

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 second time in full.

There being no amendment Senate Bill No. 72 was placed on the Calendar of Bills on the third reading.

Senate Bill No. 26:

A Bill to be entitled An Act to provide for attorney's fee in certain cases on appeal or writ of error.

Was taken up and read the second time in full.

The following committee amendment was read:

After the words "less than twenty-five dollars" add the following: "Or more than fifty dollars."

Mr. Hilburn moved to adopt the committee amendment.

Which was agreed to.

The following committee amendment was read.

After the words "less than fifty dollars" add the following: "Or more than five hundred dollars."

Mr. Hilburn moved to adopt the committee amendment.

Which was agreed to.

Senate Bill No. 26, as amended, was passed informally.

Mr. Massey moved that the Senate do now adjourn to 10:00 o'clock tomorrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned to 10:00 o'clock a. m., Friday, April 14, 1911.

FRIDAY, APRIL 14, 1911.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—31.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.
The Journal of April 13 was corrected and approved as corrected.

REPORTS OF COMMITTEES.

The Committee on Public Roads and Highways reported unfavorable, with amendment, on—

Senate Bill No. 102:

A Bill to be entitled An Act to amend Section 3676 of the General Statutes of the State of Florida, relating to the constructing of county and settlement roads.

Amended to wit:

In title, line 1, strike the word "act" and insert in lieu thereof the following "bill."

Also—

The Committee on Temperance reported favorable, with amendments—

Senate Bill No. 14:

A Bill to be entitled An Act to regulate the sale or furnishing of intoxicating liquors, wines or beer and prescribing a penalty for the violation of certain of its provisions.

To wit:

In Section 10, line 4, add after words "one thousand dollars" "nor less than five hundred dollars;" also add at the end of line 5 "nor less than six months."

In Section 5, line 3, strike out the words "nine p. m.," and insert in lieu thereof "eight p. m."

In Section 2, line 4, insert the words "any one" after word "was."

In Section 2, line 4, insert the word "or" after the word "him."

In Section 6 add at end of section words "holidays, general, special or primary election days, either State, county or municipal."

Strike out of Section 1 and 7, and rearrange numbers of sections.

Also—

The Committee on Public Roads and Highways reported without recommendation.

Senate Bill No. 119:

A Bill to be entitled An Act to provide for the working and the maintaining of the public roads and bridges of Liberty County, Florida, to provide a road and bridge fund for said county, and for the assessment and collection of the same.

Also—

The Committee on Temperance reported favorably without amendment.

Senate Bill No. 139:

A Bill to be entitled An Act to prevent the harboring, employment or frequenting of minors and female persons in or about saloons or places where intoxicating liquors, wines or beer are sold and provide a penalty therefor.

Also—

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 51:

A Bill to be entitled An Act to prohibit the soliciting of orders for the sale of intoxicating liquors in counties and districts wherein their sale is prohibited, and to provide a penalty therefor.

Also—

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 53:

A Bill to be entitled An Act to amend Section 1 of Chapter 5920, Laws of Florida, entitled "An Act prescribing punishment of misdemeanors in this State when not otherwise provided by statute."

Also—

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 52:

A Bill to be entitled An Act to amend Section 370 of General Statutes of the State of Florida, relating to State certificates.

Also—

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 46:

A Bill to be entitled An Act relating to the compensation of attorneys-at-law, providing a lien as security thereof, and providing a method for enforcing same.

Also—

The Committee on Judiciary B reported favorable, with amendments, on—

Senate Bill No. 94:

A Bill to be entitled An Act relating to the granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from the former domicile, and providing for the probating of the will of such absentees and for the annexation of such wills to letters of administration granted in such cases.

Amendment to-wit:

Strike out in Section 6, line 19, the word "certiorari" and insert the word "appeal."

Also—

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 31:

A Bill to be entitled An Act to amend Sections 1293 and 1295 of the General Statutes of the State of Florida, relating to the powers and duties of Pilot Commissioners.

Also—

The Committee on Temperance reported favorable, with amendments—

Senate Bill No. 109:

A Bill to be entitled An Act prescribing the hours during which spirituous, vinous or malt liquors must not be sold; providing a requisite of all licenses to sell the same; prescribing rules of evidence in cases of violation thereof, and providing a penalty for such violation.

Amendments to-wit:

In Section 1, line 4, strike out the words "Six P. M." and insert in lieu thereof the following "Eight P. M.;" and wherever in said Bill the words "Six P. M." occur, strike out and insert in lieu thereof "Eight P. M."

And—

In Section 2, line 7, after the word "holidays" add the words "or election or primary election days."

And—

In Section 1 at the end of second proviso add the words "any general election, any special election, any primary election, State, county or municipal, and".

Also—

The Committee on Claims reported favorably on—

Senate Bill No. 85:

A Bill to be entitled An Act making an appropriation for the relief of Jim Henry.

Also—

The Committee on Education reported without recommendation on—

Senate Bill No. 6:

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

Also —

The Committee on Education reported unfavorably on—

Senate Bill No. 126:

A Bill to be entitled An Act providing for the establishment, control and maintenance of a State Normal School at DeFuniak Springs, Walton County, Florida; providing for scholarships thereat, and providing for the appointment of a Board of Trustees therefor, and defining their duties and powers.

Mr. Johnson moved that the rules be waived and that the Governor's Message relating to pardons be taken up out of its order, and that the letter of transmittal be read.

Which was agreed to by a two thirds' vote.

The message from the Governor transmitting the document on pardons was taken up and read as follows:

State of Florida,
 Executive Department,
 Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,
President of the Senate.

Sir:

In compliance with the requirement of Section 11, Article IV, of the State Constitution, I have the honor to transmit herewith a statement showing "every case of fine or forfeiture remitted, or reprieve, pardon or commutation granted, stating the name of the convict, the crime for which he was convicted, the sentence, the date, and the date of its remission, commutation, pardon or reprieve."

Very respectfully,

ALBERT W. GILCHRIST,
 Governor.

The document accompanying the letter from the Governor was referred to the Committee on the Governor's Message.

Mr. Massey, Chairman of Committee on Finance and Taxation, moved that 200 copies of Senate Bill No. 4, relating to the taxation of inheritances be printed, and that the committee be granted further time for the consideration of said bill.

Which was agreed to.

INTRODUCTION OF RESOLUTIONS.

Mr. Hudson offered the following—

Senate Resolution No. 25:

Be it resolved by the Senate, That hereafter all reports of committees upon bills before them for consideration shall be prepared and presented in triplicate, and where any amendment is proposed by any committee, such amendment shall be set out in full in the report, and whenever any report submitted shall not be in compliance with the requirements of this resolution, it shall be returned by the Secretary for correction.

Mr. Hudson moved to adopt the resolution.

Which was agreed to.

Mr. Flournoy offered the following—
Senate Resolution No. 26:

Be it resolved by the Senate, That the Sergeant-at-Arms be and he is hereby requested to procure from the Clerk of the Supreme Court one complete set of the Florida Reports, Wurts' Digest, General Statutes of 1906, Acts of 1907-1909, for the use of Judiciary A during the present session of the Senate; that to effect the purpose of this resolution the Sergeant-at-Arms will give his receipt therefor to the Clerk of the Supreme Court and place them in the room of Judiciary A, there to be and remain during the present session of the Senate, to be returned and accounted for by the Sergeant-at-Arms to the Clerk of the Supreme Court immediately after the close of the present session of the Senate.

Mr. Flournoy moved that the resolution be adopted.
Which was agreed to.

Mr. McMullen offered the following—
Senate Resolution No. 27:

Resolved by the Senate, That the Committee on Rules be directed to confer with the Bill Secretary and designate what bills shall be placed upon the Calendar of Local Bills.

Which was read.

Mr. McMullen moved to adopt the resolution.
Which was agreed to.

Mr. Flournoy introduced—
Senate Concurrent Resolution No. 14:

Whereas, The present system of managing and conducting Primary Elections is not what it ought to be and far from what the people have a right to expect it to be, satisfactory if at all only to the successful politician, fanatic or patriot fool; and,

Whereas, It is the purpose and duty of the Legislature to create and establish such laws as will terminate gross abuses of machine politics; that will promote purity in government; that will establish the best form of government possible; that will be a monument of honor rather than a disgrace to the American institutions, intelligence and conscience; that will preclude the registration of dead

men and fictitious persons; that repeating at the polls may be avoided; that the elector may express his will free from intimidation, coercion and bribery, by which the corrupt practice of indecency using money and fraudulently influencing elections may be diminished and the activities of the special interest in unduly controlling elections by purchase or otherwise may be prevented; that sordid and selfish ambitions, means and ends may not prevent the noblest ideals of the Republic of our fathers, and that the indispensable principle of people rule may not be or become a partisan question, but be free from special interest and machine control; and,

Whereas, The sure precursor of civil improvement and righteousness, the satisfaction with, safeguard and perpetuity of our American institutions, depend on the purity of the ballot; now therefore,

Be it resolved by the Senate, the House of Representatives concurring, That a committee of five be appointed, two by the President of the Senate and three by the Speaker of the House of Representatives, as a Commission to Examine the Primary Laws of this and other States, to make full investigation thereof and to prepare such suggestions and forms or law or laws, to carry out the purposes of this resolution as in their judgment they may deem best and to make recommendation and report thereof to this Legislature as expeditiously as possible.

Mr. Flournoy moved to waive the rules and that Senate Concurrent Resolution No. 14 be not referred, but be taken up at once for consideration.

Which was agreed to by a two thirds' vote.

Senate Concurrent Resolution No. 14 was taken up and read the second time.

Mr. Massey offered the following amendment to—
Senate Concurrent Resolution No. 14:

Strike out the preamble.

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

The resolution, as amended, was referred to the Committee on Engrossed Bills.

By Mr. McLeod—

Senate Bill No. 148:

A Bill to be entitled An Act imposing license on cot-

tonseed oils and providing for the payment thereof; prescribing penalties for operating oil mills without first procuring license.

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

By Mr. McCreary—

Senate Bill No. 149:

A Bill to be entitled An Act to extend and enlarge the powers of the Railroad Commissioners of the State of Florida so as to give them the exclusive power and authority within the State of Florida to regulate charges of all persons, firms or corporations carrying on a telephone business within the State of Florida, and for other purposes.

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

By Mr. Sloan—

Senate Bill No. 150:

A Bill to be entitled An Act providing that all saloons or other places of business where intoxicating liquors are sold be kept entirely open to view, that no screens, blinds, shutters, curtains, painted or stained glass doors or windows shall be used in or about said places; that no music tables shall be kept or used therein, and providing a penalty for the violation of the provisions thereof.

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

By Mr. Dayton—

Senate Bill No. 151:

A Bill to be entitled An Act to correct certain informalities in the execution of deeds and other instruments conveying or transferring real estate or personal property, or relinquishing dower made by married women prior to the 1st of April, A. D. 1911.

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

By Mr. Massey—

Senate Bill No. 152:

A Bill to be entitled An Act to provide for quieting

the title to real estate sold for State and county taxes.

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

By Mr. Williams—

Senate Bill No. 153:

A Bill to be entitled An Act to protect the game of the State of Florida, and to define what birds and animals shall be classed as game, and to regulate the taking of the same, and to provide closed seasons for the taking of the same, and to provide means for deriving a revenue therefrom, and to provide for the appointment of a Game, Fish and Forest Commissioner, and to provide for the appointment of Deputy Fish, Game and Forest Commissioners and Wardens, and defining the duties of such commissioners, their deputies and wardens, and providing for their compensation, and to define non-game birds and animals, and to provide rewards for the capture or killing of certain animals, and to protect certain non-game birds and animals, and to provide for a license system of hunting, and to fix fees for such licenses, and to provide for the protection of game birds and animals during certain seasons and in certain localities, and to encourage introduction of foreign game and animals and the protection of the same, and provide for establishing private game reserves and their protection.

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

By Mr. Davis—

Senate Bill No. 154:

A Bill to be entitled An Act to amend Sections 2890, 2891, 2893, 2894, 2896, 2899, 2900, 2901, 2903, 2904, 2905, 2908, 2910, 2914, 2917, 2918, 2924 of the General Statutes of this State relating to the Railroad Commissioners and the regulation of common carriers.

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

By Mr. Perkins—

Senate Bill No. 155:

A Bill to be entitled An Act to amend Section 3768 of the General Statutes of the State of Florida relating to

hauling seines or nets in fresh waters, rivers, creeks, etc., and providing a penalty for the violation thereof, and to repeal Section 3769 of the General Statutes of the State of Florida relating to hauling seines and nets in fresh waters, rivers, creeks, etc.

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

By Mr. Perkins—

Senate Bill No. 156:

A Bill to be entitled An Act to amend Section 1 of Chapter 4531, being An Act for the protection of shad in the State; to prescribe a closed season thereon; prohibit the transportation or possession of such shad during such closed season.

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

By Mr. Perkins—

Senate Bill No. 157:

A Bill to be entitled An Act to amend Section 3774 of the General Statutes of the State of Florida relating to closed season for mullet.

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

By Mr. Williams—

Senate Bill No. 145:

A Bill to be entitled An Act to repeal Section 3232 of the General Statutes of the State of Florida relating to enticing servants.

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

MESSAGES FROM THE HOUSE OF

REPRESENTATIVES.

The following message from the House of Representatives:

House of Representatives,
Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,
President of the Senate.

Sir:

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

House Concurrent Resolution No. 10:

Be it resolved by the House of Representatives, the Senate concurring, That a committee of two on the part of the House and one from the Senate be appointed to visit, inspect and report the needs and condition of the Old Confederate Veterans' Home, located in the City of Jacksonville, Fla.

Also—

House Concurrent Resolution No. 14:

Resolved by the House of Representatives, the Senate concurring, That a committee of five members, three on the part of the House, to be appointed by the Speaker, and two on the part of the Senate, to be appointed by the President thereof, be named, whose duty it shall be to visit the various county and State convict camps, farms, hospitals, prisons, barracks or other place or places where State or county convicts are detained, held or kept; to investigate the condition and treatment of said convicts, to make inspection of the sanitary condition of such place or places and make full report to this Legislature of the result of their investigation.

And respectfully requests the concurrence of the Senate thereto. Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 10, contained in the above message, was read the first time and went over under the rules.

And House Concurrent Resolution No. 14, contained in the above message, was read the first time and went over under the rules.

Also the following—

House of Representatives,
Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,
President of the Senate.

Sir:

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

House Concurrent Resolution No. 1:

Relating to the appointment of a committee to visit, inspect and report on the condition, management and needs of the Institute for the Blind, Deaf and Dumb, located at St. Augustine; the University of Florida, at Gainesville; the Florida State College for Women, and the Agricultural and Mechanical College for Negroes, at Tallahassee.

Also—

House Concurrent Resolution No. 3:

Relating to the appointment of a committee from the House and the Senate to visit, inspect and make report and recommendation to the Legislature upon the matter of reclaiming the Everglades at Fort Lauderdale and all other points and to examine and make report of the acts and doings of all persons connected therewith and empowering said committee to issue notices and other process.

Also—

House Concurrent Resolution No. 4:

Relating to the appointment of a committee from the House and the Senate to visit and inspect and report the condition of the Florida Hospital for the Indigent Insane, located at Chattahoochee, Florida, and providing for the services of a female attendant.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 1, contained in the above message, was read the first time and went over under the rules.

And House Concurrent Resolution No. 3, contained in the above message, was read the first time and went over under the rules.

And House Concurrent Resolution No. 4, contained in the above message, was read the first time and went over under the rules.

Also the following—

House of Representatives,
Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,
President of the Senate.

Sir:

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

House Concurrent Resolution No. 5:

Resolved by the House of Representatives, Senate concurring, That a committee composed of three on the part of the House and two on the part of the Senate, be appointed to visit, inspect and report on the condition, management and needs of the State Reformatory School, located at Marianna, Florida.

Also—

House Concurrent Resolution No. 6:

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

First. That a committee of five, consisting of three members of the House and two members of the Senate, be appointed by the respective presiding officers to prepare and present to a joint session of the two bodies of the Legislature resolutions upon the death of our lamented ex-Governors, William D. Bloxham and Napoleon B. Broward.

Second. That a day be fixed and set apart for the receiving of the report of such committee and the carrying out of such memorial services as may be deemed proper and appropriate.

Third. That on such day both branches of the Legislature meet in the Hall of the House of Representatives and

as a mark of respect and a token of high esteem, neither branch of the Legislature shall transact any other business on such day, than herein provided for.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 5, contained in the above message, was read the first time and went over under the rules.

And House Concurrent Resoltuion No. 6, contained in the above message, was read the first time and went over under the rules.

Also the following:

House of Representatives,
Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted, with amendment—

Senate Concurrent Resolution No. 6:

Resolved by the Senate, the House of Representatives concurring, That a committee of five, two from the Senate and three from the House, be appointed to visit the University of Florida, the College for Women, the School for the Blind and Deaf and the Colored School, and to investigate the needs and management of said institutions and report back to the Legislature, with such recommendations as the conditions may warrant.

Amendment as follows:

After the words "and the Colored School" insert the following: "Also the State Arsenal at St. Augustine and the permanent camp site at Black Point, Duval County, Florida."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Mr. Malone moved that the Senate do concur in the amendments offered by the House of Representatives to Senate Concurrent Resolution No. 6.

Which was agreed to.

So the House amendments to Senate Concurrent Resolution No. 6 were concurred in.

The President appointed Messrs. Malone and Cook as said committee.

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

Also the following:

House of Representatives,
Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,
President of the Senate.

Sir:

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

House Concurrent Resolution No. 9:

Providing for the appointment of a committee to investigate the matter of tax certificates held by the State and report by bill or otherwise.

Whereas, The State now holds a large number of tax sale certificates covering lands that are not now upon the tax books because the State holds the certificates under the law, and

Whereas, It is desirable that all property should bear its share of tax burdens, therefore

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

Section 1. That a Special Committee of three from the House and two from the Senate be appointed to inquire into the status and condition of the tax certificates held by the State, and the extent to which under the present law lands sold to the State for non-payment of taxes are omitted from the rolls, and to suggest by bill or otherwise a remedy for the present evil.

The Comptroller is hereby required to furnish to said committee any information obtainable in his office that may be useful in the discharge of the duties here assigned.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 9, contained in the above message, was read the first time and went over under the rules.

Also the following—

House of Representatives,
Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,
President of the Senate.

Sir:

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

House Bill No. 52:

A Bill to be entitled An Act to amend Section four (4) of Chapter 5984 of the Laws of Florida, Acts of 1909, being entitled "An Act to organize a County Court in and for the County of Gadsden; to prescribe the terms thereof and to provide for the appointment of a prosecuting attorney and for his compensation and for that of the Judge of said court."

Also—

House Bill No. 135:

A Bill to be entitled An Act to amend Section 1 of An Act entitled "An Act to provide for the assessment and collection of taxes for the city of Orlando and for the collection of the back taxes and tax sale certificates of said city." Approved April 30, 1903.

Also—

House Bill No. 199:

A Bill to be entitled An Act to prohibit gigging or spearing fish in the fresh waters of Wakulla County, Florida.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 52, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary B.

And House Bill No. 135, contained in the above message, was read the first time by its title.

Mr. Massey moved that the rules be waived and that House Bill No. 135 be not referred to a committee, but be placed on the Calendar of Local Bills on Second Reading, and there be substituted for Senate Bill No. 67 on the same subject.

Which was agreed to by a two thirds' vote.

Mr. Massey asked leave to withdraw Senate Bill No. 67.

Which was granted, and Senate Bill No. 67 was withdrawn.

And House Bill No. 199, contained in the above message, was read the first time by its title and was referred to the Committee on Game and Fisheries.

Also the following—

House of Representatives,
Tallahassee, Fla., April 13, 1911.

Hon. Fred P. Cone,
President of the Senate.

Sir:

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

House Bill No. 102:

A Bill to be entitled An Act authorizing the City of Jacksonville to fix telephone rates, to require the extension of telephone systems and facilities, and to prescribe rules and regulations relative to the conduct and operation of telephone business.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 102, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary A.

ORDERS OF THE DAY.

Senate Bill No. 114:

A Bill to be entitled An Act defining and prohibiting breaches of the peace and providing a penalty therefor.
Was taken up and temporarily passed over.

Senate Bill No. 5:

A Bill to be entitled An Act to provide for the acquisition of a site and the erection, building and furnishing of a building thereon for the use of the Supreme Court of the State of Florida, the Railroad Commission of the State of Florida and for a library, and making appropriations for the same and other purposes appertaining thereto.

Was taken up and read the second time in full.

Mr. Flournoy offered the following amendment to Section 1, Bill No. 5:

In Section 1, line 5, strike out all after the word Secretary, and insert in lieu thereof the following:

"The Governor of the State, as soon as practicable, shall select and appoint five suitable citizens of the State to be members of the commission; provided, that such members to be so appointed shall be chosen from different counties of the State; *provided* further, that the commission so appointed shall be under the supervision of the Board of Commissioners of State Institutions."

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 5, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 114:

A Bill to be entitled An Act defining and prohibiting breaches of the peace and providing a penalty therefor.

Was taken up and read the second time in full.

And was passed informally.

CONSIDERATION OF BILLS ON THIRD READING.

Senate Bill No. 10:

A Bill to be entitled An Act to extend the jurisdiction of the process of the Mayor's or Municipal Courts and of

city or town marshals and deputy marshals of the municipalities of the State of Florida.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 10 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

Nay—Senator Cook—1.

So the bill passed title as stated, and the same was ordered to be certified to House of Representatives.

By Consent, the consideration of—

Senate Bill No. 114:

A Bill to be entitled An Act defining and prohibiting breaches of the peace and providing a penalty therefor.

Was resumed.

Mr. Dayton offered the following amendment to—

Senate Bill No. 114:

Strike out Section three.

Mr. Dayton moved the adoption of the amendment.

Which was agreed to.

Mr. Malone offered the following amendment to Senate Bill No. 114:

In Section 2, at end of section, insert the following: "Provided, that all persons arrested under the provision of this act, within the corporate limits of an incorporated town or city, be delivered to the municipal officers, and the Municipal Court shall have exclusive jurisdiction to try said person."

Mr. Malone moved the adoption of the amendment.

Which was agreed to.

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

Mr. Perkins moved to waive the rules and reconsider the vote by which the amendment was adopted.

Which was agreed to by a two thirds' vote.

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

Mr. Johnson offered the following substitute for the amendment to Senate Bill No. 114:

At the end of Section 2, add: "Provided that no city or town shall try any person for violation of the provi-

sions of this act after such persons shall have been tried in any of the courts of this State."

Mr. Johnson moved the adoption of the amendment.

Pending which Mr. Dayton moved to indefinitely postpone the bill.

Which was not agreed to.

The question recurred upon the substitute offered by Mr. Johnson.

The substitute for the amendment offered by Mr. Malone was not agreed to.

Mr. Cook offered the following for the substitute amendment to—

Senate Bill No. 114:

Add at the end of Section 2 the following:

"A conviction or acquittal under any city or town ordinance for the offense defined in this Act, shall operate as a bar to a prosecution under this Act.

Mr. Cook moved the adoption of the substitute.

Which was agreed to.

Mr. Davis offered the following amendment to—

Senate Bill No. 114:

Strike out all after the word "carriage" in Section 1.

Mr. Davis moved the adoption of the amendment.

Which was not agreed to.

Mr. Flournoy offered the following amendment to—

Senate Bill No. 114:

In Section 2, lines 3 and 4, strike out the words "two hundred," and insert in lieu thereof the following: "Fifty."

And in line 4 strike out the word "ninety" and insert in lieu thereof the word "thirty."

Which was agreed to.

The further consideration of Senate Bill No. 114 was ordered referred to the Committee on Engrossed Bills.

Senate Bill No. 24:

A Bill to be entitled An Act to repeal Section 2238 of the General Statutes of the State of Florida relating to exemptions from liens for rent.

Was taken up and read the third time in full, and by consent, was placed back on the Calendar of Bills on the Second Reading.

By Mr. Johnson—

Senate Bill No. 21:

A Bill to be entitled An Act prescribing a penalty for the sale of intoxicating liquors in counties and precincts voting against the sale of same, and to repeal Section 1 of Chapter 5960 of the Laws of Florida, Acts of 1907.

Mr. Johnson moved that the rules be waived and that Senate Bill No. 21 be placed at the head of today's Calendar of Bills on Second Reading for purpose of amendment.

Which was agreed to by a two thirds' vote.

Senate Bill No. 100:

A Bill to be entitled An Act prohibiting fire insurance companies doing business in this State in the absence of fraud, misrepresentation or deceit upon the part insured from setting up lack of title in the insured as a defense against the payment of any policy.

Was taken up.

Mr. Johnson moved that Senate Bill No. 100 be passed informally; that all bills on the subject of insurance now pending may be considered together.

Which was agreed to.

Senate Bill No. 104:

A Bill to be entitled An Act to restrict contracts of insurance and to prohibit each and every insurance company, person, firm or corporation doing an insurance business in the State of Florida from inserting or placing in any policy or contract of insurance that may hereafter be entered into with any person in the State of Florida any provision or condition limiting the time in which suit may be brought or proof of death, sickness, fire, loss or damage shall be made and making invalid, null and void each and every such provision and condition.

Was taken up.

Mr. Hudson moved that Senate Bill No. 104 be informally passed.

Which was agreed to.

Senate Bill No 13:

A Bill to be entitled An Act to authorize the County Commissioners of any county of this State to use for any

special county purpose the surplus money in the fund raised for general county purposes.

Was taken up and read the third time in full.

Mr. Broome moved to waive the rules and to put Senate Bill No. 13 back in its second reading.

Which was agreed to.

Senate Bill No. 55:

A Bill to be entitled An Act to require that all railroad locomotives operated and used for drawing passenger and freight trains shall be equipped with and use an electric headlight and providing a penalty for a violation of said Act.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 55, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

So the bill passed title as stated, and same was ordered to be certified to the House of Representatives.

Mr. Calkins moved that when the Senate adjourns it shall adjourn to meet tomorrow morning.

Which was agreed to.

Senate Bill No. 96:

A Bill to be entitled An Act to regulate and prescribe the practice of attorneys in criminal cases.

Was taken up and read in full the third time.

Upon the passage of Senate Bill No. 96 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Carney, Cook, Davis, Dayton, Hilburn, Johnson, Malone, McCreary, McLeod, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—18.

Nays—Senators Baker, Broome, Calkins, Culpepper, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle Massey, McMullen, Miller—13.

So Senate Bill No. 96 passed title as stated.

MISCELLANEOUS BUSINESS.

Mr. Flournoy offered—

Senate Resolution No. 27:

Resolved by the Senate, That each committee of the Senate be and is hereby authorized to order the printing of such bills as such committee may deem advisable; provided, That such action shall be in every case certified to the Chairman of the Committee on Legislative Expenses; and, Provided, That not more than two hundred copies of any bill shall be printed on order of the committee.

Which was agreed to.

Mr. Sloan offered the following—

Senate Resolution No. 28:

Resolved, That this body invite the winner in the oratorical contest to be held in Jacksonville tonight, in which representatives of various colleges of the State will contest, to deliver the address on which he wins, in the Senate Chamber on next Tuesday night.

Which was agreed to.

By consent Mr. Flournoy introduced—

Senate Bill No. 158:

A Bill to be entitled An Act to create scholarships for the State University at Gainesville, Florida, and for the State College for Women at Tallahassee, Florida; providing for the selections of persons for such scholarships and for the payment thereof.

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

Mr. Hilburn (by consent)—

Senate Bill No. 159:

A Bill to be entitled An Act to amend Section 1531 of the General Statutes of the State of Florida relating to the effect of abstracts, copies, extracts, minutes, maps or plates or copies thereof, received in evidence.

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

Mr. Miller introduced—

Senate Memorial No. 1:

A Memorial to Congress of the United States for an appropriation for Yellow River in Santa Rosa County, Florida.

Which went over under the rules.

Mr. Dayton moved to adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned to 10:00 o'clock Saturday, April 15, 1911.

SATURDAY, APRIL 15, 1911

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of April 14 was dispensed with.

The Journal was corrected, and approved as corrected.

Mr. Hosford was excused from attendance upon the session of today.

Mr. Finlayson moved to waive the rules and that a report from him be read and spread upon the Journal.

Which was agreed to by a two thirds' vote.

Mr. Finlayson submitted the following report:

The committee appointed to prepare resolutions on the death of late Senator William M. Girardeau, beg leave to report the appended resolution:

D. A. FINLAYSON,
LOUIS C. MASSEY,
CHAS. E. DAVIS.