

widow's husband; Provided, she file her application within ninety days after the death of her husband; Provided, such widow is otherwise eligible under the provisions of this act; Provided further, that any such widow shall not be required to make out the proof of her husband's service, but any such widow of any such deceased soldier or sailor who would have been entitled to a pension under this act shall make proof if her said husband shall not have already been upon the pension roll at the time of his death."

Mr. Harris moved to adopt the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Cone offered the following amendment to the amendment:

Strike out the words "one year" in line 7, page 11, printed amendment and insert in lieu thereof the following, "six months."

Mr. Cone moved the adoption of the amendment to the amendment.

Which was not agreed to.

The question recurred upon the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Harris offered the following amendment:

Strike out Section 5 and insert in lieu thereof the following: "Section 5. The payment of all allowed claims shall be made from the date of the filing of the application in the Pension Department. Any person who drew a pension from the State of Florida at the time of the passage of this act, and who is entitled to a pension under this act, shall not be required to make a new proof, and shall be paid from the passage of this act. Payment shall not continue to pensioners during absences from this State of longer duration than twelve months."

Mr. Harris moved to adopt the amendment.

Which was agreed to.

Mr. Harris offered the following amendment:

Strike out Section 6 and insert in lieu thereof the following: "Section 6. No person who was discharged on account of being under age, or for disability, but who did not so enlist upon removal of the said disability, or upon becoming of the required military age of eighteen years before the termination of the war, shall be entitled to a pension under this act. Applicants for pensions under this act shall make oath before an officer authorized to

administer oaths and use the seal, stating the company and regiment in or ship upon which he enlisted and served, the date of his enlistment, the date and cause of discharge, his citizenship and rights to the benefits of this act. He shall furnish the affidavits of a commissioned officer under whom, or the affidavits of two comrades with whom he served, or the transcript from the muster rolls from the Adjutant General's office at Washington, to establish the service claimed."

Mr. Harris moved to adopt the amendment.

Mr. Williams offered the following amendment to the amendment:

Strike out lines 5, 6, 7, 8, 9 and 10 of amendment, page 13, of printed bill.

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 "served" in line 19, page 14, of the printed bill, the following words, "or two reliable citizens of the county in which the applicant resides."

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

Which was not agreed to.

The question recurred upon the adoption of the amendment offered by Mr. Harris.

Which was agreed to, and the amendment was adopted.

Mr. Harris offered the following amendment:

In line 21, Section 10, after the word "done" strike out the balance of the section.

Mr. Harris moved to adopt the amendment.

Which was agreed to.

Mr. Harris offered the following amendment:

In Section 15, line 31 after the word "persons" strike out the words "who shall be" and insert in lieu thereof the following, "who, in their opinion, are."

Mr. Harris moved to adopt the amendment.

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

Add after the word "States" in line 2, Section 2 of the printed bill the following, "or of this State, including Home Guards and reserves."

Mr. Cone moved to adopt the amendment.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Broome, Cone, Cottrell, Flournoy, Girardeau, Leggett, Williams—8.

Nays—Mr. President, Baker (20th District), Buckman, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Massey, McCreary, McLeod, Miller, Withers, Zim—16.

So the amendment was not agreed to.

Mr. Leggett moved to adjourn to 3 o'clock this afternoon.

Which was withdrawn.

Mr. Beard moved to indefinitely postpone the bill.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Beard, Crill, Cone, Cottrell, Davis, Flournoy, Girardeau, Leggett, West, Williams,—11.

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

So the motion was not agreed to.

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

Which was agreed to.

Whereupon the Senate took a recess until 3:30 o'clock this afternoon.

#### AFTERNOON SESSION, 3:30 P. M.

The Senate resumed its session pursuant to recess order.

The President in the chair.

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

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

A quorum was present.

The President announced that he had appointed as a committee under the requirements of Senate Resolution No. 40, Senators Beard, Flournoy, Henderson, Williams and McMullen.

## REPORTS OF COMMITTEES.

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

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

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

*Sir:*

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

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 permits to non-residents thereof; and prescribing penalties for the violations thereof.

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

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And House Bill No. 762, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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—

House Bill No. 117:

An act relating to the killing of alligators on the Ocklawaha River, and to allow alligators to be killed.

Also—

House Bill No. 450:

An act to amend Sections 18 and 26 of an act entitled "An act to incorporate the Town of Fort Myers, and to

define its territorial boundary, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the Town of Fort Myers, and to repeal Chapter 5318 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Also—

House Bill No. 582 :

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

Also—

House Bill No. 618 :

An act, providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

Also—

House Bill No. 651 :

An act to legalize and confirm the incorporation of the Town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Also—

House Bill No. 681 :

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

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,

Chairman of Joint Committee.

And the acts contained in the above report were referred to the Joint Committee on Enrolled Bills, to convey to the House of Representatives for the signature of the Speaker of the House of Representatives and the Chief Clerk thereof.

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

1882

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

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

*Sir:*

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

House Bill No. 117:

An act relating to the killing of alligators on the Oklawaha River, and to allow alligators to be killed.

Also—

House Bill No. 450:

An act to amend Sections 18 and 26 of an act entitled "An act to incorporate the Town of Fort Myers, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the Town of Fort Myers, and to repeal Chapter 5318 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Also—

House Bill No. 582:

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

Also—

House Bill No. 618:

An act, providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

Also—

House Bill No. 651:

An act to legalize and confirm the incorporation of the Town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Also—

House Bill No. 681:

An act to amend Sections eighteen (18) and twenty-five (25), and to repeal Sections seventeen (17) and twenty-seven (27) of Chapter 5088, Laws of Florida, entitled

"An act to provide for the assessment, levy and collection of revenue for the City of Pensacola.

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—  
House Bill No. 117:

An act relating to the killing of alligators on the Ocklawaha River, and to allow alligators to be killed.

