

TUESDAY, MAY 25, 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 24 was corrected.

The Journal of May 24 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 25, 1909.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 273:

A bill to be entitled an act to amend Section 3 of Chapter 491, Laws of Florida, entitled "An act for the prevention of cruelty to children and animals, and to rescue from immoral surroundings."

Also—

Senate Bill No. 458:

A bill to be hereafter entitled an act to authorize ascer-

taining assessment, awarding and collection of attorney's fees in cases which may be instituted in any of the courts of the State, both at common law and equity.

Also—

Senate Bill No. 271:

A bill to be entitled an act to provide that all charters of incorporation or letters patent hereafter issued or granted in this State shall be subject to the right of the Legislature to alter or repeal the same.

Also—

Senate Bill No. 278:

A bill to be entitled an act to amend Section 1, Chapter 5433 of the Statutes of the State of Florida, relating to the protection and preservation of fish in the State of Florida, and to prohibit the shipping of certain fish during certain months.

Also—

Senate Bill No. 187:

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

Beg leave to report that above bills are correctly engrossed.

Very respectfully,

JAMES E. BROOME,
Chairman of Committee.

And Senate Bills Nos. 273, 271, 458, 278 and 187, contained in the above report, was placed on the Calendar of Bills on Third Reading.

Mr. Dayton, Chairman of the Committee on Indian Affairs, submitted the following report:

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

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

Sir:

Your Committee on Indian Affairs, to whom was referred that portion of the Governor's message relating to the "So-called Indian War Claims"—

Beg leave to advise we have had under consideration the following claims presented by S. W. Bradley, of

Amelia, Florida: Josiah B. Bassett, \$143.41; John F. Bassett, \$143.41; R. C. Wiggins, \$143.41; Geo. W. Bates, \$441.49; Henry Hancock, \$143.41; C. M. Johnston, \$143.41; William M. Johnston, \$143.41; Washington Johnston, \$143.41; Wade E. Banknight, \$143.41; Geo. Bissett, \$684.12; J. M. J. Hancock, \$143.41; Joshua Mizell, \$143.41; James L. Colding, \$143.41; John Bassett, \$461.22; Samuel B. Colding, \$645.79; Robert. J. Bradley, \$143.41; R. D. Bradley, \$143.41; John B. McNatt, \$143.41; William H. Mien, \$143.41; Benjamin Moody, \$241.50; William B. Moody, \$55.20; James A. Moody, \$55.20; Nathaniel M. Moody, \$241.50; Enoch M. Moody, \$112.69; A. S. Enochs, \$143.41; William Stanley, \$241.50.

We further advise that a bill has been introduced in the Senate covering said claims, as follows:

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.

Said bill was referred to Committee on Claims.

Very respectfully,

GEO. W. DAYTON,
Chairman of Committee.

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

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

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

Sir:

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

Senate Bill No. 432:

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

Also—

Senate Bill No. 466:

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

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

Very respectfully,

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

And Senate Bills Nos. 432 and 466, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. Henderson, Chairman of the Committee on Education, submitted the following report:

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

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

Sir:

Your Committee on Education, to whom was referred—
Senate Bill No. 480:

A bill to be entitled an act providing for the co-education of persons of the same race in all the schools, colleges, and universities of this State.

Also—

Senate Bill No. 488:

A bill to be entitled an act providing for the establishment, control and maintenance of a Normal School at DeFuniak Springs, Florida; providing for scholarships thereat, and providing for the appointment of a Board of Trustees therefor, and defining their duties and powers.

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, and 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.

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

Very respectfully,

JOHN W. HENDERSON,
Chairman of Committee.

And Senate Bills Nos. 480, 488 and 478, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

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

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

Sir:

Your Committee on Municipalities to whom was referred—

Senate Bill No. 486:

A bill to be entitled an act to amend Chapter 5360, Laws of Florida.

Also—

Senate Bill No. 487:

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

Also—

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.

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

Very respectfully,

W. HUNT HARRIS,
Chairman of Committee.

And Senate Bills Nos. 486, 487 and 489, contained in the above report, were 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., May 25, 1909.

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

Sir:

Your Committee on Public Health, to whom was referred—

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.

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

Strike out Section 3.

Very respectfully,

THEOP. WEST,
Chairman of Committee.

And Senate Bill No. 484, contained in the above report, was placed on the Calendar of Bills on Second Reading.

INTRODUCTION OF RESOLUTIONS.

Mr. McMullen offered the following resolution:

Senate Concurrent Resolution No. 13:

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

Which was read the first time and was laid over under the rule.

INTRODUCTION OF BILLS.

By Mr. Withers—

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 evidence 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.

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

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 2:

Be it Resolved, That the Governor be and he is hereby authorized and directed to appoint a commission to consist of two members of the Senate and three members of the House, who shall confer with the Ponce de Leon Celebration Association, of St. Augustine, Florida, and report to the next Legislature how the State may best co-operate in fitting celebration of the four hundredth anniversary of the landing of Ponce de Leon in America.

Was taken up and read the second time.

Upon the question of its passage, House Concurrent Resolution No. 2 was adopted.

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 23, 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, with amendments—

Substitute for Senate Bill No. 238:

A bill to be entitled an act amending Section 37 of Chapter 5080, Laws of Florida, approved May 29, 1901.

Which amendments are as follows:

Amend the title so as to read as follows:

An act to amend Section Thirty-Seven of Chapter 5080, Laws of Florida, entitled "An Act to abolish the present municipal government of the town of Arcadia, in the county of DeSoto, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Arcadia, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges," approved May 29th, 1901.

Also—

Strike out the words "Section 1," and after the enacting clause insert the following:

Section 1. That Section Thirty-Seven of Chapter 5080, Laws of Florida, entitled "An Act to abolish the present municipal government of the town of Arcadia, in the county of DeSoto, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Arcadia, and to define its territorial boundaries, and to provide for its jurisdictions, powers and privileges," approved May 29, 1901, be and the same is hereby amended so as to read as follows:

Section 37:

And respectfully requests the concurrence of the Senate thereto.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Substitute for Senate Bill No. 228, contained in the above message, together with the amendments of the House of Representatives thereto, was placed before the Senate.

Mr. Humphries moved that the Senate concur in the amendments of the House to Substitute for Senate Bill No. 228.

Which was agreed to.

