

**TUESDAY, MAY 4, 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 Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cottrell, Davis, Dayton, Harris, Henderson, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—27.

A quorum was present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of May 3 was dispensed with.

The Journal of May 3 was corrected.

The Journal of May 3 was approved as corrected.

Mr. Johnson moved that the vote by which the Senate refused to indefinitely postpone Senate Bill No. 315 be reconsidered.

Which motion went over, under the rule.

#### REPORTS OF COMMITTEES.

Mr. McLeod, Chairman of the Committee on Privileges and Elections, submitted the following report.

Senate Chamber,  
Tallahassee, Fla., May 4, 1909.

*Hon. F. M. Hudson,*

*President of the Senate.*

*Sir:*

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

Senate Bill No. 83:

A bill to be entitled an act to amend Section 170 of the General Statutes of the State of Florida, prescribing the qualifications of voters in this State, and the manner

in which poll taxes shall be paid to qualify a voter, and prescribing a penalty for the violation thereof, and abolishing the present registration, and providing for new registration.

Have had the same under consideration and recommend that the Committee Substitute therefor with same title do pass.

Very respectfully,

W. H. H. McLEOD,  
Chairman of Committee.

And Senate Bill No. 83, with Committee Substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Fla., May 4, 1909.

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

*Sir:*

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

House Bill No. 28:

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. 165:

An act to permit the registered voters of County Commissioner's 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. 377:

An act to incorporate the City of Bartow, and to abolish the present incorporation of said city.

Also—

House Bill No. 391:

An act to permit the registered voters of Election District No. 19, of Marion county, Florida, to decide whether hogs shall be allowed to run at large in said district.

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,

Chairman of Joint Committee.

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

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

Senate Chamber,  
Tallahassee, Fla., May 4, 1909.

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

Sir:

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

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An act to incorporate the City of Bartow, and to abolish the present incorporation of said city.

Also—

House Bill No. 391:

A act to permit the registered voters of Election District No. 19, of Marion county, Florida, to decide whether hogs shall be allowed to run at large in said district.

Beget to report that the same have been duly signed by the Speaker and Chief Clerk of the House of Representa-

tives, and are herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. L. LEGGETT,

Chairman of Joint Committee.

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

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Tallahassee, Fla., May 4, 1909.

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

Very respectfully,

C. L. LEGGETT,

Chairman of Joint Committee.

## ENROLLED.

The President announced that he was about to sign—  
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Also—

House Bill No. 391:

An act to permit the registered voters of Election District No. 19, of Marion County, Florida, to decide whether hogs shall be allowed to run at large in said district.

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., May 4, 1909.

*Hon. F. M. Hudson,*

*President of the Senate.*

*Sir:*

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

House Memorial No. 10:

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

Also—

House Concurrent Resolution 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.

Also—

House Concurrent Resolution No. 14:

That the orange blossom be, and the same is hereby chosen and designated as the State Flower in and for the State of Florida.

Also—

House Concurrent Resolution No. 15:

That we express our sincere appreciation of the effort put forth by the New York Educational Board to advance our agricultural interests.

Also—

House Concurrent Resolution No. 16:

That a committee composed of 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.

Also—

House Concurrent Resolution No. 13:

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 condition of the State Reform School, located at Marianna, Florida.

Also—

House Concurrent Resolution No. 12:

That we express our sincere appreciation of the efforts put forth by Hon. A. O. Wright, a veteran of the Confederate States Navy, Commander of the Confederate Naval Veterans, and a citizen of the State of Florida, in delivering an illustrated lecture on the Confederate Navy for the two-fold purpose of correcting the errors of current history relating to that service and to raise funds to defray the expense of publishing the gallant records made by said navy.

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,  
Chairman of Joint Committee.

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

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

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

Very respectfully,

C. L. LEGGETT,

Chairman of Joint Committee.

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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 Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 4, 1909.

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

*Sir:*

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

House Memorial No. 10:

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

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House Concurrent Resolution No. 11.

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Also—

House Concurrent Resolution No. 12:

That we express our sincere appreciation of the effort put forth by Hon. A. O. Wright, a veteran of the Confederate States Navy, Commander of the Confederate Naval Veterans, and a citizen of the State of Florida, delivering an illustrated lecture on the Confederate Navy for the two-fold purpose of correcting the errors of current history relating to that service and to raise funds to defray the expense of publishing the gallant records made by said navy.

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

Senate Chamber,  
Tallahassee, Fla., May 4, 1909.

