

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

Senate Chamber,
Tallahassee, Fla., May 12, 1909.

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

Sir:

Your Committee on Constitutional Amendments to whom was referred—

Senate Joint Resolution No. 277:

With committee substitute as hereto attached.

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. 277, with committee substitute, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Johnson moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock a. m., Thursday, May 13, 1909.

THURSDAY, MAY 13, 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), Broome, Cook, Cone, Davis, Girardeau, Henderson, Hosford, Humphries, McCreary, McLeod, Williams, Withers—15.

No quorum present.

The Sergeant-at arms was directed to bring in Senators from committee rooms.

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

Mr. President, Senators Adkins, Baker (29th District), Beard, Broome, Cook, Cone, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Sloan, Williams, Withers—22.

A quorum present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of May 12 was dispensed with.

The Journal of May 12 was corrected.

The Journal of May 12 was approved as corrected.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., May 12, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 5:

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

Also—

Senate Bill No. 43:

A bill to be entitled an act to prescribe a law governing pardon applications.

Also—

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.

Also—

Senate Bill No. 167:

A bill to be entitled an act to prohibit the sale, gift or disposal of liquors on Sunday, and providing punishment therefor.

Beg leave to report that above bills have been carefully examined and correctly engrossed.

Very respectfully,

JAMES E. BROOME,
Chairman of Committee on Engrossed Bills.

And Senate Bills No. 5, 43, 67 and 167, contained in the above report, were placed on the Calendar of Bills on Third Reading.

Mr. Miller, Chairman of the Committee on Railroads, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 13, 1909.

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

Sir:

Your Committee on Railroads, to whom was referred—
Senate Bill No. 237:

A bill to be entitled an act to amend Sections 2873 and 2875, of the General Statutes of the State of Florida, relating to fencing of railroad tracks.

Have had the same under consideration and submit as a substitute therefor the bill hereto attached and designated—

Committee Substitute for Senate Bill No. 237:

A bill to be entitled an act to amend Sections 2873 and 2875, of the General Statutes of the State of Florida, relating to fencing of railroad tracks.

Very respectfully,

J. A. WILLIAMS,
Acting Chairman of Committee.

And Senate Bill No. 237, 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., May 13, 1909.

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

Sir:

Your Committee on Municipalities, to whom was referred—

House Bill No. 542:

A bill to be entitled an act to legalize the town government of Dunnellon, Florida, to fix the corporate limits and to provide a common seal therefor, and to grant a charter to said municipality.

Also—

House Bill No. 583:

A bill to be entitled an act to empower the City of Kissimmee to impose certain license taxes.

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

Very respectfully,

W. HUNT HARRIS,
Chairman of Committee.

And House Bills Nos. 542 and 583, contained in the above report were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 12, 1909.

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

Sir:

Your Committee on County Organization, to whom was referred—

House Bill No. 454:

A bill to be entitled an act providing for the creation of Pinellas County in the State of Florida, and for the organization and government thereof:

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

Very respectfully,

W. E. BAKER,
Chairman of Committee.

And House Bill No. 454, contained in the above report, was placed on the Calendar of Bills of Second Reading.

The following report was read:

Tallahassee, Fla., May 12, 1909.

Hon. Fred M. Hudson,

President of the Senate.

Sir:

Your Joint Committee appointed under Senate Concurrent Resolution No. 2 to visit the institution known as the "Soldiers' Home" in Jacksonville, beg leave to make the following report:

This institute is incorporated under the name and style of the "Confederate Soldiers' and Sailors' Home," it is a corporation "limited." The land and other property was purchased by private contributions at a cost of nearly six thousand dollars. It is perhaps worth twice that amount at present. It is beautifully situated on the St. Johns River, within the corporate limits of the metropolis of the State. When the "limited" expires this property will go to the State under the law of escheats. Although this place is called a "Home" it is more like a small hospital and is inadequate for the proper care of the inmates already there, fifteen in number.

Your committee recommend that better accommodations be provided, but whether or not it is advisable to encourage the growth of the institution is a matter to be decided by the Legislature.

This charitable institution is under the care and management of a superintendent and matron, who seem to have the interest of the old soldier deeply at heart.

We append hereunto estimate submitted by Dr. Robinson, president of the institution. All of which we respectfully submit.

R. F. HOSFORD, Chairman.

W. H. H. McLEOD,

On Part of Senate.

J. ELLIS BLANTON,

H. A. B. McKENZIE,

On Part of the House.

OLD CONFEDERATE HOME.

H. Robinson, President.

Jacksonville, Fla., May 8, 1909.

Hon. Mr. Blanton,

Chairman House Committee on Pensions:

I respectfully request that the following permanent appropriations be made by the Legislature now in session for maintenance of this Confederate Home; said appropriations to be permanent:

1. For the support of each inmate of the Home, payable monthly, per month, \$16.00.
2. For maintaining hospital, including nurses, physician, medicines, disinfectants, etc. per monthly, \$75.00.
3. For salary of superintendent, payable monthly, per month, \$30.00; matron's salary, per month, \$20.00.
4. Burial expenses for each death, \$50.00.
5. Contingent fund per annum, payable in advance, to include fire insurance, repairs, furniture, bedding and all extras needed, \$500.00.
6. For enlargement of hospital, repairs, baths, etc., \$5,000.00.

This last appropriation to be contingent of actual expenditure, or so much of the same as may be needed.

All sums to be drawn by the president on a requisition to be made on the Comptroller of the State.

Respectfully submitted,

H. ROBINSON,

President the Soldiers' Home.

Mr. Hosford moved that the report be received and that the same, with accompanying estimate, be spread on the Journal.

Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Hudson—

Senate Bill No. 425:

A bill to be entitled an act to prohibit the catching of fish or fishing in the Eau Gallie River, in Brevard County, except with hook and line.

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

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 21:

A concurrent resolution relative to the construction of a ship canal across the peninsula of Florida.

Was taken up in its order, and was read a second time.

Upon the question of its passage, it was agreed to and adopted.

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

Senate Memorial No. 4:

A memorial to the Congress of the United States, requesting an appropriation for Taylor's Creek.

Was taken up in its order, and was read a second time.

Upon the question of its passage, it was agreed to and adopted.

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

The following message from the Governor was read:

State of Florida, Executive Chamber,
Tallahassee, May 11, 1909.

Gentlemen of the Legislature:

I have the honor to invite your attention to the accompanying communication from the Comptroller in which he shows the necessity for better securing, against fire, the windows of the vault in which are placed numerous records.

Very Respectfully,

ALBERT W. GILCHRIST,
Governor.

State of Florida, Executive Chamber,
Tallahassee, May 11, 1909.

Hon. Albert W. Gilchrist,
Governor of Florida.

Tallahassee, Florida.

Dear Sir:

I deem it my duty to call special attention to the windows of the vaults in the basement of the Capitol.

These vaults are filled with valuable records, books, vouchers, etc., belonging to the State of Florida, and if

lost, could not be replaced. Vouchers upon which warrants have been issued from 1845 to 1885, with the records of the office for the same years, are in the vaults used by this office, and the other vaults contain records that are of the utmost importance to other offices in the capitol.

These vaults were constructed with the view of making them fire proof, but the windows are only protected by one thickness of iron, which has warped without having been subject to any heat except the steam heat in the building and the rays of the sun. Double iron shutters should be placed in each window, with the air space between, in the same manner that doors are provided for vaults.

Yours very truly,

A. C. CROOM,
Comptroller.

Mr. Johnson moved that the message be received and that the message with the accompanying document be spread on the Journal.

Which was agreed to.

Also the following message from the Governor was read:

State of Florida, Executive Chamber,
Tallahassee, Fla., May 12, 1909.

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

Sir:

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

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

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.

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, in the State of Florida, by the use of seines, gill nets, drag nets, haul nets, or any other

kind of nets or devise except cast nets and hook and line, and prescribing penalties for violation thereof.

An act to validate the municipal election of the Town of Oakland, in Orange County, held on March 29, 1909, and to declare the persons elected at such elections the duly constituted authorities of the town.

An act to regulate osteopaths and osteopathy.

An act to amend Section 4, 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,'" approved June 2, 1893, to abolish the office of Trustees of Water Work Bonds, and to grant additional power to said municipality."

An act to legalize and validate the ordinances of the City of Quincy, Florida, entitled an ordinance to provide for the issuing of bonds by the Mayor and City Council of the City of Quincy under provision of Chapter 5844, Laws of Florida, entitled "An act to abolish the present municipal government of the Town of Quincy, in the County of Gadsden and State of Florida, and to establish, organize and constitute a municipality to be known and designated the City of Quincy, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges," approved May 9, 1909, and to provide for an election to determine whether such bonds shall be issued, passed by the Council of the City of Quincy on the 25th day of March, 1909, and approved by the Mayor of the City of Quincy on the 25th day of March, A. D. 1909, and to legalize and validate the special election held the 27th day of April, 1909, by the qualified electors of the City of Quincy, under provisions of said ordinance, and to legalize and make valid any and all bonds issued by the City of Quincy, Florida, under said ordinance, and to legalize and make valid all the proceedings and resolutions of the Council of the City of Quincy, Florida, under said ordinance.

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

Mr. Cone moved that hereafter all messages from the Governor in reference to action on bills, except such as he vetoes, be spread upon the Journal without motion.

Which was agreed to.

ORDERS OF THE DAY.

Mr. Beard moved that the reconsideration of the vote by which Senate Bill No. 369 was indefinitely postponed be deferred until to-morrow.

Which was agreed to.

The question of the motion to reconsider the vote by which House Memorial No. 1 was indefinitely postponed was passed informally owing to the absence of the Senator from the Eighteenth District.

SPECIAL ORDER OF THE DAY.

Senate Bill No. 231:

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

Was taken up, having already been read the second time in full.

The amendment of Mr. Henderson, which was pending, was read as follows:

Strike out the words "two per centum or more" in lines three (3) and four (4), in Section One (1) of the printed bill and insert in lieu thereof the following, "more than one-half of one per centum."

Mr. Henderson moved the adoption of the amendment.

Which was agreed to, and adopted.

Mr. Williams offered the following amendment to Senate Bill No. 231:

Add the following:

Sec. 5. This act is accumulative and is not to be construed as conflicting with existing laws of the State of Florida.

Which was withdrawn.

Mr. Williams offered the following amendment to Senate Bill No. 231:

Add to the bill:

Sec. 5. This act is accumulative and is not to be construed as conflicting with any of the laws of the State of Florida prohibiting the manufacture and sale of any intoxicating, spirituous, vinous or malt liquors.

Mr. Williams moved the adoption of the amendment.

Which was not agreed to.

Mr. Dayton offered the following amendment to Senate Bill No. 231:

"Provided, the provisions of this act shall apply to the concoctions known as 'Pe-run-na' and 'Hostetter's Bitters,' and all concoctions or patent medicines where same shall contain the per cent of alcohol prohibited by this act, where same are sold without physician's prescription."

Mr. Dayton moved the adoption of the amendment.

Which was not agreed to.

And Senate Bill No. 231, as amended, was referred to the Committee on Engrossed Bills.

SPECIAL ORDER OF THE DAY.

Mr. Leggett moved that Senate Bill No. 104 be made a special order for 10:30 o'clock on Tuesday next.

Which was agreed to, and so ordered.

BILLS ON THE 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 was passed informally.

House Bill No. 19:

A bill to be entitled an act providing that no judgment shall be revised by an appellate court except for errors affecting the merits of the action.

Was taken up and was passed temporarily.

Mr. Dayton moved to waive the rules and take up bills on the Third Reading.

Which was agreed to by a two-thirds vote.

And the Senate proceeded to consider—

BILLS ON THE THIRD READING.

Mr. Dayton moved to waive the rules and that Senate Bill No. 2 be taken up and considered.

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

Senate Bill No. 2:

A bill to be entitled an act to secure to the people

of Florida school text-books at reduced prices; to provide special editions of said books at low prices; to empower County Boards of Public Instruction to adopt such books, if desired; to authorize County Boards of Public Instruction to make contracts with publishers; to provide for the filing of contracts to provide for children who may move from one county to another; to provide a penalty for any dealer, clerk or agent who may sell school text-books at greater prices than the contracts entered into between Boards of Public Instruction and publishers, and for other purposes.

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

Mr. Cone moved to indefinitely postpone Senate Bill No. 2.

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

Which was not agreed to.

The question recurred upon the motion 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 Broome, Cone, Girardeau, Leggett, McLeod, McMullen, Withers—8.

Nays—Senators Adkins, Beard, Buckman, Davis, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, McCreary, Sams, Sloan—13.

Mr. Cook announced that he had paired with Mr. Baker, of the 29th District. That if Mr. Baker, of the 29th District, were present and voting that Mr. Baker would vote for indefinite postponement of the bill and he (Mr. Cook), would vote against it.

So the Senate refused to indefinitely postpone the bill.

Mr. Cone moved that the further consideration of the bill be deferred to Monday at 11 o'clock.

Which was agreed to and so ordered.

Mr. Dayton was excused until Monday.

Mr. Harris moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock a. m., Friday, May 14, 1909.