

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.

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

Very respectfully

C. L. LEGGETT,

Chairman of Joint Committee.

Mr. Massey moved that the Senate do now adjourn until 9 o'clock to-morrow morning.

Which was agreed to.

## TUESDAY, JUNE 1, 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, Cone, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim.—30.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 31 was corrected.

The Journal of May 29 was approved as corrected.

### REPORTS OF COMMITTEES.

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

1845

Senate Chamber.  
Tallahassee, Fla., June 1, 1909.

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

*Sir:*

Your Committee on Appropriations, to whom was referred—

Senate Resolution No. 55:

Beg leave to report that they have procured from the office of the Comptroller the information called for by said Resolution, which said information is embodied in the accompanying statements and exhibits herewith submitted as part of this report.

Very respectfully,

I. N. WITHERS,  
Chairman of Committee.

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

Senate Chamber,  
Tallahassee, Fla., May 31, 1909.

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

*Sir:*

Your Committee on Railroads to whom was referred—

Senate Bill No. 355:

A bill to be entitled an act to amend Section 2868 of the General Statutes of the State of Florida, relating to railroad fences.

Submit the same without recommendation.

Very respectfully, J. H. B. MILLER,  
Chairman of Committee.

And Senate Bill No. 355, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Fla., May 31, 1909.

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

*Sir:*

Your Committee on Railroads to whom was referred—

Senate Bill No. 308:

A bill to be entitled an act prescribing certain duties

of the railroad companies in the operation of their locomotives, trains and cars.

Submit the same without recommendation.

Very respectfully, J. H. B. MILLER,  
Chairman of Committee.

And Senate Bill No. 308, 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., June 1, 1909.

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

*Sir:*

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 481:

A bill to be entitled an act providing that no policy of insurance issued by any fire insurance company doing business in this State shall be voided by foreclosure proceedings commenced or, notice given of sale, of any property covered by such policy by virtue of any mortgage trust deed.

Beg to report that above bill is correctly engrossed.

Very respectfully,  
JAMES E. BROOME,  
Chairman of Committee.

And Senate Bill No. 481, contained in the above report, was placed on the Calendar of Bills on Third Reading.

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

Senate Chamber,  
Tallahassee, Fla., May 31, 1909.

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

*Sir:*

Your Committee on Temperance, to whom was referred—

1897

Senate Bills Nos. 394, 341 and 483 and House Bills Nos. 7 and 160—

Report same without recommendation.

Most respectfully,

D. C. McMULLEN,

Chairman of Committee.

And Senate Bills Nos. 394, 341 and 483 and House Bills No. 7 and 160, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. West, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,

Tallahassee, Fla., June 1, 1909.

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

Sir:

Your Committee on Public Health, to whom was referred—

House Bill No. 666

A bill to be entitled an act to provide for the prevention, suppression and control of dangerous, contagious and infectious diseases in domestic animals and live stock and to impose certain duties and confer certain powers on the State Board of Health for such purposes.

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

Very respectfully,

THEOP. WEST,

Chairman of Committee.

And House Bill No. 666, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,

Tallahassee, Fla., June 1, 1909.

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

Sir:

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

House Bill No. 705:

1919

A bill to be entitled an act to require certain sworn statements of campaign expenses from candidates in primary elections; making certain requirements in the form of ballots used in primary elections, requiring certain duties of inspectors in properly identifying persons to whom ballots are given in primary elections; providing for the absenting of employees from their work on primary election days; prohibiting candidates from making donations of things of value; prohibiting persons from distributing certain writings against any candidate in the primary on primary day, etc.

Have had the same under consideration and report without recommendation.

Very respectfully,

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

And House Bill No. 703, reported in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Leggett, Chairman of the Committee appointed to visit and inspect the Hospital for the Insane, submitted the following report:

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

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

Sir:

We, your Committee, appointed to visit and inspect the State Hospital for Indigent Insane, beg leave to report that we have visited the said institution and investigated the same as the character and circumstances would permit.

We find the recent improvements of a substantial and satisfactory character, notably, the new building provided for white females, which is built upon the most modern and improved plan, and which will be completed within a very short time.

At the present the women's department is crowded on account of the new building for white females not being completed.

The building that contains the tower has been remodeled, and we find this in excellent condition.

The saw-mill, which enables the management to utilize the timber on the asylum lands to great advantage for the

asylum, we found to be in good repair, and the lumber which is cut from the timber on the land belonging to the asylum is of the higher quality and is produced at a reduced cost.

The ice plant is proving an excellent investment and is a great necessity to the said institution.

The electric light plant is also connected with the ice plant and is in excellent condition.

We also find that the laundry, which is provided for by the institution, is a great necessity and used for the benefit of the inmates. We find it well kept.

These additions to the institute, in our opinion, were and are excellent investments.

We urge a complete renovation of the old building now occupied by the negro females along the same lines pursued in the improvements now in progress.

We find the institute in great need of a modern hospital, fitted with all the modern equipment and modern surgical instruments, and recommend that the same be carefully considered by the Board of Commissioners of State Institutions.

We also recommend a visiting staff or board, consisting of specialists in medicine and surgery, and that at stated intervals, or upon call of the management, different members of this board visit the institution to perform difficult operations, and advise or consult, as may be required. Such an arrangement, if it could be made by the Board, would be of great advantage to the hospital.

The Governor turned over to your Committee all the letters received by him relative to complaints as to conditions at the institution. These letters were written mostly by inmates of the institution. We took with us said letters and investigated the same while upon the grounds; and after talking with the writers of same we find that they did not know what they were writing about and that there was no foundation upon which to base the said complaints.

We find that the Board has condemned one building on account of its being unsafe; that it is now vacated, and we think properly so, and recommend that it be taken down as soon as practicable.

We also recommend that the parks be made larger, and we especially call attention to the park for the white females; they practically have no park at all.

We found that the kitchen and dining-rooms were in

excellent shape. Also that the food served is plentiful and of the best quality.

We also found the cellar departments, recreation halls, bath rooms and toilet rooms in splendid condition.

Generally speaking, we found the inmates in a most healthy and satisfactory condition and well provided for.

We find that the attendance at this institution is increasing every day, and the price of all commodities having increased, we therefore find it necessary to recommend such additional funds for the maintenance as is advisable by the Legislature. We think to adequately meet the requirements of this institution, there should be an annual appropriation of \$150,000.00 for its maintenance alone.

We recommend that \$100,000.00 be appropriated for the building and equipment of a modern hospital and for the renovation of the old buildings.

We conclude that the present management of the institution are doing their utmost to give a just, honest and humane administration of its affairs.

We recommend that there be appointed a commissioner for this institution, whose duties shall be to visit this institution and study the needs of same, and make such recommendations as he deems advisable to the Board of Commissioners of State Institutions, and who shall be under the supervision of said Board of Commissioners of State Institutions.

C. L. LEGGETT,

A. Z. ADKINS,

On the Part of the Senate.

J. H. KING,

J. S. GODFREY,

R. B. STEWART,

On the Part of the House.

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

Senate Chamber,

Tallahassee, Fla., June 1, 1909.

*Hon. F. M. Hudson,*

*President of the Senate.*

*Sir:*

Your Committee on Enrolled Bills, to whom was referred—

Senate Bill No. 216:

An act to permit the registered voters of that part of Precinct No. 9, east of the Ocklawaha river, in County Commissioner's District No. 5, of Lake county, Florida, to decide whether hogs shall be allowed to run at large in the said precinct.

Also—

Senate Bill No 449:

An act to provide for the levying of a road or street tax by the town of Winter Park, in Orange county.

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,  
Chairman of Committee.

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

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

Senate Chamber,

Tallahassee, Fla., June 1, 1909.

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

*Sir:*

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

Senate Bill No. 216:

An act to permit the registered voters of that part of Precinct No. 9, east of the Ocklawaha river, in County Commissioner's District No. 5, of Lake county, Florida, to decide whether hogs shall be allowed to run at large in the said precinct.

Also—

Senate Bill No 449:

An act to provide for the levying of a road or street tax by the town of Winter Park, in Orange county.

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,  
Chairman of Joint Committee.

And the Acts contained in the above report were referred to the Joint Committee on Enrolled Bills, to con-

vey to the House of Representatives for the signature of the Speaker of the House of Representatives and the Chief Clerk thereof.

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

Senate Chamber,  
Tallahassee, Fla., June 1, 1909.

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

*Sir:*

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

Senate Bill No. 216:

An act to permit the registered voters of that part of Precinct No. 9, east of the Ocklawaha River, in County Commissioner's District No. 5, of Lake county, Florida, to decide whether hogs shall be allowed to run at large in the said precinct.

Also—

Senate Bill No. 449:

An act to provide for the levying of a road or street tax by the town of Winter Park, in Orange county.

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

Very respectfully,

C. L. LEGGETT,  
Chairman of Joint Committee.

**ENROLLED.**

The President announced that he was about to sign—  
Senate Bill No. 216:

An act to permit the registered voters of that part of Precinct No. 9, east of the Ocklawaha River, in County Commissioner's District No. 5, of Lake county, Florida, to decide whether hogs shall be allowed to run at large in the said precinct.

Also—

Senate Bill No. 449:

An act to provide for the levying of a road or street tax by the town of Winter Park, in Orange county.

The acts were thereupon duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

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

Senate Chamber,  
Tallahassee, Fla., June 1, 1909.

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

*Sir:*

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

Senate Bill No. 216:

An act to permit the registered voters of that part of Precinct No. 9, east of the Ocklawaha River, in County Commissioner's District No. 5, of Lake county, Florida, to decide whether hogs shall be allowed to run at large in the said precinct.

Also—

Senate Bill No. 449:

An act to provide for the levying of a road or street tax by the town of Winter Park, in Orange county.

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

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

#### INTRODUCTION OF RESOLUTIONS.

Mr. Flournoy offered the following Senate Concurrent Resolution No. 14:

Resolved, by the Senate, the House of Representatives concurring, That a Committee of three, one from the Senate and two from the House, be appointed to confer and act with the Secretary of State in expending all appropriations made for repairs and refitting the Capitol building and for improvement of the Capitol grounds, and such repairs, refitting and improvement shall be

made only in the manner as shall be designated by the said committee.

Mr. Sloan offered the following resolution :

Senate Resolution No. 59 :

Whereas, the work of the session is practically over ; so that standing committees of the Senate have so little work as not to warrant the expense of committee clerks ; Therefore be it,

Resolved, That the services of all committee clerks, excepting those of enrolling and engrossing rooms, be dispensed with after today.

Mr. Sloan move to adopt the resolution.

Mr. Cone offered the following Substitute for Senate Resolution No. 59 :

Substitute for Senate Resolution No. 59 :

Resolved, That all committee clerks be used to assist the Engrossing and Enrolling Committees of the Senate for the balance of the session.

Mr. Cone moved to adopt the Substitute for Senate Resolution No. 59.

Which was agreed to.

And Substitute for Senate Resolution No. 59 was adopted.

Mr. Henderson offered the following Resolution, No. 60 :

Resolved, That the Secretary and Assistant Secretary of the Senate be instructed to prepare for publication, as an appendix to the Journal, a complete history of the demand of S. I. Wailes for commissions on the Indian War Claim Fund.

Mr. Henderson moved the adoption of the Resolution.

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

Which was not agreed to.

Mr. Miller offered the following amendment to the Resolution :

And state how much this claim has cost the State in printing and time, giving net cost to date.

Mr. Miller moved the adoption of the amendment.

Which was not agreed to.

Mr. Cone offered the following amendment to Senate Resolution No. 60 :

Add at the end of the Resolution,, Provided, same does not exceed 20 printed pages.

Mr. Cone moved the adoption of the amendment.

Which was not agreed to.

The question recurred upon the adoption of the Resolution.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Baker (20th District), Beard, Buckman, Crill, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Johnson, Sams.—12.

Nays—Mr. President, Senators Adkins, Broome, Cone, Cottrell, Flournoy, Humphries, Leggett, McCreary, McLeod, McMullen, Miller, Sloan, West, Williams, Withers, Zim.—17.

So Senate Resolution No. 60 was not agreed to.

Mr. Beard moved that Senate Resolution No. 40 be taken up.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, McCreary, Sams.—15.

Nays—Senators Cone, Cottrell, Davis, Flournoy, Girardeau, Leggett, McLeod, McMullen, Miller, Sloan, Williams, Withers, Zim.—13.

So the motion was agreed to, and—

Senate 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 services for which said 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.

Was taken up and again read:

Upon the question of the adoption of the Resolution, the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Johnson, McCreary, McMullen, Sams, Sloan, Williams, Withers.—20.

Nays—Mr. President, Senators Cone, Cottrell, Girardeau, Leggett, McLeod, Miller, Zim.—8.

So Senate Resolution No. 40 was agreed to.

#### MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida,  
Executive Chamber.

Tallahassee, Fla., May 31, 1909.

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

*Sir:*

I have the honor to return herewith without my approval the following act, which originated in your honorable body:

“An act making an appropriation for the encouragement and promotion of the public schools in all the counties of the State of Florida.”

This bill appropriates \$166,759.80 to be paid out of any funds in the Treasury not otherwise appropriated to the several County Boards of Public Instruction of the State upon the basis of the average attendance of the pupils upon the public schools in each county.

This appropriation must be paid, if paid at all, from the general revenue fund of the state. This fund is derived from a State tax levy and from licenses, etc.

Appropriations for educational purposes are commend-

able when they are not forbidden by the Constitution. If this appropriation is forbidden by the Constitution, it is my duty to return the bill to you without approval.

Sections 1, 2, 4, 5, 6 and 7 as amended, 8 as amended, 9 and 10, of Article XII, of the State Constitution, contemplate and provide for a designated limit of taxation for the public free schools of the counties. The State levy "for the support and maintenance of public free schools" is, by Section 6 of Article XII, of the Constitution, specifically fixed at one mill, and this tax is separately collected and distributed to the counties semi-annually under Section 7. Taken in connection with the other sections referred to above, Section 6 of Article XII, of the Constitution, is manifestly intended as a limitation upon the power of the Legislature to levy a State tax "for the support and maintenance of public free schools" in the several counties of the State.

The general revenue fund, from which this appropriation is to be made, consists in part at least of a State tax levy, and if this appropriation is paid from the general revenue fund it will be an indirect violation of the Constitution.

In the case of Board of Public Instruction for Santa Rosa County vs. Croom, Comptroller, etc al., decided on December 19, 1908, the Supreme Court of Florida, in construing the meaning and effect of Article XII of the Constitution, said:

"We deem it proper, also, to say, without meaning to express a positive opinion, we have serious doubt whether under the Constitution the Legislature has authority to distribute the general revenue fund, or any part of it, for the support and maintenance of public free schools."

On a rehearing, February 3, 1909, the Supreme Court made a further order in the same case, in which it is stated:

"A rehearing was granted in this case, and upon a full consideration of the subject the opinion heretofore filed is confirmed—all concur."

One of the objections enumerated by the Supreme Court of Florida in the Santa Rosa County case, that the act made certain schools beneficiaries of the appropriations, "whereas, the Constitution contemplates that the counties, respectively, shall be the recipients of the fund," has been cured in this bill, by making "the counties respectively the recipients of the fund." As to whether

the Legislature "has the authority to distribute the General Revenue Fund, or any part of it, for the support and maintenance of public free schools," has not been cured in this bill. It cannot be cured without an amendment to the Constitution.

In the case of the State of Florida, *ex rel* William A. Bours, James A. Marvin and E. C. Pickett, as the Board of Public Instruction of Duval County vs. Francis F. L'Engle, Joseph H. Durkee, E. H. Holmes, David Ogilvie and H. J. Pickett, as the Board of County Commissioners of Duval County 40th Florida, page 392), the Supreme Court, referring to Section 8, Article 12 of the Constitution, held that this section "contains a limitation upon the power of the Legislature to authorize the levy for such purpose in excess of five mills, and this amount cannot be exceeded in any form or guise of taxes for the support and maintenance of the public schools of the county."

Applying the same language to the limitations imposed on the State by the Constitution, it appears that these amounts "cannot be exceeded in any form or guise of taxation for the support and maintenance of the public schools" of the county. In limiting the means by which revenue might be raised for the public schools of the counties, the authors of the Constitution evidently intended to take these appropriations out of politics. It is undoubtedly a hardship upon the counties to have to pay these amounts. It would work a still greater hardship and might cause much confusion for an unconstitutional levy to be made.

For the reasons stated above, I feel it to be my plain duty under the constitution to return the said bill without my approval.

Very respectfully,  
ALBERT W. GILCHRIST,  
Governor.

Mr. Leggett moved that the further consideration of the message and disapproved act be made an Order of the Day for to-morrow.

Which was agreed to, and so ordered.

#### INTRODUCTION OF BILLS.

By Mr. Hudson—  
Senate Bill No. 517:

A bill to be entitled an act to prohibit the shooting,

killing or capturing of alligators, crocodiles, song birds, ducks, pelicans, and other wild birds, on or along Indian Creek, in Dade county, Florida.

Which was read the first time by its title.

Mr. Flournoy moved to waive the rules and to lay Senate Bill No. 517 on the table, subject to call.

Which was agreed to.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 31, 1909.

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

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 507:

A bill to be entitled an act to establish a criminal court of record in Walton county, State of Florida.

Very respectfully,

J. G. KELLUM,  
Chief Clerk of the House of Representatives.

And Senate Bill No. 507, contained in the above message was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., June 1, 1909.

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

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 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 govern-

ment of said city, and prescribing the powers and duties of said municipality.

Also—

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.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 486 and 504, contained in the above message was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., June 1, 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 failed to pass—

Senate Bill No. 77:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., June 1, 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 Memorial No. 9:

A Memorial to the Congress of the United States requesting an appropriation for a government building in the city of Palatka, county of Putnam, State of Florida.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Memorial No. 9, contained in the above message, was read the first time by its title and went over under the rule.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., June 1, 1909

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

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 461:

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

Also—

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, and for any other municipal purposes; providing conditions of issuance and limiting amount of said bonds.

Also—

## 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 DeFuniak Springs, and for the collection of the back taxes and tax sale certificates of said city.

Also—

## 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.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Ad Senate Bill No. 461, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 472, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 476, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 478, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 31, 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. 634:

A bill to be entitled an act to establish the municipality of Jacksonville, provide for its government and prescribe its jurisdiction and powers.

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. 634, contained in the above message was read the first time by its title.

Mr. Buckman moved that the rules be waived and that the bill be not referred to a committee, but be taken up for consideration.

Which was not agreed to.

And House Bill No. 634 was referred to the Committee on Municipalities.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., June 1, 1909.

*Hon. F. M. Hudson,*

*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 63:

A bill to be entitled an act to authorize the State Board of Health to acquire and maintain a sanatorium for the treatment of tuberculosis; to make and enforce rules regarding the administration of such sanatorium, and to provide for conducting the same.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 463, contained in the above message was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

1864

House of Representatives,  
Tallahassee, Fla., May 31, 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. 762:

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

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 762, contained in the above message was read the first time by its title and referred to the Committee on Game and Fisheries.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 31, 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. 666:

A bill to be entitled an act to provide for the prevention, suppression and control of dangerous, contagious and infectious diseases in domestic animals and live stock, and to impose certain duties and confer certain powers on the State Board of Health for such purposes.

Also—

House Bill No. 687:

A bill to be entitled an act to prescribe forfeitures of nets and penalties for catching fish in streams where fishing is allowed with nets, with a mesh prohibited by law, and for catching of fish in streams with nets where the use of nets is prohibited by law, and providing a

1865

method of procedure and practice and giving certain courts of jurisdiction in cases arising under this act.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Mr. Harris moved that the rules be waived and that House Bill No. 666 be read a second time by its title only.

Which was not agreed to by a two-thirds vote and was referred to the Committee on Public Health.

And House Bill No. 687, contained in the above message, was read the first time by its title and was referred to the Committee on Game and Fisheries.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., June 1, 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. 764:

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

Also—

House Bill No. 670:

A bill to be entitled an act to permit the registered voters of Umatilla Precinct No. Seven (7), of Lake county, Florida, to decide whether hogs shall be allowed to run at large in said precinct.

House Bill No. 705:

A bill to be entitled an act to require certain sworn statements of campaign expenses from candidates in primary elections; making certain requirements in the form of ballots used in primary elections; requiring certain duties of inspectors in properly identifying persons to

whom ballots are given in primary elections; providing for the absenting of employees from their work on primary election days; prohibiting candidates from making donations of things of value; prohibiting persons from distributing certain writing against any candidate in the primary on primary day; providing for compensation of inspectors of the primary in certain cases; prescribing penalties for the violation of primary laws of this State by officials, electors and other persons; prohibiting the use or solicitation of money to influence primary elections, including payment of poll taxes; prohibiting tax collectors from receiving poll taxes from persons other than the one owing it and providing penalties for violation of the primary law by members of committees, inspectors and clerks of primary elections and for the publication of this act.

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

And House Bill No. 670, contained in the above message, was read the first time by its title and was referred to the Committee on County Organization.

And House Bill No. 705, contained in the above message, was read the first time by its title and was referred to the Committee on Privileges and Elections.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 31, 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. 717:

A bill to be entitled an act to incorporate the Merchant and Marine Detective Association.

Also—

## House Bill No. 250:

A bill to be entitled an act granting certain powers to the municipality of the City of St. Petersburg, Florida, not included in Chapter 5361 of the Laws of Florida, approved June 3, 1903, and providing for the passage of ordinances by the City Council and submission of ordinances to the vote of the people in certain instances.

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. 717, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary A.

And House Bill No. 250, contained in the above message, was read the first time by its title and was referred to the Committee on Municipalities.

## Senate Bill No. 169:

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

Was taken up, and was, by consent, withdrawn.

## Senate Bill No. 83:

A bill to be entitled an act to amend Section 170 of the General Statutes of the State of Florida, prescribing the qualifications of voters in this State and the manner in which poll taxes shall be paid to qualify a voter, and prescribing a penalty for the violation thereof, and abolishing the present registration and providing for new registration.

Was taken up, and was, by consent, withdrawn.

## Senate Bill No. 317:

A bill to be entitled an act creating the office of Pardon Attorney; prescribing the duties of such Pardon Attorney and fixing his compensation; and providing that certain documents and notice of intention to apply for a pardon or commutation of sentence shall be filed with the Pardon Attorney at least thirty days before such

application is presented to the State Board of Pardons for final action.

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

There being no amendment offered Senate Bill No. 317 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 169:

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

Mr. Cottrell asked to be allowed to withdraw Senate Bill No. 169.

Which was agreed to and the bill was withdrawn.

Senate Bill No. 83:

A bill to be entitled an act to amend Section 170 of the General Statutes of the State of Florida, prescribing the qualifications of voters in this State and the manner in which poll taxes shall be paid to qualify a voter, and prescribing a penalty for the violation thereof, and abolishing the present registration and providing for new registration.

Mr. McMullen asked to be allowed to withdraw Senate Bill No. 83.

Which was agreed to, and the bill was withdrawn.

Senate Bill No. 339:

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

Was taken up, and was by consent withdrawn.

House Bill No. 555:

A bill to be entitled an act to prohibit the catching and taking of fish from the fresh water lakes and streams of Bradford County, Florida.

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

There being no amendment offered House Bill No. 555, was, under the rule, placed on the Calendar of Bills on Third Reading.

## Senate Bill No. 247 :

A bill to be entitled an act permitting the Boards of County Commissioners in counties having a population of twenty thousand or more inhabitants, and having no County Court or Criminal Court of Record, to employ an attorney-at-law to represent the State in all criminal cases tried or heard in the County Judge's Court and any Justice of the Peace Courts in such county, and fixing the salary of such attorney.

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

There being no amendment offered Senate Bill No. 247 was, under the rule, placed on the Calendar of Bills on Third Reading.

## Senate Bill No. 361 :

A bill to be entitled an act to amend Sections 1844, 1845, 1850 and 1851 of the General Statutes of the State of Florida, relating to official court reporters and their duties.

Was taken up, and was, by consent, withdrawn.

## Senate Bill No. 433 :

A bill to be entitled an act to require purchasers of cattle to get from the seller a bill of sale containing certain information, and requiring that when such purchaser is driving or transporting such cattle he shall, upon request, exhibit said bill of sale to any Sheriff, Deputy Sheriff, Constable, Cattle Inspector or Inspector of Marks and Brands, and prescribing the duties of such officers, and fixing penalties for a violation of this act.

Was taken up, and was on motion laid on the table subject to call.

## 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 and was read the second time in full.

There being no amendment offered Senate Bill No. 451 was, under the rule, placed on the Calendar of Bills on Third Reading.

## Senate Bill No. 405 :

A bill to be entitled an act to amend Sections 2890, 2891, 2893, 2894, 2896, 2899, 2900, 2901, 2903, 2904, 2905, 2908, 2910, 2914, 2917, 2918 and 2924 of the General Stat-

utes of this State, relating to the Railroad Commissioners, and the regulation of common carriers.

Was taken up.

Mr. Hudson asked permission to withdraw the bill.

Which was agreed to, and Senate Bill No. 405 was withdrawn.

House Bill No. 645:

A bill to be entitled an act to amend Section 46, of Chapter 5596, of the Laws of the State of Florida, relating to the assessment of the property of railroads, telegraph lines and sleeping or parlor car companies, and the officers of the State and their duties who shall make such assessment.

Mr. Flournoy, Chairman of the Committee on Finance and Taxation, as required by the rule, moved to indefinitely postpone the bill.

Which was agreed to, and House Bill No. 645 was indefinitely postponed.

House Bill No. 739:

A bill to be entitled an act to legalize and confirm the incorporation of the Town of Panama City, in Washington County, Florida, and to declare the same a legally incorporated town.

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

There being no amendment offered, House Bill No. 739 was, under the rule, placed on the Calendar of Bills on Third Reading.

House Bill No. 756:

A bill to be entitled an act to legalize and confirm the incorporation of the Town of St. Andrew, in Washington County, Florida, and to declare the same a legally incorporated town, and to change its boundaries.

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. 756 was read a second time by its title.

There being no amendment offered, House Bill No. 756 was, under the rule, placed on the Calendar of Bills on Third Reading.

House Bill No. 759:

An act to legalize the election held in the city of St.

Petersburg on the 23d day of March, A. D. 1909, to determine by a majority vote of the electors voting at the said election whether or not the bonds purposed by an ordinance entitled "An ordinance authorizing the issue and sale of certain bonds for public improvements in the city of St. Petersburg, providing for an election for the ratification of such issue and sale of bonds, and for the expenditure and disbursement of funds received from the sale of said bonds, and fixing the time and manner of holding such election," passed by the City Council of said city on the 14th day of January, A. D. 1909, and approved by the Mayor of said city on the 4th day of February, A. D. 1909, 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.

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. 759 was read a second time by its title.

There being no amendment offered, House Bill No. 759 was, under the rule, placed on the Calendar of Bills on Third Reading.

House 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 to move from one county to another; to provide a penalty for any dealer, clerk or agent who may sell school text books at greater prices than in contracts entered into between Boards of Public Instruction and publishers, and for other purposes.

Was taken up.

Mr. Cone moved to lay House Bill No. 2 on the table subject to call.

Which was agreed to, and so ordered.

House Bill No. 513:

A bill to be entitled an act to amend Sections 666, 669,

670, 671, 672, 673, 674, 675, 678, 679, 680, 682, 683, 684, 686, 687, 688, 689, 690, 692, 693, 695, 699, 700, 703, 704, 707, 708, 713, 720, 721, 722, 723, 724, 725, 726, 729, 731, 732, 736, 737, 745 and 748 of the General Statutes of the State of Florida, relating to the military and naval organizations of the State.

Was taken up.

Mr. Sams 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. 513 was read a second time by its title.

There being no amendment offered, House Bill No. 513 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 515:

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

Was taken up.

Mr. Baker, 20th 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 Senate Bill No. 515 was read a second time by its title.

There being no amendment offered. Senate Bill No. 515 was, under the rule, placed on the Calendar of Bills on Third Reading.

Mr. Harris moved to take from the table Senate Bill No. 467:

A bill to be entitled an act making appropriation for the expenses of the State government for six months of the year 1909, and for the year 1910, and for six months of the year 1911.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Beard, Buckman, Crill, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, McCreary, Sams—12.

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

Broome, Cone, Flournoy, Girardeau, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers, Zim—14.

So the motion to take up the bill was not agreed to.

House Bill No. 518:

A bill to be entitled an act to restore P. McClosky to the rights of citizenship.

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

There being no amendment offered, House Bill No. 518 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 452:

A bill to be entitled an act to amend Section 2462 of the General Statutes of Florida, relating to married women's acknowledgements.

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

There being no amendment offered, Senate Bill No. 452 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 513:

A bill to be entitled an act to abolish the present municipal government of the Town of Williston, in the County of Levy, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the town of Williston; to define its territorial boundaries, to provide for its jurisdiction, powers and privileges and for the exercise of same.

Mr. Williams 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. 513 was read a second time by its title.

There being no amendment offered, Senate Bill No. 513 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 514:

A bill to be entitled an act to prescribe the time for holding the terms of the Circuit Court in and for the Fifth Judicial Circuit of the State of Florida.

Mr. Baker, of 20th 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 Senate Bill No. 514 was read a second time by its title.

There being no amendment offered, Senate Bill No. 514 was, under the rule, placed on the Calendar of Bills on Third Reading.

### BILLS ON THIRD READING.

By permission, Mr. Cottrell withdrew Senate Bill No. 149.

Substitute for Senate Bill No. 209:

A bill to be entitled an act appropriating money for the benefit and maintainance of the Florida State Reform School.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 209, the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Broome, Buckman, Crill, Cone, Cottrell, Davis, Flournoy, Girardeau, Harris, Henderson, Leggett, Massey, McLeod, McMullen, Miller, Sams, West, Williams, Withers, Zim—23.

Nays—Senators Adkins, Hosford, Humphries, Johnson, McCreary, Sloan—6.

So the bill was passed, title as stated.

Senator Hosford explained his vote of Nay on Senate Bill No. 209 because he does not believe in keeping children there until they are nineteen years old at an expense to the State, and a large number of them able-bodied negro boys—67 negroes to 17 whites.

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

### ORDERS OF THE DAY.

House Bill No. 608:

A bill to be entitled an act creating a State Board of Pensions, defining who shall receive pensions, who shall not receive pensions, who shall be retained as pensioners, how application 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.

Was again taken up.

The amendment of Mr. Harris, which was pending on yesterday, was read as follows:

After the word "service," in line 8, Section 2, strike out all down to the word "one" in line 21, and insert in lieu thereof the following: "And who performed service in actual line of duty for a period of not less than one year, or who was in actual service at the time of the close of said war, unless incapacitated for such duty by reason of wounds received or disease contracted while in line of duty, and whose property valuation, both real and personal (including the property of his wife), does not exceed the sum of five thousand dollars, and who was a bona fide citizen of this State continuously since 1895."

Mr. Harris moved to adopt the amendment.

Mr. Cone offered the following amendment to the amendment to House Bill No. 608:

Strike out the words "for a period of not less than one year."

Mr. Cone moved to adopt the amendment to the amendment.

Which was not agreed to.

The question then recurred upon the amendment offered by Mr. Harris.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Buckman, Davis, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Massey, McCreary, McLeod, McMullen, Miller, Sams, Withers—17.

Nays—Senators Adkins, Broome, Cone, Cottrell, Flournoy, Girardeau, Leggett, Sloan, Williams, Zim—10.

So the amendment was agreed to, and the amendment was adopted.

Mr. Harris offered the following amendment to House bill No. 608:

Add the following to Section 2: "Provided, however, that no soldier, sailor, or their widows, who were on the pension roll and drawing a pension prior to January 1, 1907, and not since that time been stricken from said roll for valid reasons, shall be required to make other and further proof if eligible under the provisions of this act. That the provisions of this act shall apply to all those who were members of the First Florida Reserves, which was in the service of the State of Florida during the war between the States of the United States."

Mr. Harris moved to adopt the amendment.

Mr. Williams offered the following amendment to the amendment:

Strike out the words "January 1, 1907," line 6 of the printed amendment on page 10 and insert in lieu thereof "June 1, 1909."

Mr. Williams moved to adopt the amendment to the amendment.

Which was not agreed to.

Mr. Cone offered the following amendment to the amendment:

Add after the word "further" in line 8 of the amendment, on page 10 of the printed bill, the following words, "application or."

Mr. Cone moved to adopt the amendment to the amendment.

Which was not agreed to.

The question then recurred upon the amendment offered by Mr. Harris.

Which was agreed to, and the amendment was adopted.

Mr. Harris offered the following amendment:

In line 26, Section 2, strike out the word "in" and insert in lieu thereof the word "is."

Mr. Harris moved to adopt the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Harris offered the following amendment:

After the word "service," in line 9, Section 3, strike out all the balance of the section and insert in lieu thereof the following: "And who performed service in actual line of duty for a period of not less than one year, unless incapacitated for such duty by reason of death, wounds received or disease contracted while in actual line of duty, and who has not married since the death of said soldier, and whose property, both real and personal, does not exceed the sum of five thousand dollars, shall be entitled to receive the sum of one hundred and twenty dollars per annum in quarterly payments; Provided, such widow was married to said soldier or sailor prior to 1895, and has continuously resided in this State since 1895; and also the widow of any deceased person who was at the time of his death drawing a pension from the State under the provisions of this act, shall be granted a widow's pension upon satisfactory proof of her marriage, her residence in this State, and the death of her husband, and the pension so granted shall date from the death of the