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

*Sir:*

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 108:

A bill to be entitled an act to amend Sections Two, Seven, Ten, Eleven, Twelve and Fourteen 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 thereof, providing for the inspection and analysis of the articles described by the Florida State Department of Agriculture, 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 repeal all laws or parts of laws in conflict with this act, approved June 3, 1907.

Also—

Senate Bill No. 76:

A bill to be entitled an act to provide for service by publication upon non-resident parties in interest in property involved in suits for specific performance of contracts to convey and for decrees and other proceedings after such service.

Also—

Senate Bill No. 148:

A bill to be entitled an act to amend an act entitled "an act to prescribe and regulate the procedure for the admission of attorneys to practice law in the courts of Florida," approved May 27, 1907.

Beg leave to report, that having carefully examined said bills, return them herewith correctly engrossed.

Very respectfully,

JAMES E. BROOME,  
Chairman of Committee.

Mr. W. E. Baker, Chairman of the Committee on County Organization, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1909.

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

*Sir:*

Your Committee on County Organization to whom was referred—

House Bill No. 410:

A bill to be entitled an act to provide for the erection of sign posts with sign boards thereon at all important forks and crossings of public roads in Lake County, Florida, and mile posts along said roads by the County Commissioners of said county, and to prescribe penalties for failure so to do by Commissioners of said county, and also providing penalties, defacing, altering, or otherwise injuring the same.

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

Very respectfully,

W. E. BAKER,  
Chairman of Committee.

And House Bill No. 410, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. W. E. Baker, Chairman of the Committee on County Organization, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1909.

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

*Sir:*

Your Committee on County Organization, to whom was referred—

House Bill No. 405:

A bill to be entitled an act making it unlawful for any person owning hogs to permit them to run at large on Merritt's Island, in Brevard County, Florida, and providing a penalty for the violation of this act.

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

Very respectfully,

W. E. BAKER,  
Chairman of Committee.

And House Bill No. 405, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. W. E. Baker, Chairman of the Committee on County Organization, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1909.

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

*Sir:*

Your Committee on County Organization to whom was referred—

House Bill No. 412:

A bill to be entitled an Act to permit the registered voters of Election District No. 8, of Marion County, Florida, to decide whether hogs shall be allowed to run at large in said district.

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

Very respectfully,

W. E. BAKER,  
Chairman of Committee.

And House Bill No. 412, contained in the above report, was placed on the Calendar of Bill on Second Reading.

Mr. W. E. Baker, Chairman of the Committee on County Organization, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1909.

*Hon. F. M. Hudson,*

*President of the Senate.*

*Sir:*

Your Committee on County Organization, to whom was referred—

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 said groups of precincts.

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

Very respectfully,

W. E. BAKER,  
Chairman of Committee.

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

#### INTRODUCTION OF RESOLUTIONS.

Mr. Humphries offered the following Resolution—

Senate Resolution No. 42:

Whereas, Section 4 of Chapter 5598 of the Acts of 1907, requires that all moneys expended under the head of "Contingent Expenses" should be accounted for to the next Legislature in an itemized statement from each official having charge of any such contingent fund, and

Whereas, Such reports have not been made to this Legislature, therefore,

*Be it Resolved by the Senate of the State of Florida :*

That each of the State officers, who have made expenditures under the head of "Contingent Expenses," out of the appropriation made in 1907, be and they are hereby requested to make an itemized report, giving names, dates, amounts and purposes, separate and apart from any other report required by any other resolution adopted by the Senate. Said report being required by Section 4 of Chapter 5598 of the Acts of 1907.

Mr. Humphries moved to adopt the Resolution.

Mr. Johnson, of the 17th, offered the following amendment to Senate Resolution No. 42:

Add at end of Resolution the following: That said report be furnished by May 12th.

Mr. Johnson moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Mr. Humphries moved to adopt the Resolution as amended.

Which was agreed to and the Resolution as amended was adopted.

Mr. Withers offered the following memorial to Congress, asking for an appropriation for the improvement of the upper Ocklawaha River:

Memorial No. 2 was read the first time.

Went over under the rule.

Mr. Dayton was excused from the morning session.

#### INTRODUCTION OF BILLS.

By Mr. Cone, by request—

Senate Bill No. 326:

A bill to be entitled an Act to regulate the manufacture and sale of duplicate switch lock keys.

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

By Mr. West—

Senate Bill No. 327:

A bill to be entitled an act relating to assessments of property for purposes of taxation.

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

By Mr. Adkins—

Senat Bill No. 328:

A bill to be entitled an act for the relief of C. C. Odum, of Providence, Bradford County, Florida, for the loss of one mule ordered killed by Thomas J. Mahaffy, Veter-narian to State Board of Health.

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

By Mr. Dayton—

Senate Bill No. 329:

A bill to be entitled an act requiring the judges of the several courts of the State of Florida to state in writing, on ruling on a demurrer or motion, what grounds of the demurrer or motion are sustained as good law, and what grounds of the demurrer or motion are overruled as bad law.

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

By Mr. Broome—

Senate Bill No. 330:

A bill to be entitled an act relating to the liability of railroad companies having a Relief Department, to its employees

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

By Mr. Adkins—

Senate Bill No. 331:

A bill to be entitled an act relative to the tax upon Life Insurance Companies and providing for the enforcement thereof.

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

By Mr. Cook—

Senate Bill No. 332:

A bill to be entitled an act to repeal Chapter 5863 of the Laws of Florida, entitled "an act to incorporate the town of Vernon, in Washington County, Florida, and provide for the election of its municipal officers," approved May 21, 1907.

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

By Mr. Cook—

Senate Bill No. 333:

A bill to be entitled an act to insure the arrest of persons charged with unlawful homicide, and providing for the payment of a reward for the arrest of such persons.

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

By Mr. Hosford—

Senate Bill No. 334:

A bill to be entitled an act to establish a State Forest Commission and to promote conservation of forest resources of the State.

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

By Mr. Sams—

Senate Bill No. 335:

A bill to be entitled an act to amend Sections 666, 669, 670, 671, 672, 673, 674, 675, 678, 679, 680, 683, 684, 686, 687, 688, 689, 690, 692, 693, 695, 699, 700, 703, 704, 707, 708, 713, 720, 721, 722, 723, 724, 725, 726, 729, 731, 732, 736, 737, 743, 745 and 748 of the General Statutes of the State of Florida.

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

By Mr. Sams—

Senate Bill No. 336:

A bill to be entitled an Act to make it unlawful for any person or persons hereafter to own, hold or have in their possession any seine, gill net, stop net, fish trap, fish basket or other device used for fishing in any territory within this State where the use of the seine is prohibited by law.

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

By Mr. Buckman—

Senate Bill No. 337:

A bill to be entitled an act to punish false statement in receipts of warehousemen, wharfingers, timber and lumber inspectors and other bailers of like character, and for not keeping on hand a sufficient quantity of goods of proper character, quality and grade to cover and answer such outstanding receipts.

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

By Mr. Buckman—

Senate Bill No. 338:

A bill to be entitled an act concerning and validating powers of attorney made by foreign and domestic corporations and deeds made thereunder and the records thereof.

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

By Mr. McMullen—

Senate Bill No. 339:

A bill to be entitled an act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems, and providing penalties for the violation thereof.

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

By Mr. Buckman—

Senate Bill No. 340:

A bill to be entitled an act to prevent the unauthorized taking and use of automobiles and other vehicles and to provide a punishment therefor.

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

By Mr. Williams—

Senate Bill No. 341:

A bill to be entitled an act to prohibit the sale, barter or exchange for trade of spiritous, vinous, malt or other intoxicating liquors, drinks or beverages by whatsoever name called, between the hours of six o'clock in the evening and six o'clock in the morning.

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

### CONSIDERATION OF RESOLUTIONS.

#### House Memorial No. 1:

A memorial to the Congress of the United States requesting an appropriation for the purpose of working the public roads in the State of Florida:

Whereas, The increase of population is largely in proportion to the development of our commercial and agricultural resources, and

Whereas, The improvement of our public highways would be a powerful factor in the development of these resources; Therefore be it

Resolved, By the Legislature of the State of Florida, That our Senators and Representatives in the Congress of the United States be requested to use every honorable means to procure an appropriation of one million dollars for the purpose of improving our public highways, and be it further

Resolved, That the Secretary of State be directed to furnish each of our Senators and Representatives in Congress a copy of this memorial under the great Seal of the State.

Was read the second time.

Upon the question of the adoption of the Memorial it was not agreed to.

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

### MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida,  
Executive Chamber,  
Tallahassee, May 4, 1909.

*Gentlemen of the Legislature:*

I herewith enclose to you for your consideration copies of a communication received by me from Honorable William Jennings Bryan.

