

WEDNESDAY, APRIL 28, 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 Baker (20th District), Baker (29th District), Beard, Broome, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers.—28.

A quorum was present.

Prayer by the Chaplain.

By unanimous consent, the reading of the Journal of April 27 was dispensed with.

The Journal of April 27 was corrected.

The Journal of April 27 was approved as corrected.

The following act, which passed the Legislature of the State of Florida and which was vetoed by the Governor on June 5, 1907, and was referred to the Committee on Public Printing, which Committee, on April 12, 1909, recommended that said veto be sustained, to wit:

An act to amend Sections 654 and 655 of the General Statutes of Florida, relating to public printing; an act to amend Sections 654 and 655 of the General Statutes of Florida relating to public printing.

Was taken up and the report of the Committee on Public Printing was read, as follows:

Senate Chamber,

Tallahassee, Fla., April 12, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Public Printing, to whom was referred, An act to amend Sections 654 and 655 of the General Statutes of Florida, relating to public printing, beg leave to report that they have carefully considered the

same, and recommend that the veto to said act be sustained.

Very respectfully,

J. H. HUMPHRIES,
Chairman of Committee.

The message of transmittal of the vetoed act by the Secretary of State, was read as follows:

Office of the Secretary of State,
Tallahassee, Fla., April 7, 1909.

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

Sir.

In conformity with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for the consideration of the Senate, the following vetoed act, with the Governor's objections written thereon, viz:

"An Act to amend Sections 654 and 655 of the General Statutes of Florida, relating to public printing."

Respectfully,

H. CLAY CRAWFORD,
Secretary of State.

The veto message by the Governor was read, as follows:

State of Florida,
Executive Department.
Tallahassee, Fla., June 5, 1907.

Hon. H. Clay Crawford,
Secretary of State,
Tallahassee, Florida.

Sir:

I have the honor to herewith transmit to you, without my approval, an act of the Legislature of 1907, entitled "An Act to amend Sections 654 and 655 of the General Statutes of Florida, relating to public printing."

Said act is disapproved by me, pursuant to Section 28, of Article III, of the Constitution of the State of Florida, for the following reasons, to wit:

Section 654 of the General Statutes of 1906, which the first Section of this act seeks to amend, provides that "all the public printing of this State shall be done in the State, and the bond given by any contractor for such printing shall so state." The amendment contained in this act omits the provision that all public printing for the State shall be done in the State, and such provision does not appear elsewhere in the law. This provision has been the established policy of this State since 1887. If persons or corporations from beyond the limits of the State are permitted to bid for the State printing they may be the best bidders and may fully comply with the requirements of law and the regulations of the board in executing the requisite contract and bond, yet should there be a failure from any cause to comply with the contract, at a time when delay would be fatal to the interests of the State, then the only redress afforded would be suit on the bond, which suit would most probably be removed by the non-resident contractor to the United States Courts. Under these conditions the State's interests would be sacrificed and work required to be promptly done during a legislative session, or at other times, would fail or would have to be undertaken by other means at great expense and greater inconvenience and loss to the State.

The provisions of the General Statutes are preferable to this particular change proposed. The Act contains some good provisions, but they can not be approved without also approving the unfortunate feature above referred to. The best interests of the State require the faithful enforcement of the salutary provisions of the present law, and in so doing the good purpose indicated by this Act will be accomplished.

Therefore, the said Act is by me, as Governor, vetoed and disapproved.

Respectfully,

N. B. BROWARD,
Governor.

Upon the question "shall the Act pass the Governor's veto to the contrary notwithstanding."

The roll was called, and the following was the vote:

Yeas—Messrs. Broome, Buckman, Dayton, Harris, Henderson, Johnson, McCreary, McLeod, Sams, Sloan, West.

—11.

Nays—Mr. President, Messrs. Baker (20th District), Baker (29th District), Crill, Cook, Cone, Cottrell, Davis, Flournoy, Girardeau, Hosford, Humphries, Leggett, McMullen, Williams, Withers.—16.

Mr. Miller was excused from voting, so the Governor's veto to the act was sustained.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., April 27, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Game and Fisheries, to whom was referred

Senate Bill No. 206:

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

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

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And Senate Bill No. 206, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 27, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

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

House Bill No. 265:

A bill to be entitled an act to prohibit hunting, shoot-

ing, wounding or killing certain game, wild birds and wild animals within one-half mile of the boundary line of the city of Palatka.

