

THURSDAY, MAY 23, 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, Crane, Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st District), West (4th District), Zim—32.

A quorum present.

Prayer by the chaplain.

The Journal of yesterday was corrected and approved.

INTRODUCTION OF BILLS.

By Mr. West of the 1st—

Senate Bill No. 439:

A bill to be entitled an act to require certain county officers to make reports to the State Auditor of this State.

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

By Mr. Adams—

Senate Bill No. 440:

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 Court of the State of Florida.

Which was read the first time by its title.

Mr. Adams moved that the rules be waived and that Senate Bill No. 440 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 440 was read a second time in full.

Mr. Adams moved that the rules be further waived and that Senate Bill No. 440 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

And Senate Bill No. 440 was read a third time in full. Upon call of the roll on the passage of the bill the vote Yeas—Mr. President, Senators Adams, Baker, Beard, Broome, Buckman, Clarke, Cottrell, Crane, Crill, Davis, (Girardeau,) Henderson, (Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, West (1st District), West (4th District), Zim—22.

So the bill passed, title as stated.

Mr. Adams moved that the rules be waived and that Senate Bill No. 440 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote, and Senate Bill No. 440 was so certified.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., May 22, 1907.

Hon W. Hunt Harris,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred:

Senate Bill No. 204:

A bill to be entitled an act to authorize Boards of Pilot Commissioners to employ attorneys, providing for the payment by the Boards of County Commissioners of the several counties, of the salaries of such attorneys and of other costs and expenses incurred by the Boards of Pilot Commissioners.

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

Very respectfully,

S. W. CLARKE,
Chairman of Committee on Engrossed Bills.

And Senate Bill No. 204, contained in the above report, was placed on the Calendar of Bills on Third Reading.

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

Senate Chamber,
Tallahassee, Fla., May 22, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 290:

A bill to be entitled an act creating a Department of Labor and Industrial Statistics in the office of the Commissioner of Agriculture, providing for the appointment of an inspector of labor and industry; prescribing his powers and duties, and providing for his obtaining statistics and information relative to labor and industry; and fixing penalties on certain persons impeding or preventing such inspector in the performance of his duties.

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

Very respectfully,

S. W. CLARKE,

Chairman of Committee on Engrossed Bills.

And Senate Bill No. 290, contained in the above report, was placed on the Calendar of Bills on Third Reading.

SPECIAL ORDER PENDING.

House Bill No. 206:

A bill to be entitled an act to fix the salaries of certain State officials.

Was taken up.

Mr. Adams moved that the vote by which an amendment to House Bill No. 206 was adopted, be now reconsidered—

Which was agreed to.

Mr. Hudson moved that further consideration of House Bill No. 206 be postponed until 11 o'clock.

Upon which a yea and nay vote was demanded.

Upon the call of the roll the vote was:

Yeas—Senators Adams, Clarke, Cone, Cottrell, Crane, Davis, Girardeau, Hudson, Leggett, Massey, Neel, Withers, Zim—13.

Nay—Mr. President, Senators Alford, Baker, Beard, Broome, Buckman, Canova, Crews, Crill, Henderson, Humphries, Jackson, Johnson, McCreary, Sams, Willis, West (1st District), West (4th District)—18.

So the motion was not agreed to.

Mr. Beard moved that House Bill No. 206 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, Baker, Beard, Broome, Buckman, Canova, Crews, Crill, Girardeau, Henderson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Sams, Willis, West (4th District)—20.

Nay—Senators Adams, Clarke, Cone, Cottrell, Crane, Davis, Hudson, Neel, Withers, West (1st District), Zim—11.

So the bill was indefinitely postponed.

BILLS ON SECOND READING.

Senate Bill No. 243:

A bill to be entitled an act to amend Section 800 of the General Statutes, relative to moneys collected to pay interest upon county bonds, or to provide a sinking fund therefor; the disposition of such money, and the investment of the residue thereof.