Also—

House Bill No. 450:

An act to amend Sections 18 and 26 of an act entitled "An act to incorporate the Town of Fort Myers, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the Town of Fort Myers, and to repeal Chapter 5318 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Also—

House Bill No. 582:

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

Also—

House Bill No. 618:

An act, providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

Also—

House Bill No. 651:

An act to legalize and confirm the incorporation of the Town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Also—

House Bill No. 681 :

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

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—

House Bill No. 117 :

An act relating to the killing of alligators on the Ocklawaha River, and to allow alligators to be killed.

Also—

House Bill No. 450 :

An act to amend Sections 18 and 26 of an act entitled "An act to incorporate the Town of Fort Myers, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the Town of Fort Myers, and to repeal Chapter 5318 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Also—

House Bill No. 582 :

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

Also—

**House Bill No. 618:**

An act, providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

Also—

**House Bill No. 651:**

An act to legalize and confirm the incorporation of the Town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Also—

**House Bill No. 681:**

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

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

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

**House Bill No. 24:**

A bill to be entitled an act to amend Section 2150, of the General Statutes of the State of Florida, relating to the release of garnishee.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 24, the vote was:

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

Nays—None.

So the bill was passed, title as stated.

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

**House Bill No. 45:**

A bill to be entitled an act requiring Teachers' Summer Training Schools, and making appropriations therefor.

Was taken up, and was on motion of Mr. Massey laid on the table.

## Senate Bill No. 170:

A bill to be entitled an act providing for and requiring the teaching of the elementary principles of agriculture and the elements of civil government in all the common schools of the State of Florida; to provide a penalty in case any County Board of Education fails to provide for the teaching of the same, and requiring all teachers to stand a satisfactory examination upon said subjects.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 170 the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Broome, Buckman, Crill, Cone, Cottrell, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—27.

Nays—None.

So the bill was passed, title as stated.

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

## Committee Substitute for Senate Bill No. 152:

A bill to be entitled an act to amend Section 2 of Chapter 5388 of the Laws of Florida, entitled "An act defining the manner and cause of commitments of minors to the Florida State Reform School at Marianna, defining who shall be committed and for what time and upon what conditions, regulating the discipline, providing for the proper management of said reform school and appropriating money for the benefit of said institution."

Was taken up and read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 152, the vote was:

Yeas—Senators Adkins, Buckman, Crill, Cone, Cottrell, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McLeod, McMullen, Sams, Sloan, Williams, Withers, Zim—20.

Nays—Mr. President, Senators McCreary, West—3.

So the bill passed, title as stated.

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

## House Bill No. 46:

A bill to be entitled an act to amend Section 1523 of the General Statutes of Florida, in reference to evidence

given upon a former trial and use of former bills of exceptions.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 46, the vote was:

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

Nays—None.

So the bill passed, title as stated.

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

#### House Bill No. 118:

A bill to be entitled an act relating to the approval of official bonds.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 118 the vote was:

Yeas—Senators Baker (20th District), Buckman, Crill, Cone, Davis, Dayton, Harris, Humphries, Massey, McCreary, Sams, Withers, Zim—13.

Nays—Mr. President, Senators Adkins, Beard, Broome, Cottrell, Girardeau, Henderson, Hosford, Johnson, Leggett, McLeod, McMullen, Miller, Sloan, West, Williams—16.

So the bill failed to pass.

#### House Bill No. 27:

A bill to be entitled an act providing for the confirmation by the Judge granting the order to sell real estate belonging to infants.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 27 the vote was:

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

Nays—None.

So the bill was passed, title as stated.

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

## House Bill No. 173:

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

Was taken up and read the third time in full.

Upon the passage of House Bill No. 173 the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Buckman, Crill, Cone, Cottrell, Davis, Dayton, Girardeau, Humphries, Johnson, Massey, McCreary, McLeod, McMullen, Sams, West, Williams, Withers, Zim—20.

Nays—None.

So the bill was passed, title as stated.

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

## Senate Bill No. 309:

A bill to be entitled an act to provide for the assessment and collection of taxes on railroads and the properties thereof, for any or all of the five years previous to the year for which the assessment is being made.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 309 the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Broome, Buckman, Crill, Cone, Cottrell, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—27.

Nays—None.

So the bill was passed, title as stated.

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

## Senate Joint Resolution No. 286:

A joint resolution proposing a revision of the Constitution of the State of Florida.

Whereas, The conditions, needs and requirements of the State of Florida have materially changed since the adoption of the State Constitution in A. D. 1887; and

Whereas, Said Constitution has from time to time been amended so that it is now difficult to determine what the Constitution really is; therefore be it.

Resolved by the Legislature of the State of Florida,

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, Girardean, 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

widow's husband; Provided, she file her application within ninety days after the death of her husband; Provided, such widow is otherwise eligible under the provisions of this act; Provided further, that any such widow shall not be required to make out the proof of her husband's service, but any such widow of any such deceased soldier or sailor who would have been entitled to a pension under this act shall make proof if her said husband shall not have already been upon the pension roll at the time of his death."

Mr. Harris moved to adopt the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Cone offered the following amendment to the amendment:

Strike out the words "one year" in line 7, page 11, printed amendment and insert in lieu thereof the following, "six months."

Mr. Cone moved the adoption of the amendment to the amendment.

Which was not agreed to.

The question recurred upon the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

Mr. Harris offered the following amendment:

Strike out Section 5 and insert in lieu thereof the following: "Section 5. The payment of all allowed claims shall be made from the date of the filing of the application in the Pension Department. Any person who drew a pension from the State of Florida at the time of the passage of this act, and who is entitled to a pension under this act, shall not be required to make a new proof, and shall be paid from the passage of this act. Payment shall not continue to pensioners during absences from this State of longer duration than twelve months."

Mr. Harris moved to adopt the amendment.

Which was agreed to.

Mr. Harris offered the following amendment:

Strike out Section 6 and insert in lieu thereof the following: "Section 6. No person who was discharged on account of being under age, or for disability, but who did not so enlist upon removal of the said disability, or upon becoming of the required military age of eighteen years before the termination of the war, shall be entitled to a pension under this act. Applicants for pensions under this act shall make oath before an officer authorized to

administer oaths and use the seal, stating the company and regiment in or ship upon which he enlisted and served, the date of his enlistment, the date and cause of discharge, his citizenship and rights to the benefits of this act. He shall furnish the affidavits of a commissioned officer under whom, or the affidavits of two comrades with whom he served, or the transcript from the muster rolls from the Adjutant General's office at Washington, to establish the service claimed."

Mr. Harris moved to adopt the amendment.

Mr. Williams offered the following amendment to the amendment:

Strike out lines 5, 6, 7, 8, 9 and 10 of amendment, page 13, of printed bill.

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 "served" in line 19, page 14, of the printed bill, the following words, "or two reliable citizens of the county in which the applicant resides."

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

Which was not agreed to.

The question recurred upon the adoption of the amendment offered by Mr. Harris.

Which was agreed to, and the amendment was adopted.

Mr. Harris offered the following amendment:

In line 21, Section 10, after the word "done" strike out the balance of the section.

Mr. Harris moved to adopt the amendment.

Which was agreed to.

Mr. Harris offered the following amendment:

In Section 15, line 31 after the word "persons" strike out the words "who shall be" and insert in lieu thereof the following, "who, in their opinion, are."

Mr. Harris moved to adopt the amendment.

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

Add after the word "States" in line 2, Section 2 of the printed bill the following, "or of this State, including Home Guards and reserves."

Mr. Cone moved to adopt the amendment.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Broome, Cone, Cottrell, Flournoy, Girardeau, Leggett, Williams—8.

Nays—Mr. President, Baker (20th District), Buckman, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Massey, McCreary, McLeod, Miller, Withers, Zim—16.

So the amendment was not agreed to.

Mr. Leggett moved to adjourn to 3 o'clock this afternoon.

Which was withdrawn.

Mr. Beard moved to indefinitely postpone the bill.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Beard, Crill, Cone, Cottrell, Davis, Flournoy, Girardeau, Leggett, West, Williams,—11.

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

So the motion was not agreed to.

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

Which was agreed to.

Whereupon the Senate took a recess until 3:30 o'clock this afternoon.

#### AFTERNOON SESSION, 3:30 P. M.

The Senate resumed its session pursuant to recess order.

The President in the chair.

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

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

A quorum was present.

The President announced that he had appointed as a committee under the requirements of Senate Resolution No. 40, Senators Beard, Flournoy, Henderson, Williams and McMullen.

## REPORTS OF COMMITTEES.

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

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

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

*Sir:*

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

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 permits to non-residents thereof; and prescribing penalties for the violations thereof.

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

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And House Bill No. 762, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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—

House Bill No. 117:

An act relating to the killing of alligators on the Ocklawaha River, and to allow alligators to be killed.

Also—

House Bill No. 450:

An act to amend Sections 18 and 26 of an act entitled "An act to incorporate the Town of Fort Myers, and to

define its territorial boundary, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the Town of Fort Myers, and to repeal Chapter 5318 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Also—

House Bill No. 582:

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

Also—

House Bill No. 618:

An act, providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

Also—

House Bill No. 651:

An act to legalize and confirm the incorporation of the Town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Also—

House Bill No. 681:

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

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,

Chairman of Joint Committee.

And the acts contained in the above report were referred to the Joint Committee on Enrolled Bills, to convey to the House of Representatives for the signature of the Speaker of the House of Representatives and the Chief Clerk thereof.

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

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

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

Sir:

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

House Bill No. 117:

An act relating to the killing of alligators on the Ocklawaha River, and to allow alligators to be killed.

Also—

House Bill No. 450:

An act to amend Sections 18 and 26 of an act entitled "An act to incorporate the Town of Fort Myers, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the Town of Fort Myers, and to repeal Chapter 5318 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Also—

House Bill No. 582:

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

Also—

House Bill No. 618:

An act, providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

Also—

House Bill No. 651:

An act to legalize and confirm the incorporation of the Town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Also—

House Bill No. 681:

An act to amend Sections eighteen (18) and twenty-five (25), and to repeal Sections seventeen (17) and twenty-seven (27) of Chapter 5088, Laws of Florida, entitled

"An act to provide for the assessment, levy and collection of revenue for the City of Pensacola.

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—  
House Bill No. 117 :

An act relating to the killing of alligators on the Ocklawaha River, and to allow alligators to be killed.

Also—

House Bill No. 450 :

An act to amend Sections 18 and 26 of an act entitled "An act to incorporate the Town of Fort Myers, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the Town of Fort Myers, and to repeal Chapter 5318 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Also—

House Bill No. 582 :

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

Also—

House Bill No. 618 :

An act, providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

Also—

House Bill No. 651 :

An act to legalize and confirm the incorporation of the Town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Also—

House Bill No. 681 :

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

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—

House Bill No. 117 :

An act relating to the killing of alligators on the Ocklawaha River, and to allow alligators to be killed.

Also—

House Bill No. 450 :

An act to amend Sections 18 and 26 of an act entitled "An act to incorporate the Town of Fort Myers, and to define its territorial boundary, and to provide for its jurisdiction, powers and privileges, and to abolish the present municipal government of the Town of Fort Myers, and to repeal Chapter 5318 (No. 213), Laws of Florida, 1903," the same being Chapter 5496, Laws of Florida, approved May 19, 1905.

