

MONDAY, MAY 20, 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, Clark, Cone, Cottrell, Crane, Crews, Crill, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (4th District), Zim—29.

A quorum present.

Prayer by the Chaplain.

The Journals of May 18 and 19 were corrected and approved.

INTRODUCTION OF RESOLUTIONS.

Mr. Beard offered the following:

Senate Resolution No. 59:

Be it resolved, That the Governor be and he is hereby requested to inform the Senate—

First—Whether or not any of the clerks and employees mentioned in his reply to Senate Resolution No. 48 are now employed by the Board of State Institutions, the Board of Pensions, the Board of Pardons, the Board of Control of Institutions of Higher Learning or the Board of Trustees of the Internal Improvement Fund, or have been employed by either of said boards during the last two years, and if so in what capacity and the amount of compensation paid to any of said clerks during said time.

Second—Whether or not any of the persons named as clerks and employees of the several departments, or those that may be included in the above paragraph of this resolution now hold or have held during the last two years any position or office under the laws of the State of Florida or by appointment from any department of State, and if

so, give the name of said clerk or employee and the amount of compensation paid to each and the office or appointment so held by said clerks or employees.

Which was read.

Mr. Beard moved the adoption of the resolution.

Which was agreed to.

The following communication was read and ordered spread on the Journal:

Tampa, Fla., May 14, 1907.

To the Honorable Members of the Florida State Legislature, Senate and House:

We, the undersigned members of the Ministers' Association of Tampa, Florida, do hereby most earnestly petition you that in the interest of good order and good morals you will in granting an appropriation for a State Fair to be held in Tampa, Florida, to make it a binding condition that no gambling, brothels, sale of intoxicants, or Sunday openings be allowed on the grounds under penalty that your appropriations, in case of violation of these limitations, be summarily withdrawn.

(Signed) W. J. CARPENTER,

Pastor of the Hyde Park M. E. Church.

JAMES F. WINNARD,

Pastor of the Tampa Heights Presbyterian Church.

CLAUDE W. DUKE,

First Baptist Church.

RABBI H. STOLNITZ,

Shaarai Zadek.

W. H. COLEMAN,

Christian Church.

C. H. SUMMERS,

City Missionary M. E. Church.

W. J. BOLIN,

Palm Avenue Baptist Church.

PERRY W. SINKS,

First Congregational Church.

J. C. TIMS,

First Presbyterian Church.

A true copy.

JAS. F. WINNARD,

Secretary Tampa Ministers' Association.

Also the following:

Executive Office, State Board of Health of Florida,
Jacksonville, Florida, May 14, 1905.

Mr. J. W. H. McClelland,
Drifton, Florida.

Dear Sir:

Replying to your letter of the 13th received this morning, I beg to say that there is no provision in the State Health Laws for compensation for animals which have been adjudged infected with glanders. Your relief should come from the Legislature, which is now in session. Your attention is invited to Section 8, Chapter 4346, Laws of Florida, 1895, which deals with this question.

Very truly,
JOSEPH Y. PORTER,
State Health Officer.

University of Florida,
Agricultural Experiment Station,
Office of Veterinarian,
Lake City, Fla., May 4, '05.

This is to certify that I have this day condemned one glandered horse, the property of Mr. J. W. H. McClelland of Drifton, Florida, and that the horse has been shot and burned, according to my directions.

The value of the horse, in a state of health, was about \$150.00.

CHAS. F. DAWSON,
Veterinarian State Board of Health.

INTRODUCTION OF BILLS.

By Mr. Zim—

Senate Bill No. 426:

A bill to be entitled an act to authorize the city of St. Augustine to levy an additional tax for two years for street improvements.

Which was read the first time by its title.

Mr. Zim moved that the rules be waived and that Senate Bill No. 426 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 426 was read a second time by its title only.

Mr. Zim moved that the rules be further waived and

that Senate Bill No. 426 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 426 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, Canova, Clark, Cottrell, Crane, Crews, Davis, Girardeau, Henderson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (4th District), Zim—26.

Nays—None.

So the bill passed, title as stated.

Mr. Zim moved that the rules be waived and that Senate Bill No. 426 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 426 was so certified.

By Mr. Humphries—

Senate Bill No. 427:

A bill to be entitled an act to legalize the incorporation of the town of Palmetto, in the County of Manatee, State of Florida, and to declare the incorporation of the town of Palmetto valid and in full force and effect, and to permit the said town of Palmetto to issue bonds for the improvements of the streets; to build and erect public works of the said town of Palmetto.

Which was read the first time by its title.

Mr. Humphries moved that the rules be waived and that Senate Bill No. 427 be read a second time.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 427 was read a second time by its title only.

Mr. Humphries moved that the rules be further waived and that Senate Bill No. 427 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 427 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, Canova, Clark, Cottrell, Crane, Crill, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (4th District), Zim—26.

Nays—None.

So the bill passed, title as stated.

By Mr. Buckman—

Senate Bill No. 428—

A bill to be entitled an act to prescribe the manner in which lands may be sub-divided and the sub-division thereof made a matter of record in the several counties in this State; 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.

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

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

Senate Chamber,

Tallahassee, Fla., May 18, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Judiciary, to whom was referred—
House Bill No. 294:

A bill to be entitled an act to prohibit the unauthorized use of the name, titles of officers, insignia, rituals or ceremonies of certain orders or societies.

And—

Senate Bill No. 95:

A bill to be entitled an act to prescribe the time for holding the terms of the Circuit Court in and for the Fifth Judicial Circuit of the State of Florida.

And—

Senate Bill No. 366:

A bill to be entitled an act to amend Section 1397 of

the General Statutes of the State of Florida of 1906, relating to summons ad respondendum, subpoenas and other process in civil cases.

Also—

Senate Bill No. 388:

A bill to be entitled an act to amend Section 2286 of the General Statutes of the State of Florida, relating to the effect of probate of wills.

Beg to advise that they have carefully considered said bills, and recommend that they do pass.

Respectfully,

H. H. BUCKMAN,
Chairman.

And House Bill No. 294 and Senate Bills Nos. 95, 366 and 388, contained in above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahhassee, Fla., May 18, 1907.

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

Sir:

Your Committee on Judiciary, to whom was referred—

House Bill No. 254:

A bill to be entitled an act to amend Section 3310 of the General Statutes of Florida, relating to fraudulent sale by lessee.

And—

House Bill No. 272:

A bill to be entitled an act to amend Section 3525 of the General Statutes of the State of Florida, relating to the prohibitive degrees of marriage.

Also—

Senate Bill No. 385:

A bill to be entitled an act relating to burglary with explosives.

Beg to advise that they have carefully considered said bills, and recommend that they do not pass.

Respectfully,

H. H. BUCKMAN,
Chairman.

And House Bills Nos. 254 and 272 and Senate Bill No. 385, contained in above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 18, 1907.

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

Sir:

Your Committee on Judiciary to whom was referred—
House Bill No. 234:

A bill to be entitled an act fixing the venue in prosecutions for embezzlement and fraudulent concealment of property with intent to commit the crime of embezzlement, and aiding and abetting in the commission of such offences.

Beg to advise that they have carefully considered said bill, and recommend that it do pass, with the following amendment:

Committee amendment: On the third page of engrossed bill, strike out lines 6, 7, 8, 9, 10 and 11 and insert in lieu thereof the words, "any county in which any part of any of such offenses was committed."

Respectfully,

H. H. BUCKMAN,
Chairman.

And House Bill No. 324, with committee amendment contained in above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 18, 1907.

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

Sir:

Your Committee on Judiciary to whom was referred—
Senate Bill No. 349:

A bill to be entitled an act to provide for the furnishing of the Governor's Mansion and the improvement of the grounds thereof, and such other improvements and extensions as may be necessary or advisable, and making appropriation for the same.

Beg to return said bill with the recommendation that it be referred to the Committee on Appropriations, to the end that said Committee may consider the same in connection with a House Bill of the same nature, now in their hands for consideration.

Respectfully,

H. H. BUCKMAN,
Chairman.

And Senate Bill No. 349, contained in the above report, was referred to the Committee on Appropriations.

Mr. Buckman, chairman of the Judiciary Committee, made the following report:

Senate Chamber,
Tallahassee, Fla., May 18, 1907.

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

Sir:

Your Committee on Judiciary to whom was referred—
Senate Bill No. 387:

A bill to be entitled an act for the relief of Jordan and Spencer.

Beg to return same herewith with the recommendation that it be referred to the Committee on Claims.

Respectfully,

H. H. BUCKMAN,
Chairman.

And Senate Bill No. 387 was so referred.

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

Senate Chamber,

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

Sir:

Your Committee on Temperance, to whom was referred—

House Bill No. 302:

A bill to be entitled an act to provide a method for the discovery of the illicit sale of intoxicating liquors, to punish false swearing therein and to arrest the vendor making such illicit sale.

Have had the same under consideration and recommend that it do pass, with the amendment, to wit: Strike out the word "if," in line 12 of Section 4, and insert in lieu thereof the following, "of."

Very respectfully,

J. H. HUMPHRIES,
Chairman of Committee.

And House Bill No. 302, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

An act to amend Sections 3, 13 and 14 of an act entitled, "An act to provide for the inspection and analysis of, and to regulate the sale of commercial feeding stuff in this State; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to define the term commercial feeding stuff; to provide for guarantees of the ingredients

of commercial feeding stuffs; for the affixing of labels and stamps to the packages thereof, as evidence of the guarantee and inspection thereof; to provide for the collection of an inspection fee from the manufacturers of commercial feeding stuff; to affix penalties for the violation of the provisions of this act; to authorize the appointment of an additional Assistant State Chemist and Inspector of Commercial Feeding Stuffs; to appropriate the necessary funds to enforce the provisions of this act, and to repeal all laws or parts of laws in conflict with this act.

Also—

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 officer.

Have examined the same and find them correctly enrolled.

Very respectfully,

F. W. SAMS.

Chairman of Committee:

And the acts contained in the above report were referred to Joint Committee on Enrolled Bills for examination and approval.

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

Senate Chamber.

Tallahassee, Fla., May 20, 1907.

Hon. W. Hunt Harris.

President of the Senate.

Sir:

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

An act to amend Sections 3, 13 and 14 of an act entitled, "An act to provide for the inspection and analysis of, and to regulate the sale of commercial feeding stuff in this State; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to define the term commercial

feeding stuff; to provide for guarantees of the ingredients of commercial feeding stuffs; for the affixing of labels and stamps to the packages thereof, as evidence of the guarantee and inspection thereof; to provide for the collection of an inspection fee from the manufacturers of commercial feeding stuff; to affix penalties for the violation of the provisions of this act; to authorize the appointment of an additional Assistant State Chemist and Inspector of Commercial Feeding Stuffs; to appropriate the necessary funds to enforce the provisions of this act, and to repeal all laws or parts of laws in conflict with this act.

Also—

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 officer.

Have examined the same and find them correctly enrolled.

Very respectfully,

F. W. SAMS,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

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

Sir:

Your Joint Committee on Enrolled Bills to whom was referred—

An act to amend Sections 3, 13 and 14 of an act entitled, "An act to provide for the inspection and analysis
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of, and to regulate the sale of commercial feeding stuff in this State; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to define the term commercial feeding stuff; to provide for guarantees of the ingredients of commercial feeding stuffs; for the affixing of labels and stamps to the packages thereof, as evidence of the guarantee and inspection thereof; to provide for the collection of an inspection fee from the manufacturers of commercial feeding stuff; to affix penalties for the violation of the provisions of this act; to authorize the appointment of an additional Assistant State Chemist and Inspector of Commercial Feeding Stuffs; to appropriate the necessary funds to enforce the provisions of this act, and to repeal all laws or parts of laws in conflict with this act.

Also—

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 officer.

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,

F. W. SAMS,

Chairman of Committee.

Beg leave 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.

ENROLLED.

The President announced that he was about to sign—

An act to amend Sections 3, 13 and 14 of an act entitled, "An act to provide for the inspection and analysis of, and to regulate the sale of commercial feeding stuff in this State; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to define the term commercial

feeding stuff; to provide for guarantees of the ingredients of commercial feeding stuffs; for the affixing of labels and stamps to teh packages thereof, as evidence of the guarantee and inspection thereof; to prpvide for the collection of an inspection fee from the manufacturers of commercial feeding stuff; to affix penalties for the violation of the provisions of this act; to authorize the appointment of an additional Assistant State Chemist and Inspector of Commercial Feeding Stuffs; to appropriate the necessary funds to enforce the provisions of this act, and to repeal all laws or parts of laws in conflict with this act.

Also—

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 officer.

The acts were thereupon 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. Sams, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

An act directing that the statue of Edmond Kirby Smith be placed in the National Statuary Hall in the Capitol of the United States, in Washington, District of Columbia, and directing the Governor to appoint a commission to take the necessary steps to that end.

Also—

An act to amend Section 3, Chapter 5566 of the Laws of Florida, entitled, "An act to organize a County Court in and for the County of Manatee, and to provide for the appointment of a prosecuting attorney for said county."

Also—

An act to amend Section 1264, Chapter XXII, of the General Statutes of the State of Florida, relating to guaranteed analysis of fertilizer.