Was taken up and read a second time in full.

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

The following committee amendment was read:

Amend the title by adding before the words, "an act," the words, "a bill to be entitled."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

In Section 1, 13th line after the word "State" and before the word "or" insert the words "all of which bonds or securities shall interest."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 243 was ordered referred to the Committee on Engrossed Bills.

Mr. Buckman asked unanimous consent to have the Secretary correct a clerical error in number of amended section to House Bill No. 93, passed yesterday, but not yet certified.

By unanimous consent the Secretary was instructed to change the amendment offered by Mr. Buckman to House Bill No. 93, to read Section 12, instead of Section 13, to conform to the sections of the bill, before reporting same to the House of Representatives, the same being a clerical error.

House Bill No. 114:

A bill to be entitled an act to amend Section 3626 of the General Statutes of the State of Florida, relating to the discharge of firearms in public.

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:

In Section 1, at the beginning of the fifth line, before the word "in" insert the word "or."

Mr. Willis moved the adoption of the committee amendment.

Which was 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. 211:

A bill to be entitled an act to amend Section 2072 of the General Statutes of the State of Florida, relating to dockets to be kept by the Justices of the Peace.

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:

Add to the title of said bill the words "and providing a punishment for failure to comply with the provisions of this act."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

The following committee amendment was read:

Senate Amendment No. 2:

After Section 1 add the following, "Section 2. Any Justice failing to carry out the provisions of this act shall be fined not exceeding one hundred dollars and be subject to removal from office."

Mr. Buckman moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 211 was ordered referred to the Committee on Engrossed Bills.

Mr. Adams in the chair.

SPECIAL ORDER.

Senate Bill No. 421:

A bill to be entitled an act to amend Sections 1 and 2 of an act entitled an act relating to the drainage and reclamation of 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, and the assessment of lands to be drained and benefited; the collection of necessary funds by assessment of benefits and taxation; providing for the management and maintenance thereof, and for the exercise of the right of eminent domain and for the sale and uses of said lands for the purposes of drainage, reclamation and improvement aforesaid; the same being Chapter 5377, Laws of Florida, approved May 27, 1905.

The hour having arrived for its special consideration—

Was taken up and read a second time in full.

Mr. Crane offered the following amendment to Senate Bill No. 421:

Strike out all after the word "beginning," in line 30 of Section 2, (printed bill), to and including the word "dis-

trict." on line 33, of Section 2, place a full stop after the word "act" on line 42, of Section 2, and insert the following: "The Board of Drainage Commission shall prepare a list or lists of such patented lands and send them to the Tax Assessor of the several counties, embraced in part or in whole, within such drainage district."

Mr. Crane moved the adoption of the amendment.

Which was agreed to.

Mr. Henderson offered the following amendment to Senate Bill No. 421:

Strike out the words "including the year 1907," in line 35, Section 2.

Mr. Henderson moved the adoption of the amendment.

Which was not agreed to.

Mr. Harris offered the following amendment to Senate Bill No. 421:

After the word "District," line 4, Section 2, page 3, insert the following: "For years 1907 and 1908."

Mr. Harris moved the adoption of the amendment.

Which was not agreed to.

Mr. Harris offered the following amendment to Senate Bill No. 421:

Strike out the words after word "acre," line 34, page 4, and insert the following: "For the years 1907 and 1908."

Mr. Harris moved the adoption of the amendment.

Upon which a yea and nay vote was demanded.

Upon the call of the roll the vote was:

Yeas—Mr. President, Senators Adams, Beard, Broome, Buckman, Crill, Henderson, Humphries, Johnson, Sams, Willis, West (4th District)—12.

Nays—Senators Alford, Clark, Cone, Crane, Crews, Davis, Girardeau, Hudson, Jackson, Leggett, McCreary, Massey, Neel, Trammell, Withers, West (1st District) Zim—17.

So the amendment was not agreed to.

Mr. Beard offered the following amendment to Senate Bill No. 421:

Add Section 4: Section 4. "This act shall expire by limitation two years from the date it becomes a law."

Mr. Beard moved the adoption of the amendment.

Upon which a yea and nay vote was demanded.

Upon the call of the roll the vote was:

Yeas—Mr. President, Senators Adams, Baker, Beard, Buckman, Crill, Henderson, Humphries, Johnson, Sams, Willis, West (4th District)—12.

Nays—Senators Alford, Broome, Clarke, Cone, Cottrell, Crane, Crews, Davis, Girardeau, Hudson, Jackson, Leggett, McCreary, Massey, Neel, Trammell, Withers, West (1sts District), Zim—19.

So the amendment was not agreed to.

Mr. Johnson offered the following amendment to Senate Bill No. 421:

By Mr. Johnson—

At the end of Section 2, add the following:

“That it shall be the duty of the said Board of Drainage Commissioners, whenever they shall decide to dig any canal or drain or do any other work under the provisions of this act to advertise for sealed bids for contracts to do any such work; that such advertisements shall be published in one newspaper published in the capital of the State of Florida, and in two newspapers published in two of the largest cities in the United States, for a period of ninety days; that said contract or contracts shall be let to the lowest responsible bidder who shall give bond in some surety company authorized to do business in this State in a sum equal to fifty per cent of the amount of the bid accepted, said bond conditioned for the faithful performance of the contract; that no work under the provisions of this act shall be done other than by contract; that the said Board of Drainage Commissioners are hereby authorized to sell all dredges and other machinery owned by the State or Board of Drainage Commissioners used or to be used for drainage purposes, to the successful bidder for such contract or shall sell same to the highest bidder therefor after advertising such sale for a period of ninety days, said advertisement to run in same papers in which advertisements for bids is published; Provided, that said Board of Drainage Commissioners shall not enter into any contract or contracts to bind the revenue of said drainage district or the funds of the Internal Improvement fund for a longer time than two years from the time this act shall become a law.

Mr. Johnson moved to adopt the amendment.

Which was not agreed to.

And Senate Bill No. 421 was ordered referred to the Committee on Engrossed Bills.

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

Senate Chamber.

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

Sir:

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

House Bill No. 45:

The same being a bill to be entitled "an act to amend Section 3665 of the General Statutes of the State of Florida, relating to the obstructing of navigable water courses of this State, and prescribing penalty therefor."

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

Very respectfully,

T. S. DAVIS,
Chairman of Committee.

And House Bill No. 45, contained in the above report, was placed on the Calendar of Bills on Second Reading.

By permission:

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

Senate Chamber,
Tallahassee, Fla., May 22, 1907.

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

Sir:

Your Committee on Judiciary, to whom was referred—
House Bill No. 17:

A bill to be entitled an act to prevent the cutting or removing of any timber from or of cutting, scraping and boxing any timber for the purpose of extracting, gathering or removing the gum or turpentine from lands here-

tofore or that may hereafter be sold for taxes, or of cutting and removing any timber from or of cutting, scraping and boxing any timber for the purpose of extracting or removing the gum or turpentine from the timber privilege or the turpentine privilege on land that has been heretofore or that may be hereafter sold for taxes, and prescribing rules of evidence for the trial of cases arising under this act.

Beg to return same herewith accompanied by a Senate Judiciary Committee Substitute, with a recommendation that the substitute be passed, and for that reason recommend that said House Bill No. 17 be not passed.

Respectfully,

H. H. BUCKMAN,
Chairman.

And House Bill No. 17 with the Senate Judiciary Committee Substitute therefor contained in above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,

Hon. 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 report said favorably, on account of said itemized statement attached.

Said bill being reported back to the Senate May 20, 1907.

Very respectfully,

F. ADAMS,
Chairman.

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

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

Senate Chamber,

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

Sir:

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

Senate Bill No. 416:

A bill to be entitled an act to provide for the levy of taxes for the years 1907 and 1908.

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

Very respectfully,

E. S. CRILL,
Chairman of Committee.

And Senate Bill No. 416, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,

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

Sir:

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

Senate Bill No. 180:

A bill to be entitled an act to amend Section 3018 of the General Statutes of the State of Florida, concerning instruments at Bank.

Also—

Senate Bill No. 425:

A bill to be entitled an act to cancel all tax sale certificates in counties where the same have been destroyed by fire.

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

Very respectfully,

E. S. CRILL,
Chairman of Committee.

And Senate Bills Nos. 180 and 425, contained in the above report, were placed on the Calendar of Bills on Second Reading.

House Bill No. 35:

A bill to be entitled an act to repeal Section 1421 of the General Statutes of the State of Florida, relating to filing duplicate pleadings.

Was taken up.

Mr. Girardeau moved that House Bill No. 35 be indefinitely postponed.

Which was agreed to.

And the bill was indefinitely postponed.

Senate Bill No. 308:

A bill to be entitled an act to require County Commissioners to levy for school purposes the millage requested by County Boards of Public Instruction.

Was taken up.

Mr. Crews moved that House Bill No. 302 be substituted for Senate Bill No. 308.

Which was agreed to.

And—

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.

Was taken up and read a second time in full.

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

The following committee amendment was read: Strike out the word "if," in line 12 of Section 4, and insert in line thereof the following: "Of."

Mr. Humphries moved the adoption of the committee amendment.

Which was agreed to.

Mr. Buckman moved that House Bill No. 302 be made a special order for Monday at 10 o'clock, and that 200 copies be printed, and that it lie on the table subject to call.

Which was agreed to.

Mr. Crews asked permission to withdraw Senate Bill No. 308.

The request was granted.

And Senate Bill No. 308 was withdrawn.

House Bill No. 3:

A bill to be entitled an act prohibiting the County Judges of this State from issuing marriage licenses to males under the age of twenty-one years and females under the age of eighteen years without the written consent of their parents or guardians, and providing a penalty therefor.

Was taken up and read a second time in full.

Mr. Buckman moved that House Bill No. 3 be indefinitely postponed.

Which was agreed to.

And the bill was indefinitely postponed.

Senate Bill No. 198:

A bill to be entitled an act to cure certain informalities in the execution and acknowledgement of deeds or other instruments conveying or transferring real property or relinquishing dower, made by married women prior to the first day of April, A. D. 1907.

Was taken up.

Mr. Crane moved that Senate Bill No. 409 be substituted for Senate Bill No. 198.

Which was agreed to.

And—

Senate Bill No. 409:

A bill to be entitled an act to create the Florida State Board of Dental Examiners, and prescribing their duties; to regulate the manner of issuing certificates to practice dentistry and dental surgery in the State of Florida; to regulate the practice of dentistry and dental surgery; and to repeal an act herein named.

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. Crane asked permission to withdraw Senate Bill No. 198.

The request was granted.

And Senate Bill No. 198 was withdrawn.

President in the chair.

Mr. Alford moved that Senate Bill No. 399 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

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.

Was taken up.

Mr. Alford moved that the rules be waived and Senate Bill No. 399 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 399 was read a second time by its title only.

Mr. Alford moved that the rules be further waived, and that Senate Bill No. 399 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. 399 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, Cottrell, Crane, Crews, Davis, Hudson, Humphries, Jackson, Leggett, Massey, Trammell, Withers, West (1st District), West (4th District), Zim—19.

Nays—None.

So the bill passed, title as stated.

House Bill No. 173:

A bill to be entitled an act to amend Section 669, 694, 727, 728 and 733 of the General Statutes of the State of Florida, relating to the organized militia.

The time set for its special consideration having arrived, was taken up and read a second time in full.

Mr. West of the First offered the following amendment to House Bill No. 173:

Amend Section 5 by inserting before the word "all" at

the beginning of line seven of said Section the following: "The salary of the Adjutant General shall be two thousand five hundred (\$2,500) dollars per year."

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

Mr. Humphries offered the following amendment to the amendment of House Bill No. 173:

Amend the amendment so as to read "\$2,000."

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

Which was not agreed to.

The question upon the amendment of Mr. West of the First District, the amendment to House Bill No. 173 was agreed to.

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

Mr. Willis moved that the Senate 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:

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

A quorum present.

By permission—

Mr. Adams introduced—

Senate Bill No. 441:

A bill to be entitled an act relating to the approval of official bonds.

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

Senate Bill No. 235:

A bill to be entitled an act to provide a remedy for breach of contract or for any wrongful act, and to provide the measure of damages therein and the procedure to determine the same.

Was taken up.

Mr. Humphries moved that Senate Bill No. 234 be substituted for Senate Bill No. 235.

Which was agreed to.

And—

Senate Bill No. 234:

A bill to be entitled an act making it unlawful to place any obstruction or impediment in any public drain, ditch or canal in this State, and to provide a penalty for the violation thereof.

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. Humphries asked permission to withdraw Senate Bill No. 235.

The request was granted.

And Senate Bill No. 235 was withdrawn.

Senate Bill No. 154:

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

Was taken up.

Mr. West moved that Senate Bill No. 353 be substituted for Senate Bill No. 154.

Which was agreed to.

And—

Senate Bill No. 353:

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

Was taken up and read a second time in full.

Mr. West of the 4th moved that the rules be further waived, and that Senate Bill No. 353 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 353 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, Cone, Cottrell, Crane, Crews, Crill, Davis, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Withers, West (1st District), West (4th District), Zim—25.

Nays—None.

So the bill passed, title as stated.

Mr. West of the Fourth asked permission to withdraw Senate Bill No. 154.

The request was granted.

And Senate Bill No. 154 was withdrawn.

Mr. West of the Fourth moved that the rules be waived and that Senate Bill No. 353 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 353 was so certified.

Senate Bill No. 196:

A bill to be entitled an act to amend Section 3145 of the General Statutes of the State of Florida, relating to a claim for death caused by negligence of another.

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. 62:

A bill to be entitled an act to require record of notarial commissions in the records of the counties, and of signatures of notaries, with Clerks of the Circuit Courts of the several counties of this State, and fixing compensation for recording of such commissions and filing of such signatures.

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. 132:

A bill to be entitled an act to amend Section 2150 of

the General Statutes of Florida, relating to the release of a garnishee upon application of a defendant upon his giving bond.

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. Canova moved that Senate Bill No. 438 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 438:

A bill to be entitled an act for the relief of James W. Perkins, prosecuting attorney of the Criminal Court of Record in and for Volusia County, Florida, for loss of salary and fees during his suspension from said office.

Was taken up.

Mr. Canova moved that the rules be waived and Senate Bill No. 438 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 438 was read a second time in full.

Mr. Canova moved that the rules be further waived, and that Senate Bill No. 438 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. 438 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, Cone, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson, Humphries, Johnson, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st), West (4th), Zim—29.

Nays—None.

So the bill passed, title as stated.

Mr. Canova moved that the rules be waived and that Senate Bill No. 438 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 438 was so certified.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 23, 1907.

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

Sir:

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

Senate Bill No. 394:

A bill to be entitled an act for the assessment and collection of revenue.

Have had the same under consideration and recommend a substitute therefor.

Very respectfully,

E. S. CRILL,
Chairman of Committee.

Mr. Crill moved that the rules be waived and that the Committee Substitute for Senate Bill No. 394, a bill "to be entitled an act relating to tax assessments and collection of revenue," contained in the above report, be read the first time by its title.

Which was agreed to by a two-thirds vote.

And the Committee on Finance and Taxation Substitute for Senate Bill No. 394:

A bill to be entitled an act relating to tax assessments and collection of revenue.

Was read the first time by its title.

Mr. Crill moved that Senate Bill No. 394 and the Committee on Finance and Taxation Substitute for Senate Bill No. 394 be made a special order for 10:30 o'clock a. m. to-morrow.

Which was agreed to and so ordered.

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

Senate Chamber,
Tallahassee, Fla., May 23, 1907.

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

Sir:

Your Committee on Judiciary, to whom was referred—
Senate Bill No. 438:

A bill to be entitled an act for the relief of James W. Perkins, Prosecuting Attorney of the Criminal Court of Record in and for Volusia County, Florida, for loss of salary and fees during his suspension from said office.

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

Respectfully,

H. H. BUCKMAN,
Chairman.

And Senate Bill No. 438, 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 23, 1907.

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

Sir:

Your Committee on Judiciary, to whom was referred—
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 exclusive right to plant oysters.

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

Committee Amendment:

Beginning in line 23, strike out the words, "Provided, that if any natural beds are included within the limits of said grounds, the court may order that they be excluded from the grant so sought, and any such natural

or maternal oyster bed or beds shall be staked out by the applicant and posted as a public oyster bed or beds."

Respectfully,

H. H. BUCKMAN,
Chairman.

And Senate Bill No. 403, 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 23, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir:

Your Committee on Judiciary, to whom was referred—
Senate Bill No. 377:

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

Beg to recommend that said bill do not pass, as this committee has heretofore recommended the passage of a bill covering the subject matter of this bill.

Respectfully,

H. H. BUCKMAN,
Chairman.

And Senate Bill No. 377, contained in the above report, was placed in its order on the Calendar of Bills on Second Reading.

The President in the chair.

Mr. Willis moved that Senate Bill No. 192 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

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 the third time in full and put upon its passage.

Upon call of the roll on Senate Bill No. 192 the vote was:

Yeas—Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Crane, Crews, Crill, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st District), West (4th District), Zim—24.

Nays—Mr. Cottrell—1.

So the bill passed, title as stated.

Mr. Willis moved that the rules be waived and that Senate Bill No. 192 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 192 was so certified.

Mr. Canova moved that the Senate take a recess of five minutes.

Which was agreed to.

Whereupon the Senate took a recess for five minutes.

The time specified for the recess having expired, the President called the Senate to order, and the roll was called, and the following Senators answered to their names:

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Cone, Cottrell, Crane, Crews, Crill, Davis, Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, Neel, Sams, Trammell, Willis, Withers, West (1st District), Zim—26.

A quorum present.

By permission.

Mr. Johnson introduced—

Senate Bill No. 442:

A bill to be entitled an act to amend Section 7 of Article 4 of Chapter 5353 and Section 10 of Article 5 of said Chapter 5353, Laws of Florida, approved May 25, 1903, the same being an act to abolish the present municipi-

pal government of the town of Live Oak, in Suwannee County, Florida, and organize a city government for the same, and to provide for its jurisdiction and powers.

Which was read the first time by its title.

Mr. Johnson moved that the rules be waived and that Senate Bill No. 442 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 442 was read a second time by its title only.

Mr. Johnson moved that the rules be further waived and that Senate Bill No. 442 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 442 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, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Withers, West (1st), West (4th), Zim—23.

Nays—None.

So the bill passed, title as stated.

By permission.

Mr. Johnson introduced—

Senate Bill No. 443:

A bill to be entitled an act to prescribe who shall be entitled to vote at any special election held in this State.

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

By permission—

Mr. 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—
Senate Bill No. 435:

A bill to be entitled an act to prohibit fishing in the waters of Sumter County, except with rod, hook and line, spinner or troll.

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

Very respectfully,

F. W. SAMS,
Chairman of Committee.

And Senate Bill No. 435, 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 23, 1907.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 421:

A bill to be entitled an act to amend Sections 1 and 2 of 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 of benefits and taxation; providing for the management and maintenance thereof and for the exercise of the right of eminent domain and for the sale and uses of said lands for the purposes of drainage, reclamation and improvement aforesaid; the same being Chapter 5377, Laws of Florida, approved May 27, 1905.

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

Very respectfully,

FRANK ADAMS,
Acting Chairman Committee on Engrossed Bills.

And Senate Bill No. 421, contained in the above report, was placed on the Calendar of Bills on Third Reading.

Senate Bill No. 404:

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

Was taken up and read a second time in full.

Mr. Willis offered the following amendment to Senate Bill No. 404:

Strike out Section 1.

Section 1. Any railroad company doing business in this State shall pay annually on the first day of October to the Comptroller of the State a sum equal to eight dollars for each and every mile of its railroad track in this State, including branches, switches, spurs and side tracks as shown by the last assessment of said railroad company for taxation as a license tax, which shall be in lieu of all other State and county license taxes on said railroad company. Immediately after such payment to the Comptroller of the State of such license tax the Comptroller shall remit one-half of such sum received for license taxes to each and every County Treasurer for county purposes, according to the mileage in every such county as returned to the State Comptroller for assessment by said railroad for taxation.

Mr. Willis moved the adoption of the amendment.

Which was not agreed to.

Mr. Adams offered the following amendment to Senate Bill No. 404:

Amend Senate Bill No. 404 by striking out Section 1, and insert in lieu thereof the following:

Section 1. Any railroad company doing business in this State shall pay annually on the first day of October to the Comptroller of the State a sum equal to ten dollars for each and every mile of its railroad tracks in this State, including branches, switches, spurs and side tracks, as shown by the last assessment of the said railroad company for property taxation as a license tax, one-half of which amount shall be paid into the State Treasury, and one-half of which amount shall be distributed immediately by the Comptroller to the various counties in which said railroad may be located, proportioned to the amount of railroad trackage in each county,

which license tax shall be in lieu of all other State and county license taxes on said railroad companies.

Mr. Adams moved the adoption of the amendment.

Mr. Hudson offered the following amendment to the amendment of Mr. Adams:

Senate Bill No. 404:

Strike out the word "ten," in line 3, Section 1, of amendment, and insert in lieu thereof the following: "Fifteen."

Mr. Hudson withdrew the amendment to the amendment.

The question then recurred upon the adoption of the amendment offered by Mr. Adams.

Upon which a yea and nay vote was demanded.

Upon the call of the roll the vote was:

Yeas—Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Trammell, Willis, Withers, West (1st District), West (4th District), Zim—28.

Nays—None.

Mr. Sams announced that he had paired with Mr. Girardeau, and that if Mr. Girardeau were present he would vote nay, and that he (Mr. Sams) would vote yea.

So the amendment was agreed to.

Mr. Adams offered the following amendment to Senate Bill No. 404:

Strike out all of Section 2 after the word "dollars," in line 13, down to and including the word "Section," in line 17, and insert in lieu thereof the following: "Those of five hundred to one thousand inhabitants, fifteen dollars; those of less than five hundred inhabitants, ten dollars."

Mr. Adams moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 404 was ordered referred to the Committee on Engrossed Bills.

Mr. Massey moved that Senate Bill No. 404 be made a special order for 4 o'clock to-morrow.

Which was agreed to.

Mr. Zim moved that Senate Bill No. 290 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 290:

A bill to be entitled an act creating a Commissioner of a Bureau of Labor and Industrial Statistics, fixing his compensation, prescribing his powers and duties and providing for his obtaining statistics and information relative to labor, and fixing penalties for any owner, operator, manager or foreman of any factory or workshop impeding or preventing such Commissioner in the full and free performance of his duties as prescribed by law.

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

Upon call of the roll on Senate Bill No. 290 the vote was:

Yeas—Mr. President, Senators Adams, Beard, Canova, Cone, Cottrell, Crane, Crews, Davis, Hudson, Jackson, Johnson, Leggett, Massey, Neel, Trammell, Withers, Zim—17.

Nays—Senators Alford, Broome, Buckman, Henderson, Humphries, Johnson, McCreary, Sams, West (1st District), West (4th District)—10.

So the bill passed, title as stated.

Mr. Zim moved that the rules be waived, and that Senate Bill No. 290 be immediately certified to the House of Representatives.

Which was agreed to by a two thirds vote.

And Senate Bill No. 290 was so certified.

Senate Bill No. 201:

A bill to be entitled an act to prescribe and define the effect as evidence of notarial copies of instruments in writings, executed in foreign countries under whose laws notaries are required to preserve the originals.

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. 214:

A bill to be entitled an act to fix the time of filing bills of exception.

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. 237:

A bill to be entitled an act to amend Section 1475 of the General Statutes of the State of Florida, relating to changes of venue.

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. 253:

A bill to be entitled an act to provide that Curators and temporary administrators of small estates may fully administer and settle up the same.

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. 174:

A bill to be entitled an act to prohibit the fraudulently changing and altering the mark of any animal.

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

The following committee amendment was read:

Strike out the word "fraudently," in title, and wherever found in bill, and insert in lieu thereof the word "fraudulently."

Mr. Massey moved the adoption of the committee amendment.

Which was agreed to.

Mr. Massey moved that the rules be further waived, and that House Bill No. 174, 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. 174, as amended, was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Alford, Broome, Canova, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Trammell, Willis, Withers, West (4th), Zim—24.

Nays—None.

So the bill, as amended, passed, title as stated.

Mr. Davis moved that House Bill No. 309 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 309:

A bill to be entitled an act for the relief of Dr. J. Louis Horsey for services rendered the State Board of Health of the State of Florida.

Was taken up and read a second time in full.

Mr. Davis moved that the rules be waived, and that House Bill No. 309 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. 309 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, Beard, Canova, Cone, Cottrell, Crane, Crews, Davis, Henderson, Hudson, Humphries, Jackson, Johnson, Leggett, McCreary, Massey, Neel, Trammell, Willis, Withers, West (4th), Zim—24.

Nays—None.

So the bill passed, title as stated.

Mr. Trammell moved that Senate Bill No. 341 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 341:

A bill to be entitled an act to revive and continue the powers, rights, privileges and grants and to extend the time for the completion of its railroad commenced by the Atlantic and Gulf Railroad Company.

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

The following committee amendment was read :

In Section 1, line 5, after the words 1912, strike out the balance of the section and in lieu thereof insert :

“Provided, That nothing in this act shall be construed as granting any lands to said company.”

Mr. Henderson moved the adoption of the committee amendment.

Which was agreed to.

And Senate Bill No. 341 was ordered referred to the Committee on Engrossed Bills.

Senate Bill 313 :

A bill to be entitled an act to provide for revision of the muster rolls, records and history of the soldiers of Florida, and for the publication of the same.

Was taken up and read a second time in full.

Mr. Johnson moved that Senate Bill No. 313 be made a special order for 4:30 tomorrow, and that 200 copies be printed.

Which was agreed to and so ordered.

Mr. Hudson moved that the Senate adjourn until 8:30 tonight.

Mr. Johnson moved to amend to adjourn until 9:30 tomorrow.

Upon which a yea and nay vote was demanded.

Upon the call of the roll the vote was :

Yeas—Mr. President, Senators Beard, Broome, Buckman, Canova, Crane, Crill, Davis, Henderson, Humphries, Johnson, McCreary, Massey, Sams, West (4th)—15.

Nays—Senators Adams, Alford, Cone, Cottrell, Crews, Hudson, Jackson, Leggett, Trammell, Willis, Withers, Zim—12.

So the motion to adjourn was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Friday, May 24, 1907, at 9:30 o'clock.