

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.

Which was on the table subject to call.

House Concurrent Resolution No. 10 was taken up and read the second time.

Mr. Crill moved to adopt the resolution.

Which was agreed to.

And House Concurrent Resolution No. 10 was adopted and ordered to be certified to the House of Representatives under the rule.

Mr. Hosford moved that the Senate do now adjourn to 10 o'clock tomorrow morning.

Which was agreed to.

Whereupon, the Senate stood adjourned to 10 o'clock a. m. Thursday, April 22, 1909.

THURSDAY, APRIL 22, 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 District), Baker (29th District), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—31.

A quorum present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of April 21 was dispensed with.

The Journal of April 21 was corrected.

The Journal of April 21 was approved as corrected.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 179:

A bill to be entitled an act to give the city of Orlando a lien upon private property for work done by the city where necessary for public health or convenience.

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 179, contained in the above report, was placed on the calendar of bills on second reading.

Mr. F. P. Cone, Acting Chairman of the Committee on Organized Labor, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 20, 1909,

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

Sir:

Your Committee on Organized Labor, to whom was referred—

Senate Bill No. 119:

To provide for the licensing of plumbers and to supervise and inspect plumbing in the State of Florida, and to provide penalties for the violation thereof.

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

Very respectfully,

F. P. CONE,
Acting Chairman of Committee.

And Senate Bill No. 119, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 129:

A bill to be entitled an act to amend Chapter 5618 of the laws of Florida, requiring common carriers to pay claims for lost or damaged freight or express, or other charges on freight or express within a certain time; and providing within the event a common carrier fails to pay said claim within said time, that such common carrier shall in certain cases be liable for interest on said claims at the rate of 50 per cent. per annum, and shall also be liable for a reasonable attorney's fee.

Recommend the following substitute:

Senate Bill No. 129:

A bill to be entitled an act to require common carriers to pay claims for lost or damaged freight, express, baggage and overcharge on freight and baggage and reciprocal damage, within a certain time, and providing that in the event a common carrier fails to pay said claim within said time that such common carrier shall, in certain cases, be liable for interest on said claim at the rate of 50 per cent. per annum, and shall also be liable for a reasonable attorney's fee; and repealing all laws in conflict with the provisions of this act (saving all actions and rights of actions heretofore accrued under such repealed laws).

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 129, together with the proposed committee substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 180:

A bill to be entitled an act to amend Section 3898 of the General Statutes of the State of Florida, the same being relative to the criminal jurisdiction of justices of the peace.

Also—

Senate Bill No. 186:

A bill to be entitled an act to provide for the proper labeling of goods made by convicts and by child labor; and prescribing penalties for violation of this act.

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill Nos. 180 and 186, contained in the above report, were placed on the calendar of bills on second reading.

Mr. Cone, chairman of the Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 187:

A bill to be entitled an act to prevent coercion in certain cases; and providing a penalty for violation of the provisions of this act.

Recommend the following amendment:

Strike out the words "by inference" in Section 1, line 2, and insert in lieu thereof the following: "Indirectly."

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

Very respectfully,

F. P. CONE,

Chairman of Committee.

And Senate Bill No. 187, together with the Committee Amendment, 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 21, 1909.

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 54:

A bill to be entitled an act to amend Chapter 5690 of the Laws of Florida, relating to the sale of liquors in counties or precincts voting against such sale, and also relating to selling liquors without a license;

Also—

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 right of ways;

Also—

Joint Resolution No. 198:

A Joint Resolution proposing amendments to Article VII, of the Constitution of the State of Florida, relative to census and apportionment.

Beg leave to report that having examined said bills return same herewith correctly engrossed.

Very respectfully,

JAMES E. BROOME,
Chairman of Committee.

And Senate Bilis Nos. 54 and 125, and Senate Joint Resolution No. 198, contained in the above report, were placed on the calendar of bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., April 21, 1909.

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

Sir:

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

Senate Bill No. 151:

A bill to be entitled an act to repeal Section 3772 of the General Statutes of the State of Florida; and to amend Section 3774 of the General Statutes of the State of Florida, relating to closed season for mullet, and other fish.

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

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And Senate Bill No. 151, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Dayton, chairman of the Committee on Immigration submits the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

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

Sir:

Your Committee on Immigration, to whom was referred—

That portion of the Governor's message which relates to advertising the resources of the State, and wherein it is recommended that at least \$5,000 or more be appropriated to be used by the Commissioner of Agriculture for advertising the resources of the State, under such restriction as the Legislature may deem proper.

Beg to advise that we have had the same under consideration; and

Whereas, There is a deficiency in the State Treasury, and numerous appropriations made by the last Legislature cannot be paid in full, and several appropriations cannot be paid at all; and

Whereas, It will be necessary, in order to meet said deficiencies, and pay the running expenses of the State government for the ensuing year, to levy additional taxes; therefore your committee deem it advisable, and so recommend, that said appropriation be deferred until such time as there is money in the Treasury, or until such time as all deficiencies in appropriations shall have been paid in full—to make said appropriation.

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

Very respectfully,
GEO. W. DAYTON,
Chairman of Committee.

Mr. Massey, chairman of the Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 108:

A bill to be entitled an act to amend Sections 2, 7, 10, 11, 12 and 14 of an act entitled "An act to prevent the adulteration, misbranding and imitation of foods for man or beast, of beverages, candies and condiments, of medicines, drugs and liquors, or the manufacture and sale thereof in the State of Florida; prescribing a penalty for the violation hereof; providing for the inspection and analysis of articles described by the Florida State Department, charging the State's Attorney with the enforcement hereof, and providing means therefor; providing for the appointment of additional Assistant State Chemists, or Expert Food Analysts, a Food and Drug Inspector; 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, approved June 3, 1907.

The committee recommend the following amendments to Senate Bill No. 108, to-wit:

1. In Section 7, before the word "sold," insert the words "or if not of a poisonous or deleterious character may be."

2. In Section 7, after the words "in the order direct," add the words "which order shall guard against any further violations of this act by such sale or other disposition."

In Section 11, insert the word "States" after the word "United."

4. In Section 11, insert the word "be" after the words "defined to."

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

Very respectfully,

LOUIS C. MASSEY,
Chairman of Committee.

And Senate Bill No. 108, with committee amendments thereto, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

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

Sir:

Your Committee on Judiciary A to whom was referred—

Senate Bill No. 156:

A bill to be entitled an Act to Amend Section 3101 of the General Statutes of the State of Florida, relative to the sale of personal property, pledged or deposited as collateral security.

The committee recommend the following amendment, to-wit:

1. In Section 1, strike out the words "or other personal property of any kind whatsoever."

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

Very respectfully,
LOUIS C. MASSEY,
Chairman of Committee.

And Senate Bill No. 156 with Committee amendments thereto contained in the above report was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

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

Sir:

Your Committee on Judiciary A to whom was referred:

Senate Bill No. 82:

A bill to be entitled an Act to amend Section 850 of the General Statutes of the State of Florida, providing for the levy of a special tax for public roads and bridges.

And also—

Senate Bill No. 97:

A bill to be entitled an Act to amend Section 1896 of the General Statutes of the State of Florida relating to decrees in chancery.

And also—

Senate Bill No. 159:

A bill to be entitled an act concerning the payment or certification of forged checks, and the liabilities of banks and others therefor.

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

Very respectfully,

LOUIS C. MASSEY,
Chairman of Committee.

And Senate Bill Nos. 82, 97 and 159, contained in the above report were placed on the Calendar of Bills on Second Reading.

Mr. Henderson, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on Education, to whom was referred—
Senate Bill No. 131:

A bill to be entitled an act to amend Section 378 of the General Statutes of the State of Florida, relating to the pay of Grading Committee.

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

Very respectfully,

JOHN W. HENDERSON,
Chairman of Committee.

And Senate Bill No. 131, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Henderson, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1909,

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Education, to whom was referred—
Senate Bill No. 103:

A bill to be entitled an act to amend Section 370 of the General Statutes of the State of Florida, relating to life certificate.

Have had the same under consideration and recommend that it do pass with the following committee amendment:

Very respectfully,
JOHN W. HENDERSON,
Chairman of Committee.

And Senate Bill No. 103, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Henderson, chairman of the committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Education, to whom was referred—

Senate Bill No. 48:

A bill to be entitled an act to make appropriations to secure better attendance for teachers' summer training schools.

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

Very respectfully,
JOHN W. HENDERSON,
Chairman of Committee.

And Senate Bill No. 48, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Henderson, chairman of the committee on Education, submitted the following report.

Senate Chamber,
Tallahassee, Fla., April 22, 1909.

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

Sir:

Your Committee on Education, to whom was referred—

Senate Bill No. 123:

A bill to be entitled an act to amend Section 371 of the General Statutes of the State of Florida, relating to State certificates.

Have had the same under consideration and recommend that it do pass with the following committee amendments:

Very respectfully,

JOHN W. HENDERSON.

Chairman of Committee.

And Senate Bill No. 103, with committee amendments thereto, contained in the above report, was placed on the calendar of bills on second reading.

INTRODUCTION OF RESOLUTIONS.

Mr. Cone offered the following resolution—

Senate Resolution No. 32:

Whereas, The President of the United States has repeatedly in recent public utterances, declared in substance that he would not appoint to Federal offices in the Southern States, persons who are objectionable or offensive to the business interests and the best elements of society, or continue in office persons of that character, and

Whereas, The present incumbent in the office of Internal Revenue, is objectionable and offensive in the

highest degree to a vast majority of the patrons of that office and to the best elements of society, therefore,

Be it Resolved by the Senate of the State of Florida, now in session, that our Senators and Representatives in the Congress of the United States be, and they are hereby respectfully requested and urged to make the fact herein set forth known to the President and to use their best efforts and influence to secure the removal of the present collector of Internal Revenue for the collection District of Florida, from office, and to secure the appointment of some person to that position in his stead who will not be offensive to the patrons of that office and to the best elements of society.

Resolved further, That a certified copy of this resolution be furnished to each of our Senators and Representatives in the Congress of the United States.

Which was read.

Mr. Cone moved to adopt the resolution.

Which was agreed to, and Senate Resolution No. 32 was adopted.

Mr. Cone offered the following:

Senate Resolution No. 33:

Be it resolved, by the Senate, That it is the sense of this body that the daily morning session of the Senate should continue until one o'clock p. m.

Which was read.

Mr. Cone moved to adopt the resolution.

Which was not agreed to.

INTRODUCTION OF BILLS.

By Mr. Massey—

Senate Bill No. 204:

A bill to be entitled an act to regulate the taxation of costs in all civil cases now pending or hereafter brought to the Supreme Court of Florida.

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

By Mr. Massey—

Senate Joint Resolution No. 205:

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

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

By Mr. Dayton—

Senate Bill No. 206:

A bill to be entitled an act to prohibit the dynamiting or shooting of fish in the waters of the State of Florida.

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

By Mr. Sams—

Senate Bill No. 207:

A bill to be entitled an act to amend Chapter 4292 of the Laws of Florida, entitled "An act to amend Chapter 3781 of the Laws of Florida, entitled 'An act to revoke and abolish the present municipal government of the town of DeLand, and to organize a city government for said town.' "

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

By Mr. Sams—

Senate Bill No. 208:

A bill to be entitled an Act extending and enlarging the powers of the city of DeLand, a municipal corporation organized and existing in Volusia County, Florida, and providing for the exercise of those powers.

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

By Mr. West—

Senate Bill No. 209:

A bill to be entitled an Act appropriating money for the benefit and maintenance of the Florida State Reform School.

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

By Mr. Harris—

Senate Bill No. 210:

A bill to be entitled an Act to amend Sections 1293, 1295 and 1300 of the General Statutes of the State of Florida, relating to the powers and duties of Pilot Commissioners, and the rate of pilotage.

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

By Mr. Hudson—

Senate Bill No. 211:

A bill to be entitled an Act to define and regulate the treatment and control of dependent and delinquent children; to provide for the disposition, care, education, protection, support, maintenance and punishment of dependent or delinquent children, and for their guardianship and adoption; to prescribe the powers and duties of county judges with respect thereto.

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

By Mr. West—

Senate Bill No. 212:

A bill to be entitled an Act in relation to taking testimony in chancery cases and in certain cases at law.

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

By Mr. Henderson—

Senate Bill No. 213:

A bill to be entitled an act providing that railroad companies and other common carriers whose lines are situate in whole or in part in the State of Florida, may furnish to the sheriffs of Florida free transportation over any railroad or steamboat line.

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

By Mr. Buckman—

Senate Bill No. 214:

A bill to be entitled an act to amend Section 3018 of

the General Statutes of the State of Florida, concerning instruments payable at bank.

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

By Mr. Sams—

Senate Bill No. 215—

A bill to be entitled an act to declare void and of no effect a resolution of the city council of the city of DeLand, county of Volusia and State of Florida, passed by said city council on the 9th day of April, A. D. 1906, and to declare void and of no effect an amendment to said resolution passed by said city council on the 30th day of April, 1906, and to declare void and of no effect an election held in the city of DeLand on the 8th day of May, 1906, pursuant to said amended resolution, by which election the majority of the electors of said city voting at said election voted for the issue of bonds to the amount of twelve thousand dollars (\$12,000), for sewerage purposes, and to declare that said resolution and vote for the issuing of said twelve thousand dollars (\$12,000) in bonds shall not be considered any part of the bonded indebtedness of the city of DeLand, Volusia county, State of Florida.

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

By Mr. Withers—

Senate Bill No. 216:

A bill to be entitled an act to permit the registered voters of that part of Precinct No. 9, east of the Ocklawaha River, in County Commissioners District No. 5, of Lake county, Florida, to decide whether hogs shall be allowed to run at large in said precinct.

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

By Mr. Withers, by request—

Senate Bill No. 217:

A bill to be entitled an act to amend Section 347 and Section 351 of the the General Statutes of the State of Florida, relative to the duties of County Board of Public Instruction and County Superintendents of Public Instruction.

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

By Mr. Baker, of the 20th District—

Senate Bill No. 218:

A bill to be entitled an act to exclusively define under what conditions free or reduced rate transportation may be given by common carriers within the State of Florida, and to provide a penalty for a violation hereof.

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

Mr. Harris moved that 100 copies of the bill be printed. Which was agreed to and so ordered.

By Mr. Harris—

Senate Bill No. 219:

A bill to be entitled an act for the relief of W. E. Griffis.

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

By Mr. Humphries—

Senate Bill No. 220:

A bill to be entitled an act to incorporate the City of Bradentown, in Manatee County, Florida, and to provide for its government and prescribe its jurisdiction and powers and to abolish the present corporation of said city.

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

By Mr. Humphries—

Senate Bill No. 221:

A bill to be entitled an act to enable any married woman who has or may become a free dealer, to convey or mortgage her separate property without the joinder of her husband; and to validate all such conveyances and mortgages heretofore made.

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

CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 3:

Appointing a committee of eight to visit, inspect and report upon the progress and conditions of the work of reclaiming the Everglades.

Was taken up and read the second time.

Mr. Flournoy asked permission to withdraw the resolution.

Which was granted, and the resolution was withdrawn.

Senate Concurrent Resolution No. 8:

Asking our members in Congress to use all honorable means to defeat the effort being made to place articles used in manufacture of fertilizer from the free list.

Was taken up and read the second time.

Upon the passage of the resolution it was agreed to.

And Senate Concurrent Resolution No. 28 was adopted, and the same was ordered to be certified to the House of Representatives, under the rule.

House Memorial No. 7:

Memorial to Congress asking for an appropriation to build locks on the Kissimmee River.

Was taken up and was read the second time.

Mr. Massey moved to adopt the resolution.

Which was agreed to.

And House Memorial No. 7 was adopted and the same was ordered to be certified to the House of Representatives, under the rule.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 22, 1909.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 53:

A bill to be entitled an act to organize a County Court in and for the county of Gadsden; to prescribe the terms thereof, and to provide for the appointment of a Prosecuting Attorney and for his compensation and for that of the Judge of said court.

Very respectfully,

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

And Senate Bill No. 53, contained in the above message, was referred to the Committee on Engrossed Bills.

Also the following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1909.

Hon. F. M. Hudson,
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. 85:

A bill to be entitled an act prescribing the time within which actions may be brought for trespass upon standing timber.

Also—

House Bill No. 24:

A bill to be entitled an Act to amend Section 2150 of the General Statutes of the State of Florida, relating to the release of garnishee.

Also—

House Bill No. 28:

A bill to be entitled an act to organize a County Court in the County of Hillsborough; to prescribe its jurisdiction and powers, and to fix the compensation of its judge.

Also—

House Bill No. 36:

A bill to be entitled an act prescribing the manner of serving notices in civil causes pending in the courts of this State.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 85, contained in the above message, was read the first time by its title, and was referred to the Committee on Judiciary B.

And House Bill No. 24, contained in the above mes-

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

And House Bill No. 28, contained in the above message, was read the first time by its title and was referred to the Committee on County Organization.

And House Bill No. 36, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary B.

BILLS ON SECOND READING.

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.

Mr. Hudson moved that the bill be read the second time by its title only.

Which was agreed to.

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

Mr. Hudson, of the 13th District, offered the following amendment to House Bill No. 17:

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. That the county of Palm Beach be and the same is hereby created and established, to exist as a county of the State of Florida from and after the first day of July, 1909. Such county shall comprise and include all that territory of the county of Dade as heretofore existing, which lies north of the following boundary line: Beginning at a point on the eastern boundary of the State of Florida where the south line of Section 18, township 49, south of range 43 east, if produced would intersect the same, and from the said point of intersection on the said eastern boundary of the said State, run west on the southern boundary of section 18, township 49 south of range 43 east, and thence continuing west on the south boundaries of Sections Thirteen, Fourteen, Fifteen, Sixteen, Seventeen and Eighteen of township 49 south of range 42 east, and thence following the said line produced, west to the western boundary line of the county of Dade as heretofore existing.

Sec. 2. The said county shall be a part of the Second Congressional District, a part of the Thirteenth Senatorial

District, and a part of the Seventh Judicial Circuit, and the said county shall have one member in the House of Representatives of the State of Florida.

Sec. 3. The town of West Palm Beach shall be the temporary county seat of said county.

Sec. 4. The Governor of the State shall, on or before the first day of July, 1909, appoint all the officers to which said county may be entitled under the Constitution and laws of the State of Florida.

Sec. 5. It shall be the duty of the Board of County Commissioners of Palm Beach County to hold their first meeting on the first Monday in July, 1909, and at said meeting they shall make arrangements for temporarily carrying on the county government, and shall perform such other duties as may be required of them by law.

Sec. 6. It shall be the duty of the Board of Public Instruction of Palm Beach county to hold their first meeting on the first Tuesday in July, 1909.

Sec. 7. The courts of Palm Beach county shall have civil and criminal jurisdiction, throughout said county, over causes of action which shall have accrued, and over crimes and misdemeanors which shall have been committed within the territory embraced in said county as hereby constituted, prior to the first day of July, 1909, in the same manner and to the same extent as if said county had been in existence when such causes of action accrued, or such crimes or misdemeanors were committed.

Sec. 8. All actions and prosecutions, and all proceedings in guardianship or administration, and any and all other actions, prosecutions or proceedings that may be pending in Dade county in the Circuit Court or the County Court or any other court, or before any officer or board of said county on the first day of July, 1909, whereof any court, officer or board of Palm Beach county would have jurisdiction if said county had been in existence when such action or proceeding was instituted, shall be transferred to the officer or board of Palm Beach county having jurisdiction of such matters, and all pleadings, papers and documents in any way pertaining to any such action, prosecution or proceeding shall be delivered by the Clerk or other officer of Dade county having custody thereof, to the proper officer of Palm Beach county.

Section 9. The Clerk of the Circuit Court of Palm Beach County, or his authorized agent or deputy, shall

procure from the records in the office of the Clerk of the Circuit Court of Dade County a transcript of all such deeds, transfers, mortgages or other conveyances of real or personal estate, and of all judgments, orders and decrees, and any and all other matters of record, and any and all papers or documents in the custody of the Clerk of the Circuit Court of Dade County that may in any wise affect the interests of Palm Beach County as the County Commissioners may from time to time direct, and the Clerk of the Circuit Court of Dade County shall, without charges or fees, allow the Clerk of the Circuit Court of Palm Beach County free access to all books and papers on file in his office that would in any wise facilitate the procuring of such transcription. The Clerk of the Circuit Court of Palm Beach County shall certify to the correctness of such transcription and thereupon such certified copies of the records, documents and other matters so transcribed and certified shall be of the same force and effect as the original records.

Sec. 10. As compensation for the services required of him in Section 9 of this Act, the Clerk of the Circuit Court of Palm Beach County shall be paid by said county a sum to be fixed by the County Commissioners, not to exceed one hundred dollars (\$100.00) per month for each man for such time as he shall actually engage in such work.

Sec. 11. The County Judge of Palm Beach County shall procure from the records in the office of the County Judge of Dade County a transcript of all papers, files, documents and records in the custody of the County Judge of Dade County that may in any wise affect the interests of Palm Beach County, as the County Commissioners may from time to time direct, and the County Judge of Dade County shall, without charges or fees, allow to the County Judge of Palm Beach County free access to all books and papers and files in his office that may in any wise facilitate the procuring of such transcription. The County Judge of Palm Beach County shall certify to the correctness of such transcription, and thereupon such certified copies of the papers, files, documents and records so transcribed and certified shall be of the same force and effect as the original records.

Sec. 12. As compensation for the services required of him in Section 11 of this Act, the County Judge of Palm Beach County shall be paid by said county a sum to be

fixed by the County Commissioners, not to exceed one hundred dollars per month for each man for such time as he shall actually be engaged in such work.

Sec. 13. The Assessor of Taxes for Dade County shall continue to perform the duties of his office in relation to all property and persons within the territory of Palm Beach County as hereby created, until the first day of July, 1909, and shall complete the assessment roll for Dade County as heretofore existing. Upon completion of said assessment roll as provided by law, he shall deliver to the Assessor of Taxes for Palm Beach County a transcript of so much of such assessment roll as applies to property and persons within the limits of Palm Beach County as hereby created, and thereafter the Assessor of Taxes of Palm Beach County shall perform all the duties of his office as now provided by law.

Sec. 14. The Assessor of Taxes for Dade County shall be paid as provided by law for assessing the taxes of Palm Beach County for the year 1909, and the County Commissioners of Palm Beach County shall provide for reasonable compensation to be paid to said Assessor for preparing a transcript of his assessment roll as herein provided, and for any and all other extraordinary services which said Assessor may be required to perform.

Sec. 15. The Assessor of Taxes of Palm Beach County shall receive no compensation from the State for the assessment of taxes of said county for the year 1909, but he shall receive for such services as he may perform after the first day of January, 1910, such compensation as is provided by law, and the County Commissioners of Palm Beach County shall pay to him such reasonable compensation for the services rendered by him from the first day of July, 1909, to the first day of January, 1910, as they may deem proper.

And the Tax Assessor and the Clerk of the Circuit Court of Dade County shall without charges or fees, allow the Assessor of Palm Beach County free access to all books, maps and papers and files in their office that would in any wise facilitate the performance of his duties.

Sec. 16. The Collector of Taxes of Dade County shall be allowed credit in his settlement for the amount of all the taxes due on property or from persons within said County of Palm Beach as hereby created, for the year 1909.

Sec. 17. The Collector of Taxes of Dade County shall proceed to collect the taxes which shall on the first day of July, 1909, be unpaid and past due on lands lying in the territory of Palm Beach County as hereby created, and to enforce the payment thereof by sale of delinquent lands in the same manner and with the same effect as if the County of Palm Beach had not been created, and all sales made in pursuance of the provisions of this Section shall be as valid as if the territory of Palm Beach County had remained a part of Dade County, but all tax certificates covering sales of lands lying in Palm Beach County which shall be made on or after the first day of July, 1909, shall be delivered to the Clerk of the Circuit Court of Palm Beach County, and all redemptions of any such land shall be made through the said clerk.

Sec. 18. All redemptions of lands lying in Palm Beach County which shall have been certified or sold for taxes prior to the first day of July, 1909, whether certified or sold to the State or individuals, shall be made through the Clerk of the Circuit Court of Dade County.

Sec. 19. It shall be the duty of the Board of County Commissioners of Palm Beach County, at as early a date as may be possible, to hold a conference with the County Commissioners of Dade County and agree with said Board upon a plan or plans for the assumption by Palm Beach County of its pro rata share of the indebtedness of Dade County in accordance with the provisions of the Constitution of the State of Florida, and also upon an equitable division of the surplus funds, and personal or movable property that Dade County may have on hand or that may be owing to Dade County on the first day of July, 1909.

Sec. 20. It shall be the duty of the Board of Public Instruction of Palm Beach County at as early a date as may be possible, to hold a conference with the Board of Public Instruction of Dade County and agree with such Board upon a plan for the assumption by Palm Beach County of its pro rata share of the indebtedness of the Board of Public Instruction of Dade County, and also upon an equitable division of the surplus funds that said Board may have on hand or that may be owing to said Board on the first day of July, 1909.

Sec. 21. The Spring Term of the Circuit Court of Palm Beach County shall be held on the first Tuesday in June, and the Fall Term of the Circuit Court of said county

shall be held on the first Tuesday in January in each year.

Sec. 22. This Act shall take effect and be in force as soon as it becomes a law.

Mr. Hudson moved to adopt the amendment.

Which was agreed to.

And the amendment to House Bill No. 17, as read, was adopted, and the bill was, under the rule, placed on the calendar of bills on the third reading.

Mr. McMullen moved to waive the rules and to take up from its order Senate Joint Resolution No. 68 for immediate consideration.

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

Yeas—Mr. President, Senators Adkins, Baker (20th District), Baker (29th District), Broome, Crill, Cone, Cottrell, Dayton, Flournoy, Girardeau, Humphries, Leggett, Massey, McLeod, McMullen, Miller, Sloan, West, Williams, Withers—21.

Nays—Senators Beard, Buckman, Cook, Davis, Harris, Henderson, Hosford, Johnson, McCreary, Sams—10.

So the motion of Mr. McMullen was agreed to by a two-thirds vote—

And—

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:

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

That Article XIX of the Constitution of the State of Florida be and the same is hereby amended so as to read as follows:

Article XIX. Section 1. The manufacture and sale, or other disposal, of all intoxicating liquors and beverages whether spirituous, vinous or malt, are hereby forever prohibited in the State of Florida, except alcohol for medicinal, scientific or mechanical purposes, and wine for sacramental purposes; the sale of which alcohol and wine for the purposes aforesaid shall be regulated by law.

Sec. 2. The Legislature shall enact suitable laws for the enforcement of the provisions of this article.

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

Was taken from its order and read the third time in full.

Upon the passage of Senate Joint Resolution No. 68, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Baker (29th District), Broome, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sloan, West, Williams, Withers—24.

Nays—Senators Beard, Buckman, Harris, Henderson, Hosford, Sams, Zim—7.

Senate Joint Resolution No. 68, having received the necessary three-fifths required by the Constitution of the State of Florida, passed, title as stated.

Pending the vote upon the passage of the Resolution—

Mr. Beard explained his vote upon the resolution, which will appear in tomorrow's Journal.

Mr. Cottrell explained his vote upon the resolution, as follows:

Representing as I do a district with two counties comprising it, one of which, my own county, has always voted against the sale of whisky. The other county (Taylor) is wet, the people having voted it so. And wishing to observe the wishes of my district, I conceived a vote against the constitutional amendment in question would have local option and in this way the wishes of the people of the two counties obtain. But I am in receipt of many letters and petitions from each county asking that I vote for the amendment submitting this great question to the people for settlement. In accordance with these petitions and my individual ideas, I vote "Yes."

Mr. Flournoy explained his vote upon the Resolution as follows:

Mr. President: In explanation of my vote on this great temperance issue, I wish to say that my privilege upon this floor is due to but an accident, resulting from the lack of an opponent in the last primary election. The good people of my district did not request a pledge nor my position on any subject. I represent, therefore, the Third Senatorial District as an entity. And in return for their expression of confidence, I shall zealously guard my action both to them and to the public, and trust that my position here as their Senator shall meet upon my return home, their intelligent approval. They, Mr. Presi-

dent, by their sovereign votes, have said that that which degrades man, and oppresses woman, deprives Florida of better fathers, husbands, sons and brothers; that, the bane to comfortable homes and happy wives, mothers and children; that, which hardens the brain, dims the eye and dulls the hearing, the sure precursor of more lunatics, idiots and criminals; that, which makes murderers of our loved ones, whether friend or foe, and the cause of broken-hearted widows and orphans, shall not be licensed. They prefer justice and morality to revenue and disgrace. And in support of their will, it is my pleasing privilege and purpose to assist in getting the people of Florida to no longer keep fellowship with the throne of iniquity, and to do what I can to stop the abominable mischief, I therefore vote, "Aye."

Mr. Hosford explained his vote upon the resolution as follows:

Mr. President: I wish to explain my vote. In the beginning of my political campaign I published to the voters of my district a platform of principles, and in that platform declared in favor of local option; and having been elected on that platform, I feel that it is due to the majority of my constituency to vote "No."

Mr. Beard moved that the Senate adjourn to four o'clock this afternoon.

Mr. Massey moved as a substitute that the Senate do now adjourn to 10 o'clock to-morrow morning.

The substitute motion was agreed to.

Whereupon the Senate stood adjourned to ten o'clock a. m., April 23, 1909,

FRIDAY, APRIL 23, 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 Baker (20th District), Baker (29th District), Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Hen-