

Thereupon the Senate stood adjourned to 10 o'clock a. m., Thursday, April 29, 1909.

CONFIRMATIONS.

Cephas L. Wilson, to be State Attorney for the First Judicial District of Florida.

Geo. W. Walker, to be State Attorney for the Second Judicial District of Florida.

Cary A. Hardee, to be State Attorney for the Third Judicial District of Florida.

John C. Jones, to be State Attorney for the Seventh Judicial District of Florida.

John S. Maxwell, to be Judge of the Criminal Court of Record in and for Duval county, Florida.

DeWitt T. Gray, to be County Solicitor in and for Duval county, Florida, for the unexpired term ending June 15th, 1911.

THURSDAY, APRIL 29, 1909.

The 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, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—29.

A quorum was present.

Prayer by the Chaplain.

By unanimous consent, the reading of the Journal of April 28 was dispensed with.

The Journal of April 28 was corrected.

The Journal of April 28 was approved as corrected.

REPORTS OF COMMITTEES.

Mr. Cook, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1909.

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

Sir:

Your Committee on Claims to whom was referred—
Senate Bill No. 146:

A bill to be entitled an Act for the relief of B. H. Bridges, Assistant State Chemist Food and Drug Analyst. Have had the same under consideration and recommend that it do pass.

Very respectfully,

BUELL COOK,
Chairman of Committee.

And Senate Bill No. 146, contained in the above report, was placed on the Calendar of Bills on Second Reading.

ENROLLED.

The President announced that he was about to sign—

An Act to provide for the deficiency in appropriations for general printing and advertising for the period beginning January 1, 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 1, 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.

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

The President announced that he was about to sign—

Senate Memorial No. 1:

A memorial instructing our Senators and requesting our Representatives in Congress to secure a revocation of the order discontinuing the Pensacola Navy Yard.

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

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

Senate Chamber,
Tallahassee, Fla., April 28, 1909.

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

Sir:

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

An Act to provide for the deficiency in appropriations for general printing and advertising for the period beginning January 1, 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 1, 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.

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

Very respectfully, C. L. LEGGETT,
Chairman of Joint Committee.

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

Senate Chamber,
Tallahassee, Fla., April 28, 1909.

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

Sir:

Your Joint Committee on Enrolled Bills to whom was referred—

Senate Memorial No. 1:

A memorial instructing our Senators and requesting our Representatives in Congress to secure a revocation of the order discontinuing the Pensacola Navy Yard.

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

Very respectfully, C. L. LEGGETT,
Chairman of Joint Committee.

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

Senate Chamber,
Tallahassee, Fla. April 29, 1909.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 200:

A bill to be entitled an act concerning Notaries Public who are stockholders, directors, officers or employees of banks or other corporations, and the doing of certain official acts by such Notaries.

Recommend the adoption of the following amendment, to wit:

Amend by inserting after the word "negotiable" in the 8th line of Section 1, the word "instruments."

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

Very respectfully,

D. C. McMULLEN,
Acting Chairman of Committee.

And Senate Bill No. 200, with the committee amendment, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla. April 29, 1909.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

House Bill No. 19:

A bill to be entitled an act providing that no judgment shall be reversed by an Appellate Court, except for errors affecting the merits of the action.

Also—

House Bill No. 29:

A bill to be entitled an act to repeal Chapter 5767 of the Laws of Florida, entitled "An act to organize a County Court in and for the county of Lafayette, to pre-

scribe 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."

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

Very respectfully,

D. C. McMULLEN,
Acting Chairman of Committee.

And House Bills Nos. 19 and 29, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla. April 29, 1909.

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

Sir:

Your Committee on Temperance, to whom was referred--

Senate Bill No. 5:

A bill to be entitled an act to prohibit drinking of intoxicating liquors of any kind on railway passenger trains, or coaches or vestibules thereof, or platform connected therewith, while said train, or coach, or vestibules are in the service of passenger transportation within this State, and providing a penalty for the violation of the provisions of this act.

Recommend the following amendments, to wit:

1. In Section 1, substitute the word "medicine" for the word "stimulant."
2. Strike out Section 3.

Also—

Senate Bill No. 126:

A bill to be entitled an act to amend Section 3549 of the General Statutes of the State of Florida, the same relating to drunkenness and the penalty therefor.

Recommend the following amendment, to wit:

Amend by striking out Section 2.

Also—

Senate Bill No. 167:

A bill to be entitled an act to prohibit the sale, gift or

disposal of liquors on Sunday, and provide punishment therefor.

Recommend the following amendment, to wit:

Amend by striking out Section 4.

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

Very respectfully,

D. C. McMULLEN,
Chairman of Committee.

And Senate Bills Nos. 5, 126 and 167, with the committee amendments, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla. April 29, 1909.

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

Sir:

Your Committee on Temperance, to whom was referred—

Senate Bill No. 168:

A bill to be entitled an act to amend Section 7, of Chapter 5597, Laws of Florida.

Also—

Senate Bill No. 231:

A bill to be entitled an act to define intoxicating liquors and beverages; and to fix the maximum percentage of alcohol in non-intoxicating liquors and beverages.

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

Very respectfully,

D. C. McMULLEN,
Chairman of Committee.

And Senate Bills Nos. 168 and 231, contained in the above report, were 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 28, 1909.

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

Sir:

Your Committee on Game and Fisheries to whom was referred—

House Bill No. 267:

A bill to be entitled an act to prohibit the catching and taking of fish with haul seines or drag nets, and to prohibit the use of haul seines or drag nets in all of the salt and fresh waters of the counties of Brevard, St. Lucie and Dade, situated within ten miles west of the Atlantic coast, and north of the waters of Biscayne Bay, and to fix the penalty for the violation thereof, and to provide for the seizure and destruction of all haul seines and drag nets used in violation of this act.

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

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

And House Bill No. 267, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Hosford, Chairman of the Committee on Agriculture and Forestry, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 29, 1909.

