

TUESDAY, MAY 11, 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 (29th District), Beard, Broome, Buckman, Cook, Cone, Davis, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McMullen, Sams, Sloan, Williams, Withers.—21.

A quorum was present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of May 10 was dispensed with.

The Journal of May 10 was corrected.

The Journal of May 10 was approved as corrected.

REPORTS OF COMMITTEES.

Mr. Johnson, Chairman of the Committee on Public Roads and Highways, submitted the following report:
Senate Chamber,

Tallahassee, Fla., May 11, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred—

House Bill No. 541:

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 Marion 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 the Commissioners of said county, and also providing penalties for removing, defacing, altering or otherwise injuring the same.

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

Very respectfully,

J. B. JOHNSON,
Chairman of Committee.

And House Bill No. 541, contained in the above report, was placed on the Calendar of Bills on second reading.

Mr. Johnson, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla, May 11, 1909.

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

Sir:

Your Committee on Public Roads and Highways, to whom was referred—

House Bill No. 377:

A bill to be entitled an act authorizing and providing for the issuance of county bonds for the construction of hard-surface roads and bridges, and providing for and regulating the use of the proceeds of such bonds, and providing for the payment of the principal and interest of such bonds.

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

Very respectfully,

J. B. JOHNSON,
Chairman of Committee.

And House Bill No. 377, 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., May 11, 1909.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 302:

A bill to be entitled an act defining what shall constitute due diligence on the part of a bank in the collection of checks, drafts, notes or other negotiable instruments, and fixing the liability of any bank, drawer, maker, guarantor, surety and endorser.

Also—

Senate Bill No. 304:

A bill to be entitled an act to amend Sections 1845 and 1847, of the General Statutes of the State of Florida, in relation to official reporters of the courts, their duties and compensation.

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

Very respectfully,

D. C. McMULLEN,
Acting Chairman of Committee.

And Senate Bills Nos. 302 and 304, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

State Chamber,
Tallahassee, Fla., May 11, 1909.

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

Sir:

Your Committee on Judiciary A to whom was referred—

House Bill No. 10:

A bill to be entitled an act to reimburse parties who shall hereafter lose property or money by theft or other fraudulent means.

And also—

Senate Bill No. 284:

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

And also—

Senate Bill No. 296:

A bill to be entitled an act to repeal Sections 2530 and 2531 of General Statutes of the State of Florida, relative to exemption of wages from garnishment.

And also—

Senate Bill No. 312:

A bill to be entitled an act to authorize the State of Florida to sue out writs of error, or other appropriate writs in criminal cases from the Supreme Court or the Circuit Courts, to review the rulings of inferior courts upon questions of law.

And also—

Senate Bill No. 316:

A bill to be entitled an act prescribing the method of serving process upon non-resident co-partners having an office or conducting a business in the State of Florida.

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

Very respectfully,

D. C. McMULLEN,

Acting Chairman of Committee.

And Senate Bill Nos. 284, 296, 312 and 316 and House Bill No. 10, 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:

State Chamber,

Tallahassee, Fla., May 11, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Judiciary A to whom was referred—

Senate Bill No. 152:

A bill to be entitled an act to amend Section 2 of Chapter 5388 of the Laws of Florida, entitled "An act defining the manner and cause of commitments 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 the proper management of said reform school and appropriating money for the benefit of said institution."

Recommend the following—

Committee Substitute for Senate Bill No. 152:

A bill to be entitled an act to amend Sections 2, 3, 5 and 8 of Chapter 5388, acts of 1905, entitled "An act defining the manner and causes of commitment of minors to the Florida 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 5, 1905.

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

Very respectfully,

D. C. McMULLEN,

Acting Chairman of Committee.

And Senate Bill No. 152 and the Committee Substitute therefor, 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., May 11, 1909.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Bill No. 59:

An act to repeal the present Charter of the Town of Clear Water, Florida, and to grant and provide a new Charter for the Town of Clear Water, Florida.

Also—

Senate Bill No. 220:

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.

Have examined the same and find them 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., May 11, 1909.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Bill No. 59:

An act to repeal the present Charter of the Town of Clear Water, Florida, and to grant and provide a new Charter for the Town of Clear Water, Florida.

Also—

Senate Bill No. 220:

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.

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 11, 1909.

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

Sir:

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

Senate Bill No. 59:

An act to repeal the present Charter of the Town of Clear Water, Florida, and to grant and provide a new Charter for the Town of Clear Water, Florida.

Also—

Senate Bill No. 220:

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.

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.

ENROLLED.

The President announced that he was about to sign—
Senate Bill No. 59:

An act to repeal the present Charter of the Town of Clear Water, Florida, and to grant and provide a new Charter for the Town of Clear Water, Florida.

Also—

Senate Bill No. 220:

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.

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 11, 1909.

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

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

Very respectfully,

C. L. LEGGETT,
Chairman of Joint Committee.

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

Senate Chamber,
Tallahassee, Fla., May 11, 1909.

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

Sir:

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

House Bill No. 38:

An act to provide a municipal government for the town of Lee, in Madison County, Florida.

Also—

House Bill No. 316:

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 pres-

ent municipal government of the town of DeLand, and to organize a city government for said town.”

Also—

House Bill No. 317:

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:

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 amendment resolution by which election the majority of the electors of said city voting at said election voted for the issue of bonds to the amount of twelve thousand dollars (\$12,000) for sewerage purposes and to declare that said resolution and vote for the issuing of said twelve thousand dollars (\$12,000) in bonds shall not be considered any part of the bonded indebtedness of the City of DeLand, Volusia County, State of Florida.

Also—

House Bill No. 356:

An act to revise and amend an act entitled “An act to authorize the County Commissioners of the County of Nassau, and the city or town councils to designate certain public roads and streets as requiring special improvement, provide a method of designation, and to provide means for carrying on such improvements,” approved June 1, 1895; and to authorize the Board of County Commissioners of Nassau County in manner and in case provided, to designate a certain public road for either special improvement and extension or for special improvement, and to provide the means for carrying out the purpose expressed, by special tax on the property subject to taxation within the certain commissioners’ districts mentioned in the petition in either such case; and to provide the method by which said special tax shall

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

Also—

House Bill No. 389:

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

Have examined 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 11, 1909.

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

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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.

ENROLLED.

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

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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 11, 1909.

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

Sir:

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

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

Very respectfully,

C. L. LEGGETT,
Chairman of Joint Committee.

INTRODUCTION OF BILLS.

By Mr. Humphries—

Senate Bill No. 397:

A bill to be entitled an act for the organization, management and co-operation of agricultural (vicultural) and horticultural non-profit co-operative associations.

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

By Mr. Humphries—

Senate Bill No. 398:

A bill to be entitled an act to prohibit bets or wagers upon the result of any chicken fight, or what is commonly known as "Cock fighting," and prescribing a penalty for the violation of said act.

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

By Mr. Sloan—

Senate Bill No. 399:

A bill to be entitled an act to amend Section 3225 of the General Statutes of the State of Florida, the same

being relative to false imprisonments and kidnaping, and the penalty therefor.

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

By Mr. Sloan—

Senate Bill No. 400:

A bill to be entitled an act for the relief of A. S. Bennett, Powell Ottinger and T. J. Williams, of Polk County.

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

By Mr. Sloan—

Senate Bill No. 401:

A bill to be entitled an act providing for the payment to family of any person convicted of crime, from whose confinement the State or County shall receive any remuneration, either in work or cash for hire of such person, a part of the earnings of such convict.

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

By Mr. Sloan—

Senate Bill No. 402:

A bill to be entitled an act to prohibit the pointing of a gun or pistol, or any kind of firearm at any person, and providing a penalty for violation of the provisions of this act.