Also—

House Bill No. 582 :

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

Also—

## House Bill No. 618:

An act, providing that special road districts may be established in Levy County, providing for a special road tax and the working of roads in said special districts.

Also—

## House Bill No. 651:

An act to legalize and confirm the incorporation of the Town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Also—

## House Bill No. 681:

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

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

Very respectfully,

C. L. LEGGETT,

Chairman of Joint Committee.

## House Bill No. 24:

A bill to be entitled an act to amend Section 2150, of the General Statutes of the State of Florida, relating to the release of garnishee.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 24, the vote was:

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

Nays—None.

So the bill was passed, title as stated.

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

## House Bill No. 45:

A bill to be entitled an act requiring Teachers' Summer Training Schools, and making appropriations therefor.

Was taken up, and was on motion of Mr. Massey laid on the table.

## Senate Bill No. 170:

A bill to be entitled an act providing for and requiring the teaching of the elementary principles of agriculture and the elements of civil government in all the common schools of the State of Florida; to provide a penalty in case any County Board of Education fails to provide for the teaching of the same, and requiring all teachers to stand a satisfactory examination upon said subjects.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 170 the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Broome, Buckman, Crill, Cone, Cottrell, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—27.

Nays—None.

So the bill was passed, title as stated.

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

## Committee Substitute for Senate Bill No. 152:

A bill to be entitled an act to amend Section 2 of Chapter 5388 of the Laws of Florida, entitled "An act defining the manner and cause of commitments of minors to the Florida State Reform School at Marianna, defining who shall be committed and for what time and upon what conditions, regulating the discipline, providing for the proper management of said reform school and appropriating money for the benefit of said institution."

Was taken up and read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 152, the vote was:

Yeas—Senators Adkins, Buckman, Crill, Cone, Cottrell, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McLeod, McMullen, Sams, Sloan, Williams, Withers, Zim—20.

Nays—Mr. President, Senators McCreary, West—3.

So the bill passed, title as stated.

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

## House Bill No. 46:

A bill to be entitled an act to amend Section 1523 of the General Statutes of Florida, in reference to evidence

given upon a former trial and use of former bills of exceptions.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 46, the vote was:

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

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 118:

A bill to be entitled an act relating to the approval of official bonds.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 118 the vote was:

Yeas—Senators Baker (20th District), Buckman, Crill, Cone, Davis, Dayton, Harris, Humphries, Massey, McCreary, Sams, Withers, Zim—13.

Nays—Mr. President, Senators Adkins, Beard, Broome, Cottrell, Girardeau, Henderson, Hosford, Johnson, Leggett, McLeod, McMullen, Miller, Sloan, West, Williams—16.

So the bill failed to pass.

House Bill No. 27:

A bill to be entitled an act providing for the confirmation by the Judge granting the order to sell real estate belonging to infants.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 27 the vote was:

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

Nays—None.

So the bill was passed, title as stated.

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

## House Bill No. 173:

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

Was taken up and read the third time in full.

Upon the passage of House Bill No. 173 the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Buckman, Crill, Cone, Cottrell, Davis, Dayton, Girardeau, Humphries, Johnson, Massey, McCreary, McLeod, McMullen, Sams, West, Williams, Withers, Zim—20.

Nays—None.

So the bill was passed, title as stated.

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

## Senate Bill No. 309:

A bill to be entitled an act to provide for the assessment and collection of taxes on railroads and the properties thereof, for any or all of the five years previous to the year for which the assessment is being made.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 309 the vote was:

Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Broome, Buckman, Crill, Cone, Cottrell, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—27.

Nays—None.

So the bill was passed, title as stated.

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

## Senate Joint Resolution No. 286:

A joint resolution proposing a revision of the Constitution of the State of Florida.

Whereas, The conditions, needs and requirements of the State of Florida have materially changed since the adoption of the State Constitution in A. D. 1887; and

Whereas, Said Constitution has from time to time been amended so that it is now difficult to determine what the Constitution really is; therefore be it.

Resolved by the Legislature of the State of Florida,

That a revision of the Constitution of the State of Florida is necessary.

Was taken up and read the third time in full.

Upon the passage of Senate Joint Resolution No. 286, the vote was:

Yeas—Mr. President, Senators Beard, Broome, Crill, Johnson, McCreary, Miller—7.

Nays—Senators Baker (20th District), Cone, Cottrell, Girardeau, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, McMullen, Sams, West, Williams, Withers, Zim—17.

And Senate Joint Resolution No. 286, not having received the constitutional three-fifths vote, failed to pass.

House Bill No. 58:

A bill to be entitled an act to amend Section 3542 of the General Statutes of Florida, relating to open profanity.

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

Upon the passage of House Bill No. 58, as amended by the Senate, the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Broome, Buckman, Crill, Cone, Dayton, Girardeau, Harris, Henderson, Hosford, Leggett, Massey, McLeod, McMullen, Sams, West, Williams, Withers, Zim—21.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 101:

A bill to be entitled an act to require that all State, county and municipal records shall at all times be open for public inspection.

As amended by the Senate.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 101, as amended by the Senate, the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Broome, Buckman, Crill, Cone, Cottrell, Dayton, Girardeau, Harris, Henderson, Hosford, Leggett, Massey,

McCreary, McLeod, McMullen, Miller, Sams, West, Williams, Withers, Zim—24.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 334:

A bill to be entitled an act to establish a State Forest Commission and to promote the conservation of forest resources of the State.

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

Senate Bill No. 295:

A bill to be entitled an act authorizing the change, by municipal ordinance, approved by the electors of cities and towns, of the numbers, powers and duties, terms of office and time and manner of election or appointment of municipal officers, excepting only as to the legislative powers and duties of City or Town Councils.

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

Mr. Beard moved to waive the rules, and that House Bill No. 225 be substituted for Senate Bill No. 250.

Which was not agreed to.

Senate Bill No. 250:

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 mortgage and to require creditors to give to debtors receipts for money paid, and prescribing penalties for the violation of this act.

Was taken up.

Mr. Hudson moved that Senate Bill No. 250 be laid on the table subject to call.

Which was agreed to.

Senate Bill No. 349:

A bill to be entitled an act making appropriations for deficiencies in the appropriations made by the Legislature of 1907 for jurors and witnesses, expenses, collection of revenue and expenses Florida State Troops for the two years ending June 30, 1909.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 349 the vote was:  
Yeas—Mr. President, Senators Baker (20th Dist.), Beard, Broome, Crill, Cone, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, West, Williams, Withers, Zim—24.

Nays—None.

So the bill was passed, title as stated.

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

#### Senate Bill No. 368:

A bill to be entitled an act amending Section 874, Chapter 11 of the General Statutes of the State of Florida, relating to the division of counties into road districts.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 368 the vote was:  
Yeas—Senators Adkins, Baker (20th Dist.), Buckman, Crill, Davis, Harris, Humphries, McCreary, Withers—9.

Nays—Mr. President, Senators Cone, Hosford, Johnson, Leggett, McLeod, Miller, West—8.

So the bill was passed, title as stated.

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

#### House Bill No. 107:

A bill to be entitled an act requiring tax assessors to furnish to the Boards of Public Instruction of their respective counties a list showing the total amount of special district taxes assessed in the several special school districts.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 107, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Broome, Buckman, Crill, Cottrell, Davis, Dayton, Girardeau, Henderson, Hosford, Humphries, Leggett, Massey, McCreary, McLeod, Miller, West, Williams, Withers, Zim—22.

Nays—Senator Cone—1.

So the bill was passed, title as stated.

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

## 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 read the third time in full.

Upon the passage of Senate Bill No. 304, the vote was:

Yeas—Senators Adkins, Baker (20th Dist.), Broome, Buckman, Crill, Cottrell, Davis, Dayton, Girardeau, Henderson, Hosford, Humphries, Leggett, McCreary, McLeod, Sams, West, Withers, Zim—19.

Nays—None.

So the bill was passed, title as stated.

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

## 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 read the third time in full.

Upon the passage of House Bill No. 71, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Cone, Davis, Dayton, Girardeau, Humphries, Johnson, Leggett, Massey, McLeod, Miller, West, Williams, Withers, Zim—21.

Nays—Senators Harris, Henderson, McCreary—3.

So the bill was passed, title as stated.

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

## Senate Bill No. 187:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 187, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Crill, Cone, Cottrell, Davis, Girardeau, Hosford, Leggett, Massey, McLeod, McMullen, Sloan, West, Williams, Withers, Zim—20.

Nays—Senators Buckman, Dayton, Henderson, Humphries, Johnson, McCreary, Miller, Sams—8.

So the bill was passed, title as stated.

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

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 read the third time in full as amended by the Senate.

Upon the passage of Substitute for House Bills Nos. 13 and 364, as amended by the Senate, the vote was:

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

Nays—Senator Williams—1.

So the bill was passed, title as stated.

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

Mr. Williams explained his vote as follows:

“I vote no because I consider it foolishness to have fire drills in rural schools taught in one-story school houses.”

—J. A. Williams.

Senate Bill No. 273:

A bill to be entitled an act to amend Section 3, of Chapter 4971, Laws of Florida, entitled “An act for the prevention of cruelty to children and animals, and to rescue from immoral surroundings.”

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 273, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Crill, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—24.

Nays—None.

So the bill was passed, title as stated.

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

Senate Bill No. 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.

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

Senate Bill No. 278:

A bill to be entitled an act to amend Section 1, Chapter 5433, of the General 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.

Was taken up, and on motion of Mr. Withers was laid on the table.

Senate Bill No. 458:

A bill to be entitled an act to authorize ascertaining assessment, awarding and collection of attorney's fees, in cases which may be instituted in any of the courts of this State, both at common law and equity.

Was taken up and was temporarily passed.

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.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 263, the vote was:

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

Nays—None.

So the bill passed, title as stated.

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

## Senate Bill No. 311:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 311, the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Buckman, Cone, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, McMullen, Miller, Sams, Williams, Withers, Zim—23.

Nays—None.

So the bill passed, title as stated.

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

## 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, which grounds of the demurrer or motion are sustained as good law and which grounds of the demurrer or motion are overruled as bad law.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 329, the vote was:

Yeas—Senators Adkins, Beard, Broome, Crill, Cottrell, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, McCreary, McLeod, McMullen, Miller, Sams, West, Williams—20.

Nays—Mr. President, Senators Massey, Withers—3.

So the bill was passed, title as stated.

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

## Senate Bill No. 326:

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

Was taken up, and Mr. Cone moved to informally pass Senate Bill No. 326.

Which was agreed to.

## 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.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 279, the vote was:

Yeas—Senators Adkins, Baker (20th District), Beard, Broome, Crill, Cone, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McLeod, McMullen, Sams, West, Williams, Zim—23.

Nays—Mr. President, Senator Miller—2.

So the bill was passed, title as stated.

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

## Senate Bill No. 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.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 367 the vote was:

Yeas—Senators Adkins, Crill, Dayton, Harris, Hosford, Humphries, Johnson, McCreary, McLeod, McMullen, Withers—11.

Nays—Mr. President, Senators Beard, Broome, Cone, Girardeau, Henderson, Leggett, Massey, Miller, West, Williams, Zim—12.

So the bill failed to pass.

## Committee Substitute for 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.

Was taken up and read the third time in full.

Upon the passage of Substitute Bill No. 310 the vote was:

Yeas—Senators Adkins, Beard, Buckman, Dayton, Hosford, Humphries, Johnson, McCreary, Sloan—9.

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

So the bill failed to pass.

Mr. Beard moved that House Bill No. 645 be made a special order for 10 o'clock to-morrow.

Which was agreed to, and so ordered.

Mr. Massey moved that the following petition be spread on the Journal:

State of California,

City of Los Angeles.

Los Angeles, Cal., May 6, 1909.

To the Florida Legislature in Session, 1909, Assembled:

We, the undersigned citizens, taxpayers and citrus fruit growers of Florida, now as a committee of that industry, engaged in a tour of investigation of the fruit business of California and after carefully investigating the same, we are confronted with the fact that Florida, producing each year from five to six million boxes of fruit, is unable to realize more than two to three million dollars from that industry; while California producing from ten to twelve million boxes per annum has, even with a distance to the market of more than twice the haul of Florida fruit, been able to market her fruit for a sum of more than twenty million dollars per annum to the growers, and this condition we are satisfied has been brought about by the careful and superior manner in which the fruit of California has been prepared and put upon the market.

We, in our investigation have further found that the Department of Agriculture of the United States, through its able and trained assistants, kept always upon the grounds here, has been to the California growers a great schoolmaster, to whose efforts their present success is in a large measure due.

Now that this same condition may surround the growers of Florida, and that they may have the same benefits of the teachings and practical demonstrations of this department in Florida, to the end that the fruit shipment of Florida may be brought up to the standard of perfection now marking the California shipments, we hereby re-

spectfully pray your honorable body to pass a memorial of the Florida Legislature, addressed to the Hon. James Wilson, Secretary of Agriculture, Washington, D. C., requesting and urging him to solicit an increase of twenty-five thousand dollars in the allotment for fruit transportation and storage investigation of the Bureau of Plant Industry for the fiscal year, 1911—so that by this means the Department of Agriculture will be enabled to broaden the present scope of this important work so as to include the State of Florida, all of which is hereby respectfully submitted.

Signed—F. W. Inman, Eugene Holtsinger, E. H. Walker, H. Guy Nickerson, A. C. Clewis, Thomas B. Quinby, W. B. Gray, Z. W. Tilden, John L. Carny, A. G. Smith, O. W. Sadler, A. R. Rule, Thomas Palmer, W. D. Taylor, W. W. Clark, G. M. Wakelin, David Scott, H. A. Ward, D. S. Borland, W. S. Hart, C. H. Thompson, J. J. Heard, Belle Inman, H. E. Heitman, M. O. Terry and L. B. Skinner.

Which was agreed to.

#### INTRODUCTION OF RESOLUTIONS.

Mr. Massey offered the following resolution :

Senate Concurrent Resolution No. 15:

Whereas, It appears from a petition presented to the Legislature by a committee of citrus fruit-growers of this State, who have recently visited the State of California, that the Department of Agriculture of the United States, through its able and trained assistants kept always in that State, has contributed greatly to the careful manner in which the fruit of California has been prepared and marketed and to the consequent increased returns for the same; and

Whereas, It is just that the citrus fruit-growers of Florida should have the same benefit of the teachings and practical demonstration of the said Department of Agriculture, to the end that the fruit shipments of our State may be brought up to the standard of perfection now marking the shipments from California; therefore,

Resolved, by the Senate, the House of Representatives concurring, That the Honorable Secretary of Agriculture of the United States be, and he is hereby, requested to solicit from the Congress an increase of twenty-five thou-

sand dollars in the allotment for fruit transportation and storage investigation of the Bureau of Plant Industry for the fiscal year 1911, that his department may be enabled to broaden the present scope of this important work so as to include the State of Florida.

Resolved further, That the Secretary of State be, and he is hereby, requested to forward a copy of this resolution certified under the great seal of the State, to the Honorable Secretary of Agriculture of the United States, as soon as may be convenient.

#### INTRODUCTION OF BILLS.

By Mr. Zim—

Senate Bill No. 518:

A bill to be entitled an act authorizing and empowering the city of St. Augustine to purchase a certain building and grounds in said city to be used for municipal purposes, and authorizing the City Council of said city to issue interest-bearing time warrants in payment for said building and grounds.

Which was read the first time by its title, and

Senator Zim moved that the rules be waived and that the bill be laid on the table subject to call.

Which was agreed to by a two-thirds vote, and the bill was so placed.

The following message from the Governor was read:

State of Florida, Executive Chamber,  
Tallahassee, Fla., June 1, 1909.

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

*Sir:*

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

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

And have caused same to be placed on file in the office of the Secretary of State.

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

Mr. McMullen moved that the Senate do now adjourn to 8 o'clock to-night.

Which was agreed to.

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

EVENING SESSION—8 O'CLOCK P. M.

The Senate resumed its session pursuant to recess order.

The President in the chair.

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

Mr. President, Senators Adkins, Baker (20th District), Broome, Buckman, Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—28.

A quorum present.

Senate Bill No. 458:

A bill to be entitled an act to authorize ascertaining assessment, awarding and collection of attorney's fees, in cases which may be instituted in any of the courts of this State, both at common law and equity.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 458, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Broome, Cone, Cottrell, Dayton, Humphries, Leggett, Massey, McMullen, Miller, Sloan, West, Williams, Withers, Zim—18.

Nays—Senators Buckman, Henderson, Hosford, Johnson—4.

So the bill passed, title as stated.

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

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.

Was taken up and was by consent withdrawn.

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.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 468 the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th Dist.), Broome, Buckman, Cone, Davis, Dayton, Flournoy, Hosford, Massey, McMullen, Miller, Sloan, West, Withers, Zim—17.

Nays—Senators Crill, Humphries, Johnson, Leggett, McCreary, McLeod, Williams—7.

So the bill was passed, title as stated.

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

**Committee Substitute 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.

Was taken up and read the third time in full.

Upon the passage of Committee Substitute for Senate Bill Nos. 218 and 318, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Buckman, Crill, Davis, Dayton, Flournoy, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McLeod, McMullen, Miller, Sloan, West, Williams, Withers, Zim—22.

Nays—Senator McCreary—1.

So the bill was passed, title as stated.

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

**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 third time in full.

Upon the passage of Senate Bill No. 200, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Buckman, Crill, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, McCreary, McMullen, West, Withers—17.

Nays—Senators Cone, Cottrell, Johnson, McLeod, Miller, Williams—6.

So the bill passed, title as stated.

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

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 read the third time in full.

Upon the passage of Senate Bill No. 336 the vote was:

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

Nays—None.

So the bill was passed, title as stated.

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, on motion of Mr. Crill, withdrawn.

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.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 316 the vote was:

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

Broome, Hosford, Humphries, Johnson, Massey, McCreary, Sams, Williams, Zim—12.

Nays—Senators Cone, Cottrell, Davis, Flournoy, Henderson, Leggett, McLeod, West—8.

So the bill was passed, title as stated.

And the passage of the bill was ordered to be certified to the (H)ouse of Representatives under the rule immediately.

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 third time in full.

Upon the passage of Senate Bill No. 342, the vote was:

Yeas—Senators Baker (20th District), Humphries, McMullen—3.

Nays—Mr. President, Senators Crill, Cone, Cottrell, Flournoy, Henderson, Hosford, Johnson, Leggett, Massey, McCreary, McLeod, Miller, Sams, Sloan, West, Williams, Withers, Zim—19.

So the bill failed to pass.

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 read the third time in full.

Upon the passage of House Bill No. 176, the vote was:

Yeas—Senators Baker (20th District), Crill, Davis, Flournoy, Henderson, Hosford, Humphries, Johnson,

Leggett, McCreary, McLeod, Sams, West, Williams, Withers, Zim—16.

Nays—Senators Massey, McMullen, Miller—3.

So the bill was passed, title as stated.

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

Senate Joint Resolution No. 239:

A joint resolution proposing an amendment to Article III, of the Constitution of the State of Florida, relating to the Legislative Department.

Was taken up, and by consent was withdrawn.

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, by consent, withdrawn.

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 read the third time in full.

Upon the passage of Senate Bill No. 397, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Crill, Cone, Cottrell, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Withers, Zim—24.

Nays—None.

So the bill passed, title as stated.

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

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 third time in full.

Upon the passage of House Bill No. 481, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Broome, Crill, Cone, Cottrell, Davis, Dayton, Harris, Hosford, Humphries, Leggett, Massey, McCreary,

McLeod McMullen, Sams, Sloan, West, Williams, Withers, Zim—23.

Nays—Senators Flournoy, Johnson, Miller—3.

So the bill passed, title as stated.

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

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 a penalty for the violation of this act.

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

And House Bill No. 225, as amended by the Senate, was informally passed.

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 informally passed.

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 violations of this act.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 403, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Buckman, Crill, Cone, Cottrell, Davis, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Massey, McCreary, McLeod, McMullen, Miller, Sams, Sloan, West, Withers, Zim—24.

Nays—None.

So the bill was passed, title as stated.

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

**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 the proper character, quality and grade to cover and answer such outstanding receipts.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 337, the vote was:

Yeas—Senators Adkins, Baker (20th District), Broome, Buckman, Crill, Cone, Cottrell, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McLeod, McMullen, Miller, Sams, Sloan, West, Withers, Zim—23.

Nays—None.

So the bill was passed, title as stated.

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

**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 third time in full.

Upon the passage of Senate Bill No. 340, the vote was:

Yeas—Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Cone, Cottrell, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Leggett, Massey, McLeod, Miller, Sloan, West, Withers, Zim—22.

Nays—None.

So the bill was passed, title as stated.

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

**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 Man-

sion as may be advisable, and to make an appropriation therefor.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 351, the vote was:

Yeas—Mr. President, Senators Beard, Broome, Buckman, Crill, Cottrell, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Massey, McCreary, McMullen, Sams, Sloan, West, Withers, Zim—20.

Nays—Senators Adkins, Cone, Flournoy, Leggett, Miller—5.

So the bill passed, title as stated.

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

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.

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

Upon the passage of House Bill No. 321, the vote was:

Yeas—Mr. President, Senators Beard, Broome, Crill, Cottrell, Dayton, Flournoy, Humphries, Leggett, Massey, McMullen, Sloan, West, Williams, Zim—15.

Nays—Senators Adkins, Buckman, Harris, Henderson, Hosford, Johnson, Miller, Sams, Withers—9.

So the bill passed, title as stated.

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

Committee Substitute for Senate Bill No. 282:

A bill to be entitled an act to prohibit the operating of phosphate mines or plants, sawmills, 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 third time in full.

Upon the passage of Senate Bill No. 282, the vote was:

Yeas—Mr. President, Senators Baker (20th District), Broome, Cone, Dayton, Leggett, Massey, McLeod, McMullen, Sloan, West—11.

Nays—Senators Buckman, Flournoy, Hosford, Hum-

phries, Johnson, McCreary, Miller, Sams, Williams, Withers, Zim—11.

So the bill failed to pass.

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 by consent, was withdrawn.

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.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 313, the vote was:

Yeas—Mr. President, Senators Beard, Crill, Cone, Cottrell, Dayton, Hosford, Johnson, Leggett, Massey, McLeod, McMullen, Miller, Sams, West, Williams, Withers, Zim—18.

Nays—Senators Baker (20th District), Broome, Buckman, Henderson, Humphries, Leggett—6.

So the bill passed, title as stated.

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

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 taken up, and by consent was withdrawn.

House Bill No. 56:

A bill to be entitled an act to prevent the wanton or unnecessary destruction of food fish.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 56, the vote was:

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

Nays—None.

So the bill was passed, title as stated.

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

House Bill No. 69:

A bill to be entitled an act to prescribe the punishment for kidnapping a child under the age of fifteen years to be held for ransom.

As amended by the Senate.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 69, as amended by the Senate, the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Crill, Cone, Cottrell, Dayton, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McLeod, Miller, Sams, Sloan, West, Williams, Withers, Zim—24.

Nays—None.

So the bill was passed, title as stated.

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

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.

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

Upon the passage of House Bill No. 225 the vote was:

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

Nays—Senator Buckman—1.

So the bill was passed, title as stated.

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

REPORTS OF COMMITTEES.

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

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

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

*Sir:*

Your Committee on Municipalities, to whom was referred—

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.

Have had the same under consideration and recommend that it do pass with the following amendments:

Strike out all of Section 3 and insert in lieu thereof the following: "Section 3. This act shall not interfere with the holding of the city election to be held in the City of Jacksonville on the third Tuesday in June, A. D. 1909, nor with the existence of the government of said city as constituted under its present charter, until the first day of January, A. D. 1910, but the Mayor and City Council of the City of Jacksonville, immediately after the election on the third Tuesday in June, 1909, shall provide for the printing of this act in easy reading form, in sufficient number of pamphlets, and shall have such pamphlets thoroughly distributed among the citizens of the city, so that they may have ample opportunity to study and fully understand the provisions of this act and be enabled to decide for themselves as to the relative advantages and disadvantages of the adoption or rejection of this act as the charter of the City of Jacksonville.

The Mayor and City Council shall, by ordinance, provide for and shall hold a special city election in each of the wards of the city on the third Tuesday in November, A. D. 1909, at which election shall be submitted to the qualified voters of the city of Jacksonville the question of whether or not this act shall be adopted by the voters of the city of Jacksonville as the charter of said city. Such question shall be so submitted that each elector of the city can vote for or against the adoption of this act as the charter of the city of Jacksonville, and if a majority of the votes cast at such election so held on the third Tuesday in November, A. D. 1909, shall be cast for the adoption of this act as the charter of the city of Jacksonville, then and in that event this act shall become and

be the charter of the city of Jacksonville, taking the place of the now existing charter and charter acts of the city of Jacksonville as of the first day of January, A. D. 1910, on which date the officers herein provided for shall take charge of the government of the city of Jacksonville, and the terms of office of all city officers of the city at that time holding office shall be hereby terminated, and they shall turn over all city property then in their possession, and all evidences of office, to their successors under this act.

If at said election on the third Tuesday in November, 1909, a majority of the votes cast by the electors shall not be cast for the adoption of this act as the charter of the city of Jacksonville, then and in that event this act shall not become or be the charter of the city of Jacksonville, and shall not take the place of the now existing charter and charter acts of the city of Jacksonville, and shall not in any way affect or change the charter or government of the city of Jacksonville.

Amend by striking out all of Section 4 and inserting in lieu thereof the following:

Sec. 4. If this act shall be adopted by a majority of the votes cast by the electors of the city of Jacksonville at the election to be held on the third Tuesday in November, 1909, then from and after January 1, 1910, the municipal officers of the city of Jacksonville shall be five Commissioners, who shall constitute and be known as the Board of Commissioners of the city of Jacksonville, and a City Council, composed of two members from each ward of the city elected by the electors of their wards.

The terms of office of the Commissioners for their first terms, except three of the Commissioners, shall run for four years from and after January 1, 1910, and succeeding terms thereafter, and the terms of office of City Councilmen shall run for two years from and after January 1, 1910, and succeeding terms thereafter. The City Councilmen elected in June, 1909, shall hold office until January 1, 1912, and the Mayor elected in June, 1909, shall become and be one of the Commissioners for the term of two years from and after January 1, 1910. At its first regular meeting in December, 1909, the City Council shall elect two Commissioners for the term of two years and two Commissioners for the term of four years from and after January 1, 1910.

On the third Tuesday in December, 1911, and bien-

nially thereafter, there shall be a general city election, at which election shall be elected successors to all elective city officers whose terms of office are about to expire. The City Council shall fill by election any office becoming vacant otherwise than by expiration of terms, until the next general election, when the vacancies shall be filled.

Amend by striking out of all of Section 5 and inserting in lieu thereof the following:

"Sec. 5. That the election now called and provided to be had and held in said city for and to be held on the third Tuesday in June, 1909, for the election of a city council and the members thereof, shall be had, conducted and held as provided in and by the terms and provisions of the charter of the City of Jacksonville and ordinances passed in pursuance thereof abolished by this act, and the city council and the members thereof declared elected at said election shall and are hereby declared to be elected for the term of two years and until their successors are elected and qualified as provided in this act, and are hereby selected, nominated and declared to be the city council of said city, and the first city council under the terms and provisions of this act, subject to and clothed with the powers, privileges and restrictions as provided herein as though elected under the terms and provisions of this act in all respects.

Very respectfully,

W. HUNT HARRIS,  
Chairman of Committee.

And House Bill No. 634, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

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

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

Sir:

Your Committee on County Organization, to whom was referred—

House Bill No. 670:

A bill to be entitled an act to permit the registered voters of Umatilla Precinct No. 7, of Lake County, Flor-

ida, to decide whether hogs shall be allowed to run at large in said precinct.

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

Very respectfully,

H. H. McCREARY,  
Acting Chairman of Committee.

And House Bill No. 670, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

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

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

*Sir:*

Your Committee on Judiciary A, to whom was referred—

House Bill No. 717:

Being a bill to be entitled an act to incorporate the Merchants' and Marine Detective Association.

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

Very respectfully,

LOUIS C. MASSEY,  
Chairman of Committee.

And House Bill No. 717, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. McMullen moved that the Senate do adjourn to 9:30 o'clock to-morrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned until 9:30 a. m. Wednesday, June 2, 1909.