF BILLS.

By permission.

By Mr. Willis —

Senate Bill No. 403:

A bill to be entitled an act to amend section 646 of the General Statutes of the State of Florida, relating to the exclusive right to plant oysters.

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

By permission the following reports of committees were submitted:

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

Senate Chamber.

Hon. W. Hunt Harris,

President of the Senate,

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 358:

A bill to be entitled an act to pay the E. O. Painter Printing Company for extra volumes of Florida Supreme Court Reports, reprinted under contract with the Board of State Institutions.

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

Very respectfully,

FRANK ADAMS,
Chairman of Committee.

And Senate Bill No. 356, 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 14, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 261:

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

Beg leave to report that they have carefully examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 261, contained in the above report, was placed on the Calendar of Bills on Thirds Reading.

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

Senate Chamber,

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 270:

A bill to be entitled an act to regulate the catching or taking of fish in the waters of Biscayne Bay, on the Coast of Florida.

Beg leave to report that they have carefully examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman Committee on Engrossed Bills.

And Senate Bill No. 270, contained in the above report, was placed on the Calendar of Bills on Third Reading.

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

Senate Chamber.

Tallahassee, Fla., May 14, 1907.

Hon. W. Hunt Harris.

President of the Senate.

Sir:

Your Committee on Judiciary, to whom was referred—

House Bill No. 164:

A bill to be entitled an act to amend Section 3570 of the General Statutes of the State of Florida, relating to vagrants.

Beg to advise that they have carefully reconsidered said bill, and recommend that it do pass.

Very respectfully,

H. H. BUCKMAN,
Chairman of Committee.

And House Bill No. 164, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Constitutional Amendments, to whom was referred—

Senate Joint Resolution No. 384, and House Joint Resolution No. 176—

By Mr. Massey—

Senate Joint Resolution No. 384:

A joint resolution proposing an amendment to Section 35 of Article 5 of the Constitution of the State of Florida, relating to establishment of courts.

House Joint Resolution No. 176:

A joint resolution proposing an amendment of Section 9, Article V., of the Constitution of Florida, relating to judicial salaries.

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

Very respectfully,

JOHN S. BEARD,
Chairman of Committee.

And Senate Joint Resolution No. 384 and House Joint Resolution No. 176, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. Cottrell, Chairman of Committee on Agriculture, submitted the following report:

Senate Chamber.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

Your Committee on Agriculture, to whom was referred—

Senate Bill No. 376:

A bill to be entitled an act to fix and establish a legal standard box of oranges, and to prescribe a penalty for the violation of this act.

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

Very respectfully,

E. L. COTTRELL,
Chairman of Committee.

And Senate Bill No. 376, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Willis moved that the Senate adjourn until 9:30 o'clock tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Wednesday, May 15, 1907, at 9:30 o'clock a. m.

WEDNESDAY, MAY 15, 1907.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clarke, Cone, Cottrell, Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, West (4th District), Zim—30.

A quorum present.

Prayer by the Chaplain.

INTRODUCTION OF BILLS.

By Mr. Massey—

Senate Bill No. 404:

A bill to be entitled an act to impose license taxes on railroad companies.

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

By Mr. Adams—

Senate Bill No. 405:

A bill to be entitled an act to legalize the incorporation of the town of Jasper, in Hamilton County, Florida, to declare the incorporation and ordinances of said town valid and of full force and effect, to establish and create the municipality of the city of Jasper, to fix and define the boundaries of the city of Jasper, and to provide for its jurisdiction and for the judicial powers of its judicial officers.

Which was read the first time by its title.

Mr. Adams moved that the rules be waived and that Senate Bill No. 405 be read a second time by its title only.

Which was agreed to by a two-thirds vote.