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

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And House Bill No. 265 contained in the above report, was placed on the Calendar of Bills on the Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 23, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

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

Senate Bill No. 164:

A bill to be entitled an act to amend Section 3767 of the General Statutes of the State of Florida, and to protect food fishes in the rivers, creeks and bayous of said State.

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

Strike out in Section 1, line 10, all after the word "law."

Also the word "gill net" in line 6, Section 1.

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And Senate Bill No. 164, with Committee amendments thereto, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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 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.

Have examined the same and find it correctly enrolled.

Very respectfully,

C. L. LEGGETT,
Chairman of Committee.

And the Acts contained therein were referred to the Joint Committee on Enrolled Bills.

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.

Have examined the same and find it correctly enrolled.
rolled.

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

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 duly signed by the Speaker and Chief Clerk of the House of Representatives and is herewith presented to the Senate for the signatures of the President and Secretary thereof.

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., April 28, 1909.

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

Sir:

Your 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.

Have examined the same and find it correctly enrolled.

Very respectfully,

C. L. LEGGETT,
Chairman of Committee.

And the Acts contained therein were referred to the Joint Committee on Enrolled Bills.

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—

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.

Have examined the same and find it 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., 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 duly signed by the Speaker and Chief Clerk of the House of Representatives, and is herewith presented to the Senate for the signatures of the President and Secretary thereof.

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 28, 1909.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 177:

A bill to be entitled an act to confer upon the Railroad Commissioners of the State of Florida jurisdiction to regulate the services and charges of telegraph companies operating in this State.

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

Very respectfully,
D. C. McMULLEN,
Acting Chairman of Committee.

And Senate Bill No. 177, 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 28, 1909.

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 94:

A bill to be entitled an act defining and punishing gambling.

Also—

Senate Bill No. 160:

A bill to be entitled an act to amend Section 1465, General Statutes of the State of Florida, concerning denial of existence and want of consideration, etc., of certain instruments.

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

Very respectfully,
D. C. McMULLEN,
Acting Chairman of Committee.

And Senate Bills Nos. 94 and 160, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. Harris, Chairman of the Committee on Municipalities, submitted the following report:

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

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

Sir:

Your Committee on Municipalities, to whom was referred—

House Bill No. 316:

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

Also—

House Bill No. 317:

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

Also—

House Bill No. 318:

A bill to be entitled an act to declare void and of no effect a resolution of the City Council of the city of DeLand, County of Volusia, and State of Florida, passed by said City Council on the 9th day of April, A. D. 1906, and to declare void and of no effect, an amendment to said resolution passed by said City Council on the 30th day of April, 1906, and to declare void and of no effect an election held in the city of DeLand, on the 8th day of May, A. D. 1906, pursuant to said amended resolution by which election the majority of the electors of said city voting at said election voted for the issue of bonds to the amount of twelve thousand dollars (\$12,000.00) for sewerage purposes and to declare that said resolution and vote for the issuing of said twelve thousand dollars (\$12,000.00) in bonds shall not be considered any part of the bonded indebtedness of the city of DeLand, Volusia County, State of Florida.

Also—

House Bill No. 252:

A bill to be entitled an act to amend Sections One and

Twelve of Chapter 5511 of the Laws of Florida entitled "An act to establish the municipality of Largo, to provide for its government, and prescribe its powers and jurisdiction."

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

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And House Bills Nos. 316, 317, 318 and 252, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. Harris, Chairman of the Committee on Municipalities, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 28, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Municipalities to whom was referred—

Senate Bill No. 215:

A bill to be entitled an act to declare void and of no effect a resolution of the City Council of the City of DeLand, County of Volusia, and State of Florida, passed by the said City Council on the 9th day of April, A. D. 1906, and to declare void and of no effect, an amendment to said resolution passed by said City Council on the 30th day of April, 1906, and to declare void and of no effect an election held in the City of DeLand, on the 8th day of May, A. D. 1906, pursuant to said amended resolution by which election the majority of the electors of said city voting at said election voted for the issue of bonds to the amount of twelve thousand dollars (\$12 000.00) for sewerage purposes and to declare that said resolution and vote for the issuing of said twelve thousand dollars (\$12,000.00) in bonds shall not be considered any part of the bonded indebtedness of the City of DeLand, Volusia County, State of Florida.

Also—

Senate Bill No. 193:

A bill to be entitled an act to be entitled an act to declare legal the incorporation of the town of Monticello, in the County of Jefferson, State of Florida, to define the territorial boundaries of said town and to validate and confirm all acts and ordinances of said town.