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

Sir:

Your Committee on Agriculture and Forestry, to whom was referred—

Senate Bill No. 227:

A bill to be entitled an act to protect and promote the fruit growing and horticultural interests of the State of Florida; to exterminate crop pests and to provide for the appointment of County Inspectors.

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

Very respectfully,
R. F. HOSFORD,
Chairman of Committee.

And Senate Bill No. 225, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cook, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla. April 29, 1909.

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

Sir:

Your Committee on Claims, to whom was referred—
Senate Bill No. 243:

A bill to be entitled an act for the relief of Inez Abernethy, instructor in art in the Florida Female College, at Tallahassee, Florida.

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

Very respectfully, BUELL COOK,
Chairman of Committee.

And Senate Bill No. 243, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 29, 1909.

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

Sir:

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

Senate Bill No. 239:

A bill to be entitled an act to provide for the investment by the State Board of Education of Florida of the principal of State School Fund in certain obligations of counties within this State, and the mode of creating said obligations.

Have had the same under consideration and recommend that two hundred copies of said bill be printed and that the bill then be recommitted.

Very respectfully,
WM. W. FLOURNOY,
Chairman of Committee.

And Senate Bill No. 239, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Buckman, Chairman of the Committee on Prison and Convicts, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 29, 1909.

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

Sir:

Your Committee on Prisons and Convicts, to whom was referred—

Senate Bill No. 166:

A bill to be entitled an act to provide for State prisoners.

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

Very respectfully,

H. H. BUCKMAN,
Chairman of Committee.

And Senate Bill No. 166, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Buckman, Chairman of the Committee on Prisons and Convicts, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 29, 1909.

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

Sir:

Your Committee on Prisons and Convicts, to whom was referred—

Senate Bill No. 174:

To amend Sections 4109 General Statutes relating to labor of county convicts.

Have carefully considered same and recommend that it do not pass, this Committee having prepared and does hereby report to the Senate for its consideration a substitute therefor (the substitute having the same title as the original bill).

Which they have had under consideration and recommend that said substitute do pass.

Very respectfully,

H. H. BUCKMAN,
Chairman of Committee.

And Senate Bill No. 174, together with the substitute offered by the Committee, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Buckman, Chairman of the Committee on Prisons and Convicts, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 29, 1909.

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

Sir:

Your Committee on Prisons and Convicts, to whom was referred—

Senate Bill No. 165:

Authorizing the Board of Commissioners of State Institutions to purchase lands for prison farms, etc.

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

Very respectfully,

H. H. BUCKMAN,
Chairman of Committee.

And Senate Bill No. 165, with committee amendments, contained in the above report, was placed on the Calendar of Bills on Second Reading.

INTRODUCTION OF RESOLUTIONS.

Mr. Flournoy offered the following resolution:

Senate Resolution No. 37:

Resolved, By the Senate, That a committee of three be appointed, with authority, to examine the report of the Joint Commission, created by the Legislature of 1907 to investigate the acts and doings of the Trustees of the Internal Improvement Fund, and report back to the Senate

with their recommendation of the proper action to be taken by the Senate upon said report.

Mr Flournoy moved that this Resolution be taken up at 11 o'clock today, with the special order for the hour.

Which was agreed to.

Mr. Johnson offered the following resolution :

Senate Resolution No. 38 :

Whereas, Each Legislature is directly responsible for whether same is economical and properly conducted, or whether same is economical and properly conducted or, extravagant and not conducted for the best interests of the State; and

Whereas, No monies or revenue can be raised, no taxes imposed, and no monies can be expended, either in salaries, or for clerk hire, or for meeting appropriations, or for alleged incidental expenses for different departments of the State government, without the direct sanction and authorizing, by law, of the Legislature; and

Whereas, It has been the disposition of former Legislatures to become interested and confused in the tangling, or untangling, and in the consideration and passage of matters general, special and personal, at the expense of a closer supervision of general appropriations, special appropriations and matters directly pertaining to the carrying on of the State's affairs; and

Whereas, Past Legislatures, by their manner of conducting affairs and making appropriations have called upon themselves, and righteously, too, the severest criticism and condemnation of the people, whose servants we are, and have called upon our State officers like condemnation and criticism, when in truth our State officers have only exercised authority and conducted affairs pursuant to authority granted them by the Legislatures either directly given or acquiesed in; and

Whereas, By this method of conducting the affairs of the State there has been fostered in our State, running from our State capitol down through our State offices and into all of our counties, a spirit of unreasonable extravagance and carelessness in the conduct of affairs, except that of, "All of you draw a salary who can and draw all you can;" and

Whereas, By reason of this carelessness upon the part of the Legislatures the cost and expense of carrying on the affairs of the State have more than doubled in the past

eight years, and that such increase in the cost and expense is entirely disproportionate to the increase of our population, the increase of work accomplished, and the increase in the cost of living; and

Whereas, The high taxes imposed, necessary to support this extravagance, has a tendency to choke the advancement and prosperity of our State, and to discourage capital and prospective settlers; and,

Whereas, An intelligent and businesslike management of the State's affairs by this Legislature will have a most salutary effect upon affairs throughout the State. Therefore, be it

Resolved, That it is not the purpose of this resolution to charge anyone with misconduct or bad faith, but is that we all might work together for the advancement of the interest of our State.

Resolved, Further, That the heads of departments of the State government as hereinafter named, do furnish to the Senate on or before May 12, 1909, for the information of the Senate, information as follows:

THE GOVERNOR'S OFFICE.

The Governor is hereby requested to furnish to the Senate a statement of the expenditure of the \$12,000 appropriated in 1907 for incidental expenses of the State for two years ending June 30, 1909.

COMPTROLLER'S OFFICE.

The Comptroller will please furnish to the Senate information as follows: (Same to be under the appropriation act of 1907).

The names of all parties, clerks and employees upon the pay roll in his office and department, and that have been employed for the past two years, including parties employed as State Bank Examiner.

And will also, after the name of each person give a brief synopsis of the duties performed by each, and salary received by each.

2nd. Will also furnish the Senate the amount of perquisites coming into his office for the past two years, and which are not turned over to the State Treasurer under the law, if any such perquisites are received.

SECRETARY OF STATE.

Is commended for his full and complete report.

And will please furnish to the Senate the amount of perquisites coming into his office for past two years, if any, and which under the law is not turned over to the State Treasurer.

STATE TREASURER.

Will please furnish to the Senate the amount of perquisites coming into his office for past two years and for which he does not have to account to the State, under the law.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

Will please furnish to the Senate the names of all employees, clerk's, etc., on the pay roll in his office for past two years, ending June 30, 1909, with a brief synopsis of the duties performed by each. And will also furnish a statement of the expenditure of the \$4,000 appropriated for postage, printing and contingent expenses, appropriated in 1907.

And will also furnish to the Senate statement of amount of perquisites coming into his office for past two years, and which no account has to be made, under the law, to State Treasurer.

COMMISSIONER OF AGRICULTURE.

Will please furnish to the Senate the names of all clerks, employees and persons employed in his office and department, including the Prison Department and Land Department, for the past two years, and amount paid each. And will also give a brief synopsis of the service and duties performed by each.

Will also furnish to the Senate a statement of the expenditure of the \$6,200 appropriated in 1907 for printing, stamps, tags, etc., and for printing Quarterly Bulletin.

And will also furnish to the Senate a statement of the amount of perquisites coming into his office for past two years, if any, and for which no account has to be made, under the law, to State Treasurer.

STATE CHEMIST.

Will please furnish to the Senate the names of all persons, clerks and employees employed in his department,

including inspector of feeds, foods and drugs, and fertilizer.

And will also furnish to the Senate a statement of the expenditure of \$2,000 appropriated in 1907 for chemical apparatus and incidental expense.

And will also furnish to the Senate a statement of the amount of perquisites coming into his office for past two years, if any, and for which no account has to be made, under the law, to State Treasurer.

RAILROAD COMMISSIONERS.

Will please furnish to the Senate a statement of their expenditures under act of 1907, appropriating \$50,000 salaries and expense of Railroad Commissioners for two years, ending June 30, 1909.

Mr. Johnson moved to adopt the resolution.

Mr. Cone moved to amend the motion to adopt that the resolution be made a special order for consideration at 4 o'clock on Friday afternoon.

Which was not agreed to.

Mr. Harris moved as a substitute that the further consideration of this resolution be deferred to twelve o'clock today.

Which was withdrawn.

Mr. Cone offered the following amendment to the resolution:

Add at the end of the section referring to the Railroad Commission the following:

Also all persons who have been and are members of this branch of the Legislatures of 1907 and 1909, if any have been issued any free pass on any railroad operated or conducted in part or wholly in the State of Florida.

Mr. Beard offered the following amendment to the amendment offered by Mr. Cone:

Add to section referring to Railroad Commissioners, "shall furnish the names of,"

"The heads of departments or clerks therein who have had issued to them free passes on any railroad or other common carrier operated wholly or in part in this State."

Which was withdrawn.

Mr. Cone moved to adopt the amendment.

Which was not agreed to.

The question recurred upon the adoption of the Resolution.

Which was agreed to and the Resolution was adopted.

Mr. Harris offered the following Resolution—

Senate Resolution No. 39:

Resolved, That the Railroad Commission be and it is hereby instructed to furnish to the Senate a list showing all passes given by any railroad in this State to any head of department or any employee thereof, or any member of the Legislature during the years 1907, 1908 and 1909.

Mr. Harris moved the adoption of the Resolution.

Which was agreed to.

And Senate Resolution No. 39 was adopted.

Mr. Beard offered the following Resolution—

Senate Resolution No. 40:

Whereas, A Joint Committee was elected by the Legislature of 1907 to investigate the Internal Improvement Fund of the State of Florida and to report to this Legislature its findings; and

Whereas, Said Committee has made such report; and

Whereas, The report of said Committee shows that large sums of money belonging to said Fund were paid by the Trustees of said Fund in the years 1905, 1906, 1907 and 1908 for so-called legal services; and

Whereas, Said services for which such sums of money were paid were entirely inadequate to warrant the payment of such large sums of money; Therefore, be it

Resolved, By the Senate of the State of Florida, That a Committee of five lawyers, members of the Senate, be appointed by the President of the Senate to investigate and report to the Senate at as early a date as practicable, whether or not suit may be instituted against the Trustees, their bondsmen, and the person or persons to whom such money has been so paid, for the recovery of such sums of money.

Mr. Beard moved to adopt the Resolution.

Mr. Cone moved that the rules be waived and that Senate Bill No. 119 be recommitted to the Committee on Organized Labor.

Which was agreed to.

And Senate Bill No. 119 was so recommitted.

Mr. Cone moved that the rules be waived and that Senate Bill No. 186 be recommitted to the Committee on Judiciary B.

Which was agreed to.

And Senate Bill No. 186 was so recommitted.

The hour of eleven o'clock having arrived, the President announced the report of the Commission to investigate the Acts and Doings of the Board of Trustees of the Internal Improvement Fund was the Special Order for consideration before the Senate.

The Report of said Commission was taken up.

Mr. Flournoy moved that Senate Resolution No. 37 be again read.

Which was agreed to, and

Senate Resolution No. 37 was again read.

Mr. Flournoy raised the point of order that the discussion of the Senator from the 2nd District was not germane to the subject matter of the Resolution.

The President ruled that the point was not well taken.

Mr. Flournoy appealed from the decision of the Chair.

Upon the question—

Shall the ruling of the Chair be sustained?

The ruling of the Chair was sustained.

Mr. Henderson offered the following amendment to Senate Resolution No. 37.

Amend by adding the following:

“And that such report be made within ten (10) days.”

Which was withdrawn.

Mr. Johnson offered the following amendment to Senate Resolution No. 37:

At the end of said Resolution add the following:

“And that said Committee do report to the Senate their findings and recommendations on or before May 7th at 11 a. m., at which time said findings and recommendations together with the report of said Commission is set for consideration.”

Mr. Johnson moved the adoption of the amendment.

Which was agreed to.

Upon the question of the adoption of Resolution as amended,

It was agreed to.

Mr. Beard asked that Senate Resolution No. 40 be again read.

The Resolution was read.

Mr. Beard moved to adopt Senate Resolution No. 40.

Mr. Cone moved to amend the motion to adopt by making the Resolution a special order for 11 o'clock a. m., May 7, 1909.

Which was agreed to and so ordered.

Mr. Flournoy offered the following Senate Concurrent Resolution—

Senate Concurrent Resolution No. 11:

Whereas, The Capitol building is in need of repairs, and the lawns and grounds around said building should be improved and maintained in better state and condition. Now, therefore, be it

Resolved, By the Senate and House of Representatives concurring, That a Committee of five be appointed, two from the Senate and three from the House of Representatives, to concur with the proper department of State, to examine the Capitol building, and the grounds around the same, and to make recommendations to the Legislature of such improvement and repairs, and of the needed appropriation for the same, as to them may seem proper.

Mr. Flournoy moved that the rules be waived and that Senate Concurrent Resolution No. 11 be read the second time and put upon its passage.

Which was agreed to by a two-thirds vote, and The Resolution was read the second time.

The Resolution was adopted, and the same was ordered to be certified to the House of Representatives, under the rule.

CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 10:

Requesting the Postmaster General of the United States to order all mail for the city of Key West to be transmitted by way of Knight's Key.

Was taken up and read the second time.

Mr. Dayton offered the following amendment to Senate Resolution No. 10:

Provided this Resolution shall apply only to mail matter from States north of Jacksonville and east of Alabama.

Mr. Dayton moved to adopt the amendment.

Upon which the yeas and nays were called.

The roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Baker (29th District), Broome, Cone, Cottrell, Dayton, Flournoy, Humpries, Johnson, McMullen, Miller, Sloan, Williams, Withers—15.

Nays—Senators Adkins, Beard, Buckman, Crill, Cook, Harris, Henderson, Hosford, Leggett, Massey, McCreary, McLeod, Sams—12.

Mr. Hosford was excused from voting.

Mr. West was excused from voting.

So the amendment was agreed to.

Mr. Harris moved to indefinitely postpone Senate Concurrent Resolution No. 10 as amended.

Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Miller—

Senate Joint Resolution No. 277:

A Joint Resolution proposing an amendment to Section 2 of Article 4 of the Constitution of Florida, relating to Governor's succession in office.

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

By Mr. Williams—

Senate Bill No. 278:

A bill to be entitled an act to amend Section 1, Chapter 5433 of the General Statutes of the State of Florida, relating to the protection and preservation of fish in the State of Florida, and to prohibit the shipping of certain fish during certain months.

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

By Mr. Beard—

Senate Bill No. 279:

A bill to be entitled an act to provide for the admission of graduates of Law Departments of chartered universities and chartered law schools to practice law in the courts of Florida.

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

By Mr. Humphries—

Senate Bill No. 280:

A bill to be entitled an act to amend Sections 654 and 655 of the General Statutes of the State of Florida, relating to public printing.

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

By Mr. Williams—
Senate Bill No. 281:

A bill to be entitled an act for the protection and preservation of game birds and certain other birds and animals in Levy County, and to provide that all non-citizens of this State taking, hunting, or killing game in said county shall obtain a permit therefor, and to prohibit the sale in said county or the shipment or carrying therefrom of any deer, deer hides, otter pelts, or game.

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

By Mr. Sloan—
Senate Bill No. 282:

A bill to be entitled an act to prohibit the operating of phosphate mines or plants, saw-mills, novelty works, and all other manufacturing plants on the Sabbath day; and providing a penalty for violation of the provisions thereof.

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

By Mr. Cone—
Senate Bill No. 283:

A bill to be entitled an act to provide for stay of execution of sentence to fine in Justice of the Peace Courts and County Judge's Courts.

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

By Mr. Baker, of 29th District—
Senate Bill No. 284:

A bill to be entitled an act in relation to the larceny of domestic, imported or game fowls, providing a penalty therefor, and that all larceny of the same in the night time shall be deemed grand larceny.

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

By Mr. Cook—
Senate Bill No. 285:

A bill to be entitled an act creating the office of Chief of the Fire Department in certain cases, and defining his duties.

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

By Mr. Cook—

Senate Bill No. 286:

A bill to be entitled an act to a Joint Resolution, proposing a revision of the Constitution of the State of Florida.

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

By Mr. Cook—

Senate Bill No. 287:

A bill to be entitled an act to change the name of the village of Sumatra, in Jackson County, from Sumatra to Alford.

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

By Mr. Cook—

Senate Bill No 288:

A bill to be entitled an act to prevent the manufacture, sale or use of automatic shotguns in the State of Florida, and providing a penalty for the violation thereof.

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

By Mr. Crill—

Senate Joint Resolution No. 289:

A Joint Resolution proposing an amendment to Article 3 of the Constitution of the State of Florida, relating to the Legislative department.

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

By Mr. Baker, 20th District—

Senate Bill No. 290:

A bill to be entitled an act to amend Section 1940 of the General Statutes of the State of Florida, relating to locality of action in a suit for the partition of land.

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

By Mr. Sams—

Senate Bill No. 291:

A bill to be entitled an act to regulate the killing of

wild ducks in the State of Florida, and to prevent the shipment thereof.

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

By Mr. West—

Senate Bill No. 292:

A bill to be entitled an act relating to payments to the State by corporations doing business in Florida other than banking, insurance, surety and public utility corporations.

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

By Mr. Hudson—

Senate Bill No. 293:

A bill to be entitled an act to regulate child labor in the State of Florida, and to make the provisions of such act effective; creating the office of State Labor Inspector, and defining duties and compensation of such officer.

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

By Mr. Hudson—

Senate Bill No. 294:

A bill to be entitled an act requiring all persons, firms or corporations buying seed or lint cotton to keep a record in writing, containing the names of persons, firms or corporations from whom seed or lint cotton is purchased, and making such record subject to inspection of any person, firm or corporation, and prescribing a penalty for violating any of the provisions of this act.

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

By Mr. Hudson—

Senate Bill No. 295:

A bill to be entitled an act authorizing the change, by municipal ordinance, approved by the electors of cities and towns, of the numbers, powers and duties, terms of office and time and manner of election or appointment of municipal officers, excepting only as to the Legislative powers and duties of city or town councils.

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

Mr. Beard moved that the Senate do now adjourn to ten o'clock tomorrow morning.

Which was not agreed to.

Mr. Broome moved to adjourn to 4 o'clock this afternoon.

Which was withdrawn.

Mr. Henderson moved that the Senate take a recess to three o'clock this afternoon.

Which was agreed to.

Thereupon the Senate took a recess to three o'clock this afternoon.

AFTERNOON SESSION.

Senate met at 3 o'clock p. m., pursuant to recess.

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, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Harris, Henderson, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams.—
27.

A quorum present.

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 11:

Proposing that the several standing committees of the House meet with the several corresponding committees of the Senate on all important matters referred to such committees.

Was taken up and read the second time.

Mr. Buckman moved to indefinitely postpone House Concurrent Resolution No. 11.

Which was agreed to.

And the same was ordered to be certified to the House of Representatives.

Mr. Dayton moved that the Senate go into Executive Session.

Which was not agreed to.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 27, 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. 376:

A bill to be entitled an act to legalize the election held on the 20th day of April, A. D. 1909, in the city of Bartow, to determine whether or not bond should be issued and sold as proposed and provided by an ordinance of said city entitled "An ordinance to provide for the issuing of bonds of the city of Bartow, Polk county, Florida, for the purpose of securing funds for the establishment of a sewerage system in said city," which was passed in open Council by the City Council of the city of Bartow, on the 12th day of February, A. D. 1909, and approved by the Mayor of said city on the 12th day of February, A. D. 1909, and to declare and render valid said ordinance and to authorize the issuance of bond as provided in said ordinance.

Also—

House Bill No. 377:

A bill to be entitled an act to incorporate the City of Bartow and to abolish the present incorporation of said city.

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

Mr. Sloan moved that the rules be waived and that the bill be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 376 was read the second time by its title.

Mr. Sloan moved to waive the rules and that House Bill No. 376 be read the third time and put upon its passage.

Which was agreed to by a two-thirds vote.

House Bill No. 376.

A bill to be entitled an act to legalize the election held on the 20th day of April, A. D. 1909, in the city of Bartow, to determine whether or not bond should be issued and sold as proposed and provided by an ordinance of said city entitled "An ordinance to provide for the issuing of bonds of the city of Bartow, Polk county, Florida, for the purpose of securing funds for the establishment of a sewerage system in said city," which was passed in open council by the City Council of the city of Bartow, on the 12th day of February, A. D. 1909, and approved by the Mayor of said city on the 12th day of February, A. D. 1909, and to declare and render valid said ordinance and to authorize the issuance of bond as provided in said ordinance.

Was read the third time in full.

Upon the passage of House Bill No. 376 the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Broome, Buckman, Crill, Cook, Cone, Cottrell, Girardeau, Harris, Henderson, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sloan, West, Williams, Withers—24.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rules.

And House Bill No. 377, contained in the above message was read the first time by its title.

Mr. Sloan moved that the rules be waived and that House Bill No. 377 be read the second time by its title only.

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

House Bill No. 377 was read the second time by its title.

Mr. Sloan moved that the rules be waived and that House Bill No. 377 be read the third time and put upon its passage.

Which was agreed to by a two-thirds vote, and

House Bill No. 377:

A bill to be entitled an act to incorporate the City of Bartow and to abolish the present incorporation of said city.

Was read the third time in full.

Upon the passage of House Bill No. 377, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Broome, Buckman, Cone, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sloan, West, Williams, Withers.
—25.

Nays—None.

So the bill passed, title as stated.

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

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

House of Representatives,
Tallahassee, Fla., April 27, 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 Memorial No. 10:

A memorial to the Congress of the United States in regard to the presentation and restoration of the old Spanish fort, located near Matanzas Inlet, St. Johns county, Florida.

Also—

House Memorial No. 11:

A memorial to the Congress of the United States in regard to legislation exempting the State of Florida from the stone and timber act of the homestead laws of the United States.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And House Memorial No. 10 contained in the above message was read the first time, and was laid over under the rule.

And House Memorial No. 11 contained in the above message was read the first time, and was laid over under the rule.

Also the following message was read :

House of Representatives,
Tallahassee, Fla., April 27, 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. 16:

A bill to be entitled an act to amend Section 2169, General Statutes of the State of Florida, relating to appeals in cases of forcible entry and unlawful detainer.

Also—

House Bill No. 124:

A bill to be entitled an act empowering the county of Orange to call and have an election in certain election precincts thereof, and prescribing the conditions under which swine shall be impounded in those groups of precincts which vote to prohibit same from running at large within the limits of such groups of precincts.

Also—

House Bill No. 165:

A bill to be entitled an act to permit the registered voters of County Commissioners' District No. 4, of Lake county, Florida, to decide whether hogs shall be allowed to run at large in said district.

Also—

House Bill No. 356:

A bill to be entitled an act to revise and amend an act entitled "An act to authorize the County Commissioners of the county of Nassau, and the city or town councils to designate certain public roads and streets as requiring special improvement; provide a method of designation, and to provide means for carrying on such improvements," approved June 1, 1905; and to authorize the Board of County Commissioners of Nassau county in manner and in case provided, to designate a certain public road for

either special improvement and extension or from special improvement, and to provide the means for carrying out the purpose expressed, by special tax on the property subject to taxation within the certain Commissioners' districts mentioned in the petition in either such case; and to provide the method by which said special tax shall be levied and expended; and authorizing said Board in certain cases and in manner provided; to issue interest bearing certificates for anticipating annual assessments of said special tax; to regulate the issue and disposition of such certificates, and provide for the redemption of the same, and in certain case to render the county liable therefor; and authorizing said Board in certain case to appoint Special Road Commissioners and to prescribe their duties and time of service, and authorizing said Board to build, construct, maintain and operate a county bridge over Nassau River or over Nassau Sound, between Nassau and Duval counties, and to establish and collect tolls for passage over the same.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And—

House Bill No. 16 was read the first time by its title and referred to the Committee on Judiciary B.

And—

House Bill No. 124 was read the first time by its title and referred to the Committee on County Organization.

And House Bill No. 165 was read the first time by its title.

Mr. Withers moved that the rules be waived and that House Bill No. 165 be read a second time.

Which was agreed to by a two-thirds vote.

And House Bill No. 165 was read a second time in full.

Mr. Withers offered the following amendment to House Bill No. 165:

At the first of the title insert the following: "A bill to be entitled an act."

Mr. Withers moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Mr. Withers moved that the rules be further waived and that House Bill No. 165 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 165:

A bill to be entitled an act to permit the registered voters of County Commissioners' District No. 4, of Lake county, Florida, to decide whether hogs shall be allowed to run at large in said district.

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 Adkins, Baker (20th Dist.), Baker (29th Dist.), Broome, Buckman, Crill, Cook, Cottrell, Davis, Dayton, Girardeau, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—26.

Nays—None.

So the bill passed, title as amended.

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

And House Bill No. 356 was read the first time by its title.

Mr. Davis moved that the rules be waived and that House Bill No. 356 be read a second time.

Which was agreed to by a two-thirds vote.

And House Bill No. 356 was read a second time in full.

Mr. Davis moved that the rules be further waived and that House Bill No. 356 be read a third time and put upon its passage, which was agreed to by a two-thirds vote, and

House Bill No. 356:

A bill to be entitled an act to revise and amend an act entitled "An act to authorize the County Commissioners of the county of Nassau, and the city or town councils to designate certain public roads and streets as requiring special improvement; provide a method of designation, and to provide means for carrying on such improvements," approved June 1, 1905; and to authorize the Board of County Commissioners of Nassau county in manner and in case provided, to designate a certain public road for either special improvement and extension or from special improvement, and to provide the means for carrying out the purpose expressed, by special tax on the property subject to taxation within the certain Commissioners'

districts mentioned in the petition in either such case; and to provide the method by which said special tax shall be levied and expended; and authorizing said Board in certain cases and in manner provided; to issue interest bearing certificates for anticipating annual assessments of said special tax; to regulate the issue and disposition of such certificates, and provide for the redemption of the same, and in certain case to render the county liable therefor; and authorizing said Board in certain case to appoint Special Road Commissioners and to prescribe their duties and time of service, and authorizing said Board to build, construct, maintain and operate a county bridge over Nassau River or over Nassau Sound, between Nassau and Duval counties, and to establish and collect tolls for passage over the same.

Was read the third time in full.

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

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers.—26.

So the bill passed, the title as stated.

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

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

House of Representatives,
Tallahassee, Fla., April 27, 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 Concurrent Resolution No. 13:

Be it Resolved by the House of Representatives, the Senate concurring, That a committee composed, two on the part of the House and one on the part of the Senate, be appointed to visit and inspect and report on the needs and conditions of the State Reform School, located at Marianna, Florida.

Also—

House Concurrent Resolution No. 14:

A resolution providing that the Orange Blossom be chosen and designated as the State Flower in and for the State of Florida.

Also—

House Concurrent Resolution No. 15:

Whereas. The New York Educational Board have now an agent in this State to labor among our farmers in establishing farmers' co-operative demonstration work; and

Whereas, We believe such work will be of great benefit to our people; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we express our sincere appreciation of the efforts put forth by the New York Educational Board to advance our agricultural interest.

Resolved further, That the Secretary of the State forward a copy of this resolution to the Honorable George W. Peabody, of New York, chairman of the New York Educational Board.

Also—

House Concurrent Resolution No. 16:

Be it Resolved by the House of Representatives, the Senate concurring, That a committee composed, two on the part of the House and one on the part of the Senate, be appointed to inspect and report on the condition of the Capitol Building, located at Tallahassee, Florida.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM.

Chief Clerk of the House of Representatives.

House Concurrent Resolution No. 13 was read the first time and laid over under the rule.

House Concurrent Resolution No. 14 was read the first time and laid over under the rule.

House Concurrent Resolution No. 15 was read the first time and laid over under the rule.

House Concurrent Resolution No. 16 was read the first time and laid over under the rule.

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

House of Representatives,
Tallahassee, Fla., April 27, 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. 60:

A bill to be entitled an act to legalize the election held in the town of Sarasota, on the first day of December, A. D. 1908, to determine by an affirmative vote of a majority of the qualified voters of the said town, who were the freeholders of said town at the time of voting and for at least six months prior thereto, whether or not bonds proposed by an ordinance entitled "An ordinance to provide for the holding of an election in and by the Town of Sarasota, Florida, submitting to the duly qualified voters of said town the question of issuing bonds for the purpose of constructing and maintaining a system of sewerage in and for the purpose of paving the streets of said town, and for the expenditure of the funds arising from the sale of said bonds," passed by the Town Council of said town, on the 13th day of October, A. D. 1908, and approved by the Mayor of said town on the 14th day of October, A. D. 1908, should be authorized and issued, and to declare and render valid and legal the ordinance, and to authorize the issue of bonds as provided by said ordinance, and to declare valid and binding all bonds which have been or may be issued under the terms of said ordinance, and to validate and confirm the election of Bond Trustees under said ordinance.

Also—

Senate Bill No. 61:

A bill to be entitled an act to legalize and validate all contracts heretofore made by the City of Bradentown, Fla., as well as all ordinances, resolutions and acts relating to paving the streets of, and building sidewalks in said city, curing all irregularities in the execution of the work and declaring all assessments made or to be made against abutting property, valid and binding liens.

Also—

Senate Bill No. 12:

A bill to be entitled an act to authorize the City of

Pensacola to permit the Pensacola Hotel Company to occupy and use a portion of certain streets in said city.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 60 was referred to the Committee on Enrolled Bills.

And Senate Bill No. 61 was referred to the Committee on Enrolled Bills.

And Senate Bill No. 12 was referred to the Committee on Enrolled Bills.

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

House of Representatives,
Tallahassee, Fla., April 23, 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, by a three-fifth vote, in accordance with the Constitution, all members of the House of Representatives adopted—

Senate Joint Resolution No. 68:

Proposing an amendment to Article XIX of the Constitution of the State of Florida, relating 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.

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

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

With the following amendment:

Strike out the words "or other disposal" as same appears in Section 1 of said resolution, and insert in lieu thereof the following: "Barter or exchange."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Joint Resolution No. 68 was read as follows—

Senate Joint Resolution No. 68:

Proposing an amendment to Article XIX of the Constitution of the State of Florida, relating 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."

The following amendment to Senate Joint Resolution No. 68, adopted by the House of Representatives, contained in the above message, was read as follows:

Strike out the words "or other disposal," as same appear in Section 1 of said resolution, and insert in lieu thereof the following: "Barter or exchange."

Mr. McMullen moved that the Senate do concur in the amendment of the House of Representatives to Senate Joint Resolution No. 68.

Upon which the yeas and nays were demanded.

The roll was called and the following was the vote:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Broome, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sloan, West, Williams, Withers.—26.

Nays—Senators Buckman, Harris, Sams.—3.

So the Senate concurred in the amendment of the House of Representatives to Senate Joint Resolution No. 68.

And the concurrence of the Senate thereto was ordered to be certified to the House of Representatives under the rule.

Senate Joint Resolution No. 68, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

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

House of Representatives,
Tallahassee, Fla., April 28, 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 adopted:

House Concurrent Resolution No. 12:

A resolution commendatory of the lecture of Hon. A. O. Wright, a veteran of the Confederate States Navy; subject of lecture, "The Confederate Navy."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And House Concurrent Resolution No. 12 was laid over under the rule.

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

House of Representatives,
Tallahassee, Fla., April 28, 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 adopted.

Senate Concurrent Resolution No. 2:

Asking that a committee be appointed to visit and inspect and to inquire into the needs of the Confederate Veterans' Home at Jacksonville, Fla., in pursuance with the recommendation of the Governor in his message.

Be it Resolved by the Senate, the House of Representatives concurring, That a committee composed of two from the Senate and three from the House be appointed to visit the Confederate Home at Jacksonville, Fla., and to examine into the conditions of said Home, with a view of determining the amount of money necessary to be appropriated to make the same comfortable.

Also—

Senate Concurrent Resolution No. 6:

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

Very respectfully,

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

And Senate Concurrent Resolutions Nos. 2 and 6 were referred to the Committee on Enrolled Bills.

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

House of Representatives,
Tallahassee, Fla., April 28, 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. 112:

A bill to be entitled an act for the relief of R. K. Elliott.

Also—

House Bill No. 350 :

A bill to be entitled an act to prohibit the catching of fish in the lakes and streams of Polk county, State of Florida, with any seine, net, trap or set device, or by shooting or gigging, or otherwise than with a hook and line, and to prohibit the transporting or receiving for transportation of such fish within the limits of said Polk county, State of Florida, and to prohibit the selling or offering for sale, shipping, or offering for shipment, or transportation within said county of any fish taken from such lakes or streams otherwise than with a hook and line, and prescribing a penalty for the violation thereof.

Also—

House Bill No. 388 :

A bill to be entitled an act to legalize the election held in the city of Wauchula on the 2nd day of November, A. D. 1907, to determine by an affirmative vote a majority of the qualified electors of said city who were resident owners of real estate within the corporate limits of said city, whether or not the bonds proposed by an ordinance entitled "An ordinance to submit to the qualified registered voters of the city of Wauchula the question of issuing bonds, and to provide for the issuance of such bonds." Said ordinance being No. 12, passed by the City Council of said city on the 2nd day of October, 1907, should be authorized and issued, and to declare and render valid and legal said election and notice thereof and the result as shown by the returns thereof, and to declare and render legal and valid said ordinance, and to authorize the issue of bonds as provided by said ordinance, and to declare valid and binding all bonds which have or may be issued under the terms of said ordinance.

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. 112 was read the first time by its title and referred to the Committee on Claims.

And House Bill No. 350 was read the first time by its title and referred to the Committee on Game and Fisheries.

And House Bill No. 388 was read the first time by its title.

Mr. Humphries moved that the rules be waived and that House Bill No. 388 be read a second time.

Which was agreed to by a two-thirds vote.

And House Bill No. 388 was read a second time in full.

Mr. Humphries moved that the rules be further waived, and that House Bill No. 388 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 388:

A bill to be entitled an act to legalize the election held in the city of Wauchula on the 2d day of November, A. D. 1907, to determine by an affirmative vote a majority of the qualified electors of said city who were resident owners of real estate within the corporate limits of said city, whether or not the bonds proposed by an ordinance entitled "An ordinance to submit to the qualified registered voters of the city of Wauchula the question of issuing bonds, and to provide for the issuance of such bonds." Said ordinance being No. 12, passed by the City Council of said city on the 2nd day of October, 1907, should be authorized and issued, and to declare and render valid and legal said election and notice thereof and the result as shown by the returns thereof, and to declare and render legal and valid said ordinance, and to authorize the issue of bonds as provided by said ordinance, and to declare valid and binding all bonds which have or may be issued under the terms of said ordinance.

Was read the third time in full.

Upon the passage of House Bill No. 388 the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Girardeau, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—28.

Nays—None.

So the bill passed, title as stated.

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

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

House of Representatives,
Tallahassee, Fla., April 28, 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. 389:

A bill to be entitled an act to abolish the present municipal government of the town of Carrabelle, in the county of Franklin, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as Carrabelle, and to define its territorial boundary and to provide for its jurisdiction, powers and privileges.

Also—

House Bill No. 390:

A bill to be entitled an act to enlarge the powers, authority and privileges of the municipality of the town of Plant City Florida.

Also—

House Bill No. 391:

A bill to be entitled an act to permit the registered voters of election district No. Nineteen, of Marion county, Florida, to decide whether hogs shall be allowed to run at large in said district.

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. 389 was read the first time by its title.

Mr. Hosford moved that the rules be waived and that House Bill No. 389 be read a second time.

Which was agreed to by a two-thirds vote.

And House Bill No. 389 was read a second time in full.

Mr. Hosford moved that the rules be further waived, and that House Bill No. 389 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 389:

A bill to be entitled an act to abolish the present municipal government of the town of Carrabelle, in the county of Franklin, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as Carrabelle, and to define its territorial boundary and to provide for its jurisdiction, powers and privileges.

Was read the third time in full:

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

Yeas—Mr. President, Messrs. Adkins, Baker (20th District), Baker (29th District), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Girardeau, Henderson, Hosford, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—27.

Nays—None.

So the bill passed, title as stated.

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

And House Bill No. 390 was read the first time by its title.

Mr. McMullen moved that the rules be waived and that House Bill No. 390 be read a second time.

Which was agreed to by a two-thirds vote.

And House Bill No. 390 was read a second time in full.

Mr. McMullen moved that the rules be further waived and that House Bill No. 390 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

House Bill No. 390:

A bill to be entitled an act to enlarge the powers, authority and privileges of the municipality of the town of Plant City, Fla.

Was read the third time in full.

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

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McLeod, McMullen, Miller Sams, Sloan, West, Williams, Withers.—28.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified to the House of Representatives under the rule.

And House Bill No. 391 was read the first time by its title.

Mr. Baker (20th) moved that the rules be waived and that House Bill No. 391 be read a second time.

Which was agreed to by a two-thirds vote.

And House Bill No. 391 was read a second time in full.

Mr. Baker (20th) moved that the rules be further waived, and that House Bill No. 391 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 391:

A bill to be entitled an act to permit the registered voters of election district No. Nineteen, of Marion county, Florida, to decide whether hogs shall be allowed to run at large in said district.

Was read the third time in full.

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

Yeas—Mr. President, Senators Adkins, Baker (20th District), Baker (29th District), Beard, Broome, Buckman, Cook, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McMullen, Miller, Sloan, West, Williams, Withers—24.

So the bill passed, title as stated.

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

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 29, 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. 275:

A bill to be entitled an act to abolish the present municipal government of the town of Jennings, in the

county of Hamilton, and the State of Florida, and to establish, organize and constitute a municipality to be known and designated as the town of Jennings, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 275 contained in the above message was referred to the Committee on Enrolled Bills.

BILLS ON SECOND READING.

Senate Bill No. 153:

A bill to be entitled an act to protect landlords against injury and ruin of their property by tenants.

Was taken up.

Mr. Cone, Chairman of the Committee on Judiciary, as required by the rule, moved to indefinitely postpone the bill.

Which was agreed to, and Senate Bill No. 153 was indefinitely postponed.

Senate Bill No. 136:

A bill to be entitled an act in relation to the entry of judgments and decrees on supersedeas and appeal bonds against principals and sureties, and the issuance of execution therein.

Was taken up and read the second time in full.

There being no amendment offered to Senate Bill No. 136, was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 143:

A bill to be entitled an act fixing the salary of the Attorney General.

Was taken up and read the second time in full.

Mr. Broome moved to indefinitely postpone Senate Bill No. 143.

Upon which the yeas and nays were called for.

Upon call of the roll the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th

Dist.), Baker (29th Dist.), Broome, Cottrell, Davis, Girardeau, Henderson, Hosford, Humphries, Johnson, McCreary, McLeod, McMullen, Miller, West, Williams, Withers.—19.

Nays—Senators Beard, Buckman, Crill, Cook, Cone, Dayton, Harris, Leggett, Sams, Sloan—10.

So the bill was indefinitely postponed.

Senate Bill No. 95 :

A bill to be entitled an act to amend Section 3148 of the General Statutes of the State of Florida relating to liabilities of railroad companies.

Was taken up and read the second time.

The substitute offered by the Committee on Judiciary B to Senate Bill No. 95.

Was taken up and read.

Mr. Cone moved that the committee substitute for Senate Bill No. 95 be adopted.

Which was agreed to.

Mr. Buckman moved that the committee substitute for Senate Bill No. 95 be made a special order for eleven o'clock a. m. on Tuesday next.

Which was agreed to, and it was so ordered.

Mr. McMullen moved that the Senate do now go into Executive Session.

Which was agreed to.

The doors were closed at 4:55 o'clock.

The doors were opened at 6:40 o'clock and the Senate resumed its session.

The President in the chair.

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

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Girardeau, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—28.

A quorum present.

Mr. Beard moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock A. M. Friday, April 30, 1909.