And Substitute for Senate Bill No. 228, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 22, 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. 136:

A bill to be entitled an act to repeal Section 3643 of the General Statutes of the State of Florida, relating to persons beating their way on railroad trains.

Also—

House Bill No. 145 :

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.

Also—

House Bill No. 306 :

A bill to be entitled an act conferring extra territorial jurisdiction on the several judges of the Circuit Courts of the State of Florida in chancery cases.

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

And House Bill No. 136, contained in the above message was read the first time by its title and was referred to the Committee on Judiciary B.

And House Bill No. 306, contained in the above message was read the first time by its title and was referred to the Committee on Judiciary A.

ORDER OF THE DAY.

The motion to reconsider the vote by which the amendment to—

Senate Bill No. 234 :

A bill to be entitled an act to amend Section 2650, of the General Statutes of this State, relative to the issue and delivery of letters patent to corporations for profit—

Was lost, was taken up.

The question to reconsider the vote by which the amendment was lost was put and it was not agreed to and the motion did not prevail.

CONSIDERATION OF BILLS ON SECOND
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."

Was taken up and informally passed over.

Senate Bill No. 270:

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

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 informally passed over.

Senate Bill No. 298:

A bill to be entitled an act to amend Chapter 4869 of the Laws of the State of Florida, being an act entitled "An act to abolish the present municipal government of the city of Lakeland, in the county of Polk, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as Lakeland and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges."

Was taken up, and was informally passed over.

Senate Bill No. 269:

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

Was taken up, and was informally passed over.

Senate Bill No. 305:

A bill to be entitled an act to amend Sections 2008, 2011, 2013 and 2027, of Article 6, Chapter XI, Title 3 of the General Statutes of the State of Florida, relating to exercise of right of eminent domain.

Was taken up.

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

Which was agreed to.

And Senate Bill No. 305 was indefinitely postponed.

House Bill No. 287:

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

Was taken up, and was informally passed over.

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 informally passed over.

Senate Bill No. 191:

A bill to be entitled an act to regulate the use of vehicles upon public hard surface roads in Dade County.

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

Senate Bill No. 284:

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

Was taken up and was passed over informally.

Senate Bill No. 312:

A bill to be entitled an act to authorize the State of Florida to sue out writs of error or other appropriate

writs in criminal cases from the Supreme Court or the Circuit Courts, to review the rulings of inferior courts upon questions of law.

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

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

Which was not agreed to.

Mr. McMullen offered the following amendment to Senate Bill No. 312:

Strike out the words "of law which has arisen or," in line 7 of Section 1, and insert in lieu thereof the following: "involving the constitutionality of any act or law which."

Mr. McMullen moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 312, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 304:

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

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

There being no amendment offered Senate Bill No. 304 was, under the rule, placed on the Calendar of Bills on Third Reading, without reference.

Senate Bill No. 296:

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

Was taken up, and was informally passed over.

Senate Bill No. 336:

A bill to be entitled an act to make it unlawful for any person or persons hereafter to own, hold or have in their possession any seine, gill net, stop net, fish trap, fish basket or other device used for fishing in any territory within this State where the use of the seine is prohibited by law.

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

The amendment of the Committee on Game and Fish-

eries was read, as follows: In Section 3, strike out all after the word "days."

Mr. Sams moved that the amendment of the Committee be adopted.

Which was agreed to.

And the Committee amendment was adopted.

And Senate Bill No. 336 was, under the rule, referred to the Committee on Engrossed Bills.

Senate Bill No. 200:

A bill to be entitled an act concerning Notaries Public who are stockholders, directors, officers or employees of banks or other corporations, and the doing of certain official acts by such Notaries.

Was taken up and read the second time.

Committee amendment was read as follows:

Amend by inserting after the word "negotiable," in 8th line of Section 1, the word "instrument."

Mr. Buckman moved to adopt the committee amendment.

Which was agreed to.

And Senate Bill, as amended, was referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 277:

A Joint Resolution proposing an amendment to Section 2, of Article IV, of the Constitution of Florida, relating to Governors succession in office.

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

The Substitute Bill of the Committee on Constitutional Amendments were read, as follows:

The Committee on Constitutional Amendments report the following substitute for Section 2 for Senate Joint Resolution proposing an amendment to Section 2 of Article IV of the Constitution of Florida, relating to Governor's succession in office:

Section 2. The Governor shall be elected by the qualified electors of the State at the time and place of voting for members of the Legislature, and shall hold his office for four years from the time of his installation, but shall not be eligible for re-election to said office the next succeeding term: Provided, That should the Governor become a candidate for the office of United States Senator, or a Member of the House of Representatives of the Con-

gress of the United States, that he shall immediately vacate the office of Governor: Provided, further, That the first election for Governor under this Constitution shall be had at the time and places of voting for Members of the Legislature, and State officers, A. D. 1912, and the term of office of the Governor then elected shall begin on the first Tuesday after the first Monday in January after his election.

Mr. Beard moved that the Substitute Bill of the Committee be adopted.

Which was agreed to.

And the Committee Substitute Bill was adopted.

And Senate Joint Resolution No. 277 was, under the rule, referred to the Committee on Engrossed Bills.

House Bill No. 71:

A bill to be entitled an act to provide for the reinstatement on the docket of the Supreme Court of any case dismissed on account of defective certificate.

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

There being no amendment offered Senate Bill No. 71 was, under the rule, placed on the Calendar of Bills on Third Reading, without reference.

House Committee Substitute for House Bills Nos. 13 and 364:

A bill to be entitled an act requiring proper fire protection for teachers and students of public schools, prescribing the means for such protection, and prescribing penalties for not constructing, introducing and maintaining the means for such protection.

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

Strike out all of Section 2 and insert in lieu thereof the following:

Section 2. The number of such stairways or fire escapes, and their location, material and construction shall be as designated and prescribed by the Board of Public Instruction of the county in which said school building or buildings shall be located.

Mr. Henderson moved that the amendment of the Committee be adopted.

Which was agreed to.

And the Committee amendment was adopted.

The following Committee amendment was read:

Strike out all of Section 3.

Mr. Henderson moved to adopt the Committee amendment.

And the Committee amendment was adopted.

The following Committee amendment was read:

Insert after October 1, 1909, wherever the same appears, the following: "or as soon thereafter as may be practicable."

Mr. Henderson moved to adopt the Committee amendment.

Which was agreed to.

And the Committee amendment was adopted.

House Committee Substitute for House Bills Nos. 13 and 364, as amended above, was placed on the Calendar of Bills on Third Reading.

House Bill No. 342:

A bill to be entitled an act to amend Section 9 of Chapter 4877 of the Laws of Florida, June 1, 1909, entitled "An act to establish the municipality of Dreded, provide for its government, and prescribe its jurisdiction and powers."

Was taken up and informally passed over.

House Bill No. 561:

A bill to be entitled an act granting to the Lake Eustis Pavilion Company, a corporation, the right to construct and maintain in the waters of Lake Eustis, below low water mark, a wharf, dock, pier and pavilion.

Was taken up and informally passed over.

The President Pro Tem in the Chair.

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.

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

Mr. Johnson moved to indefinitely postpone the bill.

Pending which—

Mr. McMullen moved that the Senate do now adjourn to three o'clock this afternoon.

Mr. Harris moved that the Senate do now adjourn to 3:15 o'clock this afternoon.

Mr. Humphries moved that the Senate do now adjourn to 3:30 o'clock this afternoon.

Mr. Sams moved that the Senate do now adjourn to 4 o'clock this afternoon.

The motion of Mr. Sams was not agreed to.

The motion of Mr. Humphries was not agreed to.

The motion of Mr. Harris was not agreed to.

The motion of Mr. McMullen was agreed to.

Thereupon the Senate took a recess until 3 o'clock this afternoon.

TUESDAY AFTERNOON—3 O'CLOCK P. M.

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 Dist.), 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.

REPORTS OF COMMITTEES.

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

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

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 468:

A bill to be entitled an act to amend Sections 2574 and 2576, of the General Statutes of the State of Florida, governing the issuance of marriage licenses and the manner of and persons authorized to solemnize matrimony; providing for the certification and return of license, and providing penalty for violation thereof.

Also—

Committee Substitute No. 183 for Senate Bills Nos. 218 and 318:

A bill to be entitled an act to amend Section 2919, of the General Statutes of the State of Florida, as to the allowance of free or reduced rates of transportation by common carriers.

Also—

Senate Bill No. 313:

A bill to be entitled an act to amend Section 617 of the General Statutes of the State of Florida, relating to the trustees of the Internal Improvement Fund of Florida, and to their powers and duties.

Also—

Senate Bill No. 311:

A bill to be entitled an act making it unlawful for any person to break down, injure, destroy or remove any dam or levee used in connection with any dredging or drainage operations, or in connection with any canal in this State, and providing a penalty for the violation thereof.

Also—

Senate Bill No. 326:

A bill to be entitled an act to regulate the manufacture and sale of duplicate switch lock keys.

Also—

Committee Substitute for Senate Bill No. 329:

A bill to be entitled an act requiring the judges of the several courts of the State of Florida to state in writing, on ruling on a demurrer or motion, what grounds of the demurrer or motion are sustained as good law and what grounds of the demurrer or motion are overruled.

Also—

Senate Bill No. 279:

A bill to be entitled an act to provide for the admission of graduates of law departments of chartered universities and chartered law schools to practice law in the courts of Florida.

Also—

Senate Bill No. 310:

A bill to be entitled an act to amend Sections 808 and 809, of the General Statutes of the State of Florida, relating to the erection of court houses and jails and the levying of taxes for such purposes, and to extend the effect of

said sections so as to include public bridges, and to authorize the issuing of interest-bearing warrants.

Also—

Senate Bill No. 367:

A bill to be entitled an act to cure certain informalities in the execution of deeds and other instruments conveying or transferring real or personal property or relinquishing dower made by married women prior to the first day of May, A. D. 1909.

Also—

Senate Bill No. 263:

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

Reg leave to report that said bills are correctly engrossed.

Very respectfully,

JAMES E. BROOME,

Chairman of Committee on Engrossed Bills.

And Senate Bills Nos. 468, 313, 311, 326, 329, 279, 310, 367, 263 and Committee Substitute No. 183 for Senate Bills Nos. 218 and 318, contained in the above report, were 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 25, 1909.

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

Sir:

Your Committee on Engrossed Bills to whom was referred—

Senate Bill No. 200:

A bill to be entitled an act concerning notaries public, who are stockholders, directors, officers or employees of banks or other corporations, and the doing of certain official acts by such notaries.

Also—

Senate Joint Resolution No. 277:

A joint resolution proposing an amendment to Section

2 of Article 4 of the Constitution of Florida, relating to Governor's succession in office.

Also—

Senate Bill No. 312:

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

Also—

Senate Bill No. 316:

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

Also—

Senate Bill No. 336:

A bill to be entitled an act to make it unlawful for any person or persons hereafter to own, hold or have in their possession any seine, gill net, stop net, fish trap, fish basket or other device used for fishing in any territory within this State where the use of the seine is prohibited by law.

Beg leave to report that above bills are correctly engrossed.

Very respectfully,

JAMES E. BROOME,

Chairman of Committee.

And Senate Bills. Nos. 200, 277, 312, 316 and 336, contained in the above report, were placed on the Calendar of Bills on Third Reading.

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

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

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

Sir:

Your Committee on Municipalities, to whom was referred—

Senate Bill No. 491:

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.

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

Very respectfully,

W. HUNT HARRIS,
Chairman of Committee.

And Senate Bill No. 491, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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.

Was taken up and read the second time in full.

Mr. Johnson moved to indefinitely postpone the bill.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—Senators Buckman, Crill, Cook, Cottrell, Dayton, Harris, Henderson, Humphries, Johnson, McCreary, Sams, Sloan—12.

Nays—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Cone, Davis, Flournoy, Girardeau, Leggett, Massey, McLeod, McMullen, Miller, West, Williams, Withers, Zim—17.

So the Senate refused to indefinitely postpone the bill.

Mr. McMullen offered the following amendment to Senate Bill No. 330:

At the end of Section 1 insert: "Provided this act shall not apply to voluntary associations, in which the dues of said associations are not reserved out of the wages of the members thereof, by the railroad company employing them, and in which membership is not made a consideration of employment by a railroad company or membership solicited by the railroad company or the members of such association."

Mr. McMullen moved the adoption of the amendment.

By unanimous consent, the consideration of the amendment was temporarily passed.