Also—

Senate Bill No. 130:

A bill to be entitled an act to amend Sections Three and Seven of Chapter 5364 of the Laws of Florida, entitled "An Act to incorporate and establish a municipal government for the town of Tarpon Springs, in Hillsborough County, Florida; provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said town."

Also—

House Bill No. 266:

A bill to be entitled an act to legalize, ratify and confirm the incorporation of the town of Interlachen, in Putnam County, Florida, and all its acts, ordinances, resolutions and proceedings.

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

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And Senate Bills Nos. 215, 193, 130 and 266, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,

Tallahassee, Fla., April 28, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 230:

A bill to be entitled an act authorizing any party de-

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

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 230, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

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

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 184:

A bill to be entitled an act to require Sheriffs of the State of Florida to file a list of the names of their deputies with the Boards of County Commissioners.

Recommend the following substitute:

Senate Bill No. 184:

A bill to be entitled an act to require Sheriffs of the State of Florida to file lists of the names of their deputies with Boards of County Commissioners.

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 184, contained in the above report, together with the Committee's substitute therefor, was placed on the Calendar of Bills on Second Reading.

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

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

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 212:

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

Also—

Senate Bill No. 229:

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

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bills Nos. 229 and 212, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

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

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on Judiciary B, to whom was referred—

House Bill No. 5:

A bill to be entitled an act to fix a penalty for the larceny of hogs.

Also—

House Bill No. 36:

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

Also—

House Bill No. 85:

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

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And House Bills Nos. 5, 36 and 85, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

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

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

Sir:

Your Committee on Judiciary B, to whom was referred and recommitted—

Senate Bill No. 58:

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

Recommend the following substitute for—

Senate Bill No. 58:

A bill to be entitled an act defining the persons entitled to bring actions for negligence, and providing for the sur-

vival of each action, and prescribing the time within which actions for negligence causing the death of another may be brought.

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate bill No. 58, and substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

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

Hon. F. M. Hudson,

President of the Senate:

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 85:

A bill to be entitled an act to re-district the eighth judicial circuits of the State of Florida, to provide for the appointment of the Judges and State's Attorneys therefor, the terms of their office, and to provide that in civil and criminal cases no pleading or indictments shall abate, be quashed, dismissed or defeated in any of the circuits of the State, by reason of this re-districting of the State.

And recommend the following substitute for—

Senate Bill No. 85:

A bill to be entitled an act to redistrict the eighth judicial circuits of the State of Florida, to provide for the appointment of the Judges and State's Attorneys therefor, the terms of their office, and to provide that in civil and criminal cases no pleading or indictments shall abate, be quashed, dismissed or defeated in any of the circuits of this State, by reason of this redistricting of the State.

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 85, and substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

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

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

Sir:

Your Committee on Judiciary B, to whom was referred—

House Bill No. 77:

A bill to be entitled an act to validate and make legal certain "County School Warrants" or county school script, issued and to be issued by the Board of Public Instruction of Taylor County, Florida, and to cure all defects and irregularities of the same, and to secure the said county school warrants or county school script to the amount of fourteen thousand four hundred (\$14,400) dollars heretofore issued or that may hereafter be issued for the purpose of building a county school house at Perry, in Taylor County, Florida, etc.

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And House Bill No. 77, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

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

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 25:

A bill to be entitled an act requiring parties in all civil actions in the Circuit Courts of this State to file for the use of the opposite party duplicate copies of all their pleadings and proceedings.

Through courtesy to the minority, submit the following substitute for—

Senate Bill No. 25:

A bill to be entitled an act requiring the depositing with the Clerks of the Circuit Courts duplicates or copies of pleadings in all civil actions in the Circuit Courts of this State, same for use of the opposite party.

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

Very respectfully,

F. P. CONE,
Chairman of Committee.

And Senate Bill No. 25, and the minority committee substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Withers, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 27, 1909.

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

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 140:

A bill to be entitled an act in aid and furtherance of the objects of the Florida Historical Society.

Have had the same under consideration and recommend a substitute therefor the bill hereto attached entitled, "Committee substitute for Senate Bill No. 140."

Very respectfully,

I. N. WITHERS,
Chairman of Committee.

And Committee substitute for Senate Bill No. 140, and the Committee substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Harris, Chairman of the Committee on Municipalities, submitted the following report:

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

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Municipalities to whom was referred—

Senate Bill No. 222:

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

Also—

Senate Bill No. 227:

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

Also—

Senate Bill No. 226:

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 bonds should be issued and sold as proposed and provided by an ordinance of said city, entitled "An Ordinance to provide for the issu-

ing 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 bonds as provided in said ordinance.

Also—

Senate Bill No. 208:

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

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

Very respectfully,

W. HUNT HARRIS,
Chairman of Committee.

And Senate Bills Nos. 222, 227, 226 and 208, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. Harris, Chairman of the Committee on Municipalities, submitted the following report:

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

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Municipalities to whom was referred—

Senate Bill No. 215:

A bill to be entitled an act to declare void and of no effect a resolution of the City Council of the City of DeLand, County of Volusia, and State of Florida, passed by said City Council on the 9th day of April, A. D. 1906, and to declare void and of no effect, an amendment to said resolution passed by said City Council on the 30th day

of April, 1906, and to declare void and of no effect an election held in the City of DeLand, on the 8th day of May, A. D. 1906, pursuant to said amended resolution by which election the majority of the electors of said city voting at said election voted for the issue of bonds to the amount of twelve thousand dollars (\$12,000.00) for sewerage purposes and to declare that said resolution and vote for the issuing of said twelve thousand dollars (\$12,000.00) in bonds shall not be considered any part of the bonded indebtedness of the City of DeLand, Volusia County, State of Florida.

Also—

Senate Bill No. 193:

A bill to be entitled an act to be entitled an act to declare legal the incorporation of the town of Monticello in the County of Jefferson, State of Florida, to define the territorial boundaries of said town and to validate and confirm all acts and ordinances of said town.

Also—

Senate Bill No. 130:

A bill to be entitled an act to amend Sections Three and Seven of Chapter 5364 of the Laws of Florida, entitled "An act to incorporate and establish a municipal government for the town of Tarpon Springs, in Hillsborough County, Florida; provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said town."

Also—

House Bill No. 266:

A bill to be entitled an act to legalize, ratify and confirm the incorporation of the town of Interlachen, in Putnam County, Florida, and all its acts, ordinances, resolutions and proceedings.

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

Very respectfully,
 W. HUNT HARRIS,
 Chairman of Committee.

And Senate Bills Nos. 215, 193 and 130 and House Bill No. 266 contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Harris, Chairman of the Committee on Municipalities, submitted the following report:

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

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

Sir:

Your Committee on Municipalities to whom was referred—

House Bill No. 316:

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

Also—

House Bill No. 317:

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

Also—

House Bill No. 318:

A bill to be entitled an act to declare void and of no effect a resolution of the City Council of the City of DeLand, County of Volusia, and State of Florida, passed by said City Council on the 9th day of April, A. D. 1906, and to declare void and of no effect, an amendment to said resolution passed by said City Council on the 30th day of April, 1906, and to declare void and of no effect an election held in the City of DeLand, on the 8th day of May, A. D.. 1906, pursuant to said amended resolution by which election the majority of the electors of said city voting at said election voted for the issue of bonds to the amount of twelve thousand dollars (\$12,000.00) for sewerage purposes and to declare that said resolution and vote for the issuing of said twelve thousand dollars (\$12,000.00) in bonds shall not be considered any part

of the bonded indebtedness of the City of DeLand, Volusia County, State of Florida.

Also—

House Bill No. 252:

A bill to be entitled an act to amend Sections One and Twelve of Chapter 5511 of the Laws of Florida, entitled "An act to establish the municipality of Largo, to provide for its government, and prescribe its powers and jurisdiction."

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

Very respectfully,
W. HUNT HARRIS,
Chairman of Committee.

And House Bills Nos. 316, 317, 318 and 252, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. J. S. Beard, Chairman of the Committee on Constitutional Amendments, submitted the following report:

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

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

Sir:

Your Committee on Constitutional Amendments, to whom was referred—

Senate Joint Resolution No. 173:

A Joint Resolution proposing an amendment to Section 6, of Article VIII, of the Constitution of the State of Florida, relating to County Officers.

Have had the same under consideration and beg to return the same without recommendation.

Very respectfully,
JOHN S. BEARD,
Chairman of Committee.

And Senate Bill No. 173, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. J. S. Beard, Chairman of the Committee on Constitutional Amendments, submitted the following report:

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

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

Sir:

Your Committee on Constitutional Amendments, to whom was referred—

Joint Resolution No. 195:

A Joint Resolution proposing amendment to Section 9, of Article V, of the Constitution of Florida, relating to Judicial salaries.