Also—

An act to amend an act entitled, "An act to authorize the County Commissioners of any county in this State to require and cause the County Treasurer to transfer to other county funds the surplus money now in the Fine and Forfeiture Fund, or that may hereafter come into that fund from the hire of State or county convicts."

Also—

An act to authorize Legislatives Committees to require any person appearing before such committees to disclose upon oath what interest such persons or persons represents, authorizing the administration of an oath in such cases, and providing a penalty for false swearing in such cases.

Have examined the same and find them correctly enrolled.

Very Respectfully,

F. W. SAMS,
Chairman of Committee.

And the act contained in the above report was referred to Joint Committee on Enrolled Bills for examination and approval.

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

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

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

Sir:

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

An act directing that the statue of Endmond Kirby Smith be placed in the National Statuary Hall in the

Capitol of the United States, in Washington, District of Columbia, and directing the Governor to appoint a commission to take the necessary steps to that end.

Also—

An act to amend Section 3, Chapter 556, of the Laws of Florida, entitled, "An act to organize a County Court in and for the County of Manatee, and to provide for the appointment of a prosecuting attorney for said county."

Also—

An act to amend Section 1264, Chapter XXII. of the General Statutes of the State of Florida, relating to guaranteed analysis of fertilizers.

Also—

An act to amend an act entitled, "An act to authorize the County Commissioners of any county in this State to require and cause the County Treasurer to transfer to other county funds the surplus money now in the Fine and Forfeiture Fund, or that may hereafter come into that fund from the hire of State or county convicts."

Also—

An act to authorize Legislative Committees to require any person appearing before such committees to disclose upon oath what interest such person or persons represents, authorizing the administration of an oath in such cases, and providing a penalty for false swearing in such cases.

Have examined the same and find them correctly enrolled.

Very respectfully,

F. W. SAMS,
Chairman of Committee.

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

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

Senate Chamber,
Tallahhassee, Fla., May 20, 1907.

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

Sir:

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

An act directing that the statue of Edmond Kirby Smith be placed in the National Statuary Hall, in the Capitol of the United States, in Washington, District of Columbia, and directing the Governor to appoint a commission to take the necessary steps to that end.

Also—

An act to amend Section 3, Chapter 556, of the Laws of Florida, entitled, "An act to organize a County Court in and for the County of Manatee, and to provide for the appointment of a prosecuting attorney for said county."

Also—

An act to amend Section 1264, Chapter XXII. of the General Statutes of the State of Florida, relating to guaranteed analysis of fertilizers.

Also—

An act to amend an act entitled, "An act to authorize the County Commissioners of any county in this State to require and cause the County Treasurer to transfer to other county funds the surplus money now in the Fine and Forfeiture Fund, or that may hereafter come into that fund from the hire of State or county convicts."

Also—

An act to authorize Legislative Committees to require any person appearing before such committees to disclose upon oath what interest such person or persons represents, authorizing the administration of an oath in such cases, and providing a penalty for false swearing in such cases.

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

Very respectfully,

F. W. SAMS,
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

An act directing that the statue of Edmond Kirby Smith be placed in the National Statuary Hall in the Capitol of the United States, in Washington, District of Columbia, and directing the Governor to appoint a commission to take the necessary steps to that end.

Also—

An act to amend Section 3, Chapter 556, of the Laws of Florida, entitled, "An act to organize a County Court in and for the County of Manatee, and to provide for the appointment of a prosecuting attorney for said county."

Also—

An act to amend Section 1264, Chapter XXII. of the General Statutes of the State of Florida, relating to guaranteed analysis of fertilizers.

Also—

An act to amend an act entitled, "An act to authorize the County Commissioners of any county in this State to require and cause the County Treasurer to transfer to other county funds the surplus money now in the Fine and Forfeiture Fund, or that may hereafter come into that fund from the hire of State or county convicts."

Also—

An act to authorize Legislative Committees to require any person appearing before such committees to disclose upon oath what interest such person or persons represents, authorizing the administration of an oath in such cases, and providing a penalty for false swearing in such cases.

The acts were thereupon 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. Sams, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

Hon. W. Hunt Harris.

President of the Senate.

Sir:

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

An act providing for the filling of vacancies of the Town Council of the town of Perry, Taylor County, Florida, and providing the terms, conditions and provisions under which such vacancies shall be filled.

Also—

An act to incorporate and establish a municipal government for the town of Wellborn, in Suwannee County, Florida; to provide for its officers and prescribe its powers; and to repeal Chapter 5371 of the Laws of Florida, the same being an act entitled "An act to incorporate the town of Wellborn, in Suwannee County."

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

Very respectfully,

F. W. SAMS,

Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

An act providing for the filling of vacancies of the Town Council of the town of Perry, Taylor County, Florida, and providing the terms, conditions and provisions under which such vacancies shall be filled.

Also—

An act to incorporate and establish a municipal government for the town of Wellborn, in Suwannee County, Florida; to provide for its officers and prescribe its powers; and to repeal Chapter 5371 of the Laws of Florida, the same being an act entitled "An act to incorporate the town of Wellborn, in Suwannee County."

The acts were thereupon 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. Sams, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

An act to organize and establish a County Court in and for the County of Osceola, and prescribing the terms thereof.

Also—

An act to provide for the deposit in a bank or banks, and for the loan and investment of funds of the city of Pensacola, and for the obtaining of interest thereon.

Also—

An act to legalize and validate all contracts for grading, paving, curbing, and sewers made and entered into by the city of Tampa, through the Board of Commissioners of Public Works of the said city, and all ordinances, resolutions, acts and things passed or done, either by the City Council or the Commissioners of Public Works of the city of Tampa, in the matter of paving, grading, curbing, sewerage, sidewalks, or other internal municipal improvements, and all assessments for such improvements, hitherto made, or which may hereafter be made, under any contracts 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 or which may be issued by the city of Tampa, in the matter of costs of any grading, paving, sewerage, sidewalks or any other internal municipal improvements already done, or which may hereafter be done under any existing contracts heretofore entered into by the city of Tampa, including work now in process of construction.

Have examined the same and find them correctly enrolled.

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

And the acts contained in the above report were referred to Joint Committee on Enrolled Bills for examination and approval.

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

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

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

Sir:

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

An act to organize and establish a County Court in and for the County of Osceola, and prescribing the terms thereof.

Also—

An act to provide for the deposit in a bank or banks, and for the loan and investment of funds of the city of Pensacola, and for the obtaining of interest thereon.

Also—

An act to legalize and validate all contracts for grading, paving, curbing, and sewers made and entered into by the city of Tampa, through the Board of Commissioners of Public Works of the said city, and all ordinances, resolutions, acts and things passed or done, either by the City Council or the Commissioners of Public Works of the city of Tampa, in the matter of paving, grading, curbing, sewerage, sidewalks, or other internal municipal improvements, and all assessments for such improvements, hitherto made, or which may hereafter be made, under any contracts 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 costs of any grading, paving, sewerage, sidewalks or any other internal municipal improvements already done, or which may hereafter be done under any existing contracts here-

tofore entered into by the city of Tampa, including work now in process of construction.

Have examined the same and find them correctly enrolled.

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

And the acts contained in the above report were referred to the Joint Committee on Enrolled Bills, to convey to the House of Representatives for the signatures of the Speaker of the House of Representatives and the Chief Clerk thereof.

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

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

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

Sir:

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

An act to organize and establish a County Court in and for the County of Osceola, and prescribing the terms thereof.

Also—

An act to provide for the deposit in a bank or banks, and for the loan and investment of funds of the City of Pensacola, and for the obtaining of interest thereon.

Also—

An act to legalize and validate all contracts for grading, paving, curbing, and sewers made and entered into by the City of Tampa, through the Board of Commissioners of Public Works of the said city, and all ordinances, resolutions, acts, and things passed or done, either by the City Council or the Commissioners of Public Works of the city of Tampa, in the matter of paving, grading, curbing, sewerage, sidewalks, or other internal municipal improvements, and all assessments for such improvements, hitherto made or which may hereafter be made under any contracts 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 costs of any grading, paving, sewerage, sidewalks, or any other internal, municipal, improvements, already done, or which may hereafter be done under any existing contracts heretofore entered into by the city of Tampa, including work now in process of construction.

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

Very respectfully,

F. W. SAMS,
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—
An act to organize and establish a County Court in and for the County of Osceola, and prescribing the terms thereof.

Also—

An act to provide for the deposit in a bank or banks, and for the loan and investment of funds of the city of Pensacola, and for the obtaining of interest thereon.

Also—

An act to legalize and validate all contracts for grading, paving, curbing, and sewers made and entered into by the city of Tampa, through the Board of Commissioners of Public Works of the said city, and all ordinances, resolutions, acts, and things passed or done, either by the City Council or the Commissioners of Public Works, of the city of Tampa, in the matter of paving, grading, curbing, sewerage, sidewalks or other internal municipal improvements, and all assessments for such improvements, hitherto made or which may hereafter be made under any contracts 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 in-

debtedness 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 costs of any grading, paving, sewerage, sidewalks, or any other internal, municipal, improvements, already done, or which may hereafter be done under any existing contracts heretofore entered into by the city of Tampa, including work now in process of construction.

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

A message from the Governor was announced:

Mr. Adams moved that the message be received and ordered spread upon the Journal, and referred to Committee on Finance and Taxation.

Which was agreed to.

The message was read as follows:

State of Florida.

Executive Office,

Tallahassee, Florida, May 21, 1907.

Gentlemen of the Senate and of the House of Representatives:

A serious defect in the assessment laws of our State has just come to my notice. Section 522 of the General Statutes provides that the Tax Assessor shall "assess the lands at their full cash value," making no provision for the taxpayer to be heard. Section 525 provides that "should the Board increase the value fixed by the assessor of any real estate then due notice thereof shall be given to the owner," etc., the intent of which is that such owner may have an opportunity to appear and be heard before the assessment is made final. But however unjust or inequitable the valuation fixed by the assessor might be, if it were left undisturbed by the Board of County Commissioners, the taxpayer would have no opportunity to be heard or to have the matter reviewed.

There was once a provision in the law giving the taxpayer an opportunity to complain to the Board of County Commissioners of the value fixed upon his real estate by the assessor, and have such assessment reviewed, but that

provision was omitted in the revision which resulted in our present compilation of the General Statutes.

Judge Swayne has very recently declared our assessment laws unconstitutional, so far as real estate is concerned, because of this defect, and it seems to me that not only the Constitution of the United States, but also equity and sound reason, bear out the decision.

I, therefore, most respectfully recommend that your honorable body so amend the law as to remedy this defect, and that such amendment be perfected with all possible dispatch.

Respectfully submitted,

(Signed) N. B. BROWARD,

Governor.

Mr. Willis moved that Senate Bill No. 156 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 156:

A bill to be entitled an act to permit pleas to the jurisdiction, or in abatement, to be pleaded with pleas in bar, or to the merits, and providing for the trial thereof.

Was taken up.

Mr. Willis moved that House Bill No. 156 be made the special order for 10 o'clock tomorrow.

Which was agreed to, and so ordered.

Mr. Sams moved that Senate Bill No. 358 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 358:

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

Was taken up and read a second time in full.

Mr. Sams moved that the rules be further waived, and that Senate Bill No. 358 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. 358 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, Cone, Cottrell, Crane, Crews, Crill, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (4th District), Zim—27.

Nays—Mr. Clark—1.

So the bill passed, title as stated.

Mr. Adams in the chair.

BILLS ON TABLE SUBJECT TO CALL.

Senate Bill No. 74:

A bill to be entitled an act to make it illegal for any person to procure money or other thing of value on a contract to perform services with intent to defraud, and prescribing penalty therefor.

Was taken up.

Mr. Girardeau moved that Senate Bill No. 402 be substituted for Senate Bill No. 74.

Which was agreed to.

Mr. Girardeau asked permission to withdraw Senate Bill No. 74.

The request was granted.

And Senate Bill No. 74 was withdrawn.

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.

Was taken up and read a second time in full.

Mr. Girardeau moved that the rules be further waived and that Senate Bill No. 402 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 402 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, Cone, Cottrell, Crane, Crews, Crill, Girar-

deau, Henderson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Trammell, Willis, Withers, West (4th District), Zim—24.

Nays—Senator Clark—1.

So the bill passed, title as stated.

By Mr. Humphries—

Senate Bill No. 101:

A bill to be entitled an act to secure to the people of Florida school text books at reduced prices, to provide special editions of said books at low prices, to empower county boards of public instruction to adopt such books if desired, to authorize county boards of public instruction to make contracts with publishers, to provide for the filling of contracts, to provide a penalty for any dealer, clerk or agent who may sell school text books at greater prices than may be entered in contracts between boards of public instruction and publishers, and for other purposes.

Was taken up.

Mr. Willis moved that Senate Bill No. 101 be read the second time by sections for amendment.

Which was agreed to.

And Senate Bill No. 101 was read by sections.

Mr. Willis offered the following amendment to Senate Bill No. 101:

Insert in line 9, printed bill, Section 1, after "furnished" "in each and every county in Florida, and."

Mr. Willis moved the adoption of the amendment.

Which was agreed to.

Mr. Willis offered the following amendment to Senate Bill No. 101:

Insert in line 13, Section 1, printed bill, after "contract" insert "in each and every county."

Mr. Willis moved the adoption of the amendment.

Which was agreed to.

Mr. Willis offered the following amendment to Senate Bill No. 101:

Line 13, Section 1, printed bill, after word prices, insert: "Which said prices shall be the same and uniform "in each and every county in Florida, and."

Mr. Willis moved the adoption of the amendment.

Which was agreed to.

Mr. Willis offered the following amendment to Senate Bill No. 101:

At end of Section 2, printed bill, insert "which said reduced prices shall be the same and uniform in each and every county in Florida."

Mr. Willis moved the adoption of the amendment.

Which was agreed to.

Mr. Cone offered the following amendment to Senate Bill No. 101:

Insert at the end of Section 3 of the bill the following:

Provided, That no County School Board shall contract for and buy any text book or books for use in the public schools of this State at a greater price than the same book or books are bought or contracted for in any other county of this State.

Mr. Cone moved the adoption of the amendment.

Which was not agreed to.

Mr. Humphries offered the following amendment to Senate Bill No. 101:

Strike out the word "that" in line 4, Section 3, and insert "this."

Mr. Humphries moved the adoption of the amendment.

Which was agreed to.

Mr. Willis offered the following amendment to Senate Bill No. 101:

Add the following as Section 5:

"Section 5. That in the future, before any County School Board shall make any regular, new or additional adoption under the provisions of this act, they shall give notice by publication, in one or more newspapers published in the said county, for a period of not less than thirty days, of their intention to make such regular, new or additional adoptions, which said notice shall state the time and place on which said Board will meet for the purpose of making such regular, new or additional adoptions; and the said Board shall make no regular, new or additional adoption without first giving the notice required in this section."

Mr. Willis moved to adopt the amendment.

Which was agreed to.

Mr. Willis offered the following amendment to Senate Bill No. 101:

"Make original Section 5 read Section 6; make original

Section 6 read Section 7; make original Section 7 read Section 8; make original Section 8 read Section 9; make original Section 9 read Section 10."

Mr. Willis moved the adoption of the amendment.

Which was agreed to.

Mr. Crill offered the following amendment to Senate Bill No. 101:

After the word "less," in line 4, Section 6, add, "nor more."

Mr. Crill moved the adoption of the amendment.

Which was agreed to.

Mr. Willis withdrew the amendment.

Mr. Massey moved that Senate Bill No. 101 be indefinitely postponed.

Upon which a yea and nay vote was demanded.

Upon the call of the roll the vote was:

Yeas—Senators Cone, Cottrell, Crane, Girardeau, Hudson, Leggett, Massey, Neel—8.

Nays—Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clark, Crews, Crill, Henderson, Humphries, McCreary, Sams, Trammell, Willis, West (4th District), Zim—19.

So the motion to indefinitely postpone was not agreed to.

And Senate Bill No. 101 was ordered referred to the Committee on Engrossed Bills.

The President in the chair.

Mr. Crane moved that House Bill No. 169 be taken out of its order and be now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 169:

A bill to be entitled an act to extend the time limit within which the Charlotte Harbor and Northern Railway Company is required to complete the construction of its road.

Was taken up and read a second time in full.

Mr. Crane moved that the rules be further waived, and that House Bill No. 169 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. 169 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, Clark, Cottrell, Crane, Crews, Crill, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Withers, West (4th District), Zim—26.

Nays—Massey, Willis—2.

So the bill passed, title as stated.

Mr. Broome moved that Senate Bill No. 260 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 260:

A bill to be entitled an act to protect the bird known as the turtle dove.

Was taken up and read a second time in full.

Mr. Broome moved that the rules be further waived, and that Senate Bill No. 260 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. 260 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, Broome, Buckman, Cottrell, Crane, Crews, Crill, Girardeau, Henderson, Hudson, Humphries, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (4th District), Zim—23.

Nays—Canova, Clark, Leggett—3.

And the bill passed, title as stated.

Mr. Humphries moved that Senate Bills Nos. 333 and 381 be placed on table subject to call, and that 200 copies be printed.

Which was agreed to and so ordered.

Mr. West of the 4th moved that Senate Bill No. 93 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 93:

A bill to be entitled an act to amend Section 1337 of the General Statutes of the State of Florida.

Was taken up.

The Judiciary Committee substitute for Senate Bill No. 93:

A bill to be entitled an act to amend Section 1337 of the General Statutes of Florida, relating to disqualification of Judges.

Was taken up and read the first time in full.

Mr. West of the 4th moved the adoption of the substitute.

Which was agreed to.

Mr. West of the 4th moved that the rules be waived and that the substitute for Senate Bill No. 93 be read a second time.

Which was agreed to by a two-thirds vote.

And Committee substitute for Senate Bill No. 93 was read a second time in full.

Mr. West of the 4th moved that the rules be further waived and that Committee substitute for Senate Bill No. 93 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

And Committee substitute for Senate Bill No. 93 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, Broome, Canova, Clarke, Cone, Cottrell, Crane, Crews, Crill, Henderson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (4th District), Zim—26.

Nays—None.

So the bill passed, title as stated.

Mr. Canova moved that Senate Bill No. 261 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

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 the third time in full and put upon its passage.

Upon call of the roll on Senate Bill No. 261 the vote was:

Yeas—Senators Beard, Canova, Clark, Cone, Cottrell, Crane, Crill, Humphries, Jackson, McCreary, Sams, Trammell, West (4th District), Zim—14.

Nays—Mr. President, Senators Alford, Broome, Buckman, Crews, Girardeau, Henderson, Hudson, Leggett, Massey, Neel, Withers—12.

So the bill passed, title as stated.

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

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 232:

A bill to be entitled an act to prohibit the hiring, recruiting or inducing of labor from any county in the State into another county in the State or into another State, and to provide a penalty therefor.

Was taken up.

Mr. Henderson moved that House Bill No. 426 be substituted for Senate Bill No. 232.

Which was agreed to.

And—

House Bill No. 426:

A bill to be entitled an act to protect the food fish in Miccosukie Lake, in the County of Leon, State of Florida.

Was taken up and read a second time in full.

Mr. Girardeau, by unanimous consent, offered the following amendment to House Bill No. 426, to-wit:

Strike out words in title, second line, to-wit: The "County of Leon."

Mr. Girardeau moved to adopt the amendment.

Which was agreed to.

And the amendment was unanimously adopted.

By unanimous consent Mr. Girardeau offered the following amendment to House Bill No. 426:

Strike out the words, "the County of Leon," in third line of Section 1.

Mr. Girardeau moved to adopt the amendment.

Which was agreed to.

And the amendment was unanimously adopted.

Mr. Henderson moved that the rules be further waived and that House Bill No. 426 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 426 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, Girardeau, Henderson, Humphries, Jackson, McCreary, Massey, Neel, Trammell, Willis, Withers, West (4th District), Zim—27.

Nays—None.

So the bill passed, title as stated.

Mr. McCreary moved that Senate Bill No. 273 be taken up out of its order and now considered.

Which was not agreed to.

Mr. Clarke moved that House Bill No. 87 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 87:

A bill to be entitled an act to amend Section 2 of Chapter 5433 of the Laws of the State of Florida, relating to ted to the Committee on Fisheries.

Which was agreed to.

Mr. Beard moved to waive the rules and take up Bills on Third Reading.

Which was not agreed to.

Senate Bill No. 10:

A bill to be entitled an act providing that pension applications, which are approved, shall be paid from the date of the filing of the same.

Was taken up.

Mr. Trammell moved that Senate Bill No. 50 be substituted for Senate Bill No. 10.

Which was agreed to.

And—

Senate Bill No. 50:

A bill to be entitled an act providing that certain public schools in this State shall receive State aid, and making an appropriation therefor.

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

By unanimous consent the Secretary was instructed to correct in the Journals the title of Substitute for Senate Bill No. 50, and make same to conform to the title of the substitute and that such correction be recorded by the Recording Secretary, as follows:

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.

Upon call of the roll on Senate Bill No. 50 the vote was:

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

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 135:

A bill to be entitled an act to provide for pensioning all soldiers who served as members of companies known as "Home uards" during the War Between the States of the United States, and for the pensioning of the widows of such deceased soldiers.

Was taken up.

Mr. Crews moved that Senate Bill No. 398 be substituted for Senate Bill No. 135.

Which was agreed to.

And—

Senate Bill No. 398:

A bill to be entitled an act to provide for the reimbursement of certain counties on account of expenditures in furnishing armories for the Florida State Troops between the 8th day of June, A. D. 1887, and the 21st day of October, A. D. 1902, and making appropriation therefor.

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

The following Committee amendment was read:

“Hamilton County	\$2,000.00
Manatee County	187.00
Orange County	5,924.94
St. Johns County	6,300.00”

Mr. Adams moved the adoption of the committee amendment.

Pending which—

Mr. Crews moved that Senate Bill No. 398 be laid on the table subject to call.

Which was agreed to.

Mr. Massey moved to adjourn until 3:30 o'clock.

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 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—31.

House Bill No. 93:

A bill to be entitled an act to prohibit contracts and agreements of cotton, grain, provisions and other commodities, stocks, bonds and other securities upon margin commonly known as dealing in futures; and to provide punishment therefor; to define what shall constitute prima facie evidence of guilt; to compel persons participating in such transactions to testify concerning their connections therewith; to provide that evidence given by any such witness shall not be used against him in any criminal proceeding; and to exempt from the operations of this act purchases and sales of commodities by manufacturers or merchants in the ordinary course of business, and to provide that regular commercial exchanges and other bona fide trade organizations may post market prices, and for other purposes.

Was taken up and read a second time in full.

Mr. Buckman offered the following amendment to House Bill No. 93:

Add in Section 13, that "the provisions of this act shall not take effect until January 1, 1908."

Mr. Buckman moved the adoption of the amendment. Which was agreed to.

Mr. McCreary offered the following amendment to House Bill No. 93:

At the end of Section 9 insert the following: "Provided, that nothing in this act shall be construed as applying to trades between individuals in this State and other States, when actual delivery is contemplated and agreed to in writing."

Mr. McCreary moved the adoption of the amendment. Which was not agreed to.

Mr. Buckman moved that 200 copies of House Bill No. 93 be printed.

Which was agreed to.

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

Mr. Crane moved that the rules be waived and that

messages from the House of Representatives be taken up.
Which was agreed to by a two-thirds vote.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 20, 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. 542:

A bill to be entitled an act to authorize the town of Orange Park to impound hogs of residents who live without the town.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 542, contained in the above message, was read the first time by its title.

Mr. Canova moved that the rules be waived, and that House Bill No. 542 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 542 was read a second time by its title only.

Mr. Canova moved that the rules be further waived, and that House Bill No. 541 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 542 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, Baker, Beard, Broome, Buckman, Canova, Clarke, Cone, Cottrell, Crane, Crews,

Crill, Girardeau, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Willis, Withers, West (1st District), West (4th District), Zim—28.

Nays—Mr. President—1.

So the bill passed, title as stated.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 20, 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. 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.

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

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 20, 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. 544:

A bill to be entitled an act to amend Sections 2, 3, 4, 5, 14, 20, 21, 23, 24, 36, 51, 52, 54, 55, 56, 60 and 62 of Chapter 5363 of the Laws of Florida, approved June 8, A. D. 1903, entitled "an act to amend Chapter 4883 of the Laws of Florida, approved May 29, 1899, being the city charter of the city of Tampa, and providing for its government, jurisdiction, powers and duties, and relating to the same," and to confirm and continue grants, and to make valid and binding upon the city of Tampa grants made by the County Commissioners of Hillsborough County, and the town of Fort Brooke, as to territory described in this act, and as to territory that may hereafter be acquired by the city of Tampa, and to abolish the municipal government of the town of Fort Brooke, and to define the corporate limits of the city of Tampa.

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

Mr. Crane moved that the rules be waived and that House Bill No. 544 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 544 was read a second time by its title only.

Mr. Crane moved that the rules be further waived, and that House Bill No. 544 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 544 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, Girardeau, Henderson, Hudson, Hum-

phries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Willis, Withers, West (1st), West (4th), Zim—29.

Nays—None.

So the bill passed, title as stated.

REPORTS OF COMMITTEES.

By permission.

Mr. J. B. Johnson, Chairman of the Committee on Privileges and Elections, submitted the following report:

Senate Chamber,

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred—

House Bill No. 195:

A bill to be entitled an act to amend Section 270, Article 21, Charter 1, Title 4, of the General Statutes of the State of Florida, insofar as it relates to the nominations of County Commissioners of the different counties, provided that they shall be nominated by districts instead of by the county at large.

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

Very respectfully,

J. B. JOHNSON,
Chairman of Committee.

And House Bill No. 195, contained in the above report, was placed on the Calendar of Bills on Second Reading.

By permission—

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

Senate Chamber,

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 353:

A bill to be entitled an act relating to the Florida State Reform School at Marianna, and appropriating money therefor.

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

Very respectfully,

F. ADAMS,
Chairman of Committee.

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

By permission—

Mr. Adams, Chairman of 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—

House Bill No. 298:

A bill to be entitled an act to amend Sections 1276 and 1279 of Chapter XXII of the General Statutes of the State of Florida, relating to traveling expenses and salaries of State Chemist.

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

Very respectfully,

F. ADAMS,
Chairman of Committee.

And House Bill No. 298, 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 20, 1907.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 101:

A bill to be entitled an act to secure to the people of

Florida school books at reduced prices; to provide special editions of said books at low prices; to empower County Boards of Public Instruction to adopt such books if desired; to authorize County Boards of Public Instruction to make contracts with publishers; to provide for the filing of contracts; to provide a penalty for any dealer, clerk or agent who may sell school text books at a greater price than entered in contracts between Boards of Public Instruction and publishers, and for other purposes.

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. 101, contained in the above report, was placed on the Calendar of Bills on Third Reading.

By permission.

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

Senate Chamber,

Tallahassee, Fla., May 20, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

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

An act to amend Sections 3, 13 and 14 of an act entitled "an act to provide for the inspection and analysis of, and to regulate the sale of commercial feeding stuffs in this State; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to define the term 'Commercial Feeding Stuffs;' to provide for guarantees of the ingredients of commercial feeding stuffs; for the affixing of labels and stamps to the packages thereof, as evidence of the guarantee and inspection thereof; to provide for the collection of an inspection fee from the manufacturers of commercial feeding stuffs; to affix penalties for the violation of the provisions of this act; to authorize the appointment of additional Assistant State Chem-

ist, and Inspector of Commercial Feeding Stuffs; to appropriate the necessary funds to enforce the provisions of this act, and to repeal all laws or parts of laws in conflict with this act."

Also—

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 a 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 officer.

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

Very respectfully,

F. W. SAMS,

Chairman of Committee.

By permission.

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

Senate Chamber,

Tallahassee, Fla., May 20, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Enrolled Bills, to whom was referred—

An act directing that the statue of Edmond Kirby Smith be placed in the National Statuary Hall in the Capitol of the United States in Washington, District of Columbia, and directing the Governor to appoint a commission to take the necessary steps to that end.

Also—

An act to amend Section 3, Chapter 5566 of the Laws of Florida, entitled "an act to organize a County Court in and for the County of Manatee, and to provide for

the appointment of a prosecuting attorney for said county.”

Also—

An act to amend Section 1264, Chapter XXII. of the General Statutes of the State of Florida, relating to guaranteed analyses of fertilizers.

Also—

An act to amend an act entitled “an act to authorize the County Commissioners of any county in this State to require and cause the County Treasurer to transfer to other county funds the surplus money now in the Fine and Forfeiture Fund, or that may hereafter come into that fund from the hire of State or county convicts.”

Also—

An act to authorize Legislative Committees to require any person appearing before such committees to disclose upon oath what interest such person or persons represents, authorizing the administration of an oath in such cases, and providing a penalty for false swearing in such cases.

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

Very respectfully,

F. W. SAMS,

Chairman of Committee.

By permission.

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

Senate Chamber,

Tallahassee, Fla., May 20, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

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

An act providing for the filling of vacancies of the Town Council of the town of Perry, Taylor County, Florida, and providing the terms, conditions and provisions under which such vacancies shall be filled.

Also—

An act to incorporate and establish a municipal gov-

ernment for the town of Wellborn, in Suwannee County, Florida; to provide for its officers and prescribe its powers; and to repeal Chapter 5371 of the Laws of Florida, the same being an act entitled "an act to incorporate the town of Wellborn in Suwannee County."

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

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

By permission.

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

Senate Chamber,
Tallahassee, Fla., May 20, 1907.

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

Sir:

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

An act to organize and establish a County Court in and for the County of Osceola, and prescribing the terms thereof.

Also—

An act to provide for the deposit in a bank or banks, and for the loan and investment of funds of the city of Pensacola, and for the obtaining of interest thereon.

Also—

An act to legalize and validate all contracts for grading, paving, curbing and sewers made and entered into by the city of Tampa, through the Board of Commissioners of Public Works of the said city, and all ordinances, resolutions, acts and things passed or done, either by the City Council or the Commissioners of Public Works of the city of Tampa in the matter of paving, grading, curbing, sewerage, sidewalks or other improvements hitherto made or which may hereafter be made under any contracts 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 costs of any grading, paving, sewerage, sidewalks or any other internal municipal improvements already done or which may hereafter be done under any existing contracts heretofore entered into by the city of Tampa, including work now in process of construction.

beg to report that the same have been presented to the Governor for his approval.

Very respectfully,

F. W. SAMS,

Chairman of Committee.

Senate Bill No. 192:

A bill to be entitled an act to fix the compensation of County Commissioners in the several counties of this State, and to repeal Section 775 of the General Statutes of the State of Florida, relating to per diem of County Commissioners.

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

The following committee amendment was read:

Amend Section 1 by adding between the words "hundred" and "dollars," in the sixth line from the bottom of page 1, the words "and fifty."

Mr. Crane moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Also amend Section 1 by adding after the words, "equal monthly payments," in the second line from the bottom of page 1, the words, "which compensation shall be in lieu of all other compensation allowed the said board for all services required by them by law, and in no instance shall constructive mileage be charged by the members of the said board."

Mr. Crane moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 192 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 37:

A bill to be entitled an act to amend Section 775 of the General Statutes of the State of Florida, relating to compensation of County Commissioners.

Was taken up.

Mr. McCreary moved that Senate Bill No. 275 be substituted for Senate Bill No. 37.

Which was agreed to.

Mr. McCreary asked permission to withdraw Senate Bill No. 37.

The request was granted.

And Senate Bill No. 37 was withdrawn.

Senate Bill No. 375:

A bill to be entitled an act to prohibit the obstruction of any public road or highway in this State by any railroad or employee thereof, and providing a penalty therefor.

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

The following committee amendment was read:

Committee Amendment to Senate Bill No. 375:

To the end of Section 1 add the following: "Provided that nothing in this act shall apply to streets in incorporated cities and towns."

Mr. Henderson moved the adoption of the committee amendment.

Which was not agreed to.

The following committee amendment was read:

Amend Section 1 by adding between the words "hundred" and "dollars," in the sixth line from the bottom of page one, the words "and fifty."

Mr. Henderson moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

Also amend Section 1 by adding after the words "equal monthly payments," in the second line from the bottom of page one, the words, "which compensation shall be in lieu of all other compensation allowed the said board for all services required of them by law, and in no instance shall constructive mileage be charged by the members of the said board."

Mr. Henderson moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 375 as amended was ordered referred to the Committee on Engrosseed Bills.

Senate Bill No. 297:

A bill to be entitled an act to make an appropriation to secure a better attendance upon Teachers' Summer Training Schools.

Was taken up.

Mr. West of the First moved that House Bill No. 326 be substituted for Senate Bill No. 297.

Which was agreed to.

And—

House Bill No. 326:

A bill to be entitled an act to make an appropriation to secure a better attendance upon Teachers' Summer Training Schools.

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.

Mr. West of the First asked permission to withdraw Senate Bill No. 297.

The request was granted.

And Senate Bill No. 297 was withdrawn.

Senate Bill No. 238:

A bill to be entitled an act to amend Section 1002 of the General Statutes of Florida, relative to cities, towns and provisional municipalities.

Was taken up and read a second time in full.

Mr. Crane moved that Senate Bill No. 238 be indefinitely postponed.

Which was agreed to.

And Senate Bill No. 238 was indefinitely postponed.

Senate Bill No. 205:

A bill to be entitled an act to repeal an act entitled an act relating to the drainage and reclamation of the swamp and overflowed lands in Florida, to create a Board of Drainage Commissioners, prescribing its powers and duties, authorizing the establishment of drainage districts, establishing a drainage system, the building

of canals, levees, dikes and reservoirs for the purpose of drainage, irrigation and commerce, the assessment of lands to be drained and benefited, the collection of necessary funds by assessment 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 improvements aforesaid, the same being Chapter 5377, Laws of Florida, approved May 27th. 1905.

Was taken up and read a second time in full.

Mr. Crane moved that Senate Bill No. 205 be indefinitely postponed.

Mr. Buckman offered a substitute for the motion of Mr. Crane that Senate Bill No. 205 be made a continued special order for Thursday at 10:30 a. m., when Senate Bill No. 421 is to be taken up and considered.

Which was not agreed to.

The question recurred upon the indefinite postponement of the bill.

Upon which a yea and nay vote was demanded.

Upon call of the roll the vote was:

Yeas—Senators Alford, Canova, Clarke, Cone, Cottrell, Crane, Girardeau, Hudson, Jackson, Leggett, McCreary, Massey, Neel, Withers, West (1st District) Zim—16.

Nays—Mr. President, Senators Adams, Baker, Beard, Broome, Crews, Crill, Henderson, Humphries, Sams, Willis, West (4th District)—11.

Mr. McCreary's explanation:

Senator McCreary said: "I represent a district which gave probably the largest majority against adopting the constitutional amendment, incorporating the drainage measure into our organic law, but my constituents did not pass upon the question of drainage itself; and in view of the bill introduced by the Senator from the Eleventh, contracting the drainage districts and changing the present law so as to come within the Constitution, as well as the report of the committee, showing the value of the drainage work already accomplished, I vote for the indefinite postponement of the bill."

Mr. Johnson announced that he was paired with Mr. Trammell, and that were Mr. Trammell present he would vote yea, and that he (Mr. Johnson) would vote nay.

So Senate Bill No. 205 was indefinitely postponed.

Mr. West of the First in the chair.

House Bill No. 12:

A bill to be entitled an act to prescribe and regulate the procedure for the admission of attorneys to practice law in the courts of Florida.

Was taken up and read a second time in full.

Mr. West of the 4th moved to indefinitely postpone House Bill No. 12.

Which was not agreed to.

Mr. Massey offered the following amendment to House Bill No. 12:

Strike out the words, "But at no other time," in the fourth and fifth lines of Section 2, and insert in lieu thereof the following: "And at such other times as the court may prescribe."

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

Mr. Willis moved that the rules be further waived and that House Bill No. 12, as amended, be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 12, as amended, was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Baker, Beard, Buckman, Canova, Crane, Crews, Crill, Henderson, Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Sams, Willis, Withers, West (1st District), Zim—23.

Nays—Senators Alford, Broome, Cone, Cottrell, Girardeau, West (4th District)—6.

So the bill passed, title as stated.

Mr. Buckman moved to correct and amend the Journal of May 16 as follows:

On page 12, Senate Journal of May 16, after the word "full" in third line from top of page, insert the following:

Senate Joint Resolution No. 325:

Joint resolution proposing an amendment to Article 12 of the Constitution of the State of Florida, relating to education, to be known as Section 16 of said article, provid-

ing for the levy of a special tax for the support and maintenance of the University of the State of Florida, the Florida Female College, the Institute for the Blind, Deaf and Dumb, and the Colored Normal School.

Be it Resolved by the Legislature of the State of Florida, That the following amendment to Article 12 of the Constitution of the State of Florida, to be known as Section 16 of said article, be and the same is hereby agreed to and shall be submitted to the electors of the State at the next general election of Representatives to be held in the year 1908, for ratification or rejection.

Section 16. A special tax of one mill on the dollar of all taxable property in the State shall be levied annually for the support and maintenance of the University of the State of Florida, the Florida Female College, the Institute for the Blind, Deaf and Dumb, and the Colored Normal School, which shall be paid in to the State Tresaurer and set apart by him to the credit of the State Board of Education to be apportioned and disposed of for the benefit of said institutions, as required by the act creating and maintaining the same, known as Chapter 5384 of the Laws of Florida, approved June 5, 1905.

Which was unanimously agreed to.

And so ordered.

Mr. Massey moved to correct and amend the Journal of May 16, as follows:

After the words "in full," insert the following:

Joint resolution proposing an amendment to Section 85 of Article 5 of the Constitution of Florida, relating to establishment of courts.

Be it Resolved by the Legislature of the State of Florida. That the following amendment to Section 35 of Article 5 of the Constitution of Florida is hereby agreed to and shall be proposed and submitted to the electors of the State for approval or rejection at the next general election hereafter, that is to say, said Section 35 of said article shall be amended so as to read as follows:

Section 35. No courts other than herein specified shall be established in this State, except that the Legislature may provide for the creation and establishment of such additional Judicial Circuits as may from time to time become necessary, and for the appointment by the Governor and confirmation by the Senate of additional Circuit Judges therefor, whose terms of office and general jurisdic-

tion shall be the same as is herein provided for the Circuit Judges herein already provided for, and may clothe any Railroad Commission with judicial powers in all matters connected with the functions of their office.

Which was unanimously agreed to.

And so ordered.

Mr. Adams moved to adjourn until 9 o'clock to-morrow.

Which was agreed to.

Thereupon the Senate stood adjourned until to-morrow, Tuesday, May 21, 1907, at 9 o'clock a. m.

TUESDAY, MAY 21, 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 (1st District), West (4th District), Zim—28.

A quorum present.

Prayer by the Chaplain.

INTRODUCTION OF RESOLUTIONS.

Mr. Willis offered the following:

Senate Resolution No. 60:

Be it Resolved by the Senate, That hereafter no bills coming from the House of Representatives, except those of a local nature, shall be considered, unless they have been referred to the proper committee, and reported upon by said committee.

Which was read.

Mr. Willis moved the adoption of the resolution.

Which was agreed to.