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

By Mr. Dayton—

Senate Bill No. 403:

A bill to be entitled an act to specify and define the manner and conditions in which aliens, foreign corporations, foreign joint stock companies, foreign partnerships may transact and carry on business in this State.

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

By Mr. Hosford—

Senate Bill No. 404:

A bill to be entitled an act to amend Sections 17 and

10 of the General Statutes of the State of Florida, relative to the boundary lines of Gadsden and Liberty counties.

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

By Mr. Hudson—

Senate Bill No. 405:

A bill to be entitled an act to amend Sections 2890, 2891, 2893, 2894, 2896, 2899, 2900, 2901, 2903, 2904, 2905, 2908, 2910, 2914, 2917, 2918 and 2924 of the General Statutes of this state, relating to the Railroad Commissioners, and the regulation of common carriers.

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

By Mr. Cone (by request)—

Senate Bill No. 406:

A bill to be entitled an act to amend Section 2759 of the General Statutes of the State of Florida, providing for the issuance of certificates to insurance companies, and providing other prerequisites.

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

By Mr. Cone ((by request)—

Senate Bill No. 407:

A bill to be entitled an act amending Section 2674 of the General Statutes of the State of Florida, providing for the method of reduction of the capital stock of corporations for profit.

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

By Mr. Cone—

Senate Bill No. 408:

A bill to be entitled an act for the relief of E. S. Futch, of Lake City, Florida, for loss of one horse ordered killed by Thomas J. Mahaffey, Veterinarian to State Board of Health of the State of Florida.

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

By Mr. Cone—
Senate Bill No. 409:

A bill to be entitled an act for the relief of D. J. Herrin, of Lake City, Florida, for loss of one horse ordered killed by Thomas J. Mahaffey, Veterinarian to State Board of Health of the State of Florida.

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

By Mr. Cone—
Senate Bill No. 410:

A bill to be entitled an act for the relief of J. T. Jones, of Lake City, Florida, for loss of ten horses ordered killed by Thomas J. Mahaffey, Veterinarian to the State Board of Health of the State of Florida.

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

The following message from the Governor was read:

State of Florida, Executive Chamber,
Tallahassee, Fla., May 10, 1909.

Gentlemen of the Legislature:

I have just received a communication from Mr. Thomas Palmer, in which he requests me to communicate to you by special message.

Mr. Palmer is now in California "with a committee of orange growers to examine into the conditions surrounding that industry in this State, and with a view to organize in our State a similar commission. I find that under our corporation laws we cannot possibly organize the class of organizations or associations which have proved so beneficial in California, unless we can get such legislation as this bill contemplates."

He has inclosed to me a bill to be entitled "An act for the organization, management and co-operation of agricultural (viticulural) and horticultural, non-profit, cooperative association." He says that the orange growers in our State produce "five or six million boxes of fruit. They have practically received nothing for it, when as a matter of fact they should have received twelve or fifteen million dollars, which would have been distributed throughout the whole peninsula. If we can accomplish our purpose and get upon the same basis of doing busi-

ness that characterizes the California growers, we can make the orange industry by far the most important industry in our State, and one that will benefit the entire people of the State."

I have the honor to be,

Very respectfully,
ALBERT W. GILCHRIST,
Governor.

Which was referred to Committee on Judiciary A.

Mr. Dayton moved that two hundred copies of Senate Bill No. 397 be printed.

Which was agreed to, and so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives.
Tallahassee, Fla., May 10, 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 appointed the following Joint Committee on the part of the House:

Under House Resolution No. 1, to inspect the Everglades drainage work—Messrs. Miller, McCaskill and Hatcher.

Under House Concurrent Resolution No. 2, to visit the Asylum—Messrs. Alexander, King and MacWilliams.

Under House Concurrent Resolution No. 4, to visit State Institutions of Higher Learning—Messrs. Page, Durrance, McKenzie, of Washington, and Terrell.

Under House Concurrent Resolution No. 7, to investigate the non-payment of poll taxes—Messrs. Durrance, Light and Smith.

Under House Concurrent Resolution No. 8, to prepare suitable resolutions upon the death of Senators Mallory and Bryan—Messrs. Neeley, Alexander and Stokes.

Under House Concurrent Resolution to visit the Old Soldiers' Home, at Jacksonville—Messrs. Carter, McKenzie, of Putnam, and Knowles.

Upon motion of Mr. Alexander, the Speaker of the House was added as a member of the committee to prepare suitable resolutions upon the death of Senators Malloy and Bryan.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 10, 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 insists on its position in refusing to concur in Senate Amendment to—

House Bill No. 29:

A bill to be entitled an act to repeal Chapter 5767, of the Laws of Florida, entitled "An act to organize a County Court in and for the county of Lafayette, to prescribe the terms thereof, and to provide for the appointment of a Prosecuting Attorney and for his compensation, and for that of the Judge of said Court."

The amendment as follows:

Strike out all of Sections 3 and 4 and add in lieu thereof the following:

"Sec. 3. This act shall take effect on its passage and approval by the Governor, or on its becoming a law without his approval."

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. 29, contained in the above message, was read, together with the amendment by the Senate.

Mr. Williams moved that the message be laid on table subject to call.

Which was agreed to.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 6, 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—

Substitute for House Bill No. 117:

A bill to be entitled an act relating to the killing of alligators on the Ocklawaha River, and to allow alligators to be killed.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And substitute for House Bill No. 117, contained in the above message, was read the first time by its title and referred to the Committee on Game and Fisheries.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 10, 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. 459:

A bill to be entitled an act to organize and establish a county court in and for Escambia County, Florida, and to prescribe the terms thereof and for calling special terms of the said court; the transfer of causes from other courts and matters pertaining thereto.

Also—

House Bill No. 555:

A bill to be entitled an act to prohibit the catching

and taking of fish from the fresh water lakes and streams of Bradford County, Florida.

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. 459, contained in the above message was read the first time by its title and referred to the Committee on County Organization.

And House Bill No. 555, contained in the above message, was read the first time by its title and was referred to the Committee on Game and Fisheries.

Senate Bill No. 104:

A bill to be entitled an act creating a State Board of Pensions, defining who shall receive pensions, who shall not receive pensions, how application shall be made, how pensions shall be paid, duty of County Commissioners in regard to pensions, providing for the levy of pension tax, and authorizing the State Board of Pensions to make rules and regulations to carry into effect the provisions of this act.

Mr. Dayton moved that Senate Bill No. 104 be made a special order for Thursday, at 11 o'clock a. m.

Which was agreed to.

ORDERS OF THE DAY.

Mr. Buckman moved to continue the order of the day relative to reconsideration of the vote by which House Memorial No. 1 was indefinitely postponed.

Which was agreed to.

Mr. Dayton moved that rules be waived and the Senate take up Senate Bill No. 67, now on its third reading and be now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 67:

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

Was taken up and read a third time in full.

Mr. Cone moved to waive the rules and that Senate Bill No. 67 be put back on the second reading for amendment, and that 200 copies of same be printed.

Which was agreed to and so ordered.

Mr. Williams moved that the rules be waived and that Senate Bill No. 110 be taken up out of its order for immediate consideration.

Which was not agreed to.

Senate Bill No. 187:

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

Was taken up.

Mr. Harris moved that the rules be waived and that the bill be recommitted.

Which was not agreed to.

Senate Bill No. 160:

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

Was taken up and passed informally.

Mr. Williams moved to waive the rules and take up.

Senate Bill No. 110:

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

Which was not agreed to.

BILLS ON SECOND READING.

Senate Bill No. 187:

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

Was taken up and passed over informally.

SPECIAL ORDER OF THE DAY.

The hour of 10:30 o'clock having arrived, being the hour set for the special consideration of Senate Bill No. 369:

Senate Bill No. 369:

A bill to be entitled an act to amend Sections 1293

and 1295 of the General Statutes of the State of Florida, relating to the powers and duties of Pilot Commissioners.

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

Mr. Davis moved to indefinitely postpone the bill.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—Mr. President, Senators Beard, Broome, Buckman, Cook, Cone, Davis, Henderson, Humphries, McCreary, Sams, Sloan, Williams, Withers—14.

Nays—Senators Adkins, Baker (29th Dist.), Harris, Hosford, McMullen—5.

So the Senate indefinitely postponed the bill.

Mr. Beard gave notice that he would move to reconsider the vote by which the bill was indefinitely postponed.

Which went over under the rule.

The hour of 11 o'clock a. m. having arrived, the special hour set for the consideration of Senate Bill No. 15.

Senate Bill No. 15:

A bill to be entitled an act to prohibit the sale, exchange or barter of intoxicating liquors, wines or beer in the State of Florida, and providing a penalty for the violation thereof.

Was taken up.

Mr. Beard moved that the further consideration of Senate Bill No. 15 be deferred until 11 o'clock on Thursday next.

Mr. Cone moved to indefinitely postpone the bill.

Upon the question to defer the motion was lost.

The question recurred upon the motion to indefinitely postpone Senate Bill No. 15.

The motion was withdrawn by Mr. Cone.

Mr. McMullen moved to defer the consideration of the bill until Friday.

Which was not agreed to.

Mr. Johnson moved to indefinitely postpone the bill.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (29th Dist.), Broome, Buckman, Davis, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McMullen, Sams, Williams, Withers—17.

Nays—Beard, Cook, Cone, Girardeau, McCreary, Sloan.
—6.

So the bill was indefinitely postponed.

Mr. McMullen moved the Senate request the House of Representatives to return to the Senate House Bill No. 342.

Which was agreed to, and the Secretary was ordered to so certify to the House of Representatives.

Senate Bill No. 160:

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

Was taken up and was withdrawn.

BILLS ON THE SECOND READING.

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.

Was taken up and was informally passed over.

Senate Bill No. 230:

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

Was taken up and was informally passed over.

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.

Was taken up and was informally passed over.

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 his legal costs, and constituting said

judgment a lien, and authorizing its satisfaction in the same manner as other judgments recovered in the Circuit Court.

Was taken up and was informally passed over.

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.

Was taken up.

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

Which was agreed to, and House Bill No 85 was indefinitely postponed and the same was ordered to be certified to the House of Representatives under the rule.

House Bill No. 36:

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

Was taken up.

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

Which was agreed to, and House Bill No. 36 was indefinitely postponed.

House Bill No. 5:

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

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

Which was agreed to, and House Bill No. 5 was indefinitely postponed.

Senate Bill No. 58:

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

Was taken up and read the second time.

And—

Committee Substitute, Judiciary B, for—
Senate Bill No. 5:

A bill to be entitled an act defining the persons entitled to bring actions for negligence, and providing for the survival of such action, and prescribing the time within which actions for negligence causing the death of another may be brought.

Was taken up and read the first and second times in full.

Mr. Dayton moved to adopt the Committee Substitute in lieu of the original bill.

Mr. Broome moved to indefinitely postpone the Substitute to Senate Bill No. 58.

Which was not agreed to.

The question recurred upon the motion to adopt the Substitute.

Mr. Williams offered the following amendment to the Committee Substitute for Senate Bill No. 58:

Strike out the words "two years" on line 3 of Section 3, and insert in lieu thereof the following words, "three years."

Mr. Williams moved the adoption of the amendment. Upon which the yeas and nays were called.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (29th Dist.), Broome, Cone, Davis, Girardeau, Leggett, McMullen, Sloan, Williams, Withers—12.

Nays—Senators Buckman, Cook, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, McCreary, Sams—10.

So the Substitute was adopted.

So the amendment to the Substitute Bill was adopted.

The question recurred upon the adoption of the Committee Substitute as amended.

It was agreed to and the Substitute as amended was adopted in lieu of the original bill.

The Substitute to Senate Bill No. 56, as adopted and amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 85:

A bill to be entitled an act to re-district the eight 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 re-districting of the State.

Was taken up and read second time in full.

The Committee Substitute for Senate Bill No. 85:

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

Was read first time by title.

The Committee Substitute for Senate Bill No. 85 was read the second time in full.

Mr. Dayton moved to adopt the Committee Substitute in lieu of the original bill.

Which was agreed to and the Committee Substitute was adopted.

And the Substitute as adopted was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 25:

A bill to be entitled an act requiring the depositing with the Clerk 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.

Was taken up and read the second time.

Judiciary B substitute for—

Senate Bill No. 25:

A bill to be entitled an act requiring the depositing with the clerk 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.

Was taken up and read the first and second times.

Mr. Cone moved that the rules be waived and that the substitute be read by its title only.

Which was agreed to by a two-thirds vote, and the Committee substitute was read the second time by its title only.

Mr. Cone moved that the Committee substitute be adopted in lieu of the original bill.

Which was agreed to and the substitute was adopted.
Mr. Cone moved to indefinitely postpone the Committee substitute for Senate Bill No. 25.

Which was agreed to, and the Committee substitute was indefinitely postponed.

Senate Bill No. 140:

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

Was taken up and read the second time in full.

The Committee substitute for Senate Bill No. 140 was taken up and read the first time by its title.

Mr. Buckman moved that the rules be waived and that the Committee substitute be read the second time.

Which was agreed to by a two-thirds vote, and the substitute for Senate Bill No. 140 was read a second time in full.

Mr. Buckman moved to adopt the substitute to Senate Bill No. 140.

Mr. Cone moved to indefinitely postpone the substitute.
Which was not agreed to.

Mr. Williams offered the following amendment for Senate substitute for Senate Bill No. 140:

Strike out Section 2.

Mr. Williams moved the adoption of the amendment.
Which was not agreed to.

Mr. Cone offered the following amendment to Senate substitute for Senate Bill No. 140:

Strike out the word "six" in Section 2 and insert in lieu thereof the word "three."

Mr. Cone moved the adoption of the amendment.
Which was not agreed to.

The question recurred upon the adoption of the substitute to Senate Bill No. 140 in lieu of the original bill.
Which was agreed to and the substitute adopted.

The substitute to Senate Bill No. 140, as amended and adopted, was placed on the Calendar of Bills on the third reading.

Mr. Harris moved that the rules be waived and that the Senate now take up Miscellaneous Business.

Which was agreed to by a two-thirds vote.

MISCELLANEOUS BUSINESS.

Mr. Johnson moved that the Senate do now adjourn to 10 o'clock to-morrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock a. m., Wednesday, May 12, 1909.

CONFIRMATIONS.

The following are new confirmations by the Senate:

Horace C. Gordon, to be Judge of the Criminal Court of Record in and for the county of Hillsborough, Florida.

T. M. Weir, to be Harbor Master for the Port of Tampa.

To be Pilot Commissioners for the Port of Tampa—

H. L. Knight, L. L. Buchanan, W. H. Caldwell, George N. Benjamin and V. B. McIlvaine.

WEDNESDAY, MAY 12, 1909.

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, Beard, Broome, Buckman, Cook, Cone, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Sams, Sloan, Williams, Withers—22.

A quorum was present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of May 11 was dispensed with.

The Journal of May 11 was corrected.

The Journal of May 11 was approved as corrected.

The Journal of May 10 was approved as corrected.

REPORTS OF COMMITTEES.

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