Have had the same under consideration and beg to return it without recommendation.

Very respectfully,

J. S. BEARD,
Chairman of Committee.

And Senate Bill No. 195, contained in the above report, was placed on the Calendar of Bill on Second Reading.

Mr. J. S. Beard Chairman of the Committee on Constitutional Amendments submitted the following report:

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

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

Sir:

Your Committee on Constitutional Amendments to whom was referred—

Joint Resolution No. 138:

A Joint Resolution proposing amendment to Article 10 of the Constitution of the State of Florida, relative to homestead and exemption.

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

Very respectfully,

JOHN S. BEARD,
Chairman of Committee.

And Senate Joint Resolution No. 138, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. J. S. Beard, Chairman of the Committee on Constitutional Amendments, submitted the following report:

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

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

Sir:

Your Committee on Constitutional Amendments to whom was referred—

Senate Joint Resolution No. 232.

Proposing an amendment to Section 12 of Article 4 of the Constitution of the State of Florida, as amended in 1896, relating to pardons.

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

Very respectfully,
JOHN S. BEARD,
Chairman of Committee.

And Senate Joint Resolution No. 232, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. J. S. Beard, Chairman of the Committee on Constitutional Amendments, submitted the following report:

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

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

Sir:

Your Committee on Constitutional Amendments, to whom was referred—

Senate Joint Resolution No. 171:

A Joint Resolution proposing amendment to Section

19, Article V, of the Constitution of the State of Florida.
Have had the same under consideration and recommend that it do pass.

Very respectfully,

JOHN S. BEARD,
Chairman of Committee.

And Senate Joint Resolution No. 171, contained in the above report, was placed on the Calendar of Bills on Second Reading.

INTRODUCTION OF BILLS.

By Mr. West—

Senate Joint Resolution No. 252:

A joint resolution proposing an amendment to Section 1, of Article XVII, 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. Buckman—

Senate Joint Resolution No. 253:

A joint resolution proposing an amendment to Section 12, of Article IV, of the Constitution of the State of Florida, as amended in 1896, relating to pardons.

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

By Mr. Leggett—

Senate Bill No. 254:

A bill to be entitled an act to amend Section 4, of Chapter 4865, entitled "An Act to amend Sections 2, 40 and 41, of an act entitled 'An Act to abolish the present municipal government of the town of Madison, Florida, and to provide a town government therefor,'" being Chapter 4133, Laws of Florida, approved June 2, 1893, to abolish the office of Trustees of water-work bonds, and to grant additional powers to said municipality.

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

By Mr. Baker, 29th District—

Senate Bill No. 255:

A bill to be entitled an act defining the boundary line between the Counties of Clay and Putnam, in the corporate limits of the town of Melrose.

Was read the first time by its title.

Mr. Baker, 29th District, moved that the rules be waived and that Senate Bill No. 255 be read the second time by its title without reference

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 255,

Was read the second time by its title.

Mr. Baker, of 29th District, moved that the rules be further waived and that Senate Bill No. 255 be read the third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 255:

A bill to be entitled an act defining the boundary line between the counties of Clay and Putnam in the corporate limits of the town of Melrose.

Was read the third time in full.

Upon the passage of Senate Bill No. 255 the vote was:

Yeas—Mr. President, Senators Baker (20th District), Baker (29th District), Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, 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.

By Mr. Cottrell—

Senate Bill No. 256:

A bill to be entitled an act to amend Section 3676 of the General Statutes of the State of Florida, relating to the Committee on Public Roads and Highways.

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

By Mr. Cottrell—

Senate Bill No. 257:

A bill to be entitled an act to amend Section 3267 of the General Statutes of the State of Florida, relating to penalty for carrying pistol or repeating rifle without first obtaining a license.

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

By Mr. Cottrell—

Senate Bill No. 258:

A bill to be entitled an act to amend Section 2315 of the General Statutes of the State of Florida, relating to procurement, oath and action of Commissioners in the allotment of dower.

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

By Mr. Henderson—

Senate Bill No. 259:

A bill to be entitled an act to provide for amendment of the charters of incorporated cities or towns of this State by ordinance of municipal council submitted to the electors of such city or town.

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

By Mr. Withers—

Senate Bill No. 260:

A bill to be entitled an act to authorize the Town Council of the town of Leesburg, Florida, to contract by ordinance or otherwise with any person, firm, or corporation for the construction and maintenance by such person, firm or corporation of a system of waterworks and electric light and power plant in the said town of Leesburg.

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

By Mr. Withers—

Senate Bill No. 261:

A bill to be entitled an act for the protection and pres-

ervation of fish in the waters of Lake County and waters subject to the jurisdiction of the courts of said county.

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

By Mr. McMullen—

Senate Bill No. 262:

A bill to be entitled an act prohibiting fire insurance companies from combining as to what rate of commission shall be paid by any other company to an agent.

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

By Mr. McMullen—

Senate Bill No. 263:

A bill to be entitled an act to require fire insurance companies to deposit a certain amount in cash or securities with the Treasurer of the State of Florida.

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

By Mr. Withers—

Senate Bill No. 264:

A bill to be entitled an act for the prevention and preservation of game birds and certain other birds and animals in Lake 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. Dayton—

Senate Bill No. 265:

A bill to be entitled an act to empower the owner or lessor of premises used for immoral purposes to declare the rental contract lease thereof forfeited and to regain possession thereof.

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

By Mr. Dayton—

Senate Bill No. 266:

A bill to be entitled an act, the keeping, maintaining or patronizing houses of ill fame and other disorderly houses and the letting of premises for use for such purposes and prescribing a penalty therefor.

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

By Mr. Dayton—

Senate Bill No. 267:

A bill to be entitled an act to prohibit the renting or leasing of premises for immoral purposes and to prescribe a penalty therefor.

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

By Mr. Hudson—

Senate Bill No. 268:

A bill to be entitled an act to regulate the instruction of juries in jury trials.

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

By Mr. Hudson—

Senate Bill No. 269:

A bill to be entitled an act to provide for the punishment of offenses where no punishment is otherwise prescribed.

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

By Mr. Hudson—

Senate Bill No. 270:

A bill to be entitled an act to require the payment of license taxes upon certain vehicles in Dade County.

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

By Mr. Hudson—

Senate Bill No. 271:

A bill to be entitled an act to provide that all charters

of incorporation or letters patent hereafter issued or granted in this State shall be subject to the right of the Legislature to alter or repeal the same.

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

By Mr. Humphries—

Senate Bill No 272:

A bill to be entitled an act to reimburse the County of DeSoto for expenses incurred in the imprisonment of Isiaah E. Cooper.

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

By Mr. West—

Senate Bill No. 273:

A bill to be entitled an act to amend Section 3 of Chapter 4971, Laws of Florida, entitled "An act for the prevention of cruelty of children and animals, and to rescue from immoral surroundings.

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

By Mr. West—

Senate Bill No. 274:

A bill to be entitled an act relating to assessment 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. McLeod—

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.

Which was read the first time by its title.

Mr. McLeod moved to waive the rules and that Senate Bill No. 275 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 275 was read the second time by its title.

Mr. McLeod moved to waive the rules and that Senate Bill No. 275 be read the third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

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.

Was read the third time in full.

Upon the passage of Senate Bill No. 275 the vote was:

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

Nays—None.

So the bill passed, title as stated.

Mr. McLeod moved to waive the rules and that the same be ordered to be certified to the House of Representatives immediately.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By Mr. Cottrell—

Senate Bill No. 276:

A bill to be entitled an act to encourage the establishment and maintenance of unenclosed game preserves for certain birds and other game; to encourage the introduction, raising and propagation of the same; the protection of such game preserves and game, and the time in which they may be hunted and killed; and providing penalties for violations of this act.

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

Mr. Humphries moved that the rules be waived and that Senate Bill No. 220 be taken up out of its order and be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 220:

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

Was read the second time by its title.

Mr. Humphries moved to waive the rules and that Senate Bill No. 220 be read the third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 220:

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

Was read the third time in full.

Upon the passage of Senate Bill No. 220, the vote was:

Yeas—Mr. President, Senators Baker (20th District), Baker (29th District), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, 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.

The hour of 11 o'clock having arrived the same being the special hour set for the consideration of Senate Bill No. 121:

Senate Bill No. 121:

A bill to be entitled an act to fix the standard of cot-

tonseed meal sold in this State; to prohibit the sale of inferior cottonseed meal without notice to the public; to prohibit the misbranding of cottonseed meal and providing penalties for violation of this act.

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

Mr. Henderson moved to waive the rules and that Senate Bill No. 121 be read the third time and put upon its passage.

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

Senate Bill No. 121:

A bill to be entitled an act to fix the standard of cottonseed meal sold in this State; to prohibit the sale of inferior cottonseed meal without notice to the public; to prohibit the misbranding of cottonseed meal, and providing penalties for violations of this act.