In a letter to me he states that owing to previous engagements, it will be impossible for him to arrive at Talla-

hassee before the 4th or 5th of June, being about the time of the adjournment of the Legislature. He further states:

"I think, therefore, that I ought to send a letter to be read to the Legislature rather than attempt to make a visit to your State this spring.

"I appreciate very much the honor done me by the Legislature and by yourself, and if I had received the invitation earlier I would have so made my plans as to have accepted.

"I enclose a letter which I will ask you to deliver to the Legislature."

I have the honor to be,

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

Mr. Cone moved that the communication of the Governor and the accompanying document be spread upon the Journal.

Which was withdrawn.

Mr. Beard moved the communication from Mr. Bryan be read.

Which was agreed to.

And the communication from Hon W. J. Bryan was read.

The following message from the Governor was read:

State of Florida.  
Executive Chamber,  
Tallahassee, May 4, 1909.

*Hon. F. M. Hudson,*

*President of the Senate.*

*Sir:*

I have the honor to inform you that I have approved and signed the following acts, which originated in your honorable body:

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.

An act to legalize and validate all contracts heretofore made by the City of Bradentown for, as well as all ordinances, resolutions and acts relating to paving the

streets 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.

I also have the honor to inform you that I have received and caused to be placed on file in the office of the Secretary of State the following:

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

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

Very respectfully,  
ALBERT W. GILCHRIST,  
Governor.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 3, 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. 8:

A bill to be entitled an act amending Sections 2, 3, 5 and 8 of an act defining the manner and causes of commitment of minors to the Florida State Reform School at Marianna; defining who shall be committed, and for what time, and upon what conditions; regulating the discipline, providing for proper management of said Reform School, and appropriating money for said institution. Approved June 15, 1905.

Also—

## House Bill No. 129:

A bill to be entitled an act to require the Boards of County Commissioners to advertise for bids for public work and furnishing supplies to the county in certain cases, and forbidding any contract for public work being let to any relative of any member of the Board of County Commissioners, and providing a penalty for failure to comply with the provisions of this act.

Also—

## House Bill No. 210:

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

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. 8 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. 129 was read the first time by its title and was referred to the Committee on Finance and Taxation.

House Bill No. 210 was read the first time by its title and was referred to the Committee on Judiciary B.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 3, 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. 299:

A bill to be entitled an act to legalize and validate the ordinance of the City of Quincy, Florida, entitled "An Ordinance to provide for the issuing of bonds by the

Mayor and City Council of the City of Quincy, under the provisions of Chapter 5844, Laws of Florida, entitled, 'An act to abolish the present municipal government of the town of Quincy, in the county of Gadsden, and the State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Quincy, and to define its territorial boundaries, to provide for its jurisdiction, powers and privileges,' approved May 9, 1907, and to provide for an election to determine whether such bonds shall be issued."

Passed by the Council of the City of Quincy on the 25th day of March, A. D. 1909, and approved by the Mayor of the City of Quincy on the 25th day of March, A. D. 1909, and to legalize and validate the special election held on the 27th day of April, A. D. 1909, by the qualified electors of the City of Quincy, Florida, under the provisions of the said ordinances, and to legalize and make valid any and all bonds issued by the City of Quincy, Florida, under said ordinance, and to legalize and make valid all the proceedings and resolutions of the Council of the City of Quincy, Florida, under said ordinance.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 299, contained in the above message, was referred to the Committee on Enrolled Bills.

#### SPECIAL ORDER OF THE DAY.

The hour of 10:30 having arrived, the hour set for the special consideration of Senate Bill No. 190—

Senate Bill No. 190:

A bill to be entitled an act to permit and authorize suits against the State of Florida in certain cases, and directing the Court or the Judge thereof, under specified conditions, to join certain persons as plaintiffs.

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

The committee amendment thereto was read as follows:

Add Section 3, as follows: "Section 3. All process in suits brought against the State under and by virtue of this act shall be served upon the Attorney General of the State, who shall represent the State in all of such suits."

Mr. Massey moved to adopt the amendment as read.  
Which was agreed to, and the amendment was adopted.  
The following committee amendment was read:

Also add Section 4, as follows: "Section 4. Either party, plaintiff or defendant, in all suits under and by virtue of this act, shall have the right of appeal, writ of error, and to other appellate proceedings as in other suits at law."

Mr. Massey moved to adopt the amendment.

Which was agreed to and the amendment was adopted.

Mr. Johnson offered the following amendment to Senate Bill No. 190 as amended:

Mr. Johnson offered the following amendment to Senate Bill No. 190:

Strike out the words "not less than one hundred and fifty thousand dollars," as appears in Section 1 of said bill, and insert in lieu thereof the following: "Not less than fifty thousand dollars nor more than one hundred thousand dollars, exclusive of interest, if interest be allowed."

Mr. Johnson moved the adoption of the amendment.

Mr. Cone offered the following substitute to the amendment offered by Mr. Johnson to Senate Bill No. 190:

Strike out the words "not less than one hundred and fifty thousand dollars" in Section 1 of the bill.

Which was withdrawn.

Mr. Cone offered the following amendment to Mr. Johnson's amendment to Senate Bill No. 190:

Strike out the words "not less than fifty thousand dollars nor more than one hundred thousand dollars, exclusive of interest, if interest be allowed."

Mr. Cone moved the adoption of the amendment.

Which was not agreed to.

Upon the question of the adoption of the amendment offered by Mr. Johnson, the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Baker (29th Dist.), Cook, Cone, Cottrell, Hosford, Johnson, Leggett, McLeod, McMullen, Miller, West, Williams—13.

Nays—Mr. President, Senators Baker (20th Dist.), Broome, Buckman, Crill, Davis, Harris, Henderson, Humphries, Massey, McCreary, Sams, Sloan, Withers—14.

So the amendment was not agreed to.

Mr. Williams offered the following amendment to Senate Bill No. 190:

Strike out the words after the words "contract with the State" in the 3d line of Section 1, insert "provided such person complied with all the conditions of the contract by him to be performed."

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

Mr. Leggett moved to indefinitely postpone the bill.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—Senators Adkins, Baker (29th Dist.), Broome, Cook, Cone, Cottrell, Hosford, Johnson, Leggett, McLeod, McMullen, Miller, West, Williams, Withers—15.

Nays—Mr. President, Senators Baker (20th Dist.), Buckman, Crill, Davis, Harris, Henderson, Humphries, Massey, McCreary, Sams, Sloan—12.

In explanation, Mr. Beard said:

Mr. President—On account of the large financial interest of my father's estate in this claim, I have refrained from taking any part in these proceedings, and ask to be excused from voting.

Mr. Beard was excused from voting upon the question.

So the bill was indefinitely postponed.

Mr. Buckman moved that the rules be waived and that the Senate now take up miscellaneous business.

Which was agreed to and the Senate proceeded to consider.

#### MISCELLANEOUS BUSINESS.

The following memorial was read:

*To the Honorable Senate and House of Representatives of the State of Florida, in Session at Tallahassee.*

The Undersigned Citizens of the State of Florida:

Do most respectfully petition your honorable bodies to provide, by amendment to existing Statutes—or by enacting others, for the relief of such surviving citizens, regardless of race, color or previous condition of servitude—who rendered faithful service to the government, or to the soldiers of the same, in time of war. There being a few among us who were loyal and true—who were exposed alike to the temptations to desert and the dangers of actual exposure in the ranks with their masters. Who have little of life's holdings to comfort them.

Therefore, We petition your honorable bodies to consider these loyal ones, and where sufficient proof of service during the days of war and good citizenship since emancipation can be produced—that you provide such annuity—to be dispensed under such regulations as may be just alike to our State and these petitioners—as may, in your judgment, be right.

Unlike the slave that deserted to the enemy and is now a pensioner upon the rolls of the nation—these true and loyal relics of the past have neither inherited wealth or fostering government to care for them in their old age. Begging your careful and favorable consideration—with great respect, we are,

YOUR OBEDIENT SERVANTS.

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

Mr. Humphries moved that the Senate do now adjourn to 4 o'clock this afternoon.

The yeas and nays were demanded.

Upon the question to adjourn until ten o'clock tomorrow morning.

The roll was called and the vote was:

Yeas—Senators Adkins, Baker (20th Dist.), Buckman, Crill, Cone, Cottrell, Harris, Henderson, Johnson, Leggett, Massey, McCreary, McMullen, Sams, West—15.

Nays—Mr. President, Senators Broome, Hosford, Humphires, Miller, Williams, Withers—7.

So the motion of Mr. Adkins prevailed.

Whereupon the Senate stood adjourned to ten o'clock a. m. Wednesday, May 5, 1909.

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## WEDNESDAY, MAY 5, 1909.

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The Senate met pursuant to adjournment.

The President in the chair.

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

Present—Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman,