

Mr. Sloan moved a reconsideration of the vote by which Senate Bill No. 54 passed the Senate.

Which motion went over under the rule.

Mr. Humphries moved that 250 copies of the Report of the Commission appointed to investigate the acts and doings of the Board of Trustees of the I. I. Fund be printed.

Which was agreed to, and it was so ordered.

Mr. Henderson moved that the Senate do now adjourn until 10 o'clock Monday morning.

Which was agreed to.

Whereupon the Senate stood adjourned until 10 o'clock Monday, April 19, 1909.

## MONDAY, APRIL 19, 1909.

Senate met, pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Crill, Cook, Cottrell, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, Sloan, Williams, Withers.—21.

A quorum present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of April 17 was dispensed with.

The Journal of April 17 was corrected.

The Journal of April 17 was approved as corrected.

Mr. Broome requested that Messrs. Cone, Davis and Zim be excused from attendance on the body until Tuesday morning.

Which request was granted.

## REPORTS OF COMMITTEES.

Mr. Williams, Chairman of the Committee on Game and Fisheries, submitted the following report:

Tallahassee, Fla., April 17, 1909.

*Hon. F. M. Hudson,*

*President of the Senate:*

*Sir:*

Your Committee on Game and Fisheries, to whom was referred—

Senate Bill No. 78:

A bill to be entitled an act to amend Section 1, Chapter 5579, of the Laws of the State of Florida, for the protection and preservation of food fishes in the St. Johns River south of Jacksonville, in the State of Florida.

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

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And Senate Bill No. 78, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Broome, chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 17, 1909

*Hon. F. M. Hudson,*

*President of the Senate:*

*Sir:*

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 88:

A bill to be entitled an act to provide for the transfer of money from one county fund to another.

Also—

Senate Bill No. 16:

A bill to be entitled an act to regulate osteopaths and osteopathy.

Also—

Senate Bill No. 77:

A bill to be entitled an act to prohibit fishing in the fresh water streams of Volusia, Lake and Putnam counties, Florida, with seines.

Also—

Senate Bill No. 65:

A bill to be entitled an act to prohibit the sale or giving away of certain narcotics, and providing a penalty for violation of the provisions thereof.

Also—

Senate Bill No. 90:

A bill to be entitled an act to provide for a special road tax for cities and towns.

Also—

Senate Bill No. 84:

A bill to be entitled an act to authorize Boards of County Commissioners to transfer any surplus in the general fund arising from taxes levied and assessed for the year 1908 to the road and bridge fund, and ratifying and confirming transfers already made.

Also—

Senate Bill No. 38:

A bill to be entitled an act repealing Chapter 576 of the Laws of Florida, enacted in Florida, an act for the protection of deer, wild turkey, quail or partridges, doves and wild duck; providing for a hunting season; providing for the appointment of game warden or wardens, prescribing his duties and powers, in the county of Hernando, and prescribing penalty for the violation of the provisions of the same.

Also—

Senate Bill No. 37:

A bill to be entitled an act to prohibit the catching or taking of food fish from the waters of Crystal River and its tributaries, in the county of Citrus and State of Florida, by the use of seines, gill nets, drag nets, haul nets,

or any other kind of nets or devices, except cast nets, hook and line, and prescribing a penalty for violation thereof.

Beg leave to report—

That having carefully examined said bills, return same herewith correctly engrossed.

Very Respectfully,

J. E. BROOME,  
Chairman of Committee.

And Senate Bills Nos. 88, 16, 77, 65, 90, 84, 38 and 37, contained in the above report, were placed on the calendar of bills on third reading.

Mr. J. A. Williams, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 17, 1909.

*Hon. F. M. Hudson,*  
*President of the Senate:*

*Sir:*

Your Committee on Game and Fisheries, to whom was referred—

Senate Bill No. 139:

A bill to be entitled an act to amend Section 3773 of the General Statutes of the State of Florida.

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

Very respectfully,  
J. A. WILLIAMS,  
Chairman of Committee.

And Senate Bill No. 139, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. J. A. Williams, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 17, 1909.

*Hon. F. M. Hudson,*  
*President of the Senate:*

*Sir:*

Your Committee on Game and Fisheries, to whom was referred—

Senate Bill No. 124:

A bill to be entitled an act to repeal Chapter 5578 of the Laws of Florida, relating to the shooting of alligators and limpkins on the Ocklawaha River.

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

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And Senate Bill No. 124, contained in the above report, was placed on the Calendar of Bill on Second Reading.

Mr. J. A. Williams, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 17, 1909.

*Hon. F. M. Hudson,*

*President of the Senate,*

*Sir:*

Your Committee on Game and Fisheries, to whom was referred—

Senate Bill No. 122:

A bill to be entitled an act to protect the fresh water fishes in the fresh water lakes, ponds and other fresh water streams in the County of Marion.

Have had the same under consideration and recommend that it do pass, with the following committee amendments, to wit: Strike out of Section 3 of said bill the words, "less than fifty dollars," and insert in lieu thereof the following, "more than one hundred dollars."

Also,

Strike out of said Section 3 the words "less than ten days nor."

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And Senate Bill No. 122, with the committee amendments contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. J. A. Williams, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 17, 1909.

*Hon. F. M. Hudson,*  
*President of the Senate,*

*Sir:*

Your Committee on Game and Fisheries, to whom was referred—

Senate Bill No. 133:

A bill to be entitled an act for the protection of doves and providing penalties for the violation of the provisions of this act.

Have had the same under consideration and recommend that it do pass, with the following committee amendments, to wit: Strike out of Section 2, the words "less than twenty-five dollars (\$25.00) or," also the words "or less than thirty days," where the same occur in said Section.

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And Senate Bill No. 133, with the committee amendments contained in the above report, was placed on the Calendar of Bills on Second Reading.

#### RESOLUTIONS.

Mr. Adkins offered the following—

Senate Resolution No. 28:

Resolved, That the committee on the part of the Senate under House Concurrent Resolution No. 2, be and they are hereby authorized and empowered to employ the services of a responsible woman to accompany said committee in their investigations; said woman to report her observations at the asylum to the said committee.

Which was read the first time.

Mr. Adkins moved the adoption of the resolution.

Which was agreed to.

And the resolution was adopted.

## INTRODUCTION OF BILLS.

By Mr. Johnson—

Senate Joint Resolution No. 173:

A joint resolution proposing an amendment to Section 6, of Article 8 of the Constitution of the State of Florida, relating to county officers.

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

By Mr. Adkins—

Senate Bill No. 174:

A bill to be entitled an act to amend Section 4109 of the General Statutes of the State of Florida, relating to labor of county convicts, as amended by Chapter 5705, Acts of 1907.

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

By Mr. Adkins—

Senate Bill No. 175:

A bill to be entitled an act to amend Section 1675 of the General Statutes of the State of Florida, relative to the appointment of deputy sheriffs.

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

By Mr. Massey—

Senate Bill No. 176:

A bill to be entitled an act authorizing trustees of special tax school districts in the several counties of the State of Florida to issue bonds or other evidence of indebtedness to secure any outstanding indebtedness of said district and to secure any indebtedness incurred in purchase of any real estate or personal property for educational purposes, and the erection of buildings and maintaining the same for such purpose, and to provide an election to authorize such issuing of bonds.

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

By Mr. Baker, of the 20th—

Senate Bill No. 177:

A bill to be entitled an act to confer upon the Railroad

Commissioners of the State of Florida jurisdiction to regulate the service and charges of telegraph companies operating in this State.

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

#### CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 9:

A memorial to Congress asking for an appropriation for the improvement of the entrance to the harbor of St. Andrews Bay, Florida.

Was taken up and read the second time.

Upon the passage of the resolution it was agreed to.

And House Resolution No. 9 was adopted, and was ordered to be certified to the House of Representatives under the rule.

House Concurrent Resolution No. 10:

Resolved by the House of Representatives, the Senate concurring, That the House committee on Banks and Loans, and the Senate Committee on Banking shall constitute a joint committee of the Legislature for the purpose of considering all bills pertaining to banks and banking.

Was taken up and read the second time.

Mr. Crill moved that the resolution be laid on the table, subject to call.

Which was agreed to, and it was so ordered.

House Concurrent Resolution No. 1:

Be it Resolved by the House of Representatives, the Senate concurring, that a committee of eight, consisting of three members of the Senate and five members of the House of Representatives be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, to visit, inspect and report upon the progress and conditions of the work of reclaiming the Everglades at Fort Lauderdale and other points, now being carried on by the Trustees of the Internal Improvement Fund of the State of Florida, and also, to visit, inspect and report upon the conditions and progress of

the Florida Coast Line Canal and Transportation Company's work of extending their canal from St. Augustine to the St. Johns river.

Mr. Crill offered the following amendment to House Concurrent Resolution No. 1:

After the words "St. Johns river," add "also the work of the Etoniah Canal and Drainage Company in Putnam county."

Mr. Crill moved the adoption of the amendment.

Which was agreed to.

Upon the passage of the resolution as amended, it was agreed to.

And House Resolution No. 1, as amended by the Senate, was ordered to be certified to the House of Representatives under the rule.

House Concurrent Resolution No. 4:

Resolved, by the House of Representatives, the Senate concurring, That a committee, composed of four on the part of the House and three on the part of the Senate, be appointed to visit, inspect and report on the condition, management and needs of the Institute for the Blind, Deaf and Dumb, located at St. Augustine, Fla.

Was taken up and read the second time.

Upon the passage of the resolution it was agreed to.

And the adoption of House Concurrent Resolution No. 4 was ordered to be certified to the House of Representatives under the rule.

#### ORDERS OF DAY.

The motion of Mr. Sloan to reconsider the vote by which Senate Bill No. 54 passed the Senate yesterday, was taken up.

And Mr. Sloan moved that the order be continued to Tuesday, April 20.

Which was agreed to and it was so ordered.

#### CONSIDERATION OF BILLS ON THE SECOND READING.

Senate Bill No. 107:

A bill to be entitled an act to amend Section 3533 of

the General Statutes of the State of Florida, relating to negro man and white woman or white man and negro woman occupying the same room.

Was taken up and read the second time in full.

The substitute of the Committee on Judiciary A—

Senate Bill No. 107:

A bill to be entitled an act to amend Section 3533 of the General Statutes of the State of Florida, relating to negro man and white woman or white man and negro woman occupying the same room.

Was read.

Mr. Massey moved that the substitute of the committee be adopted.

Which was agreed to.

And the committee substitute for Senate Bill No. 107 was adopted.

Mr. Massey moved that the substitute be read the second time by its title only.

Which was agreed to.

And the committee substitute to Senate Bill No. 107 was read the second time by its title, and was, under the rule, placed on the calendar of bills on third reading.

Senate Bill No. 69:

A bill to be entitled an act authorizing any party defendant to any condemnation proceeding, to file pleas or other appropriate pleadings, putting in issue the purpose for which the property is sought to be condemned, and also the necessity of condemning said property and requiring a jury, as is now provided by law in condemnation proceedings, to try said issues.

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

Mr. Massey, as chairman of the Committee on Judiciary A, under the rule, moved to indefinitely postpone Senate Bill No. 69.

Upon which the yeas and nays were called for.

And the following was the vote:

Yeas—Senators Adkins, Baker (20th District), Baker (29th District), Broome, Crill, Cottrell, Dayton,

Harris, Henderson, Johnson, Leggett, Massey, Withers—13.

Nays—Mr. President, Senators Beard, Cook, Hosford, Humphries, McCreary, Williams—7.

And Senate Bill No. 69 was indefinitely postponed.

Senate Bill No. 74:

A bill to be entitled an act authorizing any party whose property has been condemned to have a judgment entered in his favor against the corporation in whose favor the condemnation was had for the amount of damages assessed by the jury in said condemnation proceedings, together with his legal costs, and constituting said judgment a lien and authorizing its satisfaction in the same manner as other judgments recovered in the Circuit Court.

Was taken up and read the second time in full.

Mr. Massey, chairman of the Committee on Judiciary A, as required under the rule, moved to indefinitely postpone the bill.

Upon which the yeas and nays were called for and the following was the vote:

Yeas—Senators Adkins, Baker (20th District), Baker (29th District), Broome, Crill, Cottrell, Harris, Henderson, Johnson, Leggett, Massey, Williams, Withers—13.

Nays—Mr. Speaker, Senators Beard, Cook, Dayton, Hosford, Humphries, McCreary, Sloan—8.

And Senate Bill No. 74 was indefinitely postponed.

Senate Bill No. 125:

A bill to be entitled an act to amend Section 2024 of the General Statutes of the State of Florida, relating to granting of rights of way.

Was taken up and passed informally.

Senate Bill No. 102:

A bill to be entitled an act for the relief of W. A. Snowden, of Micanopy, Alachua county, Florida.

Was taken up.

Mr. McCleary moved that the bill be laid on the table, subject to call.

Which was agreed to, and so ordered.

Senate Bill No. 120 :

A bill to be entitled an act to designate the State Inspectors of Foods and Drugs, of Commercial Feeding Stuff and Commercial Fertilizers.

Was taken up and read the second time in full.

There being no amendment offered Senate Bill No. 120 was, under the rule, placed on the calendar of bills on third reading.

Senate Bill No. 124:

A bill to be entitled an act to repeal Chapter 5578 of the Laws of Florida, relating to the shooting of alligators and limpkins on the Ocklawaha River.

Was taken up and read the second time in full and was passed over informally.

House Bill No. 17:

A bill to be entitled an act providing for the creation of Palm Beach county in the State of Florida, and for the organization and government thereof.

Was taken up and read the second time in full, and was passed over informally.

Senate Bill No. 105:

A bill to be entitled an act to prohibit the prostitution of females under the age of eighteen years and providing punishment therefor.

Was taken up and read the second time in full.

There being no amendment offered Senate bill No. 105 was, under the rule, placed on the calendar of bills on third reading.

Senate Bill No. 109:

A bill to be entitled an act to amend Section 2523 of the General Statutes of the State of Florida, relating to enticing away unmarried females for prostitution.

Was taken up and read the second time in full.

There being no amendment offered Senate Bill No. 109 was, under the rule, placed on the calendar of bills on third reading.

Senate Bill No. 110:

A bill to be entitled an act to regulate the killing and butchering of cattle.

Was taken up and read the second time in full.

There being no amendment offered Senate Bill No. 110 was, under the rule, placed on the calendar of bills on third reading.

Senate Bill No. 111:

A bill to be entitled an act to authorize and empower the Board of County Commissioners of Suwannee county, Florida, to issue interest bearing coupon warrants to take up and cancel all outstanding county warrants issued prior to January 1, 1909.

Was taken up and read the second time in full.

There being no amendment offered Senate Bill No. 111 was, under the rule, placed on the calendar of bills on third reading.

Senate Bill No. 112:

A bill to be entitled an act to authorize and empower the Board of Public Instruction of Suwannee County, Florida, to issue interest bearing coupon warrants to take up and cancel all outstanding county school warrants issued prior to July 1, 1909.

Mr. McCreary moved to waive the rules and that Senate Bill No. 112 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And the bill was read the second time by its title only.

There being no amendment offered Senate Bill No. 112 was, under the rule, placed on the calendar of bills on third reading.

Senate Bill No. 113:

A bill to be entitled an act to make mandatory at least one high school in every county.

Was taken up and passed over informally.

## Senate Bill No. 46:

A bill to be entitled an act requiring Teachers' Summer Training Schools and making appropriations therefor.

Was taken up and was read the second time in full.

There being no amendment offered Senate Bill No. 46 was, under the rule, placed on the Calendar of Bills on Third Reading.

## Senate Bill No. 99:

A bill to be entitled an act to amend Section 3549 of the General Statutes of the State of Florida, relating to punishment for drunkenness and to define prima facie evidence of voluntary drunkenness.

Was taken up.

Mr. Harris moved that the bill be laid on the table, subject to call.

Which was agreed to, and so ordered.

## Senate Bill No. 43:

A bill to be entitled an act to prescribe a law governing pardon applications.

Was taken up.

Mr. Sloan moved that the bill be laid on the table, subject to call.

Which was agreed to, and so ordered.

## Senate Bill No. 100:

A bill to be entitled an act to amend Section 1761 of the General Statutes of the State of Florida relating to decisions of the Supreme Court.

Mr. Massey moved that the bill be laid on the table, subject to call.

Which was agreed to, and so ordered.

## Senate Bill No. 87:

A bill to be entitled an act to create the position of jailer, provide for his appointment, duties and compensation in each county of the State of Florida.

Was taken up and read the second time in full.

The Substitute for Senate Bill No. 87, offered by the Committee on Judiciary B.

Committee substitute for—

Senate Bill No. 87:

A bill to be entitled an act defining the duties of the Sheriff of the State of Florida, relative to all prisoners committed to or confined in county jails and the care and custody of county property.

Was read the first time by its title.

Mr. Harris moved that the rules be waived and that the committee substitute for Senate Bill No. 87 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And the Substitute for Senate Bill No. 87 was read the second time by its title only.

Mr. Harris moved that the committee substitute be adopted in lieu of the original bill.

Which was agreed to.

And the substitute was adopted, and under the rule was placed on the calendar of bill on the third reading.

Senate Joint Resolution No. 68:

Joint resolution proposing an amendment to Article XIX of the Constitution of the State of Florida, relative to the manufacture and sale or other disposal of intoxicating liquors or beverages.

Was taken up and read the second time in full.

The amendment of the Committee on Temperance was read as follows:

Strike out Section 3 and insert the following:

Sec. 3. This Article shall go into effect on the first day of July, A. D. 1911.

Mr. Humphries moved that the amendment of the committee be adopted.

Which was agreed to.

And the committee amendment was adopted.

Senate Joint Resolution No. 70:

A Joint Resolution proposing an amendment to Section

1 of Article X, of the Constitution of the State of Florida relative to homestead and exemptions.

Which was taken up and was passed informally.

Senate Bill No. 157:

A bill to be entitled an act to provide for the deficiency in appropriations for general printing and advertising for the period beginning January, 1909, and ending June 30, 1909; and to provide for the deficiency in the appropriation for printing the Agricultural Bulletin for the period beginning January, 1908, and ending December 31, 1908, and to pay certain claims against such funds that may be properly presented and approved by the disbursing officer of the State.

Was taken up, and was read the second time in full.

Mr. Withers moved that the rules be waived and that Senate Bill No. 157 be read the third time and put upon its passage.

Which was agreed to by a two-third vote; and

Senate Bill No. 157:

A bill to be entitled an act to provide for the deficiency in appropriations for general printing and advertising for the period beginning January, 1909, and ending June 30, 1909; and to provide for the deficiency in the appropriation for printing the Agricultural Bulletin for the period beginning January, 1908, and ending December 31, 1908, and to pay certain claims against such funds that may be properly presented and approved by the disbursing officers of the State.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 157 the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dis.), Baker (29th Dis.), Broome, Crill, Cook, Cottrell, Dayton, Harris, Henderson, Hosford, Leggett, Massey, McCreary, Sloan, Williams, Withers.—19.

Nays—None.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule.

Senate Joint Resolution No. 118:

A joint resolution proposing amendments to Article 7 of the Constitution of the State of Florida, relative to census and apportionment.

Was taken up and read the second time in full.

Mr. Cook moved that the bill be laid on the table, subject to call.

Which was agreed to and so ordered.

### BILLS ON THIRD READING.

Senate Bill No. 62:

A bill to be entitled an act to authorize the State Board of Health to adopt, promulgate and enforce rules and regulations for the betterment and protection of the public health of the State of Florida.

Was taken up and read the third time in full.

By unanimous consent Mr. Harris offered the following amendment to Senate Bill No. 62, now on its third reading.

Strike out the word "treatment" in line 11, Section 1.

Which was agreed to by a unanimous vote and the amendment was adopted.

By unanimous consent.

Mr. Henderson offered the following amendment to Senate Bill No. 62:

Strike out the word "case" in line 11, Section 1, of bill.

Which was withdrawn.

Mr. Henderson moved to waive the rules and place Senate Bill No. 62 back on the second reading for the purpose of amending same.

Which was unanimously agreed to.

Senate Bill No. 62:

Was placed back on the second reading.

Mr. Harris moved to further waive the rules and that Senate Bill No. 62 be taken up at once for consideration.

Which was agreed to by a two-third vote and the bill was taken up on its second reading.

Mr. Beard offered the following amendment to the bill.

Insert between the words "of" and persons" in 12th line the words "indigent and homeless."

Mr. Beard moved to adopt the amendment.

Which was not agreed to and the amendment was lost.

Mr. Henderson offered the following amendment:

Add after the word "health" in line 29 of Section 1, the following:

"Provided, However, That nothing herein contained shall be construed as in anywise preventing or restricting any persons so segregated or isolated from choosing his

own method of treatment, or in anywise limiting any diseased person in his right to choose or select whatever method or mode of treatment he may believe to be the most efficacious in the cure of his ailment."

Mr. Henderson moved to adopt the amendment.

Which was agreed to and the amendment was adopted.

And Senate Bill No. 62, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 58:

A bill to be entitled an act to amend Section 3146 of the General Statutes of Florida and to limit the time and prescribe the conditions governing certain actions for negligence causing the death of another;

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 58 the vote was:

Yeas—Mr. President, Senators, Adkins, Baker (20th), Baker (29th), Beard, Broome, Cook, Cottrell, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, McCreary, Sloan, Williams, Withers.—17.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule.

Senate Bill No. 67:

A bill to be entitled an act authorizing special tax school districts to erect and improve school buildings, and to issue bonds therefor.

Was taken up and read the third time in full.

Mr. Dayton moved that the further consideration of this bill be suspended and that it be placed on the table subject to call.

Which was agreed to and so ordered.

Mr. Hosford moved that the Senate do now adjourn till ten o'clock tomorrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned till 10 o'clock a. m. Tuesday, April 20th, 1909.