Was read the third time in full.

Upon the passage of Senate Bill No. 121 the vote was:

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

Nays—Senators Cone, McLeod—2.

So the bill passed, title as stated.

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

Mr. Broome moved to waive the rules and that the Senate now proceed to the consideration of Bills on Third Reading.

Which was agreed to by a two-third vote.

And the Senate proceeded to consider—

BILLS ON THIRD READING.

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 of specific performance of contracts to convey and for decrees and other proceedings after such service.

Was taken up.

Mr. Sams moved that Senate Bill No. 76 be laid on the table subject to call.

Which was agreed to.

And Senate Bill No. 76 was placed on the Calendar of Bills subject to call.

Senate Bill No 112:

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

Mr. Johnson moved that House Bill No. 178 be substituted for Senate Bill No. 112, and that House Bill No. 178 occupy the position of Senate Bill No. 112 on the Calendar.

Which was agreed to and—

House Bill No. 178:

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

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

Upon the passage of House Bill No. 178 the vote was:

Yeas—Mr. President, Senators Baker (20th District), Baker (29th District), Broome, Buckman, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Johnson, Leggett, McCreary, McLeod, McMullen, Sams, 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.

Committee Substitute for—

Senate Bill No. 107:

A bill to be entitled an act to amend Section 3533 of the General Statutes of the State of Florida, relating

to negro man and white woman or white man and negro woman occupying the same room.

Was taken up and read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 107 the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Baker (29th Dist.), Buckman, Crill, Cook, Davis, Dayton, Flournoy, Girardeau, Henderson, Hosford, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—23.

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.

Senate Bill No. 120:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 120 the vote was:

Yeas—Mr. President, Senators Baker (20th District), Baker (29th District), Broome, Buckman, Crill, Cone, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, 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 rule.

Senate Bill No. 16:

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

Was taken up and read the third time in full.

By unanimous consent Mr. McCreary offered the following amendment to Senate Bill No. 16:

At end of Section 8 insert the following:

“Provided, That any person licensed to practice osteopathy shall have painted in plain letters under his

name on his advertising sign or card the word 'osteopath.'"

Mr. McCreary moved to adopt the amendment.

Which was not agreed to.

Upon the passage of Senate Bill No. 16, the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Baker (29th Dist.), Beard, Buckman, Crill, Cook, Cone, Cottrell Davis, Dayton, Flournoy, Girardeau, Harris, Hosford, Humphries, Johnson, Leggett, McMullen, Sams, West, Williams, Withers.—23.

Nays—Senators Broome, Henderson, McCreary, McLeod, Miller.—5.

So the bill passed, title as stated.

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

Mr. Cone in the chair.

Senate Bill No. 37:

A bill to be entitled an act to prohibit the catching or taking of food fish from the waters of Crystal River and its tributaries, in the county of Citrus, and State of Florida, by the use of seines, gill nets, drag nets, haul nets, or any other kind of nets or device except hook and line, and prescribing a penalty for violation thereof.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 37, the vote was:

Yeas—Senators Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, 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.

The President in the chair.

Senate Bill No. 38:

A bill to be entitled an act repealing Chapter 5776 of the Laws of Florida, enacted in 1907. "An act for the protection of deer, wild turkey, quail or partridge, doves

and wild ducks, providing for a hunting season; providing for the appointment of Game Warden or Wardens, prescribing his duties and powers in the county of Hernando, and prescribing penalty for the violation of the provisions of the same."

Was taken up and read the third time in full.

The President called attention to typographical errors.

Mr. Dayton asked and was granted unanimous consent to correct same, and the Secretary was ordered to make said correction, which was done in the presence of the Senate.

Upon the passage of Senate Bill No. 38, the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, 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.

Senate Bill No. 65:

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

Was taken up and temporarily passed over.

Senate Bill No. 77:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 77, the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Baker (29th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, 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.

Mr. Sloan moved that the Senate now revert to the regular order of business.

Which was agreed to.

MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read :

State of Florida,
Executive Chamber,
Tallahassee, Fla., April 27, 1909.

Gentlemen of the Legislature:

I herewith enclose to you for your consideration verified copies of resolutions passed by the Marion Camp No. 56, United Confederate Veterans, under date of April 24, 1909. I also enclose to you verified copy of a letter of the Committee representing Ocala Camp No. 56, United Confederate Veterans.

I have the honor to be,

Very respectfully,

ALBERT W. GILCHRIST,
Governor.

Ocala, Fla., April 24, 1909.

*Hon. Albert W. Gilchrist,
Tallahassee, Florida.*

Dear Sir:

Enclosed please find resolutions passed by our Camp this day. Kindly give the same your careful consideration, and oblige,

Yours truly,

(Signed) L. M. GRAHAM,
H. C. MARTIN,
J. S. WEATHERBY,
M. L. PAYNE,
M. ATKINSON,
J. H. LIVINGSTON,
W. W. JACKSON,
E. E. McGAHAGIN,
C. C. PRIEST,
W. C. JEFFORDS,

Committee, Ocala Camp No. 56, U. C. V.

Headquarters Marion Camp No. 56, U. C. V.

Ocala, Fla., April 24, 1909.

Whereas, The present levy of four mills for pensions for the soldiers and their widows of the late Confederate Army and State troops is inadequate to pay the amount now allowed,

Be it Resolved, That we recommend that the General Assembly of the State of Florida, now in session, pass such acts or amend the present pension law so as to reduce all pensions to one hundred dollars per annum.

Be it Resolved, further, That we recommend that the State Board of Pensions shall appoint one or more suitable persons pension inspectors, and qualify them with the power to subpoena witnesses and compel them to testify under oath; whose duty it shall be to visit every county and investigate persons who are drawing pensions not in accordance with the laws of 1907. Every person charged with drawing a pension fraudulently shall also be notified and allowed to testify, and to produce witnesses in his or her defense, and the Inspector shall write out all testimony on both sides of the case and require each one to sign the same under oath, and forward it to the State Board of Pensions, and if a majority of said Board so decide, that name shall thereafter be dropped from the pension roll. The Board shall pay the Inspectors whatever they decide is a fair compensation for their services out of the pension fund.

L. M. GRAHAM, Commander.

E. T. WILLIAMS, Adjutant.

Mr. Cone moved that the message and accompanying document be spread upon the Journal.

Which was agreed to.

Also the following message from the Governor was read:

State of Florida,
Executive Chamber.
Tallahassee, April 24, 1909.

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

Sir:

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

"An act to organize a County Court in and for the county of Gadsden, to prescribe the terms thereof, and to provide for appointment of a Prosecuting Attorney, and for his compensation and for that of the Judge of said court."

I have the honor to inform you, also, that I have received Concurrent Resolution providing that a committee of five, to be composed of three members from the House and two from the Senate, be appointed to visit and examine into the condition and administration of the Florida Hospital for Insane, at Chattahoochee, and report their findings thereon to the Legislature.

I have the honor to further inform you that said act and said resolution have been filed in the office of the Secretary of State.

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

Mr. Cone moved that the message be received and be spread upon the Journal.

Which was 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. 361:

A bill to be entitled an act to fix the pay of certain committee clerks employed by the House of Representatives at the session of the Legislature of 1909, whose services were dispensed with, and to provide for the payment thereof.

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. 361 was read the first time by its title.

Mr. Sloan moved to waive the rules and that House Bill No. 361 be read the second time by its title.

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

House Bill No. 361, as contained in the message, was read the second time by its title.

Mr. Sloan moved to further waive the rules and that House Bill No. 361 be read the third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 361:

A bill to be entitled an act to fix the pay of certain Committee Clerks employed by the House of Representatives at the session of the Legislature of 1909, whose services were dispensed with, and to provide for the payment thereof.

Was read the third time in full.

Upon the passage of House Bill No. 361, the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Broome, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—27.

Nays—None.

So the bill passed, title as stated.

Mr. Sloan moved that the rules be further waived and that the passage of the bill be certified to the House of Representatives at once.

Which was agreed to by a two-thirds vote, and it was so ordered.

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. 305:

A bill to be entitled an act to declare legal the incorporation of the town of Monticello in the county of Jefferson, State of Florida, to define the territorial boundaries of said town and to validate and confirm all acts and ordinances of said town.

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. 305, contained in the above message was read the first time by its title and referred to the Committee on Municipalities.

Mr. McMullen moved that the Senate do now go into executive session. Doors closed at 12:45 o'clock p. m.

The doors were opened at 1:15 o'clock p. m.

The Senate resumed its session.

The President in the chair.

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

Mr. President, Senators Baker (20th Dist.), Beard, Broome, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers—
27.

A quorum present.

Mr. Johnson moved that the Senate do now adjourn until 10 o'clock tomorrow morning.

Which was agreed to.

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: