

THURSDAY, MAY 27, 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), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim.—31.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 26 was corrected.

The Journal of May 25 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 26, 1909.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 330:

A bill to be entitled an act relating to the liability of railroad companies having a relief department, to its employees.

Beg to report that having carefully examined said bill return herewith correctly engrossed.

Very respectfully,

JAMES E. BROOME,
Chairman of Committee.

And Senate Bill No. 330, contained in the above report, was placed on the Calendar of Bills on Third Reading.

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

Senate Chamber,

Tallahassee, Fla. May 18, 1909.

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

Sir:

Your Committee on Claims, to whom was referred—

Senate Bill No. 386:

A bill to be entitled an act for the relief of the tax assessors of the counties of Dade, St. Lucie, Osceola, Lee and DeSoto.

Also—

Senate Bill No. 346:

A bill to be entitled an act to appropriate the sum of \$5,474.77 out of any funds in the State Treasury to pay certain Indian War Claims.

Also—

Senate Bill No. 272:

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

Also—

House Bill No. 283:

A bill to be entitled an act for the relief of Jesse Lee.

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

Very respectfully,

BUELL COOK,
Chairman of Committee.

And Senate Bills Nos. 386, 346 and 272, and House Bill No. 283, contained in the above report, were 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., May 25, 1909.

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

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 459:

A bill to be entitled an act to appropriate money to meet the deficiency in salaries and expenses of the Railroad Commissioners for the six months ending June 30, 1909.

Have had the same under consideration and recommend that the same do pass, with the following committee amendment, to wit:

In line 1, of Section 1, strike out the figures "\$7,000.00" and insert in lieu thereof the figures "\$6,747.01."

Very respectfully,

I. N. WITHERS,
Chairman of Committee.

And Senate Bill No. 459, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 25, 1909.

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

Sir:

Your Committee on Temperance, to whom was referred—

House Bill No. 153:

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.

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

Very respectfully,

D. C. McMULLEN,
Chairman of Committee.

And House Bill No. 153, contained in the above report, was placed on the Calendar of Bills on Second Reading.

REPORT OF JOINT COMMISSION.

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

*To the Hon. F. M. Hudson,
President of the Senate, and
Hon. Ion L. Farris,
Speaker of the House of Representatives,
Of the State of Florida.*

Pursuant to the provisions of House Concurrent Resolution No. 1, we, your committee, beg to submit the following report:

We assembled at the Green Tree Inn, Miami, Florida, on the morning of May 11th, where we were met by a delegation of the hospitable citizens of Miami with an automobile, in which we were transported to the falls or headwaters of the Miami River. They then led the way on foot to an observatory located near the Everglades. From this eminence we were enabled to examine the Glades as far as the eye could reach, as well as the precipitous incline and falls of the Miami River. From this tower we proceeded down the river below the falls to a point where the new steel dredge "Miami" had begun the initial and trial work of cutting through the vein or wall of rock which forms a dam of Lake Okeechobee, and through which the waters of the Miami River have formed the falls. The dredge "Miami" began her task of cutting the Miami Canal, as projected by the engineers, at this point.

It was a part of the contract with the builders of this dredge that she should be subjected to a trial test of fifteen days under the supervision of the Trustees before final payment was made. She was at this time undergoing this test, with every prospect of success, and the Tampa Foundry and Machine Company and the Marion Steam Shovel Company, of Marion, Ohio, are to be congratulated for the work on this dredge.

Here we witnessed two blasts in water and rock which gave evidence of competency and effectiveness, even to the killing of alligators, one of which was floating down the stream after the blast and was secured and placed on board by the men.

After the examination of the work of this dredge we retraced our steps to the bridge across the Miami River and boarded the automobile, which rapidly conveyed us to the place of Mr. Walter Waldin, a prosperous farmer, formerly of Iowa, where we were shown a fine young grove of orange and grapefruit trees about five years old, in bearing. This land is situated on the edge of the Glades and is irrigated by water from the Glades, conveyed by a canal cut by Mr. Waldin, and we here quote his answers to our inquiries:

"I have cropped here on this class of land five years and my average on irrigated Glades land for the first four years has been a trifle over \$800.00 per acre per year net. This year I have been obliged to curtail my crop, as the trees (grapefruit) are beginning to interfere, as they have a considerable spread. I have netted about \$500.00 this year on this land per acre. I think a net of from \$300.00 to \$500.00 can be made per acre on drained Everglades land by intelligent culture and close application to the following crops: Tomatoes, beans, eggplants, cucumbers, Irish potatoes, mango peppers and squash. I am also of the opinion that one-half as much as this can be made in many farm crops, such as sugar cane, bananas, etc., and a valuable grove can be made either of oranges or grapefruit in the meantime. You will notice I have left considerable margin between what I have accomplished and what I claim can be done by the average gardener, but as it takes a little study and knowledge to do this I wished to be very conservative in this matter, so as not to mislead anyone.

"As to the value of a bearing grapefruit or orange grove in this land, I am not able to say conclusively, as the price of these fruits fluctuates considerably; of a few things, however, I can speak intelligently: Such a grove can be grown for practically nothing (by growing any of these crops between the rows to pay expenses); that the fruit will remain longer in juice I am able to say positively, also to state that the quality is of the very best.

"As to the value of the land: Analysis gives from 2 to 4 per cent of ammonia; the fact that it can be drained cheaply, and irrigated cheaply, should make this land of the most valuable, especially when the exceptionally favorable climatic conditions are taken into consideration. The matter of transportation will, in addition to this, be

an important factor, as this can be and will be accomplished through larger drainage canals."

His hobby seemed to be bananas. Many specimens of fine varieties were shown us growing along the edge of the Everglades.

On the morning of May 12th we left Miami on the launch "Scout" and proceeded through Biscayne Bay and Arch Creek to the canal which is now being constantly used by the Coast Line Canal and Transportation Company.

When we came to New River we ascended same to Ft. Lauderdale, where we disembarked and boarded one of the boats used by the Trustees to transport fuel and supplies to the dredges, and were then conveyed to the North River Canal; thence up the same to the first dam, which owing to the fall of the water, was constructed to keep the dredge afloat while excavating the canal. Here we disembarked and examined a fine orange grove and some very large guava trees. Then we were met by Mr. Savage, one of the civil engineers employed by the trustees on this work, and then retraced our steps to New River; thence South and up the river to where the second canal is being cut. From New River into the Glades, on our way up this canal we disembarked and examined several crops of vegetables being grown on the partly reclaimed Glades lands.

A Mr. Linard, an owner of one of these farms, courteously led us over his land, telling us of his successful work even under adverse circumstances; showing us some fine specimens of Irish potatoes, and assured us that the yield of the crop on the land now about ready for harvesting and on a conservative basis would not be less than 90 barrels to the acre, and supported this estimate by an actual shipment and sale over that amount from adjoining lands this year.

Further westward into the Glades we examined a crop of tomatoes which gave evidence of a fine yield and good quality. Besides these, we saw corn and other vegetables which left no doubt in our minds that all this land when properly drained would be exceedingly productive and invaluable owing to the fact of its situation, practically below the frost line and cheap transportation therefrom.

We proceeded on our way to the first dam on this canal where it became necessary to leave our boat and climb

over or around the dam, where we found other boats which transported us to the dredge "Okeechobee," which we found busily engaged in excavating this canal, heading towards the Miami canal to a point where an intersection is to be made according to plans laid out by the engineers in charge. We boarded the dredge "Okeechobee," and with much interest we saw the wonderful and almost intellectual work of this monster dredge; moving about 4 1-2 cubic yards of muck and rock every forty seconds. From the upper deck of this dredge we examined the Glades for miles in every direction; presenting one unbroken sameness as far as the eye could reach.

On our return to Ft. Lauderdale we expected to examine the first canal, but owing to the lateness of the hour, and the fact that the dredge "Everglades" was temporarily stopped for some minor repairs, we did not penetrate this canal further than the first dam.

The next morning we boarded the "Scout," and after a few snapshots at a few Seminole Indians, we proceeded up the Coast Line Canal to West Palm Beach and passed through some very fine reclaimed lands under cultivation, where we saw thousands of crates of tomatoes in transit, on the banks and in packing houses. One of the owners at a point where we made a temporary stop assured us that he had gathered and sold as many as 500 to 1,000 crates of tomatoes per acre which averaged him \$2.00 net per crate.

From Palm Beach we proceeded by rail to Dayton for the reason that the greater portion of the water route between these points was composed of bays, rivers and lagoons, and partly under the control and in the possession of the Federal government, and here we learned that the Federal government had authorized Captain Bie and certain assistants to make a survey of this inland waterway, the particulars of which will be mentioned hereinafter.

Between Ft. Lauderdale and Palm Beach we passed many fine truck farms and groves, upon which was growing in rich profusion on the lands reclaimed by the drainage afforded by the Coast Canal, fruits and vegetables, which lands were absolutely worthless before this drainage.

On the morning of the 14th inst. we again embarked in

a launch for St. Augustine, and after passing through the Halifax River, we entered the canal connecting it and the Matanzas River. Here we encountered the heaviest and most difficult work of the Canal Company, a portion of which was cut through solid rock, and there we passed one of the Company's suction dredges cleaning out the shoals. Not far from the Matanzas River, near the Matanzas Inlet, we passed the historic Mantanzas Fort, now fast decaying, which should be repaired and protected as one of our oldest relics.

On Saturday, the 15th inst. we left St. Augustine at 5 o'clock in the morning and proceeded by launch to the head of North River; thence through the canal to where the company was constructing a temporary dam. There we took row boats to where the dredge "South Carolina," one of the Canal Company's dredges, was at work at the head of the completed canal. From this point we proceeded in row boats and on foot to a point where two land excavators were busily at work tearing up stumps and roots and excavating about six feet of soil and sand. This was in the midst of a virgin forest and was very heavy work.

From this point we proceeded by team to Pablo Creek, where we again embarked in a launch up Pablo Creek to where the Canal Company had another dredge at work headed for the point we left by team and where the land excavators were at work. After a short stay watching the work of this dredge, we reversed our course down the creek by launch to St. John's River. Near the mouth of Pablo Creek we passed another of the Canal Company's dredges at work straightening this creek, which will materially shorten the distance to its mouth. Passing this dredge we entered the St. John's River, and in a short time landed at Mayport, where we took a train for Jacksonville.

The Canal Company has only about five miles of incomplete solid work to do to have an open waterway for small craft from the St. Johns to Key West, and the company assured us that this would be completed on or before November 1, 1910.

We secured the following information from a reliable source which we deem of interest and importance, and which we here insert:

U. S. Survey of Inland Waterways Commenced.

The United States steamer "McGuire," in charge of Capt. O. N. Bie, assistant to Captain Spalding of the United States Engineer Corps, arrived at St. Augustine some days ago and left the harbor the first of last week for Key West via the inland route. It is, we are told, the intention of the party under the direction of Captain Bie to make a survey of the canals of the Florida Coast Line Canal and Transportation Company, and of the intervening natural waters with a view of ascertaining the quantity and character of the material which it would be necessary to remove in order to secure a channel, which in the opinion of the government engineers, will be sufficiently large to accommodate the present and prospective traffic which would naturally seek water transportation.

By a recent act of Congress appropriations have been made for survey of this proposed inland waterway along the Atlantic coast from Boston to Key West, the idea being to estimate and report on the cost of a ship canal from Boston to Beaufort, N. C., and a barge canal from Beaufort to Key West. The dimensions of the canals do not seem to have been definitely fixed by act of Congress, and this question will no doubt be decided by the corps of engineers. From Boston the proposed inland route will follow Barnstable (or Cape Cod) Bay to the Cape, thence via a canal across Cape Cod to Long Island Sound, and via the Sound and the East River into New York harbor. From New York the waterway will probably follow the route of the Delaware and Raritan Canal to the Delaware River and via that river past Philadelphia and Wilmington to Delaware City, where it will doubtless enter the Chestpeake and Delaware Canal and follow the line of that canal to Chesapeake Bay, and on through the Bay and past the city of Baltimore to Norfolk, Va.; from Norfolk either the route of the Albemarle Canal will be followed or that of the old Dismal Swamp Canal, which was enlarged about ten years ago, but which has the disadvantage of being a locked waterway, though it could no doubt be easily enough transformed into tide-level canal. After leaving whichever of the above-mentioned canals may be selected, the waterway will follow the great North Carolina sounds to Beaufort Inlet, where the survey for the ship canal will terminate, and that for

the barge canal will commence. This latter survey means, we understand, the investigation of the character of all classes of material to a depth of twelve feet below mean low water level, as well as the selection of the most feasible route, though it is left to the Government engineers to decide the depth necessary to accommodate the traffic on each particular section of this inland waterway. From Beaufort, N. C., to a point a short distance north of Charleston there is practically no natural continuous inside passage now existing, though there are several disconnected lagoons which can be utilized by the Government by joining them by canals and deepening the natural channels where necessary. From Charleston, S. C., however, to the St. Johns River, there is a continuous natural inland passage varying in depth, via Port Royal Sound and the various other sounds and creeks along the South Carolina and Georgia coasts to Cumberland Sound, past the cities of Savannah and Brunswick to Fernandina, Florida, and from that city via Nassau Sound and the Sisters Creek to the great St. Johns River near its entrance to the sea, about twenty-five miles east of Jacksonville.

From the St. Johns River the channel of Pablo Creek, which continues the inside waterway to the south, is now being improved by the Florida Coast Line Canal and Transportation Company, under a permit from the War Department, and a canal is being cut by the same company through a heavily-timbered country from a point at the southern end of Pablo Creek to the North Matanzas River, which it enters about twenty miles north of St. Augustine. From St. Augustine south to Biscayne Bay an inside passage has been constructed by the Canal Company under a charter from the State, and when the above-mentioned canal, extending north toward the St. Johns River, is completed, and Pablo Creek straightened and otherwise improved, the inside waterway along the whole of the East Coast of Florida will be navigable from Fernandina and Jacksonville to Key West, as there is a natural protected passage inside the Keys from Biscayne Bay to the latter city.

This great waterway means much more to the people of the east coast counties of Florida than they realize at the present time. The canals so far built have drained vast areas of swamp land, which are now producing veg-

etables and fruits of various kinds in large quantities, and when the work is fully completed the waterway will serve two useful purposes, as it will not only help the drainage of the territory through which it passes, but it will also provide an inexpensive transportation route, and insure the establishment of reasonable freight and passenger rates to and from all points on the coast between Jacksonville and Key West. At the present time the Canal Company has the right to charge tolls on all vessels using its canals, said tolls to be fixed by the company and approved by the Trustees of the Internal Improvement Fund, but it is hoped that the survey now in progress under Captain Bie's direction, will result in the acquisition of the rights of the Canal Company by the government (thus making it free to the public) and the enlargement of the canals and natural inside channels along the whole coast.

If this great work between Boston and Key West is seriously undertaken by the United States, it will provide a marvelous line of defense along the whole Atlantic coast, as light draft vessels, equipped with heavy guns, each vessel being practically a floating (or movable) fort, would have a strong influence in keeping hostile war ships well off shore, while patrols of light-draft gunboats would undoubtedly prevent attempts being made in time of war to land large bodies of men on what, without this inside waterway, would be absolutely isolated and undefended sections of the coast line.

During the Spanish War, when the transportation companies of the country were charging the highest rates obtainable from the Government on all war supplies, the services of the Florida Coast Line Canal were called into requisition, and by using the canal the the government saved six thousand five hundred dollars in freight charges alone, on the delivery of three mortar carriages at the fort at Key West. The Canal Company transported these carriages from Titusville to Key West for \$2,500, whereas, the lowest rate obtainable from Tampa to any other point of delivery in Florida (from rail to water) to Key West, amounted to \$9,000, showing a saving to the government of \$6,500.

This gives one instance of the value of an inside waterway in time of war, and its effect on the commercial interest of the country in time of peace, will no doubt prove equally beneficial.

To the Hon. J. E. Randsdell, president of the National Rivers and Harbors Congress, and the Hon. J. Hampton Moore, president of the Atlantic Deeper Waterways Association, is due the credit of securing the appropriations for the surveys above named.

We did not have the time or the means at hand to determine the exact depth or width of the Coast Canal, but from the draft of the launches used, the frequent soundings with poles, we feel justified in the conclusion that in so far as the canal is completed it has been done according to contract, with the exception of certain shoals, which are now being removed by the suction dredges hereinbefore mentioned. That this canal will be of incalculable value to the people of the nation, which is evidence by the saving in freight as above shown to the Government during the Cuban War, we firmly believe and affirm.

We took train at Jacksonville for Fort Myers at 9 o'clock and arrived there about noon on the 16th inst. We secured a launch, in which we were transported up the Caloosahatchee River to Fort Thompson, where we arrived about 9 o'clock at night. Here we had to change to a launch of lighter draft, and after a walk of about a half-mile up the rapids or falls we proceeded up the river on the morning of the 17th to Lake Okeechobee, passing through several canals and lakes before reaching Okeechobee, which we did about 4 o'clock of the same evening. After a brief examination of this lake, we retraced our course down the canal and through Lake Hicpochee to the dredge "Caloosahatchee," which is a new steel dredge of powerful capacity and upon which we found comfortable quarters for part of the night, having arrived there between 12 and 1 o'clock at night.

On the morning of the 18th we were invited to a very good breakfast on board of the dredge, and promptly at 6 o'clock the whistle blew and the crew, like trained soldiers, every man at his post, began their work for the day, and it was a most interesting sight to see this monster steel dredge, 42 feet beam by 100 feet long, plow her way through sand, rock and soil, often breaking in twain the hidden trees, placing them easily on either side of the river, making room for herself and for other craft headed for the Glades and Lake Okeechobee.

After spending one and a half hours watching this wonderful machine, we boarded our boat for Fort Myers

and had a most interesting trip down the Caloosahatchee, passing some fine groves of orange and grapefruit trees and some nice homes, churches and school houses, also some unique houses and outhouses framed and latticed and then neatly thatched with cabbage palmetto leaves. We spent part of one night at Fort Thompson Park Hotel, (E. E. Goodno, proprietor), the hotel being near the falls. Here we found an enterprising man of wide experience, intelligence and wealth. He has 8,000 acres of land, a large portion of which is Glades land, which he most positively affirmed \$100 per acre would not buy, and from the appearance of his horses and cattle, which are numbered in the hundreds, many of which were high grades, this price did not seem high when compared with many lands not so good at a higher price.

Arriving at Fort Myers we were met by the Mayor of the town, who very kindly furnished an automobile and gave the Committee an opportunity to see the many advantages of the town and some beautiful residences, among which was the residence of the "Electric Wizard," Thomas A. Edison, which was surrounded by a grove of mangoes of fine size and in full bearing. After a hurried dinner we boarded the train bound for Tallahassee by way of Jacksonville, where we arrived on the evening of the 19th inst.

To give you definite and authoritative information as to the assets of the State, the work performed, the cost so far of the same, the source from which the money has been derived, the amount of money on hand belonging to this fund and due to it, we append the report rendered the Trustees, which we hope will be of interest and value to you:

The following report of John W. Newman, engineer in charge, shows the cost of the drainage operations from April 1, 1907 to Feb. 1, 1909, including the number of cubic yards of rock and earth removed, and the cost per cubic yard.

March 12, 1909.

Governor A. W. Gilchrist:

Complying with your orders wired me March 9, by Mr. W. M. McIntosh, Jr., secretary of the Internal Improvement Fund, I beg to hand you herewith a tabulated statement of the work of each dredge since they began, up to March 1st:

Column of "costs" includes all working expenses, repairs and supplies, and are ascertained each month for preceding month, all bills being reported to me for that purpose by the purchasing agent, Mr. R. A. Bryan.

In this statement the costs for February cannot be given, as the bills for that month have not yet been reported to me.

Permit me to say that it is not practicable to separate cost of rock digging from dirt digging, both being done together and the rock being very irregular.

Work of Dredge Okeechobee April 1, 1907 to February 1, 1909.

| Year | Rock Cu. Yds | Earth Cu. Yds | Total Cu. Yds | Cost | Per Cu. Yds | Length Feet. |
|------------------------|-----------------|------------------|------------------|---------------------------|----------------|-----------------|
| Nine months, 1907..... | 170,000 | 33,434 | 203,434 | \$20,398.35 | 10.1 c | 10,166 |
| All, 1908..... | 200,000 | 356,431 | 556,431 | 28,382.76 | 5.1 c | 24,231 |
| January, 1909..... | 5,000 | 100,884 | 105,884 | 3,935.63 | 3.71c | 5,956 |
| February, 1909..... | 16,133 | 30,000 | 46,133 | \$52,716.74 not stated | 6.09c | 40,352 2,259 |

The figures for February, 1909, are given for information, but are not included in the totals as cost could not be stated.

Length of South Canal with branch, February 1, seven miles and 3,392 feet. Average cost per cubic yard, 6.09 cents.

Work of Dredge Everglades July 4, 1906, to Feb. 1, 1909.

| | | | | | | |
|-----------------------|--------|---------|-------------------|-------------|-------|-----------------|
| Six months, 1906..... | 63,000 | 20,455 | 83,455.88 | \$ 7,706 | 9.23c | 3,661 |
| All, 1907..... | 85,829 | 114,962 | 300,791 | 25,599.15 | 8.51c | 9,758 |
| All, 1908..... | 12,200 | 518,780 | 530,980 | 25,962.49 | 4.89c | 21,934 |
| January, 1909..... | ..... | 71,964 | 71,964 | 22,493.31 | 3.46c | 4,048 |
| February, 1909..... | ..... | 40,000 | 987,190 40,000 | \$61,761.83 | 6.25c | 39,401 2,250 |

Length of North Canal with branch, Feb. 1, 1909, seven miles 2,441 feet. Average cost per cubic yard, 6.25 cents.

February not included because I have not yet the costs.

Respectfully,

JOHN W. NEWMAN, Engineer in Charge.

The total length of the two canals dug to March 1, 1909, was 15.1 miles, each of the two canals being approximately $7\frac{1}{2}$ -miles long. These canals are 60 feet wide by 10 feet deep. The total cost of operating dredges, see Newman's figures, is \$114,478.57. The average cost per mile is \$7,591.36. The total outlay by Trustees, on account of operating dredges, including cost of two new dredges, is \$377,642.72. By comparing the cost per cubic yard of the work done by the Everglades, in January, 1909, in which there was no rock excavated, cost 3.46 cents, with the cost of the work done in 1907, when it was part rock and part dirt, the cost being 8.51 cents per yard, the natural inference is that the remainder of the work will be done more cheaply. It will not, however, be done proportionately more cheaply, because, as the canals increase in length the cost of transportation of materials, provisions, fuel, etc., proportionately increases. However, it is safe to say that the average cost of the work will be more cheaply done than heretofore, owing to the fact that there will not be so much rock.

It will be observed that the dredge Everglades commenced work July 4th, 1906. It is digging a canal on the continuation of the North fork of New River, to Lake Okeechobee. To February 1st, 1909, this canal had been cut nearly seven and a half miles. It is working with a day force only. During the month of January, where there was no rock, it cut about four-fifths of a mile. From Fort Lauderdale to Lake Okeechobee the distance is estimated to be about fifty miles.

The dredge Okeechobee commenced work in April, 1907. It uses both a day and a night force. It has cut somewhat over seven and a half miles. It is working in the prolongation of the South Fork of the New River. It is the intention of the Trustees to have this dredge continue its course for about six miles in a westward direction, at which point it will turn southwestwardly toward Miami.

Two dredges have recently been completed at Tampa, Fla., one, the Caloosabatchee, was towed up the Caloosabatchee River and is now at work cutting its way into Lake Okeechobee. After entering Okeechobee, it is intended to go southward for a few miles, and thence southeastwardly in continuation of the canal being cut toward Miami by the dredge Okeechobee.

The other dredge, Miami, was towed to Miami, and is now at work cutting a canal from the Miami River. It

will work northwestward to meet the dredge Okeechobee, coming toward Miami.

The money to continue the drainage will be derived from the following amounts due the trustees of the Internal Improvement Fund on account of land sold:

R. J. Bolles—

| | |
|-------------------|-----------|
| Jan. 1, 1910..... | \$ 50,000 |
| Jan. 1, 1911..... | 50,000 |
| Jan. 1, 1912..... | 50,000 |
| Jan. 1, 1913..... | 50,000 |
| Jan. 1, 1914..... | 50,000 |
| Jan. 1, 1915..... | 100,000 |
| Jan. 1, 1916..... | 100,000 |

Drainage Fund under Bolles' contract; \$100,000 per annum due in quarterly payments of \$25,000.

| | |
|-------------------|----------|
| July 1, 1909..... | \$25,000 |
| Oct. 1, 1909..... | 25,000 |
| Jan. 1, 1910..... | 25,000 |
| Apr. 1, 1910..... | 25,000 |
| July 1, 1910..... | 25,000 |
| Oct. 1, 1910..... | 25,000 |
| Jan. 1, 1911..... | 25,000 |
| Apr. 1, 1911..... | 25,000 |
| July 1, 1911..... | 25,000 |
| Oct. 1, 1911..... | 25,000 |
| Jan. 1, 1912..... | 25,000 |
| Apr. 1, 1912..... | 25,000 |
| July 1, 1912..... | 25,000 |
| Oct. 1, 1912..... | 25,000 |
| Jan. 1, 1913..... | 25,000 |
| Apr. 1, 1913..... | 25,000 |
| July 1, 1913..... | 25,000 |
| Oct. 1, 1913..... | 25,000 |
| Jan. 1, 1914..... | 25,000 |
| Apr. 1, 1914..... | 25,000 |

Davie Realty Company—

\$33,333.33.....on or before Nov. 1, 1909

\$33,333.33.....on or before Nov. 1, 1910

R. P. Davie—

\$18,333.18.....on or before June 1, 1909

S. M. Tatum—

Oct. 5, 1909.....\$5,000

Jan. 5, 1910.....6,200

In addition to this, it is expected that the Drainage Board will be successful in the matter of the collection of the drainage tax on the land drained or to be drained in the Everglades, and will prosecute a part of the work of drainage with the money so received.

The trustees have withdrawn the lands in the Everglades from sale, as the value thereof is constantly being enhanced by the drainage operations, and unless something unforeseen happens the State School Fund will be greatly benefited by the proceeds of these lands after the drainage is completed. Not one cent of the money paid by the taxpayers of this State has ever been used in the drainage of the Everglades and the money so raised can never be used for that purpose unless appropriated by the Legislature. No person owning land outside of the Everglades need have the slightest apprehension that any tax will ever be levied or collected on his land, or on any of his property for the drainage of the Everglades.

From looking over the report made by John W. Newman, engineer in charge of drainage work, for the year 1907, we find that the cost per cubic yard for materials excavated by the dredge Okeechobee 10 cents during that year. For the next year, 1908, we notice that the cost was 5 cents per cubic yard for the same dredge, and we observe from the records that for three months of the year 1908, this dredge was cleaning out and removing dams in canals already constructed, for which three months she was not allowed any credit for excavation, therefore the expenses for operating during the three months should be deducted, and if done would leave the amount of actual cost at about 4 cents per cubic yard. During the latter year there was a bonus paid the crew of 1 cent per cubic yard for all material excavated in excess of twenty thousand yards per month. For the month of January, 1909, the dredge under the bonus system running day and night, excavated one hundred and five thousand eight hundred and four cubic yards, at a cost of 3 70-100 cents per cubic yard. The month of February, 1909, after the system was changed, the excavation amounted for the month to forty-six thousand one hundred and forty-three yards, and for the next two months succeeding that, the yardage amounted to about the same as that of February, and the work of the Everglades, under the same system, shows about the same

relative difference in cost, during the same period, which demonstrates to this committee the fact that the bonus of 1 cent per cubic yard has proved to be a great incentive to the crews to work. We also notice from the report of the work of the dredges that the work can be advanced far more rapidly when run day and night, and as these dredges are worth approximately \$50,000 each, and the four dredges working day and night can be made to do the work of eight dredges run only half of each twenty-four hours, it is the opinion of the Committee that they should be operated day and night, and we do so recommend.

We were fortunate enough to secure a copy of a valuable and pertinent report made by the United States Engineers, which is hereto attached.

U. S. Department of Agriculture,
Office of Experiment Station.

DRAINAGE INVESTIGATIONS.

Extract from a
Report on the Drainage
of the
Everglades of Florida

by
J. O. Wright,
Supervising Drainage Engineer.
Feb. 25, 1909.

Introduction.

At the earnest solicitation of Governor N. B. Broward and others interested in the reclamation of the Everglades of Florida, the Office of Experiment Stations, U. S. Department of Agriculture, was authorized to make such a survey and examination as might be deemed necessary for the preparation of a report and plan of drainage. For this purpose a preliminary examination was made in November of 1906, and a field party organized and a survey commenced in December of the same year. The chief of the party was instructed:

1. To determine the topography of the country lying south of Township 41, so as to locate proper channels to carrying the overflow of Lake Okeechobee to the sea along the natural and most practical routes.

2. To determine approximately the extent, area and character of the watershed that drains into Lake Okeechobee, so as to calculate the discharge capacity of the channel or channels necessary to prevent the overflow of the lake.

3. To determine the depth of muck and to locate the rim of the stone which encircles the lake or skirts or crosses the Everglades.

4. To analyze the different kinds of soil found and determine their value for agriculture.

5. To make plans and estimates of cost of a complete system of drainage.

To acquire the above information the field work was continued under great difficulties, owing to the flooded country, until the end of April, 1907. In the following December another party of engineers was placed in the field and continued the work until the first of May, 1908, at which time sufficient data had been collected to make a report on the engineering features of the project. In addition to the surveys made by our engineers, all reports of other investigations and examinations made by the army engineers and private companies and explorers were carefully examined and such data tabulated as had a bearing upon these investigations. From the vast amount of information gathered this office is now preparing for publication a report covering the entire subject.

At the special request of the parties who are deeply interested in the matter, the following extract from the forthcoming report has been prepared. This extract deals exclusively with the drainage features and shows the plan recommended for draining Lake Okeechobee and the surrounding country, with an estimate of the cost of the work. The full report will be completed at an early date and will give additional information pertaining to this work.

Immediately north of the Everglades lies Lake Okeechobee, the largest fresh water lake wholly within the United States, except Lake Michigan. At mean level it contains an area of 468,860 acres. At high stage its surface is about twenty-two and a half feet above tide level, and at low stage about nineteen. The lake is quite shallow, the deepest places not exceeding twenty-two feet at low water and the average depth being about twelve feet. In the southern portions it contains several islands,

some of which are two or three miles in extent, very low and swampy, and covered with a dense growth of custard apples, scrub oak, myrtle and in some places a few cypress, all interwoven with a network of vines. The shores of Lake Okeechobee are not well defined, except on the east coast, where there is a stretch of twenty-five miles of sandy beach, with well defined banks. The rest of the coast line is flat and marshy, and is covered with a thick growth of vegetation. As the lake rises its waters inundate this flat country and the shore line moves out in places several miles, so that the area of the lake is much larger at high than at low water. Even the bed of the lake on the south and west sides is covered with a growth of aquatic plants that impedes the progress of a boat and makes navigation impossible in some places. The bed of the lake, except in the southern part, is a fine, hard sand and presents a comparatively smooth and even surface.

The soundings disclose no deep holes or channels and no rock is found except in the vicinity of Chancy Bay. The lake has no tide, but its surface is easily affected by the wind, and it is not uncommon to find the water at least one foot higher on one side than the other, due wholly to the influence of the wind pressure. The water in the lake, when not agitated, is clear and wholesome and is regarded by hunters and fishermen who frequent the lake as extremely healthful. Until within recent years this lake had no well-defined outlet to the sea, but during the rainy season its water rose to an elevation of about twenty-one feet, when it commenced to overflow its banks from the mouth of Fish Eating Creek on the west around the south side to a point on the east several miles north of Pelican Lake, a distance of probably seventy miles. With such a width of overflow it matters not how hard it might rain, it would be impossible for the lake to reach a higher level than twenty-two and five-tenths feet.

About 1884 a canal seventy feet wide and six feet deep was completed from the Caloosahatchee River at Fort Thompson up through Lake Flirt, Bonnet Lake and Lake Hicpochee, making a direct and well-defined channel into the lake. During the period of high water this channel furnishes a good stage for navigation, but during the dry season, when the surface of the lake is lowered to a nelevation of twenty feet or less, there is not enough water

in those canals to make a boating stage for anything but small gasoline launches.

Since these canals have been cut and the current of water turned into the Caloosahatchee River, it has overflowed its banks below Fort Thompson, doing great injury to the orange and grapefruit groves that line the banks of this stream on both sides for many miles. In order to lessen or prevent this overflow a fund was raised by the interested parties and a dam constructed across the canal at the west end of Lake Hicpochee. This interfered with the navigation of the stream, and it was blown out by parties who opposed the work. If something is not done to control the flow of water in the Caloosahatchee, it is quite certain that many of the fine groves on the river will be materially damaged or destroyed.

Lying north and west of Lake Okeechobee is a watershed, as shown on the map, seven and a half times as large as the lake. This drainage area is comparatively level, having a gentle slope from the north toward the south, and discharges all of its run-off into Lake Okeechobee. Its surface is fine sand, or sandy loam, with numerous strips of marsh and muck ponds. About 60 per cent. of this watershed is covered with a scattered growth of small pines, with cypress strands or sloughs extending through it at irregular intervals. The remainder of the area is made up of open prairie, covered with wiregrass or sedge, and saw palmettoes. Throughout the area are numerous lakes, the largest of which are Tohopekaliga, Lake Kissimmee and Istopoga. During the rainy season, the rainfall, not removed by evaporation, is poured down from Fish Eating Creek, the Kissimmee River, Taylor's Creek, and the numerous sloughs and low depressions on the north into Lake Okeechobee. This lake, not having an adequate outlet, discharges its water over its southern shore into the Everglades, from which it slowly finds its way to the sea. These in brief, are the conditions as they exist to-day, and which constitute the drainage problem to be solved.

From an analysis of the existing conditions it is apparent that in order to reclaim the Everglades as a whole it is necessary to control the level of the water in Lake Okeechobee. A narrow strip along the east edge may be reclaimed in pieces by building a substantial embankment on the western border and cutting drainage ditches

into the small streams that flow into the Atlantic Ocean, but this plan would not provide for the reclamation of that part of the Everglades adjacent to Lake Okeechobee, which is considered to be the richest and best portion. In order to reclaim this part, it must be protected from the overflow of Okeechobee. So long as this lake receives the drainage from a watershed seven and a half times its own area, it will continue to inundate the Everglades at each recurring high water, unless some plan is devised to control the discharge.

It has been claimed by some explorers that the lake is fed by subterranean streams or large springs, and that its overflow cannot be controlled or regulated, but such does not seem to be the fact. A thorough examination at low water failed to disclose any such sources of supply, and if there be any, they are so small that they have no appreciable effect on the level of the lake. The height to which the lake rises depends upon the amount and intensity of the rainfall, and its low stage to the duration of the period in which there is but little or no precipitation.

The rational solution of this drainage problem resolves itself into two parts, and will be considered and discussed under two heads; first, the best means of controlling the water in Lake Okeechobee, so that it will not overflow its banks during the rainy season, and, at the same time, have sufficient water at all times to irrigate the lands if needed, and to maintain a sufficient stage for navigation in the outlet canals throughout the year; second, to provide adequate and proper drainage for the lands, when protected from overflow from the lake. The first part of this improvement is absolutely essential to the completion of the second.

Two plans have been proposed for preventing the overflow of Lake Okeechobee. One is to build a levee from the high land on the west around the south shore to the high bank on the east, and thus impound or hold back the rainfall during the wet season, and the other is to construct one or more canals from Lake Okeechobee to the Atlantic Ocean and the Gulf of Mexico, and discharge sufficient water in this manner to prevent the lake from overflowing its banks.

The first plan proposed is open to many serious objections. Owing to the depth of muck which ranges from

8 to 14 feet along the margin of the lake on the south side, and the absence of suitable material along the line of proposed levee, with which to build it, such a plan would be very expensive. The muck might be removed by dredges and solid material hauled in from the pine woods, and a levee constructed, but this would necessitate the building of a trestle to support a track on which to bring in the material, which, together with the expensive methods of handling, would make the cost prohibitive.

The lake in its present condition does not rise to a higher stage than 22 1-2 feet above sea level, and cannot rise higher than this elevation because when this stage is reached, it overflows its banks along the entire south shore. But if its waters were confined by the levee, it would undoubtedly reach a much greater height, probably twenty-five or twenty-six feet.

A levee to hold back this head of water, and be strong enough to withstand the action of the wind and waves, would have to be at least three feet above any possible level the lake might attain. Assuming 25 feet above sea level to be the maximum height of the lake, the top of the levee should be at least 28 feet, to have a reasonable margin of safety. The elevation of the muck is approximately 22 feet above sea level and its average depth along the line of the proposed levee, 12 feet. Under these conditions a levee, to hold back the water of the lake, should be at least 18 feet high, with a three to one slope on the shore side and a two to one on the land side. Such a levee would contain 190,080 cubic yards per mile, and, at the current prices for such work, including the excavation of the much channel, building trestle for track and loading and transporting suitable material, would cost at least 35 cents per cubic yard. This estimate makes the cost of the levee \$66,528 per mile, and the cost of eighty miles \$5,302,240. In addition to the enormous cost, this plan has other objections. It would back the water up on the opposite side of the lake and impair the drainage of a large area of land, some of which can be reclaimed and made fit for agriculture, and it makes no provision for water transportation across the State, which is a matter of the highest importance.

Since the mean elevation of Lake Okechobee is 20½ feet above sea level, it is evident that by digging canals of sufficient capacity to tide water, it can be practically

drained of all its water, or its surface can be lowered to any height desired.

The character of the soil in the Everglades is such that it would not only be injurious, but positively ruinous to completely drain Lake Okeechobee. A large part of this muck land is of such a nature that if robbed of its moisture it would become a barren waste. During the winter and spring months the precipitation in Southern Florida is not sufficient if the ground water is removed, to supply the needs of growing crops. In many places, even where there is a retentive clay subsoil, the citrus groves and vegetables suffer greatly from lack of moisture and irrigation must be employed to get a profitable yield. Where a light muck, possessing in a high degree the power of evaporation, has the plane of soil water reduced below the reach of capilarity there can be but a scant plant growth. In order to preserve the fertility of the Everglades and make them productive, enough water must be stored in Lake Okeechobee to supply the deficiency during the dry period, and the excess must be removed in such a way as to prevent damage by overflow. This can best be accomplished by a system of outlet canals, provided at the upper end with gates to regulate the flow of water in them. The best location for these canals depends upon the cost of their construction, and the character of the land along their course, to be reclaimed, and their value as a means of transportation. The proper size to make these canals will be determined by the amount of water to be discharged by them and the most economical cross section of canal to excavate.

The watershed drained by Lake Okeechobee, including the area of the lake, is approximately 4,000,000 acres. There is no authentic record of the rainfall in this area except at Kissimmee in the northern portion, so we must assume that the rainfall at this station represents fairly accurately that of the entire watershed. The average annual rainfall at Kissimmee for the past nine years is 53 inches, with a minimum of 40.22 inches in 1902 and maximum of 70.92 inches in 1887. If this amount of rainfall was uniformly distributed throughout the year, it would not be a difficult matter to take care of it, but it is excessive during the summer and fall, often exceeding 12 inches in a single month. It is this period of heavy rain that must be considered in planning the drainage of this sec-

tion. In the months of July and August, 1905, there was a total rainfall of 27.95 inches recorded at Kissimmee. During the same period, there was but 20 inches at Jupiter, 24 inches at Ft. Myers and 25 at Miami. This would seem to indicate that the rain at Kissimmee was increased by some local influence that did not exist throughout the peninsula, and that probably the rainfall over the entire drainage area did not exceed 26 inches. As a fall of 26 inches in any other two consecutive months is the closest approach to this amount, it is safe to conclude that 26 inches is an extraordinary rainfall, not likely to occur except at rare intervals, and it would hardly be wise or prudent to base the carrying capacity of the drains on this amount. Since a rainfall of 18 to 22 inches in two consecutive months has occurred three times during the last decade, we may reasonably expect the same amount in the future. In order to have a fair margin of safety in the storage capacity of Lake Okeechobee, canals should be provided having sufficient discharge to remove a maximum rainfall of 24 inches, from the entire watershed, in two consecutive months.

The next important step is to determine how much of this rainfall is removed by evaporation and how much runs off into Lake Okeechobee. This is a difficult problem, since no observations have been made in Southern Florida to determine the loss by evaporation in that latitude. Careful experiments, however, have been carried on for a number of years in some of the Northern States, in the arid West and in Europe, to determine what per cent of the rainfall is run-off and what per cent is removed by evaporation. The results obtained vary with the local conditions and should be used with judgment and discretion in their application to localities where the conditions are different. Certain general laws, however, have been established by these experiments, from which we may deduce fairly accurate conclusions. The most complete, as well as the best known series of observations on the evaporation from the surface of the soil are those made by Gilbert and Lawes at Rothamstead, England, 1870 to 1890, and those of the Floral Park Metrological Station, Nassau County, N. Y., made in 1893. The English experiments show that in June, July, August and September, 76 per cent. of the total rainfall during these months was removed by evaporation. Similar experiments in other parts of England verify this result. At Floral

Park, N. Y., the evaporation for July, August and September, 1903, from a bare, sandy loam, was found to be 11.85 inches, or 62 per cent. of the total rainfall. From an inspection of the table from which these figures were taken, it is quite apparent that the factors that determine the amount of evaporation of the soil surface are: first, the per cent of saturation from the soil; second, the temperature of the air; third, the wind velocity; and fourth, the degree of humidity of the atmosphere. A change in any one of these may increase or decrease the amount of evaporation. Prof. E. F. Todd of the Agricultural College at Fargo, N. D., conducted a series of experiments in 1902 to 1905, to determine the loss by evaporation from a water surface. The average daily evaporation as shown by his report is as follows: May, 0.17; June, 0.21; July, 0.26; August, 0.24; September, 0.11 inches. The Croton River watershed in Massachusetts, for a period of 32 years shows a mean annual evaporation of 25.74 inches, or 53 per cent. of the rainfall, and the greater portion of this evaporation occurred during the months of June, July, August and September. At least 70 per cent. of the total rainfall is evaporated during these months. From these experiments we conclude that where the surface of the ground is very wet or covered with water, the temperature high, 80 to 95 degrees, with a gentle breeze blowing most of the time, both day and night, and the per cent. of humidity less than 85, the conditions are extremely favorable for a high rate of evaporation.

During the months of July and August, 1905, when the rainfall was twenty-two inches at Kissimmee, the following conditions prevailed, as shown by the United States Weather Bureau, over the peninsula of Florida (see table). The ground was either saturated or covered with water. The mean temperature was 79 degrees, the average wind velocity 8.5 miles per hour, and the humidity of the atmosphere 82 per cent. Under these conditions the rate of evaporation must have been greater than at any of the stations cited, and was at least 0.25 inches per day for the entire period. This amount is still further increased by the density and character of the vegetation that covers the ground. Where the vegetation is quick growth, dense and rank, a much larger amount of moisture will be collected and thrown off as evaporation than from a barren surface, or from one scantily covered.

The amount of water required for the growth of vegetation has been determined by many experimenters. The best known estimates are, perhaps, those of Risler in Germany and Prof. King of Wisconsin. Prof. Risler states that meadow grass consumes 0.134 to 0.267 inches per day; *i. e.*, the depth of water from the entire surface covered that is taken up by the roots of the plants and exhaled through the foliage into the atmosphere as evaporation, ranges from 0.13 to 0.26 inches in twenty-four hours. The experiments of Prof. King, at Madison, Wis., as to the amount of water required to produce a pound of dry vegetable matter show that when an abundant supply of water is furnished some crops will absorb as much as 25 inches of water in the growing season. In the forests of Germany experiments show that the amount of water transpired by the leaves of trees is equal to 33 to 36 per cent of the evaporation from a water surface of the same area as the forest. Mr. M. W. Harrington, Bulletin No. 7, United States Department of Agriculture, fixes the amount of transpiration from forests in Southern Europe at about 25 per cent of the rainfall. From his own, and experiments conducted by others, the following table is deduced, showing the relation of the evaporation from different surfaces to the evaporation of a water surface, and to the precipitation during the season, May to September:

EVAPORATION FROM VARIOUS KINDS OF VEGETATION.

(Harrington.)

| | —Proportion of Evaporation from a free water surface. | Precipi- tation. |
|----------------------------|---|---------------------|
| Sod | 1.92 | .96 |
| Cereals | 1.73 | .86 |
| Forest | 1.51 | .75 |
| Mixed Vegetation | 1.44 | .72 |
| Bare Soil | 0.60 | .30 |

From examination of the data available it appears that the amount of moisture removed by a mixed growth of vegetation, such as trees, bushes and grass, is at least .10 inches per day. All the Okeechobee watershed, however,

is not covered with a thick growth of vegetation, there being numerous lakes and ponds and extensive areas of almost barren soil, but if this vegetation were concentrated on one-half of the area it would cover it quite densely; so, instead of estimating the water removed by the plant growth at 0.10 inches for the entire watershed, we will restrict it to one-half the area, as more nearly representing the conditions in Southern Florida. Assuming 0.25 inches to be removed by free evaporation and .05 inches by plant growth, we have 0.30 inches per day, or a total of 9 inches per month, taken up by these two methods. This is 75 per cent of the mean rainfall for July and August, which amount agrees quite closely with the results obtained in other places where careful and continued experiments have been made.

Since the maximum rainfall that is likely to occur in July and August is 24 inches, the mean daily precipitation for these two months equals 24 divided by 62 equals 0.387 inches. The difference between this amount and 0.30 inches, the amount removed by evaporation is 0.087 inches, which is the mean daily run-off from the entire watershed. This amount of run-off, although not obtained by actual measurements, is supported by the results of the most careful experiments that have been carried on in this country, Europe and India.

The land surface that drains into the lake is seven and a half times the area of the lake; so a run-off of 0.087 inches in twenty-four hours causes a rise in the lake of seven and a half times this amount, or 0.6525 inches per day. Should this continue throughout the months of July and August, a period of sixty-two days, it would cause the lake to rise 40.455 inches, to which must be added the rainfall on the lake, not removed by evaporation, during this period. The daily rainfall being .387 inches and the free evaporation .25 inches, there is an excess of .137 inches not removed by evaporation, which raises the lake this amount, exclusive of the run-off from the land surface. In sixty-two days this would raise the lake 8.494 inches, which added to the run-off, 40.455 inches, gives a total of 48.949 inches, the amount the lake would be raised, should there be no discharge during the months of July and August. If the lake should be full when the period of intense rainfall occurs, and no water should be allowed to escape, this run-off would raise the

surface of the lake to an elevation of twenty-five feet, but as it begins to overflow its banks at a stage of twenty-one feet, this level has never been reached.

From a study of the above facts, it appears that the most feasible way to control the level of Lake Okeechobee is to dig sufficient canals from the lake to tidewater to reduce its level just before the rainy season sets in to an elevation of sixteen feet, and provide a storage capacity for thirty-six inches of the run-off. There will then remain to be removed by drainage through the canals, 12.95 inches during the sixty-two days, or 0.2088 inches in twenty-four hours. To remove this depth from the entire surface of the lake in twenty-four hours will require canals having an aggregate discharge of 3,938 cubic feet per second.

In determining the number of, and proper location for, these canals, the cost of their construction and character of the land to be reclaimed through which they pass, and their use for transportation, must be considered. A canal 40 to 80 feet wide and 5 to 10 feet deep, can be cut by a modern dredge and the material placed on the bank without rehandling. This size is more economically constructed than a larger canal. If one large channel, having the necessary discharge capacity, was constructed, there would not be as much land benefited as would be if the same capacity was secured by cutting two or more canals extending in different directions from the lake. The advantages are, therefore, decidedly in favor of cutting a number of small canals, having the necessary carrying capacity, rather than one large one.

The proper location for these canals must be determined largely by their length and the character of the land through which they pass. Deep cutting and stone must be avoided as far as is practicable.

Since transportation across the state is a matter of great importance, it is desirable that the drainage be so planned as to form an all-water route from the Atlantic Ocean to the Gulf of Mexico. With these ends in view, the plan here recommended provides for a series of canals of ample capacity to regulate the stage of water in Lake Okeechobee, and provide adequate drainage for the lands through which they pass. (See map.)

The first of these canals, marked "A-A" on the map, passes down the Caloosahatchee Valley, following the

course of the present drainage. This has the advantage of being the shortest route, and will have the greatest fall per mile, but there will be a larger per cent of rock to excavate than on some of the other lines. This is a disadvantage, as it will materially increase the cost, but for the purpose of navigation it is very necessary that this route be selected.

In addition to taking off part of the excess from Lake Okeechobee, this canal will furnish adequate drainage for the entire Caloosahatchee Valley, and reclaim and make fit for agricultural purposes a large body of extremely fertile land.

There is a grave apprehension that any enlargement of the upper portion of the Caloosahatchee will cause it to overflow its banks along its lower course and damage the Citrus groves. Such will not be the case when Okeechobee is lowered and the discharge brought under control. There will not be as much water brought down this channel as is now carried by its in time of high water. The flow is to be regulated by locks at the upper end and only as much water allowed to enter the canal as the stream can carry without damage to the property along its course. One object of the improvement is to make the flow more uniform and maintain a good boating stage during the period of low water.

The canal second in importance, marked "B-B" on the map is the Hillsborough route, which leaves Okeechobee at Pelican Bay and extends in a southeasterly direction to the head of Hillsboro River. This route is not as short as one directly east from Lake Okeechobee to the Loxahatchee River, but the cutting is not so deep, and its affords drainage for a much larger area of good agricultural lands.

These two canals, "A-A" and "B-B," are intended chiefly as a relief to Lake Okeechobee, and for transportation across the State. They are made deeper than the other canals shown on the plan and with proper locks a depth of 5 feet may be maintained throughout the year. This will furnish a good boating stage and be of great value to the agricultural and commercial interests of the State.

The other canals shown on the map are primarily drainage canals, although they would be navigable for light draught boats and barges and would be very useful in

bringing in fertilizer and other supplies desired, and transporting to the market the crops produced.

In determining the size of the several canals it must be borne in mind that in addition to discharging 3,938 cubic feet per second from Lake Okeechobee, they must take the run-off from the territory through which they pass. Computing this run-off at the same depth that was determined for the watershed of Lake Okeechobee, there must be removed 90 cubic feet per second from each township, below Lake Okeechobee, discharging into these canals. This requires that the several canals be increased from the lake toward their outlets to carry this additional quantity without overflowing their lands during the period of heavy rains.

The functions and dimensions of the several canals located on the map, together with the approximate amount of excavation required in their construction, are given in tabulated form in Table 1:

TABLE I.

| Name of Ditch. | Length in Miles. | Fall per Mile. | Depth of Flow. | Velocity per Second. | Average Width. | Discharge cubic feet per Second. | Depth of Cut. | Total Excavation. | Amount Removed. | Net Excavation. |
|---------------------|------------------|----------------|----------------|----------------------|----------------|----------------------------------|---------------|-------------------|-----------------|-----------------|
| Caloosahatchee A-A. | | | | | | | | | | |
| 0 to 10 | 10 | .86 | 8 | 3.00 | 60 | 1,440 | 10 | 1,173,400 | 586,700 | 586,700 |
| 10 to 22 | 12 | .86 | 8 | 3.10 | 70 | 1,736 | 10 | 1,649,150 | 494,500 | 1,154,600 |
| Hillsboro B-B. | | | | | | | | | | |
| 0 to 10 | 10 | .30 | 8 | 1.80 | 50 | 720 | 10 | 981,560 | ..... | 981,560 |
| 10 to 20 | 10 | .30 | 8 | 1.90 | 60 | 912 | 10 | 1,177,870 | ..... | 1,177,800 |
| 20 to 30 | 10 | .30 | 8 | 2.00 | 70 | 1,120 | 11 | 1,511,560 | ..... | 1,511,560 |
| 30 to 44 | 14 | .50 | 8 | 2.40 | 70 | 1,340 | 12 | 2,226,600 | ..... | 2,226,600 |
| North Canal C-C. | | | | | | | | | | |
| 0 to 10 | 10 | .26 | 5 | 1.25 | 50 | 312 | 7 | 689,000 | ..... | 689,000 |
| 10 to 20 | 10 | .26 | 5 | 1.30 | 80 | 520 | 7 | 1,099,200 | ..... | 1,099,200 |
| 20 to 30 | 10 | .53 | 5 | 1.90 | 80 | 720 | 7 | 1,266,200 | ..... | 1,266,200 |
| 30 to 45 | 15 | .53 | 6 | 2.00 | 80 | 960 | 8 | 1,884,150 | ..... | 1,884,150 |

TABLE 1.—Continued.

North New River D-D.

| Name of Ditch. | Length in Miles. | Fall per Mile. | Depth of Flow. | Velocity per Second. | Average Width. | Discharge cubic feet per Second. | Depth of Cut. | Total Excavation. | Amount Removed. | Net Excavation |
|----------------|------------------|----------------|----------------|----------------------|----------------|----------------------------------|---------------|-------------------|-----------------|----------------|
| 0 to 10 | 10 | .26 | 5 | 1.25 | 50 | 312 | 7 | 689,000 | ..... | 689,000 |
| 10 to 20 | 10 | .26 | 5 | 1.25 | 80 | 520 | 7 | 1,099,200 | ..... | ..... |
| 20 to 30 | 10 | .53 | 5 | 1.90 | 80 | 720 | 7 | 1,266,200 | ..... | 1,266,200 |
| 30 to 39 | 9 | .53 | 6 | 2.00 | 80 | 960 | 7 | 1,130,500 | ..... | 1,130,500 |
| 39 to 45 | 6 | .53 | 8 | 2.50 | 100 | 2,000 | 12 | 1,400,200 | 800,000 | 611,200 |

Middle New River E-E.

| | | | | | | | | | | |
|----------|----|-----|---|------|----|-----|---|-----------|-------|-----------|
| 0 to 15 | 15 | .26 | 5 | 1.25 | 50 | 312 | 7 | 1,033,500 | ..... | 1,033,500 |
| 15 to 25 | 10 | .26 | 5 | 1.25 | 80 | 520 | 7 | 1,099,200 | ..... | 1,099,200 |
| 25 to 35 | 10 | .53 | 5 | 1.90 | 80 | 720 | 7 | 1,099,200 | ..... | 1,099,200 |
| 35 to 42 | 7 | .53 | 6 | 2.00 | 80 | 690 | 7 | 753,600 | ..... | 753,600 |

South New River F-F.

| | | | | | | | | | | |
|----------|----|-----|-----|------|-----|-------|----|-----------|-----------|-----------|
| 0 to 13 | 13 | .26 | 5 | 1.25 | 50 | 312 | 7 | 895,700 | 447,850 | 447,850 |
| 13 to 23 | 10 | .26 | 5 | 1.20 | 40 | 240 | 7 | 549,600 | ..... | 549,600 |
| 23 to 33 | 10 | .26 | 5 | 1.30 | 70 | 455 | 7 | 962,000 | ..... | 962,000 |
| 33 to 43 | 10 | .26 | 5.5 | 1.40 | 90 | 693 | 8 | 1,413,000 | ..... | 1,413,000 |
| 43 to 53 | 10 | .53 | 5.5 | 1.90 | 90 | 940 | 9 | 1,590,000 | ..... | 1,590,000 |
| 53 to 58 | 5 | .53 | 6 | 2.10 | 100 | 1,134 | 11 | 2,159,200 | 1,000,000 | 1,590,200 |

Miami Canal G-G.

| | | | | | | | | | | |
|----------|----|-----|-----|------|----|-----|---|-----------|-------|-----------|
| 0 to 10 | 10 | .26 | 5 | 1.25 | 40 | 240 | 7 | 549,600 | ..... | 549,600 |
| 10 to 20 | 10 | .26 | 5 | 1.25 | 70 | 455 | 7 | 962,000 | ..... | 962,000 |
| 20 to 30 | 10 | .26 | 5.5 | 1.40 | 90 | 693 | 7 | 1,236,500 | ..... | 1,236,500 |
| 30 to 40 | 10 | .26 | 6 | 1.50 | 90 | 810 | 8 | 1,413,000 | ..... | 1,413,000 |
| 40 to 54 | 14 | .36 | 6 | 1.70 | 90 | 918 | 9 | 2,226,000 | ..... | 2,226,000 |

West Canal I-I.

| | | | | | | | | | | |
|----------|-----|-----|---|------|-----|-------|---|-----------|-------|------------|
| 0 to 10 | 10 | .26 | 5 | 1.30 | 90 | 585 | 7 | 1,236,500 | ..... | 1,236,500 |
| 10 to 20 | 10 | .26 | 5 | 1.30 | 120 | 785 | 7 | 1,648,700 | ..... | 1,648,700 |
| 20 to 30 | 10 | .26 | 5 | 1.30 | 150 | 1,010 | 6 | 1,766,500 | ..... | 1,766,500 |
| 30 to 40 | 10 | .26 | 5 | 1.30 | 175 | 1,137 | 4 | 878,000 | ..... | 878,000 |
| | 350 | | | | | | | | | 38,729,220 |

Note.—Channels are computed rectangular. Combined discharge at lake 3,993 cubic feet per second. Combined discharge at outlets 9,145 cubic feet per second.

It is not possible to determine the exact amount of excavation without a survey and profile of each separate line of canal, but this estimate is sufficiently accurate to serve as a basis for computing the probable cost of the work. It was not deemed expedient to make this detail survey until it was determined that the work would be undertaken according to the proposed plans. Another element entering into the cost of the work is the proportion of rock and muck to be removed. This can only be known after the lines of canal are definitely located and soundings made to determine the depth of the muck.

From the investigations made by this office the results indicate that about 20 per cent. of the excavation required will be a mixture of sand and porous rock, similar to that found at New River, and the remainder will be pure muck or muck overlaid with fine sand. On this basis of classification there will be 7,745,844 cubic yards of muck excavation and 30,983,760 of muck and sand.

From the work at Fort Lauderdale, it has been demonstrated that with a good dipper dredge the rock can be handled at a cost not exceeding 8 cents per cubic yard. With a suitable equipment there is no doubt that the muck can be removed at a cost of less than 4 cents per cubic yard. At these prices the total cost of the excavation would be:

| | |
|----------------------------------|-----------------------|
| 7,745,844 yards at 8 cents..... | \$ 619,667.52 |
| 30,983,376 yards at 4 cents..... | 1,239,335.04 |
| Total | <u>\$1,859,002.56</u> |

This is approximately \$1.00 per acre on the lands designated on the map as the upper glades.

In order to control the water in these canals and regulate the flow, they should be provided with gates or locks at both the upper and lower ends, and in some cases, at intermediate points. Because of the slight head these will be comparatively inexpensive structures.

The canals represented on the map are for the purpose of regulating the height of the water in the lake and providing an outlet for the lands through which they pass. In addition to these, lateral feeders and small field ditches will depend largely upon the use to which the land is to be put. It will not require as much drainage for growing rice and grass as for cultivated crops. These

field ditches will be small and not deep. Their cost will probably range from \$2 to \$4 per acre, according to the crop to be grown and the method of cultivation adopted.

J. O. WRIGHT,

Sup. Drainage Engineer.

We fully endorse this report, and it is our opinion, after a personal examination of the Everglades from the east and west approaches thereto, and the careful reading of this report, we feel perfectly justified in saying that the drainage of the Glades is absolutely feasible and practical and its success depends alone upon the number and size of the canals that are cut through them to Lake Okeechobee. We had the advantage of low water, as the season there was a dry one.

Owing to the fact that the Everglades are very inaccessible, personal financial interests prompt the circulation of false reports or statements, which in a large measure accounts for the misinformation and prejudice now existing with reference to the Everglades, and believing that the importance of this matter justifies your committee in its effort to give you full and accurate information, as far as possible, considering the time devoted to the work, we feel justified in presenting you with the information above set out, though it be a little long and possibly tedious. However, we think it is correct and reliable in detail, and it is our opinion that it is a matter of so much interest and importance to the State of Florida that every means should be exerted to inform our people as to the facts pertaining thereto and so enlist the co-operation of every citizen of the State in preserving and retaining what is left to them of this vast and invaluable domain.

It is our opinion that, if, after reasonable development of these Glades, the Federal Government is made acquainted with the facts in this case, and the advantages to be derived from making a canal from Jupiter or Hillsborough Inlets on the East Coast, thence to Lake Okeechobee and down the Caloosahatchee River to its mouth on the West Coast, its co-operation can be easily obtained, thus furnishing a public highway from ocean to gulf which will be the pride of every Floridian and the wonder and admiration of the world.

If the Government lands were sold at the prices now prevailing, which we do not advise, a vast sum of money

could be obtained, aggregating millions, for the State of Florida, and besides this, if a good system of irrigation be established, based upon sound business principles, and this right be reserved in all sales of lands, an annual income of from \$2,000,000 to \$4,000,000 may be obtained from irrigation alone and then furnish land owners water for irrigation cheaper by far than any has ever been furnished up to this time.

We suggest that the remaining State lands be sold only *in small parcels* and then sold only to settlers and cultivators, and that none be sold now or in the near future unless for drainage purposes for two reasons: First, you do not desire to bring the State lands in competition with lands sold in bulk, and; Second, you want, when sold to get much better prices because of the enhanced value by reason of the completion of drainage.

We recommend to the trustees that they push with all possible dispatch the work on the Glades, and if possible, let several of these canals on contract to reliable, responsible bidders, who should be required under heavy bond to do the work under the supervision and in exact accordance with the contract, besides a deposit of a good bonus as an evidence of good faith.

Also that they secure at once a good suction dredge furnished with dipper for light work, which must be used to clear out the dams and shoals, thus opening up the canals for the transportation of supplies, which is becoming daily more expensive as the work advances, the cost of which suction dredge would soon be saved by eliminating the transferring of everything at each dam, and besides this, giving very much better drainage than is now possible.

We advise that the contract made with Mr. Bolles, that an addition dredge be constructed by the trustees and put to work excavating canals connecting with other canals and other outlets leading to the sea from Lake Okechobee, as soon as is possible and practicable.

THEOP. WEST,
Chairman,

J. R. MILLER,
Secretary.

J. W. HATCHER,
J. H. B. MILLER,
A. J. PEADEN.

Mr. McMullen moved to spread the report on the Journal and that 250 copies be printed.

Which was agreed to and so ordered.

INTRODUCTION OF BILLS.

By Mr. Dayton—

Senate Bill No. 502:

A bill to be entitled an act to abolish the municipality of Fivay, in Pasco County, Florida.

Which was read the first time by its title.

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

By Mr. Dayton—

Senate Bill No. 503:

A bill to be entitled an act to prescribe the time within which suits or actions may be begun to enforce the collection of a policy of insurance, to provide for the bringing of a second action, and to forbid any impairment of the right by contract.

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

By Mr. Hudson—

Senate Bill No. 504:

A bill to be entitled an act to authorize and empower the Board of Public Instruction of Dade County, Florida, to issue interest-bearing coupon warrants to take up and cancel all outstanding County School Warrants issued prior to January 1st, 1910, and to borrow money for the purposes of erecting public school buildings in the said county.

Which was read the first time by its title.

Mr. Flournoy moved that the bill be placed on the table subject to call.

INTRODUCTION OF RESOLUTIONS

Mr. McMullen offered the following Resolution:

Resolved, That the Senate do hold a session this evening, beginning at 8 o'clock, to consider and dispose of all local bills now pending before the Senate.

Mr. McMullen moved the adoption of the resolution.

Which was agreed to, and Senate Resolution No. 56 was adopted.

CONSIDERATION OF RESOLUTIONS

Mr. Beard moved to waive the rules and that the Senate take up and consider Senate Resolution No. 40.

Senate Joint Resolution No. 40:

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

Whereas, Said Committee has made such report; and

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

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

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

Mr. Beard moved to take up and consider Senate Joint Resolution No. 40.

Which was not agreed to.

Mr. Beard moved that the Resolution be made a special order for tomorrow at 10 o'clock.

Which was not agreed to.

Senate Concurrent Resolution No. 13:

A memorial to the Congress of the United States requesting the consideration of the route from the mouth of the St. Johns River, in Duval county, to the mouth of the Hillsborough River as a proper route for the proposed inland waterway across the State of Florida.

Was taken up in its order and read the second time in full.

Upon the passage of Senate Concurrent Resolution No. 13, it was agreed to and adopted.

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

House Concurrent Resolution No. 18:

Whereas, The "Payne Tariff Bill," now pending in the Congress of the United States, has included potash salts in the list liable to retaliatory and countervailing duties; by which a duty of 20 per cent. advalorem import tax may be imposed, "whenever sixty days from the passage of this act, any county fails to admit, on terms as favorable as those allowed to any article imported from any other country."

Whereas, Germany does not now grant to the United States the "most favored nation treatment," but does discriminate against certain importations from the United States. A 20 per cent. advalorem duty will therefore be imposed on potash salts imported from Germany.

Whereas, A duty of two-tenths of one cent per pound, or four dollars per ton, is proposed by the bill of the Senate Committee on imported sulphate of ammonia.

Whereas, An increase of 20 per cent. in the cost of potash salts would increase the cost of fertilizers in Florida \$1.54 per ton, or two hundred thousand dollars for the 130,000 tons used in this State. While the increase in cost of sulphate of ammonia, the ammonia most commonly used by the fruit and vegetable growers of Florida, would be \$4.00 per ton.

Whereas, The six hundred thousand tons of potash salts and the large amount of sulphate of ammonia now imported from Germany into the United States, are mostly used by the farmers of the United States, and particularly by those of the cotton growing States; therefore,

Be it Resolved by the House of Representatives of the State of Florida, the Senate concurring:

Section 1. That the threatened removal from the free list of any article used for fertilizer or manure will impose an unjust burden upon the farmers of America, and particularly those of the State of Florida and the cotton growing States of the Union.

Sec. 2. That our Representatives in the Congress of the United States be requested to use all honorable means to defeat this threatened injustice to the agricultural interests of the nation and have placed on the unconditional

free list all fertilizers or manures and all materials used in the manufacture of fertilizers.

Was taken up and read the second time in full.

Upon the passage of House Resolution No. 18, it was agreed to, and adopted.

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

House Concurrent Resolution No. 23:

Be it Resolved by the House of Representatives, the Senate concurring:

Whereas, The International League for Highway Improvement, at the first meeting of its executive committee, held on May 15th, at Richmond, Virginia, cordially invite the support and co-operation of every society or organization whose efforts, either in whole or in part, are directed toward highway improvement.

Was taken up and read a second time in full.

Upon the passage of House Concurrent Resolution No. 23, it was agreed to and adopted.

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

BILLS ON SECOND READING.

House Bill No. 249:

A bill to be entitled an act to amend Section 3123, of the General Statutes of the State of Florida, relating to the duties of certain Inspectors of Marks and Brands.

Was taken up and read a second time in full.

There being no amendment, House Bill No. 249, under the rule, was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 470:

A bill to be entitled an act to grant a pension to Joseph Gilmer, of Jefferson County, Florida, and providing for the payment thereof.

Was taken up and read a second time in full.

There being no amendment, under the rule Senate Bill No. 470 was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 321:

A bill to be entitled an act providing for county de-

positories, and for interest on county funds, and the duties of the County Treasurer connected therewith.

Was taken up and was, by consent, withdrawn.

Senate Bill No. 466:

A bill to be entitled an act, relative to time of paying poll tax to be entitled to vote.

Was taken up and read a second time in full.

Mr. Miller moved that the bill be indefinitely postponed.

Which motion was withdrawn.

There being no amendment, Senate Bill No. 466 was placed on the Calendar of Bills on the Third Reading.

House Bill No. 554:

A bill to be entitled an act to recognize in proper manner the honor conferred upon the State of Florida by the naming for this State of one of the two Dreadnought battleships now under construction by the United States; and appropriating the sum of five thousand dollars for the purchase of a suitable silver service for the Dreadnought battleship Florida; and providing for the securing and presentation of such silver service.

Was taken up and read a second time in full.

There being no amendment House Bill No. 554, under the rule, was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 391:

A bill to be entitled an act authorizing any person, firm or corporation owning or who shall own, plants for generating, manufacturing and producing of electric power for public use, to enjoy the same rights, powers and privileges of eminent domain now exercised and enjoyed by railroad companies and canal companies in this State, as to and concerning the condemnation of private property and public property for right of way.

Was taken up and read a second time in full.

There being no amendment, Senate Bill No. 391, under the rule, was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 432:

A bill to be entitled an act to prescribe the time of registration of electors.

Was taken up and read a second time in full.

Mr. Buckman asked that Senate Bill No. 432 be informally passed.

Which was agreed to.

Senate Bill No. 432:

A bill to be entitled an act to prescribe the time of registration of electors.

Was again taken up.

Mr. Williams offered the following amendment to Senate Bill No. 432:

Add to end of Section 7 the following: "Provided, the provisions of this act shall apply only to counties having a population of more than ten thousand inhabitants, as shown by last official census of the State of Florida."

Mr. Williams moved the adoption of the amendment.

Mr. Hudson moved to lay Senate Bill No. 432 on the table.

Which was agreed to, and Senate Bill No. 432 was laid on the table.

Senate Bill No. 484:

A bill to be entitled an act to protect the health of school children and to provide a penalty for the violation thereof.

Was taken up and read a second time in full.

The following committee amendment was read:

Strike out Section 3.

Mr. West moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Mr. Sams moved that the rules be waived and that Senate Bill No. 484 be read a third time and put upon its passage.

Which motion was withdrawn.

And Senate Bill No. 484 was referred to the Committee on Engrossed Bills.

Mr. Leggett moved that the Assistant Reading Secretary be excused from attendance until Saturday.

Which was agreed to.

Senate Bill No. 396:

A bill to be entitled an act to provide for the erection

and construction of dams for the purpose of supplying power for grist mills, electric light power and other engines and machinery, and providing for condemnation proceedings of certain lands necessary for such purposes.

Was taken up and read the second time in full.

Mr Henderson asked that Senate Bill No. 396 be informally passed.

Which was agreed to.

Senate Bill No. 422:

A bill to be entitled an act to provide that all land-owners shall have the right of a road across the land of another, in the most direct way to reach the public road.

Was taken up and read a second time in full.

There being no amendment, Senate Bill No. 422, under the rule, was placed on the Calendar of Bills on the Third Reading, without reference.

Senate Bill No. 424:

A bill to be entitled an act to amend an act entitled "An act to provide for service by publication upon unknown parties in interest of property involved in certain chancery courts and for decrees and other proceedings after such decree."

Was taken up and read a second time in full.

There being no amendment, Senate Bill No. 424, under the rule, was placed on the Calendar of Bills on the Third Reading, without reference.

Senate Bill No. 448:

A bill to be entitled an act to amend Section 4007 of the General Statutes of the State of Florida, relating to verdicts not to be secured because of the ground of being contrary to the evidence when found for a lesser grade of offense which is included within the offense charged in the indictment or information to amend the same by limiting the consequences of appeal in such cases.

Was taken up and read the second time in full.

There being no amendments, under the rule the bill was placed on the Calendar of Bills on Third Reading.

Senate Bill No. 345:

A bill to be entitled an act to amend Chapter 5, of Title IV, of the General Statutes of the State of Florida,

relating to the regulation of railroads, embracing Section 2885, relating to the compensation of Railroad Commissioners and to increase their compensation; to amend Section 2885, relating to the qualifications of Railroad Commissioners, and to prescribe the same; to amend Section 2888, relating to the rates of tolls to be charged by railroad companies, and to define the authority vested in common carriers, and to provide for reasonable rates; to amend Section 2893, relating to the powers and duties of the Railroad Commissioners; to define and limit such powers, to correct abuses, unjust discriminations and excessive charges; to define their authority in erecting stations or requiring the erection of station buildings; and to limit their authority in fixing schedules for the arrival and departure of trains at connecting points; to require all complaints to be verified under oath, and to afford common carriers an opportunity of examining all complainants and their witnesses under oath; and to amend Section 2899, empowering the Railroad Commission to furnish corporations with schedules of just or reasonable rates, and to require printed or written schedules of just and reasonable rates and charges for transportation of freights, passengers and cars when the Commission shall have decided, after complaint that the existing rates involve abuses, unjust discriminations and excessive charges, and to repeal conflicting laws

Was taken up and read the second time in full.

Mr. Cone moved to lay the bill on the table.

Which was agreed to.

And House Bill No. 345 was laid on the table.

House Bill No. 125:

A bill to be entitled an act providing for and requiring the separation of white and negro prisoners, and male and female prisoners, while in confinement in the county jails of this State.

Was taken up and read a second time in full.

Mr. Buckman offered the following amendment to House Bill No. 125:

Strike out last Section and insert in lieu thereof the following:

"This bill shall not go into effect until one year from its becoming a law."

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

Mr. Harris moved that 100 copies of Senate Bill No. 405 be printed.

Which motion was withdrawn.

Senate Bill No. 90:

A bill to be entitled an act to provide for a special road tax for cities and towns.

Was taken up and, by consent, was withdrawn.

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 for 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 informally passed over.

BILLS ON THE THIRD READING.

Committee Substitute for Senate Bill No. 95:

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

Was taken up and read the third time in full.

Upon the passage of Committee substitute for Senate Bill No. 95, the vote was:

Yeas—Mr. President, Senators Adkins, Beard, Cone, Massey, McLeod, McMullen, Miller, West, Williams, Withers, Zim.—12.

Nays—Senators Baker (20th District), Broome, Buckman, Crill, Cook, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, Sams.—15.

So the bill failed to pass.

Senate Bill No. 139:

A bill to be entitled an act to amend Section 3773 of the General Statutes of the State of Florida.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 139, the vote was:
Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Broome, Buckman, Crill, Cook, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams West, Williams, Withers, Zim—28.

Nays—None.

And the passage of the bill was ordered to be certified to the House of Representatives, under the rule, immediately.

Senate Bill No. 76:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 76, the vote was:

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

Nays—None.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives, under the rule, immediately.

A message was received from the House of Representatives.

Senate Bill No. 98:

A bill to be entitled an act to amend Section 246 of the General Statutes of the State of Florida, relating to lien of assessment.

Was taken up and read the third time in full.

Upon passage of Senate Bill No. 98, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Henderson, Hos-

ford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, West, Williams, Zim—27.

Nays—None.

So the bill was passed, title as stated.

And the passage of the bill was ordered certified to the House of Representatives under the rule immediately.

Mr. Broome moved to waive the rules and that the Senate take up miscellaneous business.

Which was not agreed to.

Senate Bill No. 181:

A bill to be entitled an act to appropriate one thousand dollars annually to assist in publishing the Annual Proceedings of the Florida State Horticultural Society and the free distribution thereof to the citizens of Florida.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 181, the vote was:

Yeas—Mr. President, Senators Baker (20th District), Broome, Buckman, Crill, Henderson, Hosford, Humphries, Massey, McCreary, McMullen, Sams, West, Zim.—13.

Nays—Mr. President, Senators Adkins, Cook, Davis, Johnson, Leggett, McLeod, Miller, Williams.—8.

So the bill was passed, title as stated.

And the passage of the bill was ordered certified to the House of Representatives under the rule immediately.

Senate Bill No. 156:

A bill to be entitled an act to amend Section 3101 of the General Statutes of the State of Florida, relating to the sale of personal property pledged or deposited as collateral security.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 156, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Buckman, Crill, Cook, Cone, Davis, Flournoy, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Sams, West—20.

Nays—Messrs. Cook, Williams—2.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives, under the rule, immediately.

Senate Bill No. 123:

A bill to be entitled an act to amend Section 370 of the General Statutes of the State of Florida, relating to State certificate.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No.123, the vote was:

Yeas—Mr. President, Senators, Adkins, Baker (20th Dist.), Beard, Broome, Buckman, Crill, Cone, Davis, Girardeau, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McMullen, Miller, Sams, West, Williams, Withers, Zim—25.

Nays—Senators Cook, McLeod—2.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives, under the rule, immediately.

Senate Bill No. 103:

A bill to be entitled an act to amend Section 371 of the General Statutes of the State of Florida, relating to life certificate.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 103, the vote was:

Yeas—Senators Beard, Harris, Henderson, Humphries, McMullen, Miller, West.—7.

Nays—Mr. President, Senators Adkins, Broome, Crill, Cook, Cone, Cottrell, Davis, Flournoy, Girardeau, Hosford, Leggett, Massey, McCreary, McLeod, Williams, Withers, Zim.—16.

So the bill failed to pass.

Mr. McMullen moved to withdraw Senate Bill No. 56.

Which was agreed to.

Mr. Miller moved to withdraw Senate Bill No. 196.

Which was agreed to.

Mr. Flournoy moved to take up miscellaneous business.

Which was agreed to.

Mr. West moved to reconsider the vote by which the Senate refused to pass Senate Bill No. 10, the Governor's veto to the contrary notwithstanding.

Which went over under the rule.

On motion of Mr. Henderson to waive the rules by a two-thirds vote, Senate Bill No. 396 was ordered placed on the Calendar of Bills on Third Reading.

Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Flournoy—

Senate Bill No. 505:

A bill to be entitled an act to provide for the method and manner of opening, establishing, building, constructing and maintaining public roads and bridges in Santa Rosa, Walton, Holmes and Washington counties, Florida, and to provide a road and bridge fund for said counties, and for the assessment and collection of the same.

Which was read the first time by its title.

Mr. Flournoy moved to waive the rules by a two-thirds vote and lay the bill on the table, subject to call.

Which was agreed to.

By Mr. Flournoy—

Senate Bill No. 506:

A bill to be entitled an act to prohibit the owners of dogs in Walton and Holmes counties, Florida, from permitting them to run at large without having given a bond of indemnity for any damage such dogs may do, and to permit municipalities to make further regulations governing the same.

Which was read the first time by its title.

Mr. Flournoy moved to waive the rules by a two-thirds vote, and that Senate bill No. 506 be laid on the table, subject to call.

Which was agreed to.

By Mr. Flournoy—

Senate Bill No. 507:

A bill to be entitled an act to establish a Criminal Court of Record in Walton county, State of Florida.

Which was read the first time by its title.

Mr. Flournoy moved to waive the rules and that Senate Bill No. 507 be not referred but be laid on the table, subject to call.

Which was agreed to by a two-thirds vote

By Mr. Cook—

Senate Bill No. 508:

A bill to be entitled an act to validate and confirm cer-

tain tax deeds regularly executed to lands in Washington county, Florida, prior to January, 1, 1902.

Which was read the first time by its title.

Mr. Cook moved to waive the rules and that Senate Bill No. 508 be laid on the table, subject to call.

Which was agreed to by a two-thirds vote.

REPORTS OF COMMITTEES.

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

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

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

Sir:

Your Committee on Municipalities, to whom was referred—

House Bill No. 724:

A bill to be entitled an act fixing and defining the corporate limits of the Town of Bonifay, in Holmes and Washington Counties, Florida.

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

Very respectfully,

W. HUNT HARRIS,
Chairman of Committee.

And House Bill No. 724, 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 27, 1909.

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

Sir:

Your Committee on Municipalities, to whom was referred—

Senate Bill No. 493:

A bill to be entitled an act authorizing Trustees of Umatilla Special Tax School District, in Lake County,

State of Florida, to issue bonds or other evidences of indebtedness to secure any outstanding indebtedness of said district, and to secure any indebtedness incurred in purchase of any real estate or personal property for educational purposes and the erection of buildings and maintaining the same for such purpose, and to provide an election to authorize such issuing of bonds.

Also—

House Bill No. 697:

A bill to be entitled an act to provide for the deposit in bank or banks and for the loan and investment of funds of the City of Palatka, and for obtaining interest thereon.

Also—

House Bill No. 707:

A bill to be entitled an act to provide for the issue of bonds by the town of DeFuniak Springs, Florida, for the construction of additions to a system of waterworks and sewerage; providing for the payment of the interest on and the principal of said bonds, and for the further issue of bonds for the purpose of building, repairing and equipping public buildings, waterworks, sewerage, widening, creating or extending streets, alleys and parks; building and constructing sidewalks and street crossings, and for the purchasing and establishment of gas and electric light plants, etc., etc. (See title inside.)

Also—

House Bill No. 720:

A bill to be entitled an act to amend Chapter No. 5360, Laws of Florida, entitled "An act to incorporate the city of St. Augustine, in the State of Florida, and to provide for the organization and conducting of the municipal government of said city, and prescribing the powers and functions of said municipality.

Also—

House Bill No. 723:

A bill to be entitled an act to amend Section 4, 8, 11, 13, 14, 15 and 16 of Chapter 5354, same being an act to legalize the incorporation of the town of Macclenny, Florida, and to bestow certain powers thereon.

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

Very respectfully,

W. HUNT HARRIS,
Chairman of Committee.

And House Bills Nos. 697, 707, 720 and 723, and Senate Bill No. 493, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. Flournoy moved that a committee of three be appointed to have a carpet placed on the Senate chamber floor.

Which was agreed to.

And the President appointed—

Messrs. Flournoy, Harris and Zim as such committee.

The following message from the Governor was read:

State of Florida,

Executive Chamber,

Tallahassee, Fla., May 27, 1909.

Gentlemen of the Legislature:

My attention has been invited to that part of my biennial message in which I refer to George Washington, Robert E. Lee and Abraham Lincoln as the three greatest men which have been produced by our great nation.

It is difficult for anyone to decide who are these three greatest men. My statement would have been more correct had I said that among these may be mentioned George Washington, Robert E. Lee and Abraham Lincoln.

As the anniversaries of the birthday of Washington and Lee have, by legislative enactment, been made holidays, I still would recommend that the anniversary of the birthday of Abraham Lincoln be made a holiday.

I have the honor to be,

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

Mr. Broome moved that the message be received and spread on the Journal.

Mr. Flournoy moved that the Senate extend to Senator Broome a vote of thanks for his influence and effort in bringing about this special message from the Governor relative to his former message in which he stated that "the three greatest men produced by our Nation were

George Washington, Robert E. Lee and Abraham Lincoln."

Which was unanimously agreed to.

Mr. Flournoy moved that the Senate do now adjourn.

Mr. Adkins moved to adjourn until 3 o'clock.

Which was agreed to.

Whereupon the Senate adjourned until 3 o'clock p. m.

AFTERNOON SESSION, 3 O'CLOCK.

The Senate met pursuant to recess order.

The President in the chair.

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

Present—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—31.

A quorum present.

Senate Bill No. 7:

A bill to be entitled an act requiring certain State officers and certain departments of the State government to make detailed reports, and providing a penalty for failure to comply with said requirements.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 7, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Broome, Buckman, Crill, Cook, Cone, Cottrell, Davis, Flournoy, Girardeau, Harris, Humphries, Johnson, Leggett, Massey, McCreary, McMullen, Miller, Sams, Sloan, West, Williams, Zim—25.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

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.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 164 the vote was:
Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Broome, Buckman, Crill, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McMullen, Miller, Sams, Sloan, West, Williams, Zim—26.

Nays—None.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

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 service and charges of telegraph companies operating in this State.

Was taken up and read the third time in full.

By unanimous consent the Senate was instructed to correct an error in the bill.

Upon the passage of Senate Bill No. 177, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Broome, Cook, Cone, Cottrell, Davis, Flournoy, Girardeau, Leggett, Massey, McMullen, Miller, West, Williams—16.

Nays—Senators Buckman, Crill, Dayton, Harris, Henderson, Humphries, McCreary, Sams—9.

So the bill was passed, title as stated.

Mr. Johnson explained his vote on the passage of Senate Bill No. 177, as follows:

Mr. Johnson votes no for the reason we have a statute already in force fixing rates. And for the further reason that the Railroad Commission now has more than they can do.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

Mr. Zim was excused for voting on the passage of this bill.

Senate Bill No. 39:

A bill to be entitled an act legalizing and confirming all grants, licenses and permits heretofore made and given by County Commissioners in relation to the occupation and use of highways, roads and streets by surface street railways, which licenses, grants or permits have

been acted upon by the grantee or grantees, their successors or assigns, by the expenditure of money in good faith.

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

Upon the passage of Senate Bill No. 39 the vote was:
Yeas—Senators Adkins, Buckman, Dayton, Harris, Johnson, McCreary, McMullen—7.

Nays—Mr. President, Senators Baker (20th Dist.), Broome, Crill, Cook, Cone, Cottrell, Flournoy, Girardeau, Henderson, Hosford, Humphries, Leggett, Miller, Sams, Sloan, West, Williams—19.

So the bill failed to pass.

Senators Zim and Williams were excused from voting on passage of Senate Bill No. 39.

Senate Bill No. 94:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 94 the vote was:
Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Broome, Crill, Cook, Cone, Dayton, Flournoy, Girardeau, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McMullen, Sloan, West, Williams.—20.

Nays—Senators Buckman, Harris, McCreary, Sams, Zim—5.

So the bill was passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

Senate Bill No. 129:

A bill to be entitled an act to amend Chapter 5618, of the Laws of Florida, requiring common carriers to pay claims for lost or damaged freight or express, or other charges on freight or express within a certain time; and providing, within the event a common carrier fails to pay said claim within said time, that such common carrier shall in certain cases be liable for interest on said claims at the rate of 50 per cent per annum, and shall also be liable for a reasonable attorney's fee.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 129, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Dayton, Flournoy, Girardeau, Henderson, Hos-

ford, Humphries, Johnson, Leggett, Massey, McCreary, Miller, Sams, West, Williams, Zim—25.

Nays—Senator Harris—1.

So the bill was passed, title as stated.

And the passage of the bill was ordered certified to the House of Representatives under the rule immediately.

Senate Bill No. 110:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 110, the vote was:

Yeas—Senators Adkins, Broome, Dayton, Sams, Sloan—5.

Nays—Mr. President, Senators Baker (20th District), Crill, Cook, Cone, Cottrell, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, Miller, West, Zim—20.

So the bill failed to pass.

Committee Substitute for House Bill No. 404:

A bill to be entitled an act to regulate the killing of wild duck in the State of Florida.

Was taken up and read the third time in full.

Upon the passage of Committee substitute for House Bill No. 404, the vote was:

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

Nays—Senator Miller—1.

So the bill was passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

Mr. Cone in the chair.

Mr. Sloan was excused from further attendance until to-morrow morning on account of sickness.

Committee Substitute for 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 third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 140, the vote was.

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Cook, Cottrell, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Massey, McCreary, McLeod, McMullen, Sams, West, Withers, Zim—25.

Nays—Senators Cone, Leggett, Miller, Williams—4.

So the bill was passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

Senate Joint Resolution No. 171:

A joint resolution proposing amendment to Section 19, Article 5 of the Constitution of the State of Florida.

Be it Resolved by the Legislature of the State of Florida:

That the following amendment to Section 19, Article 5 of the Constitution of the State of Florida, be and the same is hereby agreed to; and shall be submitted to the electors of the State at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1910, for ratification or rejection.

Section 19 of Article 5 of the Constitution is hereby amended so as to read as follows:

Section 19. When any civil case at law in which the judge is disqualified shall be called for trial in a circuit or county court, the parties may agree upon an attorney at law, who shall be judge ad litem, and shall preside over the trial of and make orders in said cause as if he were judge of the court. The parties may, however, transfer the cause to another circuit court or county court, as the case may be, or may have the case submitted to a referee. The Governor may, in his discretion, order a temporary exchange of counties by the respective judges, or order any judge to hold one or more terms or parts of terms in any other county than that to which he is assigned.

Was taken up and read the third time in full.

Upon the passage of Senate Joint Resolution No. 171 the vote was:

Yeas—Mr. President, Senators Adkins, Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries,

Johnson, Leggett, Massey, McCreary, McLeod, Miller, Sams, West, Withers—25.

Nays—None.

So the Senate Joint Resolution was passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

Senate Joint Resolution No. 232:

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.

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.

Be It Enacted by the Legislature of the State of Florida:

That the following amendment to the Constitution of the State of Florida be, and the same is hereby agreed to and shall be submitted to the electors of the State at the general election in November, A. D. 1910, for ratification or rejection.

Section 12, of Article IV, of the Constitution, as amended in 1896, is hereby amended so as to read as follows:

"Sec. 12. The Governor, Secretary of State, Comptroller, State Treasurer and the Commissioner of Agriculture, or the major part of them, of whom the Governor shall be one, may, upon such conditions and with such limitations and restrictions as they may deem proper, remit fines and forfeitures, commute punishment, and grant pardon after conviction in all cases except treason and impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons."

Was taken up and read the third time in full.

Upon the passage of Senate Joint Resolution No. 232, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Crill, Cook, Dayton, Flournoy, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, Miller, Sams, West, Williams, Withers, Zim—21.

Nays—Senators Broome, Cone, Henderson—3.

So the bill was passed, title as stated.

And the passage of the bill was ordered to be certified

to the House of Representatives under the rule immediately.

Senate Bill No. 146:

A bill to be entitled an act for the relief of B. H. Bridges, Assistant State Chemist, Food and Drug Analyst.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 146, the vote was:

Yeas—Senators Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McCreary, Miller, Sams, West, Withers, Zim—19.

Nays—Mr. President, Senators Adkins, Baker (20th District, Broome, Johnson, McLeod, McMullen, Williams—8.

The bill failing to receive the constitutional two-thirds vote, failed to pass.

Committee Substitute, Judiciary B, 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 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 third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 58, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Buckman, Crill, Cook, Cone, Cottrell, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Johnson, Leggett, Massey, McCreary, McMullen, Miller, Sams, West, Williams, Withers, Zim—25.

Nays—Senator Humphries—1.

So the bill was passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

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 bank, drawer, maker, guarantor, surety and endorser.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 302 the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Broome, Buckman, Crill, Cook, Cone, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, Sams, West, Withers, Zim—24.

Nays—Senators Adkins, Cottrell, Miller, Williams—4.
So the bill was passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

Senate Bill No. 166:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 166 the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Beard, Broome, Buckman, Crill, Cook, Cone, Cottrell, Dayton, Flournoy, Girardeau, Harris, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, Miller, West, Williams, Withers, Zim—25.

Nays—Senators Henderson, Sams—2.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

Senate Bill No. 168:

A bill to be entitled an act to amend Section 7, of Chapter 5597, Laws of Florida. Approved June 1, 1907.

Was taken up and read the third time in full.

Mr. Humphries moved that the bill be put back on second reading.

Which was agreed to and so ordered.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., May 24, 1909.

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

Sir:

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

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.

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

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And Senate Bill No. 425, contained in the above report, was placed on the Calendar of Bills on Second Reading

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

Senate Chamber,
Tallahassee, Fla., May 24, 1909.

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

Sir:

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

Senate Bill No. 360:

A bill to be entitled an act to provide for the appointment of a Fish Commission for the State of Florida; to define his duties and powers, and to provide a system of license taxes for the several branches of the salt water fish industry of the State, the levy and collection of the same, and to prescribe penalties for its violation.

Have had the same under consideration and report the same without recommendation.

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And senate Bill No. 360, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 24, 1909.

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

Sir:

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

House Bill No. 139:

A bill to be entitled an act to protect gophers.

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

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And House Bill No. 139, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 24, 1909.

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

Sir:

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

House Bill No. 244:

A bill to be entitled an act to prohibit the use of seines, gill or other nets for taking food-fish for sale in the waters of Haulover canal.

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

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And House Bill No. 244, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 24, 1909.

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

Sir:

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

Senate Bill No. 431:

A bill to be entitled an act to amend Section 3776 of the General Statutes of the State of Florida, relating to "protection of shad and sturgeon during spawning season."

Have had the same under consideration and report same without recommendation.

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And Senate Bill No. 431, 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 26, 1909.

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

Sir:

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

House Bill No. 727:

A bill to be entitled an act to regulate and enforce the performance of road duty in Santa Rosa County of persons subject to such duty under the Laws of the State of Florida.

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

Very respectfully,

J. B. JOHNSON,
Chairman of Committee.

And House Bill No. 727, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

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

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

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 102:

A bill to be entitled an act for the relief of W. A. Snowden, of Micanopy, Alachua County, Florida.

Also—

Senate Bill No. 144:

A bill to be entitled an act to cancel certain tax sale certificates.

Also—

Committee Substitute for Senate Bill No. 285:

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

Also—

Senate Bill No. 294:

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

Also—

Senate Bill No. 372:

A bill to be entitled an act to amend Section 3426, of the General Statutes of the State of Florida.

Also—

Committee Substitute for Senate Bill No. 375:

A bill to be entitled an act for the relief of W. J. Cook, of Jacksonville, Florida, for the loss of sixty-three horses

killed in compliance with the laws of the State of Florida.

Also—

Senate Bill No. 338:

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

Also—

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.

Also—

Senate Bill No. 484:

A bill to be entitled an act to protect the health of school children, and to provide a penalty for the violation thereof.

Also—

Senate Bill No. 411:

A bill to be entitled an act providing for the payment of a per diem to Sheriffs for attendance upon Criminal Courts of Record, County Courts.

Also—

Senate Bill No. 377:

A bill to be entitled an act authorizing and providing for the issuance of county bonds for the laying out, opening, construction, repairing and maintaining 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; and granting to said Board of Trustees the right to condemn lands for the purpose of constructing hard-surface roads and bridges.

Beg leave to report that above bills are correctly engrossed.

Very respectfully,

JAMES E. BROOME,

Chairman of Committee on Engrossed Bills.

And Senate Bills Nos. 398, 377, 411, 484, 338, 375, 372, 294, 285, 144 and 102, contained in the above report, were

placed on the Calendar of Bills on Third Reading.

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

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

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

Sir:

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

House Bill No. 722:

A bill to be entitled an act for the protection and preservation of fish in the waters of Lake County, and waters subject to the jurisdiction of the courts of said county.

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

Strike out all of line 3 and the word "county" in line 4, Section 1. Also strike out from title all after the words "Lake County."

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And Senate Bill No. 722, as amended, 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., May 27, 1909.

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

Sir:

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

House Bill No. 655:

A bill to be entitled an act to prohibit fishing in the waters of any part of Bayou Texar, Bayou Chico, Bayou Grande in Escambia County, Florida, except with rod, hook and line, spinner or troll or cast net.

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

Very respectfully,

J. A. WILLIAMS,
Chairman of Committee.

And House Bill No. 655, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. McMullen moved that the Senate do now go into executive session.

Which was agreed to.

And the Senate went into executive session.

The doors being closed at 5:40 o'clock p. m.

The Senate resumed its session at 6 o'clock p. m.

The President in the chair.

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

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Cook, Cottrell, Dayton, Flournoy, Girardeau, Harris, Hosford, Humphries, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, West, Zim—23.

Mr. Beard moved to adjourn to 8 o'clock to-night.

Which was agreed to.

Whereupon the Senate took a recess until 8 o'clock p. m.

EVENING SESSION, 8 O'CLOCK P. M.

The Senate resumed its session pursuant to recess order.

The President in the chair.

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

Present—Mr. President, Senators Adkins, Baker (20th District), Beard, Buckman, Crill, Cook, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, West, Williams, Withers—27.

A quorum was present.

CONSIDERATION OF BILLS ON THE SECOND READING.

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.

Was taken up and read the second time in full.

Mr. Baker, of the 20th District, moved to waive the rules and to read the bill the third time in full.

Which was agreed to.

And substitute for House Bill No. 117 was taken up and read the third time in full and put upon its passage.

Upon call of the roll on substitute for House Bill No. 117, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Buckman, Cook, Cottrell, Davis, Dayton, Flournoy, Harris, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, West, Williams, Withers—22.

Nays—Senator Crill—1.

So the bill passed, title as stated.

Mr. McCreary moved to waive the rules and that House Bill No. 726 be taken from the table subject to call.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 726:

A bill to be entitled an act to authorize and permit the Atlantic Coast Line Railroad Company to take up the track and remove the line of its road from Evinston to Rochelle and from Micanopy Junction to Tacoma, and build a line of railroad from Evinston via Micanopy to a point connecting with the line of its road from Gainesville to Rochelle.

Was taken up.

Mr. McCreary moved to waive the rules and that the bill be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 726 was read a second time by its title.

Mr. McCreary moved to further waive the rules, and that the bill be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 726:

A bill to be entitled an act to authorize and permit the Atlantic Coast Line Railroad Company to take up the

track and remove the line of its road from Evinston to Rochelle and from Micanopy Junction to Tacoma, and build a line of railroad from Evinston via Micanopy to a point connecting with the line of its road from Gainesville to Rochelle.

Was read the third time and put upon its passage.

Upon the passage of House Bill No. 726 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Beard, Buckman, Davis, Dayton, Flournoy, Harris, Henderson, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, West, Williams, Withers—21.

Nays—Senators Crill, Cook—2.

So the bill was passed, title as stated.

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

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.

Was taken up.

Mr. McMullen moved to waive the rules and that the bill be read a second time by its title.

Which was agreed to by a two-thirds vote, and House Bill No. 454 was read a second time by its title.

Mr. McMullen moved to further waive the rules, and that the bill be read a third time and put upon its passage.

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

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.

Was read a third time.

Upon the passage of House Bill No. 454, the roll was called, and the vote was:

Yeas—Senators Johnson, McCreary, West—3.

Nays—Mr. President, Senators Adkins, Baker (20th District), Beard, Buckman, Crill, Cook, Cone, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, Williams—22.

So the bill failed to pass.

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

Mr. Cottrell announced that he had paired with Mr. Baker of the 29th District, and that if Mr. Baker were present he would vote yea, and I would vote nay.

Mr. Withers announced that he had paired with Mr. Broome, and that if Mr. Broome were present, he would vote yea, and I would vote nay.

Mr. Harris moved that all action on bills passed heretofore be certified to the House of Representatives.

Senate Bill No. 451:

A bill to be entitled an act to validate and confirm certain tax deeds regularly executed to lands in Washington County, Florida, prior to January 1, 1898.

Was taken up.

Mr. Cook moved to substitute Senate Bill No. 508 for House Bill No. 451.

Which was agreed to, and

Senate Bill No. 508:

A bill to be entitled an act to validate and confirm certain tax deeds regularly executed to lands in Washington County, Florida, prior to January 1, 1902.

Was taken up in lieu of House Bill No. 451, and

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 508 was read a second time by its title.

Mr. Cook moved that the rules be further waived and that Senate Bill No. 508 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

Senate Bill No. 508:

A bill to be entitled an act to validate and confirm certain tax deeds regularly executed to lands in Washington County, Florida, prior to January 1, 1902.

Was read the third time in full.

Mr. Williams moved to lay the bill on the table.

Which was not agreed to.

Upon the passage of Senate Bill No. 508, the roll was called and the vote was:

Yeas—Senators Adkins, Cook, Dayton, Hosford, Humphries, McMullen, Sams—7.

Nays—Mr. President, Senators Baker (20th District), Crill, Cone, Cottrell, Davis, Flournoy, Henderson, Leggett, McLeod, West, Williams—12.

So the bill failed to pass.

Mr. Massey was excused from voting.

Senate Bill No. 472:

A bill to be entitled an act to provide for the issue of bonds and for the further issue of bonds by the town of DeFuniak Springs, Florida, for the construction of additions to a system of water works and sewerage, providing for the payment of the interest on and the principal of said bonds, and for the further issue of bonds for the purpose of building, repairing and equipping public buildings, water works, sewerage, widening, creating or extending streets, alleys and parks, buildings, and constructing sidewalks and street crossings, and for the purchasing or establishing of gas and electric light plants, etc.

Was taken up.

Mr. Flournoy moved that the rules be waived, and that the bill be read a second time by its title.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 472 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived, and that Senate Bill No. 472 be read a third time and put upon its passage.

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

Senate Bill No. 472:

A bill to be entitled an act to provide for the issue of bonds and for the further issue of bonds by the town of DeFuniak Springs, Florida, for the construction of additions to a system of water works and sewerage, providing for the payment of the interest on and the principal of said bonds, and for the further issue of bonds for the purpose of building, repairing and equipping public buildings, water works, sewerage, widening, creating or extending streets, alleys and parks, building, and constructing sidewalks and street crossings, and for the purchasing or establishing of gas and electric light plants, etc.

Was read the third time in full.

Upon the passage of Senate Bill No. 471, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Buckman, Crill, Cook, Cottrell, Davis, Dayton, Flournoy, Henderson, Hosford, Humphries, Leggett, Massey, McMullen, Miller, West, Williams, Withers—21.

So the bill was passed, title as stated.

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

Senate Bill No. 475:

A bill to be entitled an act to provide for the method and manner of opening and establishing, building, constructing and maintaining public roads and bridges in Walton, Holmes, Washington and Santa Rosa Counties, Florida; and to provide a road and bridge fund for said counties, and for the assessment and collection of the same.

Was taken up.

Mr. Flournoy moved that Senate Bill No. 505 be taken from the table.

Which was agreed to.

Mr. Flournoy moved that Senate Bill No. 475 be substituted by Senate Bill No. 505.

Which was agreed to, and—

Senate Bill No. 505:

A bill to be entitled an act to provide for the method and manner of opening and establishing, building, constructing and maintaining public roads and bridges in Santa Rosa, Walton, Holmes and Washington Counties, Florida; and to provide a road and bridge fund for said counties, and for the assessment and collection of the same.

Was taken up in lieu of Senate Bill No. 475.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 505 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that Senate Bill No. 505 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

Senate Bill No. 505:

A bill to be entitled an act to provide for the method and manner of opening and establishing, building, constructing and maintaining public roads and bridges in Santa Rosa, Walton, Holmes and Washington Counties, Florida; and to provide a road and bridge fund for said counties, and for the assessment and collection of the same.

Was read the third time in full.

Upon the passage of Senate Bill No. 505, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—21.

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. 476:

A bill to be entitled an act to provide for the assessment and collection of the taxes for the town of De-Funiak Springs, and for the collection of the back taxes and tax sale certificates of said city.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 476 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that Senate Bill No. 476 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 476:

A bill to be entitled an act to provide for the assessment and collection of the taxes for the town of De-Funiak Springs, and for the collection of the back taxes and tax sale certificates of said city.

Was read the third time in full.

Upon the passage of Senate Bill No. 476 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, West, Williams, Withers—20.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 473:

A bill to be entitled an act to amend Chapter 5645, of the Acts of the Legislature of the State of Florida of 1907, relating to the time of holding Third Judicial Circuit of the State of Florida.

Mr. McLeod moved that the rules be waived, and that the bill be read a second time by its title.

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

Senate Bill No. 473 was read a second time by its title.

Mr. McLeod moved that the rules be further waived, and that Senate Bill No. 473 be read a third time and put upon its passage.

Senate Bill No. 473:

A bill to be entitled an act to amend Chapter 5645, of the Acts of the Legislature of the State of Florida of 1907, relating to the time of holding Third Judicial Circuit of the State of Florida.

Was read the third time in full.

Upon the passage of Senate Bill No 473, the roll was called, and the vote was:

Yeas—Mr. President, Senators Beard, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, West, Williams, Withers—20.

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.

House Bill No. 690:

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

White Springs, in Hamilton County, to issue bonds and granting certain powers in connection therewith.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 690 was read a second time by its title.

Mr. McLeod moved that the rules be further waived and that House Bill No. 690 be read a third time and put upon its passage.

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

House Bill No. 690:

A bill to be entitled an act to authorize the town of White Springs, in Hamilton County, to issue bonds and granting certain powers in connection therewith.

Was read the third time in full.

Upon the passage of House Bill No. 690, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McLeod, McMullen, Miller, 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. 463:

A bill to be entitled an act to provide a road and bridge fund for Jefferson County, Florida; to provide for the assessment and collection of the same and to prescribe the manner and method of building, erecting and maintaining public roads and bridges in said county.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 463 was read a second time by its title.

Mr. Leggett moved that the rules be further waived

and that Senate Bill No. 463 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 463:

A bill to be entitled an act to provide a road and bridge fund for Jefferson County, Florida; to provide for the assessment and collection of the same and to prescribe the manner and method of building, erecting and maintaining public roads and bridges in said county.

Was read the third time in full.

Upon the passage of Senate Bill No. 463 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams—21.

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. 490:

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

Was taken up.

Mr. Withers moved that the rules be waived, and that the bill be read a second time by its title.

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

Senate Bill No. 490 was read a second time by its title.

Mr. Withers moved that the rules be further waived, and that Senate Bill No. 490 be read a third time and put upon its passage.

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

Senate Bill No. 490:

A bill to be entitled an act to abolish the present mu-

municipal government of the town of Titusville, in the county of Brevard, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Titusville, 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. 490, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—20.

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.

House Bill No. 681:

A bill to be entitled an act to amend Sections eighteen (18) and twenty-five (25), and to repeal Sections seventeen (17) and twenty-seven (27), of Chapter 5088, of Laws of Florida, entitled an "An act to provide for the assessment, levy and collection of revenue for the city of Pensacola."

Was taken up.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 681 was read a second time by its title.

Mr. Beard moved that the rules be further waived and that House Bill No. 681 be read a third time and put upon its passage.

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

House Bill No. 681:

A bill to be entitled an act to amend Sections eighteen (18) and twenty-five (25), and to repeal Sections seventeen (17) and twenty-seven (27), of Chapter 5088, of Laws of Florida, entitled an "An act to provide for the assessment, levy and collection of revenue for the city of Pensacola."

Was read the third time in full.

Upon the passage of House Bill No. 681, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Withers—21.

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.

House Bill No. 647:

A bill to be entitled an act to regulate the hunting of wild deer, turkey, quail, squirrel or other wild game in the County of Marion; prescribing times when same may be hunted therein or killed therein; and providing for license or permit to non-residents thereof, and prescribing penalties for the violations of the provisions thereof.

Was taken up.

Mr. Baker, of 20th, moved that the rules be waived and that the bill be read a second time by its title.

Which was agreed to by a two-thirds vote.

And House Bill No. 647 was read a second time by its title.

There being no amendment House Bill No. 647 was placed on the Calendar of Bills on Third Reading.

Senate Bill No. 461:

A bill to be entitled an act to correctly define and establish the territorial limits of the town of Dania, in Dade County, State of Florida, and to legalize the acts of said municipality heretofore done within such territorial limits.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 461 was read a second time by its title.

Mr. Withers moved that the rules be further waived and that Senate Bill No. 461 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 461:

A bill to be entitled an act to correctly define and establish the territorial limits of the town of Dania, in Dade County, State of Florida, and to legalize the acts of said municipality heretofore done within such territorial limits.

Was read the third time in full.

Upon the passage of Senate Bill No. 461 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Withers—20.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 453:

A bill to be entitled an act to provide the method and manner of building, constructing and maintaining public roads and bridges in Hamilton County, Florida; to provide a road and bridge fund for said county, and for the assessment and collection of same.

Was taken up, and by consent, was withdrawn.

Senate Bill No. 454:

A bill to be entitled an act to authorize the town of Bonifay, Holmes County, Florida, to issue bonds to erect a school building, to provide and construct and maintain a waterworks therefor, and to provide for the payment of said bonds and interest thereon.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 454 was read a second time by its title.

Mr. Flournoy, by consent, withdrew Senate Bill No. 703.

House Bill No. 703:

A bill to be entitled an act to incorporate the Town of Gretna, in Gadsden County, Florida, to establish a municipal government for said town, to provide for its government and to prescribe its jurisdiction and powers.

Was taken up.

Mr. Henderson moved that the rules be waived, and that the bill be read a second time by its title.

Which was agreed to by a two-thirds vote, and—
House Bill No. 703 was read a second time by its title.

Mr. Henderson moved that the rules be further waived, and that House Bill No. 703 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote, and—
House Bill No. 703:

A bill to be entitled an act to incorporate the Town of Gretna, in Gadsden County, Florida, to establish a municipal government for said town, to provide for its government and to prescribe its jurisdiction and powers.

Was read the third time in full.

Upon the passage of House Bill No. 703, the roll was called, and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Withers—20.

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.

House Bill No. 689:

A bill to be entitled an act to authorize the town of Bonifay, Holmes County, Florida, to issue bonds to erect a school building, to provide and conduct and maintain waterworks therefor, and to provide for the payment of said bonds and interest thereon.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 689 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that House Bill No. 689 be read a third time and put upon its passage.

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

House Bill No. 689:

A bill to be entitled an act to authorize the town of Bonifay, Holmes County, Florida, to issue bonds to erect a school building, to provide and conduct and maintain waterworks therefor, and to provide for the payment of said bonds and interest thereon.

Was read the third time in full.

Upon the passage of House Bill No. 689, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cottrell, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Withers—20.

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. Henderson in the chair.

House Bill No. 671:

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 issuing of bonds of the city of Bartow, Polk County, Florida, for the purpose of securing funds for the establishment of a sewerage system in said city," which was passed in open Council by the City County of 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.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 671 was read a second time by its title.

Mr. Withers moved that the rules be further waived and that House Bill No. 671 be read a third time and put upon its passage.

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

House Bill No. 671:

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 issuing of bonds of the city of Bartow, Polk County, Florida, for the purpose of securing funds for the establishment of a sewerage system in said city," which was passed in open Council by the City County of 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.

Was read the third time in full.

Upon the passage of House Bill No. 671, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cottrell, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Withers—20.

Nays—None.

So the bill was passed, title as stated.

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

Mr. Beard moved that House Bill No. 654 be taken up.

Which was agreed to, and—

House Bill No. 654:

A bill to be entitled an act relating to the government and officers of the city of Pensacola, and repealing Sections six (6) and twenty-four (24) of Chapter 4513, Laws

of Florida of 1895, as the same were amended by Sections one (1) and two (2) of Chapter 5832, Laws of Florida of 1907.

Was taken up.

Mr. Beard moved that the rules be waived, and that the bill be read a second time by its title.

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

House Bill No. 654 was read a second time by its title, and passed to the Calendar of Bills on Third Reading.

House Bill No. 668:

A bill to be entitled an act to amend Sections 3 and 7 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."

Was taken up.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 668 was read a second time by its title.

Mr. McMullen moved that the rules be further waived and that House Bill No. 668 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 668:

A bill to be entitled an act to amend Sections 3 and 7 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."

Was read the third time in full.

Upon the passage of House Bill No. 668 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.),

Beard, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flourney, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—22.

Nays—None.

So the bill was passed title as stated.

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

House Bill No. 700:

A bill to be entitled an act establishing the territorial limits of the City of Apalachicola, a municipal corporation, organized and existing in Franklin County, Florida.

Was taken up.

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

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

House Bill No. 700 was read a second time by its title.

Mr. Hosford moved that the rules be further waived, and that House Bill No. 700 be read a third time and put upon its passage.

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

House Bill No. 700:

A bill to be entitled an act establishing the territorial limits of the City of Apalachicola, a municipal corporation, organized and existing in Franklin County, Florida.

Was read the third time in full.

Upon the passage of House Bill No. 700 the roll was called, and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cottrell, Davis, Dayton, Flourney, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—21.

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.

House Bill No. 699:

A bill to be entitled an act to abolish the present mu-

nicipal government of the town of Mayport, in Duval County, Florida; to legalize the ordinances of said town and official acts thereunder; to create and establish the municipality of the city of Mayport, in Duval County, Florida, and to provide its jurisdiction and powers and officers thereof.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 699 was read a second time by its title.

Mr. Buckman moved that the rules be further waived and that House Bill No. 699 be read a third time and put upon its passage.

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

House Bill No. 699:

A bill to be entitled an act to abolish the present municipal government of the town of Mayport, in Duval County, Florida; to legalize the ordinances of said town and official acts thereunder; to create and establish the municipality of the city of Mayport, in Duval County, Florida, and to provide its jurisdiction and powers and officers thereof.

Was read the third time in full.

Upon the passage of House Bill No. 699, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Dayton, Flournoy, Harris, Henderson Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—20.

(Nays—None.

So the bill was passed, title as stated.

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

House Bill No. 701:

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

Was taken up.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 701 was read a second time by its title.

Mr. Dayton moved that the rules be further waived and that House Bill No. 701 be read a third time and put upon its passage.

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

House Bill No. 701:

A bill to be entitled an act to abolish the present municipal government of the town of Brooksville, in the county of Hernando, and the State of Florida, and to establish, organize and constitute a municipality to be known and designated as the town of Brooksville, 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 House Bill No. 701, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—21.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 487:

A bill to be entitled an act fixing and defining the corporate limits of the town of Bonifay, in Holmes and Washington Counties, Florida.

Was taken up.

Mr. Flournoy moved that the rules be waived, and that the bill be read a second time by its title.

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

Senate Bill No. 487 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that Senate Bill No. 487 be read a third time and put upon its passage.

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

Senate Bill No. 487:

A bill to be entitled an act fixing and defining the corporate limits of the town of Bonifay, in Holmes and Washington Counties, Florida.

Was read the third time in full.

Upon the passage of Senate Bill No. 487, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—21.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 486:

A bill to be entitled an act to incorporate the city of St. Augustine, in the State of Florida, and to provide for the organization and conducting of the municipal government of said city, and prescribing the powers and duties of said municipality.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 486 was read a second time by its title.

Mr. Massey moved that the rules be further waived and that Senate Bill No. 486 be read a third time and put upon its passage.

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

Senate Bill No. 486:

A bill to be entitled an act to incorporate the city of St. Augustine, in the State of Florida, and to provide for the organization and conducting of the municipal government of said city, and prescribing the powers and duties of said municipality.

Was read the third time in full.

Upon the passage of Senate Bill No. 486, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District),

Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—21.
Nays—None.

So the bill was passed, title as stated.

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

Mr. Harris moved that the Doorkeeper and the Pages be excused for the balance of the night.

Which was agreed to.

Senate Bill No. 489:

A bill to be entitled an act to extend the jurisdiction of the town marshals and deputies of the municipalities of Walton County, Florida, for the purposes of serving process of the Mayor's Court.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 489 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that Senate Bill No. 489 be read a third time and put upon its passage.

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

Senate Bill No. 489:

A bill to be entitled an act to extend the jurisdiction of the town marshals and deputies of the municipalities of Walton County, Florida, for the purposes of serving process of the Mayor's Court.

Was read the third time in full.

Upon the passage of Senate Bill No. 489, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—21.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 478:

A bill to be entitled an act authorizing trustees of special tax school districts in Walton County, State of Florida, to issue bonds or other evidences of indebtedness to secure any outstanding indebtedness of said district, and to secure any indebtedness of said district, and to secure any indebtedness incurred in purchase of any real estate or personal property for educational purposes, and the erection of buildings and maintaining same for such purpose, and to provide an election to authorize such issuing of bonds.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 478 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that Senate Bill No. 478 be read a third time and put upon its passage.

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

Senate Bill No. 478:

A bill to be entitled an act authorizing trustees of special tax school districts in Walton County, State of Florida, to issue bonds or other evidences of indebtedness to secure any outstanding indebtedness of said district, and to secure any indebtedness of said district, and to secure any indebtedness incurred in purchase of any real estate or personal property for educational purposes, and the erection of buildings and maintaining same for such purpose, and to provide an election to authorize such issuing of bonds.

Was read the third time in full.

Upon the passage of Senate Bill No. 478 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, Williams, Withers—20.

Nays—None.

So the bill was passed, title as stated.

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

House Bill No. 702:

A bill to be entitled an act to amend Sections 3, 4 and 5, Chapter 5781, Acts of 1907, to prohibit fishing in the waters of Sumter County, except with rod, hook and line, spinner, or troll, gun or gig.

Was taken up.

Mr. Baker, of the Twentieth District, moved that the rules be waived, and that the bill be read a second time by its title.

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

House Bill No. 702 was read a second time by its title.

Mr. Baker, of the Twentieth District, moved that the rules be further waived, and that House Bill No. 702 be read a third time and put upon its passage.

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

House Bill No. 702:

A bill to be entitled an act to amend Sections 3, 4 and 5, Chapter 5781, Acts of 1907, to prohibit fishing in the waters of Sumter County, except with rod, hook and line, spinner, or troll, gun or gig.

Was read the third time in full.

Upon the passage of House Bill No. 702 the roll was called, and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Massey, McLeod, McMullen, West, Williams, Withers—20.

Nays—None.

So the bill was passed, title as stated.

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

Mr. Henderson moved to call from the table House Bill No. 663.

Which was agreed to, and—

House Bill No. 663:

A bill to be entitled an act to provide the method and manner of building, constructing and maintaining public roads and bridges in Leon County, Florida, and to pro-

vide a road and bridge fund for said county, and for the assessment and collection of same.

Was taken up.

Mr. Henderson moved that the rules be waived, and that the bill be read a second time by its title.

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

House Bill No. 663 was read a second time by its title.

Mr. Henderson moved that the rules be further waived, and that House Bill No. 663 be read a third time and put upon its passage.

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

House Bill No. 663:

A bill to be entitled an act to provide the method and manner of building, constructing and maintaining public roads and bridges in Leon County, Florida, and to provide a road and bridge fund for said county, and for the assessment and collection of same.

Was read the third time in full.

Upon the passage of House Bill No. 663 the roll was called and the vote was.

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—21.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 492:

A bill to be entitled an act to authorize the County School Board, or Trustees of School Sub-Districts, in Walton County, to dispose of and convey lands or other property granted to or held by them for educational purposes; to prescribe the mode of conveyance, and to provide for the disposition of funds arising therefrom.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 492 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that Senate Bill No. 492 be read a third time and put upon its passage.

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

Senate Bill No. 492:

A bill to be entitled an act to authorize the County School Board, or Trustees of School Sub-Districts, in Walton County, to dispose of and convey lands or other property granted to or held by them for educational purposes; to prescribe the mode of conveyance, and to provide for the disposition of funds arising therefrom.

Was read the third time in full.

Upon the passage of Senate Bill No. 492 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams—20.

Nays—None.

So the bill was passed, title as stated.

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

Mr. Dayton moved that Senate Bill No. 502 be taken from the table subject to call.

Which was agreed to, and

Senate Bill No. 502:

A bill to be entitled an act to abolish the municipality of Fivay, in Pasco County, Florida.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 502 was read a second time by its title.

Mr. Dayton moved that the rules be further waived and that Senate Bill No. 502 be read a third time and put upon its passage.

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

Senate Bill No. 502.

A bill to be entitled an act to abolish the municipality of Fivay, in Pasco County, Florida.

Was read the third time in full.

Upon the passage of Senate Bill No. 502, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—20.

Nays—None.

So the bill was passed, title as stated.

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

BILLS ON THIRD READING.

Senate Bill No. 236:

A bill to be entitled an act to repeal Chapter 5094, of the Laws of Florida, entitled "An act to incorporate the town of Trilby, in Pasco County, Florida, and to provide for the election of its municipal officers."

Was taken up, and

Was read the third time in full.

Upon the passage of Senate Bill No. 236, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—20.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 303:

A bill to be entitled an act to declare Chipola River, in the counties of Calhoun and Jackson, in the State of Florida, to be a navigable stream.

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

Upon the passage of Senate Bill No. 303 the roll was called and the vote was.

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Dayton, Flournoy, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—17.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 350:

A bill to be entitled an act to give the city of Marianna a lien upon private property for work done by the city where necessary for public health or convenience.

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

Upon the passage of Senate Bill No. 350 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cottrell, Dayton, Flournoy, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

House Joint Resolution No. 487:

A joint resolution proposing amendments to Article V, of the Constitution of the State of Florida, relative to the Judiciary Department.

Be It Enacted by the Legislature of the State of Florida:

That the following amendments to Article V of the Constitution of the State of Florida, relative to the Judiciary Department, to be numbered Sections 30, 40 and 41, of said Article V, be and the same are hereby agreed to and shall be submitted to the electors of the State at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1910, for ratification or rejection, to-wit:

Sec. 30. From and after the adoption of these amend-

ments the Criminal Court of Record in and for Escambia County shall be known as the Court of Record in and for said county, and, in addition to their present jurisdiction, the said court, and the judge thereof shall have, in Escambia County, concurrent with the Circuit Court of said county and the judge thereof, the same original jurisdiction of all other cases and matters and the same power and authority to issue all writs as the Circuit Court of said county and the judge thereof, excepting capital cases and the power to summon and empanel a grand jury. The same rules of procedure and practice and rights of trial by judges *ad litem* and referees which obtain in said Circuit Court shall obtain in said Court of Record. The Governor may, in his discretion, order any one of the Circuit Judges of the State to hold one or more terms or parts of terms of said Court of Record.

Sec. 40. The Supreme Court of the State shall have appellate jurisdiction in all causes of which jurisdiction is granted to said Court of Record. Appeals and writs of error shall be prosecuted from the said Court of Record to the Supreme Court in accordance with the laws and rules governing such proceedings from the Circuit Court to the Supreme Court.

Sec. 41. All the provisions of the Constitution, and all laws enacted in consonance therewith pertaining to the said Criminal Court of Record and the officers thereof, including the manner of the appointment or election and the terms of office and compensation of said officers, shall apply with like effect to the said Court of Record and the officers thereof, except as provided by these amendments. The present officers of said Criminal Court of Record shall be the officers of said Court of Record and discharge the duties and receive the emoluments of their respective offices until the expiration of their present terms of office. The salary of the Judge of said Court of Record shall be two thousand and five hundred dollars a year, payable quarterly by the county of Escambia, and may be increased by the Legislature. From and after the expiration of the term of office of the present Judge the Judge of said Court of Record shall hold his office for four years.

Was taken up, and

Was read the third time in full.

Upon the passage of House Joint Resolution No. 487, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—20.

Nays—None.

So the bill was passed, title as stated.

So the Joint Resolution, having received the constitutional three-fifths vote, passed, title as stated.

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

Mr. Flournoy offered the following explanation in relation to Senate Bill No. 487:

“Mr. President: Senate Bill No. 487, page 26, of the Calendar, was introduced by me upon consent of Senator Cook. The bill, as you will notice, has the effect of taking in part of Washington County, and without Senator Cook’s consent I would not have introduced it, as I said to him it being within his district, and he has just said to me that he had no objection to its passage. I, therefore, ask that the bill be passed.”

House Bill No. 597:

A bill to be entitled an act to legalize the election held on the third day of November, A. D. 1908, in Putnam County, State of Florida, to determine whether or not bonds should be issued, sold, etc., as proposed and provided by a resolution voted upon and passed by the Board of County Commissioners of Putnam County, Florida, entitled “Resolutions adopted by the Board of County Commissioners of Putnam County, State of Florida, proposing a bond issue for said county,” passed in open session by said Board of County Commissioners of Putnam County, Florida, on the ninth day of September, A. D. 1908, and to determine and render valid said resolutions, and to authorize the issuance of the bonds as provided by said resolutions.

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

Upon the passage of House Bill No. 597 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

Mr. Cottrell moved to waive the rules and that the Senate take up House Bill No. 112 for passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 112:

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

As amended by the Senate, was taken up and was read the third time in full.

Upon the passage of House Bill No. 112, as amended by the Senate, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—20.

Nays—None.

So the bill was passed, title as stated.

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

House Bill No. 450:

A bill to be entitled an act to amend Sections 18 and 26, of an act entitled "An act to incorporate the town of Fort Myers, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the town of Fort Myers, and to repeal Chapter 5128 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Was taken up.

And—

House Bill No. 450:

A bill to be entitled an act to amend Sections 18 and 26, of an act entitled "An act to incorporate the town of Fort Myers, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the town of Fort Myers, and to repeal Chapter 5128 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Was read the third time in full.

Upon the passage of House Bill No. 450 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

House Bill No. 651:

A bill to be entitled an act to legalize and confirm the incorporation of the town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Was read the third time in full.

Upon the passage of House Bill No. 651 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

House Bill No. 583:

A bill to be entitled an act to amend Section 6 of Chapter 5813, Laws of Florida, entitled an act to enable the council of the town of Kissimmee, Florida, to provide for the assessment of the property in the said town for town purposes and to levy and collect taxes thereupon.

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

Upon the passage of House Bill No. 583, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 445:

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 act to provide for the issuing of bonds of the City of Bartow, Polk County, Florida, for the purpose of securing funds for the establishment of a sewerage system in said city," which was passed in open council by the City Council of the City of Bartow, on the 12th day of February, A. D. 1909, and approved by the mayor of said city on the 12th day of February, A. D. 1909, and to declare and render valid said ordinance, and to authorize the issuance of bonds as provided in said ordinance.

Was taken up and withdrawn.

Senate Bill No. 415:

A bill to be entitled an act declaring certain waters in this State a navigable stream.

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

Upon the passage of Senate Bill No. 415 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

House Bill No. 618:

A bill to be entitled an act providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

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

Upon the passage of House Bill No. 618 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris,

Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

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.

As amended by the Senate.

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

Upon the passage of House Bill No. 542, as amended, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 353:

A bill to be entitled an act amending Section 976, of the General Statutes of Florida, regulating fees for feeding prisoners.

Was taken up, and

Was read the third time in full.

Upon the passage of House Bill No. 583, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

Mr. Crill moved to waive the rules and take up House Bill No. 697.

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

House Bill No. 697:

A bill to be entitled an act to provide for the deposit in bank or banks and for the loan and investment of funds of the City of Palatka, and for obtaining interest thereon, was taken up.

Mr. Crill moved that the rules be waived, and that the bill be read a second time by its title.

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

House Bill No. 697 was read a second time by its title.

Mr. Crill moved that the rules be further waived, and that House Bill No. 697 be read a third time and put upon its passage.

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

House Bill No. 697:

A bill to be entitled an act to provide for the deposit in bank or banks and for the loan and investment of funds of the City of Palatka, and for obtaining interest thereon.

Was read the third time in full.

Upon the passage of House Bill No. 697 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Girardeau, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

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. Withers moved to waive the rules, and that House Bill No. 722 be taken up.

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

House Bill No. 722:

A bill to be entitled an act for the protection and preservation of fish in the waters of Lake County, and waters subject to the jurisdiction of the courts of said county.

Was taken up.

Mr. Withers moved that the rules be waived, and that the bill be read a second time by its title.

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

House Bill No. 722 was read a second time by its title.

The following committee amendments were read:

Senate Committee Amendment to House Bill No. 722:

Strike out all in line 3 and the word "county" in line 4, Section 1; also strike out from title all after the words "Lake County."

Which were adopted by a unanimous vote.

Mr. Withers moved that the rules be further waived, and that House Bill No. 722 be read a third time and put upon its passage.

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

House Bill No. 722:

A bill to be entitled an act for the protection and preservation of fish in the waters of Lake County, and waters subject to the jurisdiction of the courts of said county.

Was read the third time in full.

Upon the passage of House Bill No. 722 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

Mr. Flournoy moved to waive the rules and take up Senate Bill No. 507.

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

Senate Bill No. 507:

A bill to be entitled an act to establish a Criminal Court of Record in Walton County, State of Florida.

Was taken up.

The petition filed with bill was presented.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 507 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that Senate Bill No. 507 be read a third time and put upon its passage.

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

Senate Bill No. 507:

A bill to be entitled an act to establish a Criminal Court of Record in Walton County, State of Florida.

Was read the third time in full.

Upon the passage of Senate Bill No. 507, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

Mr. McMullen moved to take up Senate Bill No. 504 from the table.

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

Senate Bill No. 504:

A bill to be entitled an act to authorize and empower the Board of Public Instruction of Dade County, Florida, to issue interest-bearing coupon warrants to take up and cancel all outstanding County School Warrants issued prior to January 1st, 1910, and to borrow money for the purposes of erecting public school buildings in the said county.

Was taken up.

Mr. McMullen moved that the rules be waived, and that the bill be read a second time by its title.

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

Senate Bill No. 504 was read a second time by its title.

Mr. McMullen moved that the rules be further waived, and that Senate Bill No. 504 be read a third time and put upon its passage.

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

Senate Bill No. 504:

A bill to be entitled an act to authorize and empower the Board of Public Instruction of Dade County, Florida, to issue interest-bearing coupon warrants to take up and cancel all outstanding County School Warrants issued prior to January 1st, 1910, and to borrow money for the purposes of erecting public school buildings in the said county.

Was read the third time in full.

Upon the passage of Senate Bill No. 504 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District),

Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—18.

Nays—None.

So the bill was passed, title as stated.

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

Mr. McMullen moved to waive the rules and take up Senate Bill No. 425.

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

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.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And Senate Bill No. 425 was read a second time by its title.

Mr. McMullen moved that the rules be further waived and that Senate Bill No. 425 be read a third time and put upon its passage.

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

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.

Was read the third time in full.

Upon the passage of Senate Bill No. 425, the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

Mr. McMullen moved to waive the rules and to take up House Bill No. 244.

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

House Bill No. 244 :

A bill to be entitled an act to prohibit the use of seines, gill or other nets for taking food fish for sale in the waters of the Haulover Canal.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 244 was read a second time by its title.

Mr. McMullen moved that the rules be further waived and that House Bill No. 244 be read a third time and put upon its passage.

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

House Bill No. 244 :

A bill to be entitled an act to prohibit the use of seines, gill or other nets for taking food fish for sale in the waters of Haulover Canal.

Was read the third time in full.

Upon the passage of House Bill No. 244 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Harris, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—19.

Nays—None.

So the bill was passed, title as stated.

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

Mr. Flournoy moved to waive the rules and to take up House Bill No. 707.

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

Mr. Sams moved to waive the rules and that Senate Substitute for House Bill No. 404 be read a third time and be put upon its passage.

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

Senate Substitute for House Bill No. 404 :

A bill to be entitled an act to regulate the killing of wild duck in the State of Florida, and to prevent the shipment thereof.

Was read the third time in full.

Upon the passage of Senate Substitute for House Bill No. 404, the roll was called, and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers.—18.

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.

House Bill No. 707:

A bill to be entitled an act to provide for the issue of bonds for the town of DeFuniak Springs, Florida; for the construction of additions to a system of waterworks and sewerage; providing for the payment of the interest on and the principal of said bonds and for the further issue of bonds for the purpose of building, repairing and equipping public building, waterworks, sewerage, widening and constructing sidewalks and street crossings; and plants and for other municipal purposes; providing condition of issuance and limiting amount of said bonds.

Was taken up.

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

Which was agreed to by a two-thirds vote.

And House Bill No. 707 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that House Bill No. 707 be read a third time and put upon its passage.

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

House Bill No. 707:

A bill to be entitled an act to provide for the issue of bonds for the town of DeFuniak Springs, Florida; for the construction of additions to a system of waterworks and sewerage; providing for the payment of the interest on and the principal of said bonds and for the further issue of bonds for the purpose of building, repairing and equipping public building, waterworks, sewerage, widening and constructing sidewalks and street crossings; and plants and for other municipal purposes; providing condition of issuance and limiting amount of said bonds.

Was read the third time in full.

Upon the passage of House Bill No. 707 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—18:

Nays—None.

So the bill was passed, title as stated.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 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. 744:

A bill to be entitled an act to legalize the election held in the city of Wauchula on the 5th day of November, A. D. 1907, to determine by an affirmative vote a majority of the qualified electors of said city who were resident owners of real estate within the corporate limits of said city, whether or not the bond proposed by an ordinance entitled "An ordinance to submit to the qualified registered voters of the city of Wauchula the question of issuing bonds, and to provide for the issuance of such bonds." Said ordinance being No. 12, passed by the City Council of said city on the 2nd day of October, 1907, should be authorized and issued, and to declare and render valid and legal said election and notice thereof and the result as shown by the returns thereof, and to declare and render legal and valid said ordinance, and to authorize the issue of bonds as provided by said ordinance, and to declare valid and binding all bonds which have or may be issued under the terms of said ordinance.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And House Bill No. 744, contained in the above message, was read the first time by its title.

Mr. Humphries moved that the rules be waived, and that the bill be read a second time by its title.

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

House Bill No. 744 was read a second time by its title.

Mr. Humphries moved that the rules be further waived, and that House Bill No. 744 be read a third time and put upon its passage.

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

House Bill No. 744:

A bill to be entitled an act to legalize the election held in the city of Wauchula on the 5th day of November, A. D. 1907, to determine by an affirmative vote a majority of the qualified electors of said city who were resident owners of real estate within the corporate limits of said city, whether or not the bond proposed by an ordinance entitled "An ordinance to submit to the qualified registered voters of the city of Wauchula the question of issuing bonds, and to provide for the issuance of such bonds." Said ordinance being No. 12, passed by the City Council of said city on the 2nd day of October, 1907, should be authorized and issued, and to declare and render valid and legal said election and notice thereof and the result as shown by the returns thereof, and to declare and render legal and valid said ordinance, and to authorize the issue of bonds as provided by said ordinance, and to declare valid and binding all bonds which have or may be issued under the terms of said ordinance.

Was read the third time in full.

Upon the passage of House Bill No. 744 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers—17.

Nays—None.

So the bill was passed, title as stated.

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

Mr. Flournoy moved that the rules be waived and that House Bill No. 724 be taken up.

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

House Bill No. 724:

A bill to be entitled an act fixing and defining the corporate limits of the town of Bonifay, Holmes County, Florida.

Mr. Flournoy offered the following explanation in relation to Senate Bill No. 487:

"Mr. President: Senate Bill No. 487, page 26, of the Calendar, was introduced by me upon consent of Senator Cook. The bill, as you will notice, has the effect of taking in part of Washington County, and without Senator Cook's consent I would not have introduced it, as I said to him it being within his district, and he has just said to me that he had no objection to its passage. I, therefore, ask that the bill be passed."

Was taken up.

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

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

House Bill No. 724 was read a second time by its title.

Mr. Flournoy moved that the rules be further waived and that House Bill No. 724 be read a third time and put upon its passage.

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

House Bill No. 724:

A bill to be entitled an act fixing and defining the corporate limits of the town of Bonifay, Holmes County, Florida.

Was read the third time in full.

Upon the passage of House Bill No. 724, the roll was called and the vote was:

Yeas--Mr. President, Senators Baker (20th District), Beard, Buckman, Crill, Cone, Cottrell, Flournoy, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers--18.

Nays--None.

So the bill was passed, title as state.

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

Mr. Flournoy asked and obtained permission to withdraw Senate Bill No. 471.

Mr. Baker, of 20th District, asked and obtained permission to withdraw Senate Bill No. 122.

Mr. Baker, of 20th District, asked and obtained permission to withdraw Senate Bill No. 124.

REPORTS OF COMMITTEES.

Mr. Baker, of the 20th District, Chairman of the Committee on Pensions, submitted the following report:

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

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

Sir:

Your Committee on Pensions, to whom was referred—
House Bill No. 608:

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

Have had the same under consideration and report the same without recommendation.

Very respectfully, D. H. BAKER,
Chairman of Committee.

And House Bill No. 608, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 26, 1909.

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

Sir:

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

Senate Bill No. 370:

A bill to be entitled an act to amend Section 4162, General Statutes, relating to supervisors of convicts.

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

Very respectfully,

H. H. BUCKMAN,
Chairman of Committee.

And Senate Bill No. 370, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. McMullen moved to adjourn until 10 o'clock Friday morning.

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock Friday morning, May 28, 1909.

CONFIRMATIONS.

To be Pilot Commissioner for the Port of Key West, George A. T. Roberts.

To be Pilot Commissioners for the Port of St. Augustine, Fla., J. T. Dismukes, H. M. Snow, Robert Mills, J. W. Estes and G. B. Lamar.

FRIDAY, MAY 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 Adkins, Baker (20th District), Beard, Broom, Buckman, Crill, Cook, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim.—31.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 27 was corrected.

The Journal of May 26 was approved as corrected.