Mr. Flournoy offered the following amendment to Senate Bill No. 330:

At the end of Section 1 add the words "provided that in any action brought against such railroad under or by virtue of provisions of this act, or other laws of this State, such common carriers may set off therein any sum it has contributed or paid after the injury to any relief benefit or indemnity that may have been paid to the injured employee, or the person entitled thereto on account of the injury or death, for which said act was brought, and provided that the term 'railroad,' as used in this act shall include the receiver or other persons or corporations charged with the duty of the management and operation of the business of such railroad."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Broome moved to adjourn until 10 o'clock to-morrow morning.

Which was not agreed to.

Mr. Leggett moved to adjourn until 8 o'clock to-night.

Which was not agreed to.

Mr. Hudson moved to adjourn until 9:30 to-morrow.

Which was not agreed to.

Mr. Harris moved to adjourn until 9 o'clock to-morrow.

The yeas and nays were called for, and the vote was:

Yeas—Senators Adkins, Beard, Broome, Buckman, Crill, Cook, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, McCreary, Sams—14.

Nays—Mr. President, Senators Baker (20th District), Cone, Cottrell, Davis, Flournoy, Girardeau, Leggett, Massey, McLeod, McMullen, Miller, Sloan, West, Williams, Withers, Zim—17.

So the motion was not agreed to.

Mr. Broome asked and obtained unanimous permission to have the further consideration of Senate Bill No. 330 carried over under the Order of the Day to to-morrow morning's session.

Which was agreed to.

Mr. Beard moved to adjourn until 9:45 o'clock to-morrow.

Which was not agreed to.

Mr. Humphries moved to adjourn until 8:30 o'clock to-night.

The yeas and nays being called for, the vote was:

Yeas—Mr. President, Senators Baker (20th District), Broome, Crill, Cone, Cottrell, Davis, Flournoy, Girar-

deau, Henderson, Hosford, Leggett, Massey, McLeod, McMullen, Miller, Sloan, West, Williams, Withers, Zim—21.

Nays—Senators Adkins, Beard, Buckman, Cook, Dayton, Harris, Humphries, Johnson, McCreary, Sams—10.

So the Senate adjourned until 8:30 o'clock to-night.

EVENING SESSION, 8 O'CLOCK.

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:

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

A quorum was present.

Senate Bill No. 342:

A bill to be entitled an act to repeal Section 1949, of the General Statutes of the State of Florida, being an act entitled "An act to extend the powers of courts of chancery in this State"; and Section 1950, of the General Statutes of the State of Florida, being an act entitled "An act relating to bills of equity in and removing clouds from title to real estate"; and to extend the powers of courts of chancery in this State, enlarge the jurisdiction thereof, to entertain suits by any person or corporation claiming any interest in the lands in this State against any or all persons or corporations claiming any interest therein, and quiet the title of the complainant thereto, award injunctions to protect the complainant's interest therein, and enjoin and avoid a multiplicity of suit, and declare the rights and interests of the parties.

Was taken up and read the second time in full.

There being no amendment offered, Senate Bill No. 342 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 343:

A bill to be entitled an act to prohibit tampering with

witnesses, and providing a penalty for the violation thereof.

Was taken up and read the second time in full.

The substitute of the Committee on Judiciary B was read as follows:

Substitute for Senate Bill No. 343:

A bill to be entitled an act to prohibit corruptly influencing of witnesses, and providing a penalty for violation thereof.

Mr. Sloan moved that the substitute of the committee be adopted.

Which was agreed to.

And the committee substitute was adopted.

Senate Bill No. 395:

A bill to be entitled an act to prohibit the running of freight trains, work trains, and all other trains on the Sabbath day, except regular passenger trains carrying the United States mail, and special freight trains for carrying fruit, vegetables or fish.

Was taken up and read the second time in full.

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

Which was agreed to.

And Senate Bill No. 395 was indefinitely postponed.

House Bill No. 176:

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

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

There being no amendment offered, House Bill No. 176 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 371:

A bill to be entitled an act to authorize the County of St. Lucie, State of Florida, to issue bonds for the purpose of building hard surface roads; for the election of bond trustees; imposing penalties for the violation of this act and for other purposes.

Was taken up, and was withdrawn by consent.

Senate Bill No. 292:

A bill to be entitled an act relating to payments to the State by corporations doing business in Florida other than banking, insurance, surety and public utility corporations.

Was taken up.

Mr. Humphries, acting under the rule, moved to indefinitely postpone the bill.

Which was agreed to, and Senate Bill No. 292 was indefinitely postponed.

Senate Joint Resolution No. 252:

A joint resolution proposing an amendment to Section 1, of Article 17, of the Constitution of the State of Florida.

Was taken up.

Mr. Beard, Chairman of the Committee on Constitutional Amendments, moved to indefinitely postpone the bill.

Which was agreed to.

And Senate Joint Resolution was indefinitely postponed.

Senate Joint Resolution No. 253:

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

Mr. Beard, Chairman of the Committee on Constitutional Amendments, as required by the rule, moved to indefinitely postpone the bill.

Which was agreed to.

And Senate Joint Resolution No. 253 was indefinitely postponed.

House Joint Resolution No. 487:

A joint resolution proposing amendments to Article 5 of the Constitution of the State of Florida, relative to the Judiciary department.

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

There being no amendment offered, House Joint Resolution No. 487 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Joint Resolution No. 289:

A joint resolution proposing an amendment to Article

3 of the Constitution of the State of Florida, relating to the Legislative department.

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

There being no amendment offered, Senate Joint Resolution No. 289 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Joint Resolution No. 244:

A joint resolution proposing an amendment to Section 2, of Article XVII of the Constitution of Florida, relating to amendments.

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

There being no amendment offered, Senate Joint Resolution No. 244 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 377:

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

Was taken up and read the second time in full.

The amendment of the Committee was read, as follows: In Section 2, of said bill, and just after the word "persons," in line 7, of said section, insert the following words "who are the taxpayers and."

Mr. Cone moved to adopt the amendment.

Which was agreed to, and the Committee amendment was adopted.

The following Committee amendment was read:

In Section 3, of said bill, and in line 3 of said section, strike out the words "at least two" and insert the words "one or more."

Mr. Cone moved to adopt the amendment.

Which was agreed to, and the Committee amendment was adopted.

In Section 9, of said bill, in lines 7 and 8, strike out the words "published in the county" and insert in lieu thereof the following words, "one of which newspapers shall be published in the county issuing such bonds and the other shall be a leading paper published in either Jacksonville, Fla., Baltimore, Md., New York City or Chicago, Ill."

Mr. Cone moved to adopt the amendment.

Which was agreed to, and the Committee amendment was adopted.

Mr. Johnson offers the following amendment to Senate Bill No. 377:

Amend Section 2 of said bill by adding at the end of said Section 2, the following words:

"The County Commissioners at the time of the passage of the resolution providing for the holding of such election or as soon thereafter as may be practicable, shall have prepared and published in a newspaper published in the county, a list of those persons who are, according to their best information, taxpayers of the county and who are qualified to vote in that county at the last preceding general election, using in the preparation of such list the registration books and tax books, and such other information as they may have or be able to obtain, and shall have published with such list a notice to all persons of a time and place when and where they will meet and hear any objections to such list and make such corrections as may be made to appear necessary to a correction thereof by adding to or striking from said list, and said commissioners shall meet at the time and place named in such notice and hear any and all complaints, and make such corrections of said list as may be found necessary to make, in their best judgment, a true and correct list of taxpayers of said county who are qualified to vote at such election, and the County Commissioners shall have made from such corrected list a list of persons qualified to vote at such election in each election district in the county, and the persons whose names are so put on such election district lists shall constitute the lists of persons qualified to vote at such election in such election districts."

Mr. Johnson moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy, of Third District, offered the following amendment to Senate Bill No. 377:

After the word "act" in line 6, Section 1, add the words, "or upon a petition signed by one-fourth of the legal and registered voters, who are taxpayers upon real estate of such county."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy, of Third District, offered the following amendment to Senate Bill No. 377:

After the word "purpose" in line 9 in Section 1, add the words, "the amount of which bonds shall be the same as the amount stated in said petition, if such petition be presented."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy, of Third District, offered the following amendment to Senate Bill No. 377:

At the end of Section 4, add the words, "and shall make cross-marks in front of the seven names of those candidates of their choice for members of the Board of Trustees."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy, of Third District, offered the following amendment to Senate Bill No. 377:

Strike out the word "sixty" in line 6 of Section 9, and insert in lieu thereof following the word "thirty" and after the word "require" in line 10 of Section 9, add the words, "and if all bids are so rejected they shall immediately re-advertise for bids, as herein provided, and shall continue to re-advertise till a satisfactory bid shall be received."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy, of Third District, offered the following amendment to Senate Bill No. 377:

After the word "clerk" in line 6 of Section 10, add the words, "and preserved and filed in his office."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Hosford, of Fifth District, offered the following amendment to Senate Bill No. 377:

"Provided this act shall not apply to Liberty County."

Mr. Hosford moved the adoption of the amendment.

Which was not agreed to.

Mr. Dayton, of Ninth District, offered the following amendment to Senate Bill No. 377:

"Provided this act shall not apply to the counties of Pasco, Hernando and Citrus."

Mr. Dayton moved the adoption of the amendment.

Which was not agreed to.

Mr. Johnson moved that the vote by which the amendment offered by him was adopted be reconsidered.

Which motion went over under the rule.

Mr. Flournoy offered the following amendment to Senate Bill No. 377:

After the word "construction," in line 2 of the title, add the words "repairing and maintaining," and after the word "constructing," in line 4, Section 1, add the words "repairing and maintaining."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy offered the following amendment to Senate Bill No. 377:

At end of Section 1 add the words "and provided, that the amount of such bonds shall not exceed ten per cent of the assessed valuation of all the real, personal and mixed property of the county."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy offered the following amendment to Senate Bill No. 377:

After the word "taxpayer," in line 1, Section 8, add the words "upon real estate."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy offered the following amendment to Senate Bill No. 377:

After the word "economically," in line 6, Section 11, add the words "in constructing, repairing and maintaining the hard-surface roads and bridges of said county at such place or places as the said Board of Trustees may direct."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Flournoy offered the following amendment to Senate Bill No. 377:

After the word "construction," in line 12, Section 10, add the words "repairing and maintaining."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

On motion, Senate Bill No. 377 was passed to take its position on the Calendar for the Order of the Day for tomorrow.

Senate Bill No. 282:

A bill to be entitled an act to prohibit the operating of phosphate mines or plants, sawmills or novelty works, and all other manufacturing plants on the Sabbath day, and providing a penalty for violation of the provisions thereof.

Was taken up and read the second time in full.
The substitute of the Committee on Judiciary B for—

Senate Bill No. 282:

A bill to be entitled an act to prohibit the operating of phosphate mines or plants, sawmills or novelty works, and all other manufacturing plants on the Sabbath day, and providing a penalty for violation of the provisions thereof.

Was read the first and second times.

Mr. Sloan moved that the substitute of the Committee for Senate Bill No. 282 be adopted.

Which was agreed to, and the Committee amendment was adopted.

Mr. Buckman offered the following amendment to the substitute for Senate Bill No. 282:

Add words after word "or," line 2 Section 1, "Phosphate, mining or saw mill," and strike out words "saw mills," beginning of line 3.

Mr. Buckman moved to adopt the amendment.

Which was agreed to, and the amendment to the Committee substitute for Senate Bill No. 282 was adopted.

The substitute for Senate Bill No. 282, as amended, was adopted.

And Senate Bill No. 282 was referred to the Committee on Engrossed Bills.

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 "Resolution 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 declare and render valid said resolutions, and to authorize the issuance of the bonds as provided by said resolutions.

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

There being no amendment offered, House Bill No. 597 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 397:

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

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

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

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Beard, Harris, Hosford, Humphries, Johnson, McCreary—7.

Nays—Mr. President, Senators Baker (20th District), Buckman, Crill, Cone, Davis, Flournoy, Henderson, Leggett, Massey, McLeod, McMullen, Miller, Sams, West, Williams, Withers, Zim—18.

So the motion was not agreed to.

There being no amendment offered Senate Bill No. 397 was, under the rule, placed on the Calendar of Bills on Third Reading.

Mr. Humphries asked consent to have Section 4 of the bill again read.

Which was agreed to, and Section 4 of Senate Bill No. 397 was again read.

Senate Bill No. 387:

A bill to be entitled an act creating liens upon any railroad, train, car, boat, vehicle and other personal or real property used in the business of common carrier, and upon the gross earnings of such common carrier for labor and materials, and for lost, damaged and delayed freight, baggage and express; for reciprocal damages, for

killing or injuring of domestic animals, for injuries to persons and other property by the operation of said railroad, trains, cars, boat or other vehicle, and for enforcement of said liens by claimants, the allowing of attorney's fees in certain cases and for payment of the same by receivers, trustees and other persons.

Was taken up, and on motion of Mr. Williams was placed on the table subject to call.

Senate Bill No. 213 :

A bill to be entitled an act providing that railroad companies and other common carriers whose lines are situate in whole or in part in the State of Florida, may furnish to the sheriffs of Florida free transportation over any railroad or steamboat line.

Was taken up and read the second time in full.

Mr. Massey, Chairman of the Committee on Judiciary A, under the rule, moved to indefinitely postpone the bill.

Which was agreed to, and Senate Bill No. 213 was indefinitely postponed.

Senate Bill No. 331 :

A bill to be entitled an act relative to the tax upon life insurance companies, and providing for the enforcement thereof.

Was taken up, and was withdrawn.

House Bill No. 481 :

A bill to be entitled an act prescribing punishment for the commission of misdemeanor in this State, when not otherwise provided by statute.

Was taken up and read the second time in full.

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

Which was not agreed to, and House Bill No. 481 was, under the rule, placed on the Calendar of Bills on Third Reading.

House Bill No. 225 :

A bill to be entitled an act to define and prohibit usury and usurious contracts in this State, and to require that mortgages shall state separately and distinctly the principal, interest and fees secured by such mortgages and to require creditors to give to debtors receipts

for money paid, and prescribing penalties for the violation of this act.

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

The amendment of the Committee on Judiciary B was read as follows:

(1) In Section 2, line 15, of printed bill, strike out all after the word "aforesaid."

Mr. Cone moved to adopt the amendment.

Which was agreed to, and the Committee amendment was adopted.

The following Committee amendment was read:

(2) At the end of Section 4 add the following: "Provided further, That this act shall not be construed so as to prohibit mortgagees from contracting for, or collecting premiums for insurance actually issued on the property mortgaged, with the usual loss payable, or mortgage clause attached thereto."

Mr. Cone moved that the amendment be adopted.

Which was agreed to, and the Committee amendment was adopted.

The following Committee amendment was read:

(3) In Section 6, line 12, strike out the words "for how long such interest is paid."

Mr. Cone moved that the amendment be adopted.

Which was agreed to and the Committee amendment was adopted.

The following Committee amendment was read:

(4) Insert in line 12 of Section 6, after the word "shall," "so."

Mr. Cone moved that the amendment be adopted.

Which was agreed to, and the Committee amendment was adopted.

The following Committee amendment was read:

(5) In Section 6, lines 20 and 21, strike out the words "upon the wilful failure, neglect or refusal to comply with the requirements of this section."

And was passed informally.

The following Committee amendment was read:

(6) In lines 22 and 23, of Section 6, strike out the words "shall be forfeited."

And was passed over informally.

The following Committee amendment was read:

(7) In Section 6, after the word "paid," in line 20, add the following, "whoever refuses upon demand to give

a receipt complying with the requirements of this section shall forfeit."

And was passed over informally.

Mr. Humphries moved that the bill be recommitted.

Which was withdrawn.

Mr. Harris offered the following substitute for the Committee amendments 5, 6 and 7 to House Bill No. 225:

In line 20, strike out all of section after word "paid" and insert in lieu thereof the following: "Whoever refuses upon demand to give a receipt complying with the requirements of this section shall forfeit the entire interest upon said principal sum to the borrower."

Mr. Harris moved to adopt the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Harris offered the following amendment to House Bill No. 225:

In Section 5 in line 11 of engrossed bill, after the words "pretended sale of any article," insert the following: "Assignment of salary or wages."

Mr. Harris moved the adoption of the amendment.

Which was agreed to, and adopted.

Mr. Harris offered the following amendment to House Bill No. 225:

In Section 5, in line 12 of engrossed bill, after the words, "other fees," insert the following: "Or otherwise."

Mr. Harris moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Buckman offered the following amendment to House Bill No. 225:

Add after Section 2 after "act," line 22: "That the provisions of this act shall not apply to sales of bonds and mortgages securing the same, or money loaned on bonds."

Mr. Buckman moved the adoption of the amendment.

Mr. Harris offered the following amendment to Amendment to House Bill No. 225:

Strike out the word "act," and insert in lieu thereof the following: "Section."

Mr. Harris moved the adoption of the amendment.

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

Mr. Buckman, of Eighteenth District, offered the following amendment to House Bill No. 225:

Add to Section 2, after the word "act," line 22 of printed bill: "That the provisions of this act shall not apply to regularly licensed pawnbrokers loaning money on personal property and taking the same into their actual possession."

Mr. Buckman moved the adoption of the amendment.

Which was not agreed to.

Mr. Humphries moved to adjourn.

Which was not agreed to.

Mr. Cone offered the following amendment to the Amendment to House Bill No. 225:

Add at the end of the amendment the following: "In excess of One Hundred Dollars."

Mr. Cone moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

The question then recurred upon the amendment as amended.

Which was agreed to, and was adopted.

Mr. Beard offered the following amendment to House Bill No. 225:

Make Section 8 Section 9, and make Section 8 read: "The provisions of Sections 6 and 7 of this act shall not apply to chartered banks, State or National, or trust companies."

Mr. Beard moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Buckman offered the following amendment to House Bill No. 225:

Strike out the words "and fees," line 5, Section . . ., of printed bill.

Mr. Buckman moved the adoption of the amendment.

Which was withdrawn.

Mr. Harris offered the following amendment to House Bill No. 225:

After the word "mortgage," line 2, Section 7, printed bill, insert the words "on personal property."

Also, after the word "money," line 3, Section 7, insert the words "less than one hundred dollars."

Mr. Harris moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

House Bill No. 225, as amended, was placed on the Calendar of Bills on Third Reading.

Mr. Harris moved that the Senate do now adjourn.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Beard, Buckman, Crill, Henderson, Hosford, Humphries, Johnson, McCreary, Sams—9.

Nays—Mr. President, Senators Adkins, Baker (20th Dist.), Cone, Cottrell, Davis, Flournoy, Harris, Leggett, Massey, McLeod, McMullen, Miller, Sloan, West, Williams, Withers, Zim—17.

So the Senate refused to adjourn.

Mr. Johnson moved to adjourn to 9:55 to-morrow morning.

Upon which the yeas and nays were demanded.

The roll was called and the vote was.

Yeas—Senators Beard, Humphries, Johnson, McCreary, Sams—5.

Nays—Mr. President, Senators Adkins, Baker (20th Dist.), Buckman, Crill, Cone, Cottrell, Davis, Flournoy, Harris, Henderson, Hosford, Leggett, Massey, McLeod, McMullen, Miller, Sloan, West, Williams, Withers, Zim—22.

So the Senate refused to adjourn.

Mr. Beard moved to waive the rules and to take up House Bill No. 225 for its third reading and passage.

Mr. Johnson moved to adjourn to 9:50 o'clock to-morrow morning.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Buckman, Crill, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, McCreary—10.

Nays—Mr. President, Senators Baker (20th District), Beard, Cone, Cottrell, Davis, Flournoy, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—18.

So the Senate refused to adjourn.

Mr. Johnson moved that the Senate do now adjourn to 9:40 to-morrow morning.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Buckman, Crill, Harris, Henderson, Hosford, Humphries, Johnson, Sams—8.

Nays—Mr. President, Senators Adkins, Baker (20th District), Beard, Cone, Cottrell, Davis, Dayton, Flournoy, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sloan, West, Williams, Withers, Zim—20.

So the Senate refused to adjourn.

Mr. Beard moved to waive the rules and that House Bill No. 225 be put upon its passage.

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—11.

Nays—Mr. President, Senators Baker (20th District), Cone, Cottrell, Davis, Flournoy, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—19.

So the Senate refused to take up the bill.

Mr. Beard moved to adjourn.

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, Humphries, Johnson, McCreary—10.

Nays—Mr. President, Senators Baker (20th District), Cone, Cottrell, Davis, Flournoy, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—19.

So the Senate refused to adjourn.

Mr. Sloan explained his vote as follows:

“In explanation of vote against motion to adjourn, I desire to say that while hard on us all to continue working longer at this night session, yet end of session is drawing near, and we have done practically nothing during session except pass local bills. The interests of the State demand it, and the people are expecting us to enact into law many important bills now pending. I appeal to you fellow-members, let's get down to work and do something.”

Senate Bill No. 378:

A bill to be entitled an act to provide for the employment of a special counsel for the State, to define his duties and to fix his compensation.

Was taken up.

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

Which was agreed to, and Senate Bill No. 378 was indefinitely postponed.

Mr. Harris moved to adjourn to 9:30 o'clock to-morrow morning.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Beard, Buckman, Crill, Harris, Henderson, Hosford, Johnson, McCreary—8.

Nays—Mr. President, Senators Adkins, Baker (20th Dist.), Cone, Cottrell, Davis, Flournoy, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—18.

So the Senate refused to adjourn.

Senate Bill No. 337:

A bill to be entitled an act to punish false statement in receipts of warehousemen, wharfingers, timber and lumber inspectors and other bailees of like character, and for not keeping on hand a sufficient quantity of goods of proper character, quality and grade to cover and answer such outstanding receipts.

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

There being no amendment offered Senate Bill No. 337 was, under the rule, placed on the Calendar of Bills on Third Reading.

Mr. Harris moved to adjourn to 9:30 o'clock to-morrow morning.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Beard, Buckman, Crill, Harris, Henderson, Hosford, Johnson, McCreary—9.

Nays—Mr. President, Senators Baker (20th District), Cone, Cottrell, Davis, Flournoy, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—17.

Mr. McMullen explained his vote as follows:

On this I vote "no," because I see an effort to delay and defeat legislation that the people demand, and I think these motions to adjourn are part of the effort.

Senate Bill No. 340:

A bill to be entitled an act to prevent the unauthorized taking and use of automobiles and other vehicles, and to provide a punishment therefor.

Was taken up and read the second time in full.

There being no amendment offered, Senate Bill No. 340 was, under the rule, placed on the Calendar of Bills on Third Reading.

Mr. Harris moved that the Senate do now adjourn ro 10 o'clock this morning.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—Senators Adkins, Beard, Buckman, Crill, Harris, Henderson, Hosford, Humphries, Johnson, McCreary—10.

Nays—Mr. Speaker, Senators Baker (20th District), Cone, Cottrell, Davis, Flournoy, Leggett, Massey, McLeod, McMullen, Miller, Sams, West, Williams, Withers, Zim—16.

Mr. Harris explained his vote as follows:

"I vote 'yes' on this motion because it is now 11:30 p. m.; the Senate has been in session since 8 p. m. I have been in my seat at every session and have not left the city of Tallahassee since the 6th day of April, 1909, and have never made a motion that the Senate adjourn over on any Friday until the following Monday afternoon.

"HARRIS."

Mr. Flournoy explained his vote as follows:

"With the purpose and intent I am not concerned. Whatever may be the purpose and intent or effort on the part of those moving to adjourn, the effect is to delay the passage of bills. I, therefore, vote 'no.'

"FLOURNOY."

So the Senate refused to adjourn.

House Bill No. 403:

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

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

There being no amendment offered, Senate Bill No. 403 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 322:

A bill to be entitled an act to authorize the payment

out of the general fund of the State of Florida of the sum of thirty thousand dollars, appropriated by the Legislature in 1907, for the payment of premiums awarded by the Florida State Midwinter Fair Association, in accordance with Chapter 5734, of the Laws of Florida.

Was taken up and was withdrawn.

House Bill No. 440:

A bill to be entitled an act to amend Chapter 4869 of the laws of the State of Florida, being an act entitled, "An act to abolish the present municipal government of the City of Lakeland, in the County of Polk, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as Lakeland, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges."

Was taken up.

Mr. Sloan moved to lay House Bill No. 440 on the table subject to call.

Which was agreed to, and so ordered.

Senate Bill No. 335:

A bill to be entitled an act to amend Sections 666, 669, 670, 671, 672, 673, 674, 675, 678, 679, 680, 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, 743, 745 and 748, of the General Statutes of the State of Florida.

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

There being no amendment, Senate Bill No. 335 was, under the rule, placed on the Calendar of Bills on the Third Reading.

On motion of Mr. McMullen the pages were excused from further attendance this morning.

Mr. Beard was excused from further attendance this morning.

The doorkeeper was excused until 9 o'clock this morning.

Mr. Massey offered the following amendment to Senate Bill No. 335:

Add to the title the words "Relating to the Militia."

Mr. Massey moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Sams moved that the bill be read the third time and put upon its passage.

Mr. Cone moved to lay the bill on the table.
Which was agreed to, and Senate Bill No. 335 was laid on the table.

Senate Bill No. 351:

A bill to be entitled an act to provide for the improvement of the grounds of the Governor's Mansion, and to make such other improvements or repairs at the Mansion as may be advisable, and to make an appropriation therefor.

Was taken up and read a second time in full.

The Committee amendment was read.

Mr. Withers moved to adopt the Committee amendment.

Which was agreed to, and the Committee amendment was adopted.

Senate Bill No. 419:

A bill to be entitled an act to require the payment of license taxes by citizens of this State before hunting for the purpose of shooting any wild game in this State, and requiring of license taxes by persons acting as hunters' guides, and prescribing the duties of hunters' guides.

Was taken up and read a second time in full.

Mr. Williams, Chairman of the Committee on Game and Fisheries, as required by the rule, moved to indefinitely postpone the bill.

Mr. Cone moved that the bill be laid on the table.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Cone, Cottrell, Davis, Flournoy, Leggett, Massey, McCreary, McLeod, McMullen, Miller, West, Withers—13.

Nays—Senators Adkins, Baker (20th Dist.), Buckman, Crill, Cook, Dayton, Harris, Henderson, Hosford, Johnson, Sams, Sloan, Zim—13.

So the motion was not agreed to.

The question recurred upon the motion to indefinitely postpone the bill.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Cone, Cottrell, Flournoy, Leggett, Massey, McCreary, McLeod, McMullen, West—11.

Nays—Senators Adkins, Buckman, Crill, Cook, Day-

ton, Harris, Henderson, Johnson, Sams, Sloan, Williams, Withers, Zim—13.

So the motion was not agreed to.

Mr. Williams offered the following amendment to Senate Bill No. 419:

Strike out the words "two dollars" wherever they occur in the bill and insert in lieu thereof the following, "one dollar."

Mr. Williams moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Cone offered the following amendment to Senate Bill No. 419:

Add to the end of Section 2 the following: "Provided, this act shall not apply to Columbia County."

Mr. Cone moved the adoption of the amendment.

Mr. Massey moved to lay the amendment on the table.

Which was agreed to, and the amendment and the bill were laid on the table.

Mr. Johnson moved to adjourn.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—Senators Adkins, Buckman, Crill, Cook, Dayton, Johnson, McCreary—7.

Nays—Mr. President, Senators Baker (20th District), Cone, Cottrell, Davis, Flournoy, Harris, Henderson, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—19.

Mr. Johnson explained his vote as follows:

"I voted 'yea' for the reason that it is now 1:25 o'clock at night, and that if the present course is followed some of the older members are liable to suffer serious illness and may become incapacitated from further service on this session. And further, some of the attaches will not be able to discharge their duties if not given time in which to perform them."

Mr. Williams explained his vote as follows:

"And whereas, we are considering bills on the second reading;

"And whereas, we have to consider bills on second reading before we can pass to bills on the third reading;

"And whereas, there are yet remaining some 125 bills on second reading;

"And whereas, the greater part of to-day was spent in considering one bill only;

"And whereas, unless heroic efforts are put forth at great sacrifice to those representing the people as State Senators, no general legislation or appropriation bills can be passed;

"And whereas, such results would be a disgrace to the Senate;

"I therefore vote 'no' on adjournment."

So the Senate refused to adjourn.

Mr. Harris moved to waive the rules and to take up Senate Bill No. 178.

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

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Cone, Cottrell, Davis, Flournoy, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sloan, West, Withers, Zim—16.

Nays—Senators Adkins, Buckman, Crill, Cook, Dayton, Harris, Henderson, Johnson, Sams—9.

So the motion was laid on the table.

House Bill No. 321:

A bill to be entitled an act making it unlawful for any person or corporation to pay poll tax of any other person, or furnish the money therefor, and fixing a penalty for the violation thereof.

Was taken up and read a second time in full.

Mr. McMullen offered the following amendment to House Bill No. 321:

At the end of Section 1 insert the following: "Or for any tax collector to accept the payment of poll taxes from any person other than the person whose poll tax is being paid, except that one person may pay the poll tax of another provided the person paying such poll tax shall at the same time pay a tax duty assessed on property belonging to the person whose poll tax is being paid."

Mr. McMullen moved to adopt the amendment.

Which was agreed to, and the amendment was adopted.

Mr. McMullen offered the following amendment to Senate Bill No. 321:

Insert after the word "therefor" in the title, the following: "Or for any tax collector to accept payment of

poll taxes from any person other than the person whose poll tax is being paid."

Mr. McMullen moved to adopt the amendment.

Which was agreed to.

Mr. Johnson moved to indefinitely postpone the bill.

Which motion was withdrawn.

Mr. Buckman, of Eighteenth District, offered the following amendment to House Bill No. 321:

Add at end of Section 1: "Provided that the collector shall recommend any person may pay the poll tax of another who is too sick or infirm to pay the same in person."

Mr. Buckman moved the adoption of the amendment.

Which was not agreed to.

And House Bill No. 321, as amended, was ordered placed on Calendar of Bills on Third Reading.

The sergeant-at-arms was excused from further attendance to-night.

Mr. McMullen moved to adjourn to 9:30 this a. m.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Conc, Cottrell, Davis, Flournoy, Leggett, Massey, McLeod, McMullen, Miller, Sloan, West, Williams, Withers, Zim—17.

Nays—Senators Buckman, Crill, Cook, Harris, Henderson, Johnson, McCreary, Sams—8.

Mr. Johnson explained his vote as follows:

I never believe in knocking off after going to work early in the morning.

Whereupon the Senate adjourned to 9:30 o'clock a. m. on Wednesday, May 26, 1909.

WEDNESDAY, MAY 26, 1909.

The Senate met pursuant to adjournment.
The President in the Chair.