

WEDNESDAY, APRIL 19, 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, Humphries, Johnson, L'Engle, Massey, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of April 18th was dispensed with.

The Journal of April 18th was corrected and approved as corrected.

Mr. Massey moved that Senate Bill No. 22 be recalled from the Committee on Judiciary B and be referred to the Committee on Judicial Circuits.

Which was agreed to.

The Secretary was ordered to note on the Journal that the absence of Mr. Sloan from yesterday afternoon's session was due to illness.

REPORTS OF COMMITTEES.

The Committee on Judicial Circuits returned without recommendation—

Senate Bill No. 22:

A Bill to be entitled An Act to divide the State of Florida into eleven Judicial Circuits and fixing its territorial limits of each circuit.

Also—

Returned without recommendation—

Senate Bill No. 173:

A Bill to be entitled An Act to divide the State of Florida into twelve Judicial Circuits and for the appointment of Judges and State Attorneys therefor.

Also without recommendation—

Senate Bill No. 22:

Entitled a Bill to be entitled "An Act to divide the

State of Florida into eleven judicial circuits and fixing its territorial limits of each circuit."

The Committee on Engrossed Bills reported as properly Engrossed the following Joint Resolution, to-wit:

Senate Joint Resolution No. 19:

A Joint Resolution proposing an amendment to Section 6 of Article VIII of the Constitution of the State of Florida, relative to County Officers.

Also—

Senate Bill No. 64:

A Bill to be entitled An Act to exempt from the payment of the license required by dealers in green groceries and fruits and nuts, every dealer who has taken out license as a merchant.

The Committee on Game and Fisheries reported favorably on—

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, his Deputies and Wardens, and providing for their compensation, and to define non-game birds and animals, and to provide rewards for the capturing 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 the introduction of foreign game and animals and the protection of same, and provide for establishment of private game preserves and for their protection.

Also—

Senate Bills Nos. 127 and 131, offer as a substitute therefor—

A Bill to be entitled An Act to prohibit the hunt-

ing or killing of cat squirrels or fox squirrels or doves in certain seasons, and baiting doves in all seasons for the purpose of killing same, and prescribing a penalty therefor.

The Committee on Pensions reported favorably with amendments—

Senate Bill No. 83:

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 applications shall be made, how pensions shall be paid, duty of County Commissioners in regard to pensions, providing for the levy of a pension tax and authorizing the State Board of Pensions to make regulations to carry into effect the provisions of this act.

And begs to report that it has examined same, and asks that it do pass with the following amendments:

In Section 2, line 5, strike out all after the word "service" down to and including the word "pension" in line 6, and insert in lieu thereof the following: "and who has been a bona fide citizen of this State since A. D. 1895."

Also the following amendment:

In Section 3, line 8, strike out all after the word "or" down to and including the word "application" in line 10, and insert in lieu thereof the following: "sailor at the time of his death."

Also the following amendment:

At the end Section 6 add the following: "On the transcript from the muster roll from the Adjutant General's office in Washington to establish the service claimed."

The Committee on Constitutional Amendments reported unfavorably on—

Senate Joint Resolution No. 42:

Proposing an amendment to Article XII of the Constitution of the State of Florida, relative to education, to be known as Section 17 of said Article; providing for the issuance of bonds by incorporated cities and towns, regular school districts, and special tax school districts, for the exclusive use of public free schools within such city, town or school district, and authorizing the levy of a tax to create a sinking fund for the payment of the interest and redemption of such bonds.

Also reported favorably with amendments on—

Senate Joint Resolution No. 130:

Proposing an amendment to Article XII of the Constitution of the State of Florida, relative to education, to be known as Section 16 of said Article; providing for the levy of a special tax for the support and maintenance of the rural graded and high schools, and the State institutions of higher learning.

And begs leave to report that it has had the same under consideration and recommends that it do pass with the following amendment:

Strike out Section 16 as far as the word "amount," and substitute the following:

Section 16. The Legislature is hereby authorized to levy annually a special tax not exceeding one mill on the dollar, and one-half of the amount so levied."

Also reported favorably on—

Joint Resolution No. 171:

Proposing an amendment to Section 19, Article IV of the Constitution of the State of Florida, relative to the successor in office to the Governor in certain cases; creating the office of Lieutenant Governor, prescribing the duties of such office, and fixing the compensation thereof.

The Committee on Judiciary A reported favorably on—
Senate Bill No. 190:

A Bill to be entitled An Act relating to the procurement of petit jurors for the first week of the terms of Circuit Court, Court of Record, Criminal Court of Record, and the County Court, and the length of service of such jurors.

Also favorably with amendments on—

Senate Bill No. 143:

A Bill to be entitled An Act to amend the law relating to the liability of employers for injuries to their employes.

Amended as follows:

Substitute 2 in Section 3, lines 5 and 6, strike out the words "corporate or incorporate" and insert in lieu thereof the following: "Incorporated or unincorporated."

Also strike out in the printed bill the figure "2" in line 21 of Section 1, "3" line 28 of Section 1, "2" in line 9 of Section 2, "2" in line 5 of Section 3.

Also in Section 1, line 5, printed bill, strike out the words "his Representative" and insert in lieu thereof the

following: "Any person authorized by law to sue for such death."

Also Section 3, strike out sub-division 3.

Also without recommendation on—

Senate Bill No. 91:

A Bill to be entitled An Act creating the office of Chief of the Fire Department in certain cases, and defining his duties.

Returns the same and recommends that 200 copies be printed.

Also unfavorably on—

Senate Bill No. 185:

A Bill to be entitled An Act to authorize issuance of bonds for the building of roads in any designated portion of any county.

Also favorably with amendments on—

Senate Bill No. 179:

A Bill to be entitled An Act to make it a misdemeanor for any person, or persons, to operate in any hotel, boarding house, or restaurant within this State without keeping all doors, windows, and other similar openings in dining room, kitchen and passage way between same screened, and fixing a penalty for failure to comply with the provisions of this Act.

Amended:

In Section 1, line 5, after the word "rooms," insert the following: "Bed rooms."

Mr. Calkins, Chairman of the Committee on Governor's Message, submitted the following report, which was ordered to be read and spread on the Journal:

Senate Chamber,

Tallahassee, Fla., April 17, 1911.

Hon. Fred P. Cone,

President of the Senate.

Sir:

Your Committee on Governor's Message, to whom was referred the Governor's Message to the Legislature, has had the same under consideration and begs to report that it has embodied in the form of bills the recommendations of the Governor on the following subjects, and recom-

mends that said bills do pass, and that they be placed upon the calendar without reference—

Senate Bill No. :

A Bill to be entitled An Act to amend Sections 240 and 3813 of the General Statutes of Florida, relating to the closing of saloons on days of elections.

Senate Bill No. :

A Bill to be entitled An Act to amend Chapter 5651, Laws of Florida, the same being An Act to amend Section 4072 of the General Statutes of the State of Florida, relating to the payment of costs in cases before Justices of the Peace.

Senate Bill No. :

A Bill to be entitled An Act to amend Section 230 of the General Statutes of the State of Florida, relating to the marking of ballots in voting at elections.

Senate Bill No. :

A Bill to be entitled An Act to secure prompt payment of funds collected for the State and county, and providing penalties for the omission.

Senate Bill No. :

A Bill to be entitled An Act to amend Section 816 of the General Statutes of the State of Florida, relating to the duties of County Treasurers.

Senate Joint Resolution No. :

Proposing an amendment to Section 35 of Article V of the Constitution of Florida, relating to the establishment of courts.

Senate Bill No. :

A Bill to be entitled An Act to amend Section 3150 of the General Statutes of the State of Florida, relating to liability for injury to employes.

Senate Bill No. :

A Bill to be entitled An Act to restrict the conduct of the business of banking in this State, and to provide penalties for violation thereof.

Senate Bill No. :

A Bill to be entitled An Act to require banking insti-

tutions in this State to furnish information concerning public funds and prescribing a penalty for refusal to do so.

Senate Bill No. :

A Bill to be entitled An Act to create a Board of Commissioners on Constitutional Amendments; prescribing their duties; to provide for the publication of the effect of each proposed constitutional amendment, and to provide for the printing of the same on the ballots as required by Chapter 5405, Laws of Florida.

Senate Bill No. :

A Bill to be entitled An Act reserving to the Trustees of the Internal Improvement Fund of the State of Florida and their successors and to the Board of Education of the State of Florida, and their successors, certain interests in and to phosphate and other minerals and petroleum which may be in or under the lands sold by the same, with the privilege and right to mine and develop said lands.

Senate Bill No. :

A Bill to be entitled An Act to repeal Section 869, entitled I. I. Fund Money for Roads Section 870, entitled I. I. Fund Lands to be sold and proceeds to be applied to Road Fund, and Section 871, entitled money appropriated paid to County Treasurers upon requisition of County Commissioners, the same being sections of the General Statutes of the State of Florida.

Very respectfully,

JAMES E. CALKINS,
Chairman of Committee.

Mr. Calkins moved that the report be adopted.

Which was agreed to.

Mr. Calkins, Chairman of the Committee on the Governor's Message, moved that the Senate Bills accompanying the report be read the first time by the title upon being numbered properly, and that the rules be waived and that these bills, so reported, be passed to the Calendar of Bills on the Second Reading, without being referred to a committee.

Which was agreed to by a two thirds' vote.

And Senate Bills Nos. 196, 197, 198, 199, 200, 201, 202,

203, 204, 205, 206, 207, were placed on the Calendar of Bills on the Second Reading without reference to a committee.

Mr. Hudson, Chairman of the Committee on Rules and Procedure, asked and obtained permission to have the following report of the committee read:

Which was agreed to.

Senate Chamber,
Tallahassee, Fla., April 18, 1911.

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

Sir:

Your Committee on Rules and Procedure recommends that the bill prepared by the Special Committee on Judicial Circuits be made a special order for Friday, of this week, at 4 o'clock p. m., and that all other bills on the same subject be made a special order for the same hour.

Very respectfully,

F. M. HUDSON,
Chairman of Committee.

Mr. Hudson asked that Mr. McCreary be indefinitely excused from attendance upon the Senate on account of death in his family.

Mr. McCreary was indefinitely excused.

Mr. Massey asked to be excused from attendance until Friday afternoon next.

The request was granted.

Mr. Dayton asked and was granted consent to have the following communication from Hon. A. C. Croom, Comptroller of the State, read and spread on the Journal.

Comptroller's Office,
Tallahassee, Fla., April 19, 1911.

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

Sir:

In compliance with Senate Resolution No. —, I herewith submit the following list of expenditures of money for advertising, resolutions proposing amendments to the

Constitution of the State of Florida, since Constitutional Convention of 1885:

Year paid.

1890	45 Counties at \$44.00	.....\$	1,980.00
1892	45 Counties at \$56.00	.....	2,520.00
1894	45 Counties at \$70.00	.....	3,150.00
1896	45 Counties at \$104.00	.....	4,680.00
1898	45 Counties at \$52.00	.....	2,340.00
1900	45 Counties at \$78.00	.....	3,510.00
1903	45 Counties at \$82.00	.....	3,690.00
1905	45 Counties at \$253.50	.....	11,407.50
1906	46 Counties at \$162.50	.....	7,475.00
1908	46 Counties at \$78.00	.....	3,588.00
1910	47 Counties at \$97.50	.....	4,582.50

\$48,923.00

Respectfully yours,

A. C. CROOM,
Comptroller.

Also—

Tallahassee, April 19, 1911.

Hon. George W. Dayton,
Senate Chamber.

Sir:

In reply to your inquiry as to the cost of the Constitutional Convention of 1885, advise that the same cost the sum of \$34,819.53. Yours very truly,

A. C. CROOM,
Comptroller.

Resolutions proposing amendments to Constitution of the State of Florida since Constitutional Convention of 1885.

Resolution No. 3, Session 1889.

Proposing amendment to Section 3 of Article III, relative to how and when the members of the House of Representatives shall be chosen.

Also—

Section 2 of Article VII, relative to the number of the members of the Senate and the members of the House of Representatives and their terms of office.

Also—

Section 9 of Article XVIII, relative to time of general election.

Ratified at general election 1890.

Resolution No. 2, Session 1891:

Proposing amendment to Section 2 of Article X, relative to exemption to widow and descendants.

Rejected at general election 1892.

Resolution No. 1, Session 1893:

Proposing amendment to Section 9 of Article XVI, relative to costs of criminal cases.

Ratified general election 1894.

Resolution No. 2, Session 1893:

Proposing amendment to Section 1 of Article VI, relative to qualified electors.

Also—

Repeal Section 7 of Article VI.

Ratified general election 1894.

Resolution No. 3, Session 1893:

Proposing amendment to Section 7 of Article XII, relative to the distribution of the interest on the State School Fund.

Ratified general election 1894.

Resolution No. 1, Session 1895:

Proposing amendment to Section 6 of Article XVI, relative to publication and distribution of laws and decisions of the Supreme Court, etc.

Ratified general election 1896.

Resolution No. 2, Session 1895:

Proposing amendment to Section 17 of Article III, relative to the manner of Legislative proceedings.

Ratified general election 1896.

Resolution No. 3, Session 1895:

Proposing amendment to Section 12 of Article 4, relative to pardons.

Ratified general election 1896.

Resolution No. 4, Session 1895:

Proposing amendment to Section 22 of Article 5, relative to justices of the peace.

Ratified general election 1896.

Resolution No. 5, Session 1895:

Proposing amendment to Section 3 of Article III, relative to members of the House of Representatives, when they shall be chosen and term of office.

Also—

Section 2 of Article VII, relative to the number of the members of the Senate and the members of the House of Representatives.

Also—

Section 9 of Article XVIII, relative to the time for holding general elections.

Ratified general election 1896.

Resolution No. 1, Session 1897:

Proposing amendment to Section 13 of Article XVI, relative to sureties upon official bonds.

Ratified general election 1898.

Resolution No. 2, Session 1897:

Proposing amendment to Section 35 of Article V, relative to the Legislature may clothe any Railroad Commission with judicial powers.

Ratified general election 1898.

Resolution No. 3, Session 1897:

Proposing amendment to adding Section 34 of Article III, relative to impeachments.

Ratified general election 1898.

Resolution No. 1, Session 1899:

Proposing amendment to Section 4 of Article VII, relative to Senatorial districts.

Ratified general election 1900.

Resolution No. 2, Session 1899:

Proposing amendment to Section 25 of Article III, relative to general law for incorporating.

Ratified general election 1900.

Resolution No. 3, Session 1899:

Proposing amendment to Section 5 of Article VIII, relative to dividing counties into County Commissioners' Districts.

Ratified general election 1900.

Resolution No. 4, Session 1899:

Proposing amendment to Section 12 of Article XVI, relative to State seal and flag.

Ratified general election 1900.

Resolution No. 1, Session 1901:

Proposing amendment to Sections 2 and 4 of Article V, relative to the Supreme Court.

Ratified general election 1902.

Resolution No. 2, Session 1901:

Proposing amendment to Section 8 of Article V, relative to Circuit Judges.

Ratified general election 1902.

Resolution No. 1, Session 1903:

Proposing amendment to Section 6 of Article VII, relative to county officers.

Rejected general election 1904.

Resolution No. 2, Session 1903:

Proposing amendment to Section 8 of Article XII, relative to school tax.

Ratified general election 1904.

Resolution No. 3, Session 1903:

Proposing amendment to Section 18 of Article V, relative to County Courts.

Rejected general election 1904.

Resolution No. 4, Session 1903:

Proposing amendment to Section 10 of Article IX, relative to "The State shall not become stockholder in any company," etc.

Rejected general election 1904.

Resolution No. 5, Session 1903:

Proposing amendment to Section 6 of Article XVI, relative to publication and distribution of laws.

Rejected general election 1904.

Resolution No. 6, Session 1903:

Proposing amendments to Sections 1, 5, 11, 24, 25, 26, 27, 28, 29, 31 and 32 of Article V, relative to judiciary.

Rejected general election 1904.

Resolution No. 7, Session 1903:

Proposing amendments to Sections 20 and 24 of Article III and the repeal of Section 8 of Article VIII, relative to local laws and County Government.

Rejected general election 1904.

Resolution No. 1, Session 1905:

Proposing amendment to Section 9 of Article V, relative to salaries of Justices of the Supreme Court and Circuit Judges.

Rejected general election 1906.

Resolution No. 2, Session 1905:

Proposing amendment to Article V, relative to salary of Judges of Criminal Courts of Record.

Rejected general election 1906.

Resolution No. 3, Session 1905:

Proposing amendments to Article V, relative to the judiciary.

Rejected general election 1906.

Resolution No. 4, Session 1905:

Proposing amendment to Article XVI, relative to the drainage, reclamation and improvement of the swamp and overflowed lands, the creation of a Board of Drainage Commissioners, etc.

Rejected general election 1906.

Resolution No. 5, Session 1905:

Proposing amendment to Section 1 of Article XVII, relative to amendments to Constitution.

Rejected general election 1906.

Resolution No. 1, Session 1907:

Proposing amendment to Section 9 of Article V, relative to Judicial Salaries.

Rejected general election 1908.

Resolution No. 2, Session 1907:

Proposing amendment to Article XII, relative to special tax for State Institutions of Learning.

Rejected general election 1908.

Resolution No. 3, Session 1907:

Proposing amendment to Section 35 of Article V, relative to the establishment of courts.

Rejected general election 1908.

Resolution No. 2, Session 1909:

Proposing amendment to Article V, relative to the judiciary.

Ratified general election 1910.

Resolution No. 3, Session 1909:

Proposing amendment to Section 35 of Article V, relative to establishment of courts.

Ratified general election 1910.

RECAPITULATION.

Date.	Ratified.	Rejected.
1889	1	
1891		1
1893	3	
1895	5	
1897	3	
1899	4	
1901	2	
1903	1	6
1905		5
1907		3
1909	2	1
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Total	21	16
		<hr/>
Grand total		37

The foregoing communication from the State Comptroller was referred to the Committee on Constitutional Amendments.

The Secretary was ordered to note that the absence of Mr. Baker from the Chamber on yesterday was due to illness.

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

Senate Chamber,
Tallahassee, Fla., April 19, 1911.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Concurrent Resolution No. 12:

Resolved by the Senate, the House concurring, That a committee of five be appointed to consist of two from the Senate and three from the House to visit and inspect the Canals of the Florida Coast Line Canal and Transportation Company on the East Coast of Florida, and report to the Legislature.

Also—

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, also the State Arsenal at St. Augustine and the permanent camp site at Black Point, Duval County, Florida, and to investigate the needs and management of said institutions, and report back to the Legislature with such recommendations as the conditions may warrant.

Also—

Senate Concurrent Resolution No. 8:

Resolved, the House of Representatives concurring, That a committee of five (5), two (2) from the Senate and three (3) from the House, be appointed to visit the location purchased for the State Penitentiary, and to inspect the other lands on which an option is held by the

State for said Penitentiary, investigating the same, and report back to the Legislature such recommendations as the conditions may warrant.

Also—

Senate Concurrent Resolution No. 9:

Resolved by the Senate, the House of Representatives concurring, That a committee of five members, two to be appointed by the President of the Senate and three to be appointed by the Speaker of the House, be appointed to visit the phosphate mines of Polk, Hillsboro and Citrus Counties, to inspect the situation as to damage being done to the rights and interests of citizens of said counties, and report their recommendations thereon to the Legislature without unnecessary delay.

Has carefully examined the same and finds them correctly enrolled. Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

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

INTRODUCTION OF RESOLUTIONS.

Mr. Culpepper offered the following—

Senate Resolution No. 29:

Whereas, The Committee on Legislative Expenses has failed to report on Senate Resolution No. 19, offered more than one week ago, and asking that the Chairman of the Committee on Enrolled Bills be empowered to employ one clerk whenever he finds one necessary; and

Whereas, There is a great responsibility resting on the Chairman of the Committee on Enrolled Bills in getting the work of enrolling done correctly; and

Whereas, In properly verifying at most two more men are now necessary; therefore, be it

Resolved, That the sense of the Senate is that the Chairman of the Committee on Enrolled Bills be now empowered to employ two clerks, as it is necessary in the interest of accurate and exact enrolling.

Which was read.

Mr. Culpepper moved to adopt the resolution.

Which was not agreed to.

Senate Resolution No. 29, offered by Mr. Culpepper, was referred to the Committee on Legislative Expenses.

INTRODUCTION OF BILLS.

By Senate Committee on Governor's Message—
Senate Bill No. 196:

A Bill to be entitled An Act to repeal Section 869, entitled "I. I. Fund Money for Roads;" Section 870; entitled "I. I. Fund Lands to be sold and proceeds applied to Road Fund"; and Section 871, entitled "Money appropriated paid to County Treasurers upon requisition of County Commissioners," the same being sections of the General Statutes of the State of Florida.

Which was read the first time by its title and was placed on the Calendar of Bill on the Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 197:

A Bill to be entitled An Act to amend Sections 240 and 3813 of the General Statutes of the State of Florida, relating to the closing of saloons on days of elections.

Which was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 198:

A Bill to be entitled An Act to amend Chapter 5651, Laws of Florida, the same being An Act to amend Section 4072 of the General Statutes of the State of Florida, relating to payments of costs in cases before Justices of the Peace.

Which was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 199:

A Bill to be entitled An Act to amend Section 230 of the General Statutes of the State of Florida relating to the marking of ballots in voting at elections.

Which was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 200:

A Bill to be entitled An Act to secure the prompt pay-

ment of funds collected for the State and County, and providing penalties for the omission.

Which was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 201:

A Bill to be entitled An Act to amend Section 816 of the General Statutes of the State of Florida relating to the duties of County Treasurers.

Which was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 202:

A Joint Resolution proposing an amendment to Section 35 of Article V of the Constitution of Florida relating to the establishment of courts.

Which was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 203:

A Bill to be entitled An Act to amend Section 3150 of the General Statutes of the State of Florida, relating to liability for injury to employes.

Which was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 204:

A Bill to be entitled An Act to restrict the conduct of the business of banking in this State and provide penalties for violations thereof.

Which was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 205:

A Bill to be entitled An Act to require banking institutions in this State to furnish information concerning public funds and prescribing penalty for refusal to do so.

Which was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 206:

A Bill to be entitled An Act to create a Board of Commissioners on Constitutional Amendments; prescribing their duties; to provide for the publication of the effect of each proposed constitutional amendment, and to provide for the printing of the same on the ballots as required by Chapter 5405, Laws of Florida.

Which was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

By Senate Committee on Governor's Message—
Senate Bill No. 207:

A Bill to be entitled An Act reserving to the Trustees of the Internal Improvement Fund of the State of Florida and their successors, and the State Board of Education of the State of Florida, and their successors, certain interests in and to phosphate and other minerals and petroleum which may be in, on or under the land sold by same, with the privilege and right to mine and develop said land.

Which was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

By Mr. Hilburn—
Senate Bill No. 208:

A Bill to be entitled An Act prescribing extra territorial jurisdiction of Circuit Courts and Circuit Judges in chancery cases.

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

By the Committee on Judicial Circuits—
Senate Bill No. 209:

A Bill to be entitled An Act to amend Sections 1796 and 1797 of the General Statutes of the State of Florida, and repealing Sections 1798, 1799, 1800, 1801, 1802, 1803 and 1804 of the General Statutes of the State of Florida, relative to the number of judicial circuits in the State of Florida, and the counties composing the same.

Which was read the first time by its title.

Mr. Massey moved that the rules be waived and that Senate Bill No. 209 be not referred and that it be placed on the Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

Mr. Hilburn moved that 200 copies of the bill be printed.

Which was withdrawn.

By Mr. Miller—

Senate Bill No. 210:

A Bill to be entitled An Act to require that persons, firms or corporations cutting, boxing, girdling or causing or procuring to be cut, boxed or girdled any kind of timber on the land of another, without the consent of the owner thereof, or that shall remove or cause to be removed from the land of another, without his or her consent, any timber or wood of any kind, shall be liable to the owner thereof in a sum equal to double the sum of the timber so cut, boxed or girdled, and the timber or the wood so removed, and providing that if payment therefor is not made to the owner within a certain time the parties so trespassing shall also be liable for reasonable attorney's fees and the expense of surveying the land in certain cases.

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

By Mr. Stokes—

Senate Joint Resolution No. 211:

Senate Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida relative to the Judiciary Department, being an amendment relating to due process of law as applied by the courts.

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

By Mr. Stokes—

Senate Bill No. 212:

A Bill to be entitled An Act for the relief of W. L. Zachary of Escambia County, Florida, for appropriation of money to pay cost in disbarment proceedings and to provide for a manner of payment of same.

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

By Mr. Wilson—

Senate Bill No. 213 :

A Bill to be entitled An Act to require railroad companies, street car companies and all persons owning and operating railroads, street car lines or tram roads in or through the corporate limits of any incorporated city or town in the State of Florida to construct and maintain suitable crossings wherever their said railroads, street car lines or tram roads shall cross any public street or road in said city or town, and to provide means for enforcing same.

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

By Mr. Williams—

Senate Bill No. 214 :

A Bill to be entitled An Act to encourage, protect, regulate and develop the oyster industry in the State of Florida, and to increase the revenue of the State therefrom, by recognizing and declaring the ownership of the State in and to the bottoms of bed of the bodies of streams of water along the coast of the Gulf of Mexico and along the coasts of the Atlantic Ocean within the jurisdiction of the State of Florida not heretofore granted or conveyed, for the purpose of giving exclusive rights to plant oysters; by prohibiting other alienation or same in fee; by recognizing and declaring the ownership of the State in, and to all reefs of oysters growing thereon naturally; for the protection of those heretofore engaged in the growing of oysters; by creating the office of Oyster Commissioner of the State of Florida, and defining his power and duties; by providing for the leasing of oyster lands belonging to the State; by providing for the licensing, registration and designation of vessels employed in the oyster industry; by levying a special assessment or privilege tax on oysters produced in said waters; and a police license on persons, firms, corporations and vessels engaged in the oyster industry; by providing for the manner of collecting, handling, depositing and disbursing the revenue derived from said industry, and the distribution of said revenues; by providing for the protection and enlargement of the nat-

ural oyster reefs of this State and for the creating of artificial reefs or beds by providing such other regulations and provisions as are necessary to properly carry out the objects and purposes of this Act; by providing penalties for the violations of this Act; and by providing and superseding all laws on the same subject matter and in conflict with the provisions of this Act.

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

By Mr. Zim—

Senate Bill No. 215:

A Bill to be entitled An Act authorizing the municipality of the City of St. Augustine, in the State of Florida to fix the rate of taxation on all taxable property of said city; prescribing the purpose for and the manner in which same may be levied, assessed and collected.

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

By Mr. McLeod—

Senate Joint Resolution No. 216:

A Joint Resolution proposing amendments to Sections 1, 16 and 17 of Article II of the Constitution of the State of Florida, relating to the legislative authority of the State of Florida.

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

By Mr. Culpepper—

Senate Bill No. 217:

A Bill to be entitled An Act to authorize the County Commissioners of Taylor County, State of Florida, to issue interest-bearing, long-time warrants, to be known and designated, Hard Road Warrants, for the purpose of building a system of hard roads in said county and to provide for the manner of payment.

Which was read the first time by its title and referred to the Committee on City and County Organization.

By Mr. Sloan—

Senate Bill No. 218:

A Bill to be entitled An Act to amend Sections 2530 and 2531 of the General Statutes of the State of Florida

relating to the exemptions of wages of the heads of families in this State in garnishment and attachment proceedings.

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

CONSIDERATION OF RESOLUTIONS.

House Memorial No. 1:

A Memorial to the Congress of the United States asking that an appropriation be made to improve New River, Florida, and that a channel not less than twenty feet deep be cut from the river, over the bar, out to the sea.

Was taken up and read the second time.

Mr. Hudson moved to adopt House Memorial No. 1.

Which was agreed to, and the same was ordered to be certified to the House of Representatives.

House Memorial No. 2:

A Memorial to the Congress of the United States requesting an appropriation for the St. Lucie Inlet in Palm Beach County, Florida.

Was taken up and read the second time.

Mr. Hudson moved to adopt House Memorial No. 2.

Which was agreed to, and the same was ordered to be certified to the House of Representatives.

House Concurrent Resolution No. 18:

Relating to the taxes for 1911 on the tract of land purchased for use as a State Prison.

Was taken up and read the second time.

Mr. Adkins moved that the resolution be adopted.

Which was agreed to, and the same was ordered to be certified to the House of Representatives.

House Concurrent Resolution No. 17:

Asking the Government of the United States to return to the various States the amount received for cotton tax collected between 1861 and 1868.

Was taken up and read the second time.

Mr. Adkins moved to adopt the resolution.

Pending which, by request of Mr. Adkins, the resolution was temporarily passed over.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 18, 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. 286:

A Bill to be entitled An Act relating to tax assessments and the collection of taxes in the City of Alachua, Florida.

Also—

House Bill No. 300:

A Bill to be entitled An Act to legalize and confirm the incorporation of the Town of Mount Dora, in Lake County, Florida, and to declare the same a legally incorporated town.

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

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 House Bill No. 286 was read a second time by its title, and was placed on the Calendar of Bills on the Third Reading.

And House Bill No. 300, contained in the above message, was read the first time by its title.

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

Which was agreed to by a two thirds' vote.

And House Bill No. 300 was read a second time by its title only.

And House Bill No. 300 was placed on the Calendar of Bills on the Third Reading.

BILLS ON THE THIRD READING.

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 party insured from setting up lack of title in the insured as a defense.

Was taken up and was informally passed over on the Calendar.

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 third time in full.

Upon the passage of Senate Bill No. 5 the roll was called and the vote was:

Yeas—Senators Broome, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Massey, Miller, Perkins, Stokes, Wilson—18.

Nays—Mr. President, Senators Adkins, Baker, Calkins, Hilburn, Johnson, McLeod, McMullen, Sloan, Williams, Withers, Zim—12.

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

A committee from the House of Representatives appeared at the bar of the Senate and informed the Senate that the House of Representatives was in readiness to receive the Senate, to hold a joint session of the two branches in the hall of the House of Representatives at 12 o'clock noon, to declare the vote of the two branches of the Legislature for United States Senator, and to proceed to the election of a United States Senator.

Mr. Hudson moved to appoint a committee to notify the House of Representatives that the Senate will meet

them in joint session at 12 o'clock noon, to declare the votes in the respective branches and to proceed to the election of United States Senator.

Messrs. Hudson, Davis and L'Engle were appointed as said committee.

After a short absence the committee appeared and announced that they had performed the duty and asked to be discharged.

The committee was discharged.

Mr. Cook moved to reconsider the vote by which Senate Bill No. 209 was made a special order for Friday next.

Mr. Cook moved to waive the rules and to consider now the motion to reconsider.

Which was agreed to.

Mr. Henderson moved to reconsider the vote by which Senate Bill No. 104 passed the Senate on yesterday.

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

The motion to lay on the table was agreed to.

Mr. Dayton moved that the Senate do now proceed to the hall of the House of Representatives to engage in joint session for the purpose of electing a United States Senator.

Which was agreed to.

Whereupon the Senate arose and marched to the hall of the House of Representatives.

JOINT SESSION, APRIL 19, 1911.

At 12 o'clock the Senate entered the hall of the House of Representatives and was received by the House.

President Cone assumed the chair.

The President ordered the Secretary of the Senate to call the roll of the Senate.

On the call of the roll the following Senators answered to their names:

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

-29.

A quorum of the Senate present.

By request of the President, the Speaker of the House of Representatives ordered the roll of the House called.

Upon call of the roll the following members of the House of Representatives answered to their names:

Mr. Speaker, Messrs. Acree, Angle, Blanton, Brown (Columbia), Butler (Palm Beach), Butler (Duval), Cade, Causseaux, Chase, Colson, Combs, Dorman, Dougherty, Ellis, Epperson, Fee, Floyd, Fortner, Goldstein, Gornto, Gray, Hanson, Harper, Hendry, High, Igou, Jennings (Hamilton), Lake, Lamb, Leslie, Littell, MacWilliams, Matthews, McClellan (Calhoun), McClellan (Jefferson), McKenzie (Putnam), McKenzie (Washington), McLeod, Middleton, Millinor, Ogilvie, Porter, Reaves, Reddick, Rivers, Robinson, Rogers, Scofield, Sheppard, Singletary, Smith, Somerville, Stewart, Summers, Terrell, Tidwell, Tomlin, Wall, Warren, Watson, Wells, West, Wilson, Winthop—65.

A quorum of the House of Representatives present.

The Journal of the Senate, in relation to the ballot taken for United States Senator on yesterday, was read by the Secretary of the Senate.

The Journal of the House of Representatives, in relation to the ballot taken for United States Senator in the House of Representatives on yesterday, was read by the Chief Clerk of the House.

The Secretary of the Senate announced that the total number of votes cast for United States Senator in each house of the Legislature was as follows:

In the Senate the vote was:

For Nathan P. Bryan, 29 votes.

In the House of Representatives the vote was:

For Nathan P. Bryan, 67 votes

Total for Nathan P. Bryan, 96 votes.

The President announced that Hon. Nathan P. Bryan having received a majority of the votes cast in each House voting separately on yesterday, and consolidated in joint assembly today, was elected a Senator from the State of Florida to the United States Senate, for the term of six years, beginning March 4, 1911.

Mr. MacWilliams moved that the President appoint a committee of three to wait upon the Governor and inform him of the election of Hon. Nathan P. Bryan as United States Senator.

Which was agreed to.

And the President appointed the following committee: Messrs. MacWilliams, Sloan and Broome.

Which committee retired to perform that duty.

After a short absence the committee returned and reported that they had notified the Governor, performed their duty and asked to be discharged.

Mr. Davis moved that the President appoint a committee of three to notify Hon. Nathan P. Bryan of his election.

Which was agreed to.

And the President appointed Messrs. Davis, Watson and Hudson as such committee

The Committee retired and after a short absence returned with Hon. Nathan P. Bryan.

United States Senator-elect Nathan P. Bryan addressed the Joint Assembly, accepting the high position of United States Senator.

The Journal of the Joint Assembly was then read and approved.

Mr. Terrell moved that the Joint Assembly, having accomplished the purpose for which it met, do now adjourn sine die.

Which was agreed to.

Thereupon the Joint Assembly stood adjourned without day.

The Senate resumed its session at 12:30 p. m.

The President in the chair.

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

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

Mr. Hilburn moved that the Senate go into executive session.

Which was agreed to.

The doors were closed at 12:35 o'clock p. m.

The doors were opened at 12:40 o'clock p. m.

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, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Massey, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—29.

A quorum present.

Mr. Flournoy moved that when the Senate adjourns today it do adjourn until 10 o'clock tomorrow morning. Which was agreed to.

Upon request of Mr. Hudson the Journal of Monday, April 17, was corrected in open session by unanimous consent, to-wit:

On page 9 of printed Journal furnished to the Senate daily, at the bottom of the page, correct the title of House Bill No. 43; add after the word "proceeds" in line 9 of title the following words: "shall be used and the manner of disposing of such proceeds," the title as amended to read as follows."

House Bill No. 43:

A Bill to be entitled An Act to declare valid a proposed issue of county bonds of the County of St. Lucie heretofore authorized to be issued under Chapter 6016 of the Laws of Florida to cure all irregularities and defects existing in said bonds; to authorize the County Commissioners of St. Lucie County to sell and deliver said bonds, and to carry out any contract existing for the sale and delivery of said bonds, to define the purposes for which the proceeds shall be used and the manner of disposing of such proceeds, and to require the levy of taxes for the payment of interest and for providing a sinking fund and validating the levy and collection of taxes for interest and sinking fund.

Substitute for Senate Bill No. 21:

A Bill to be entitled An Act prescribing a penalty for the sale of intoxicating liquors, wines or beer in counties and precincts voting against the sale of same, and to repeal Section 1 of Chapter 5690 of the Laws of Florida, Acts of the Legislature of 1907, relating to the sale of liquors in counties or precincts voting against such sale.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 21 the roll was called and the vote was:

Yeas—Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Massey, McLeod, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—23.

Nays—Mr. President, Senators Humphries, McMullen, Williams—4.

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

Mr. Williams explained his vote on Senate Bill No. 21 as follows:

I vote no on Senate Bill No. 21 for the following reason: While I yield to none my desire for temperance and belief in prohibition of the sale of intoxicants, having never tasted an intoxicant and have never cast a vote other than for such laws when an opportunity presented itself, and have more than once risked my own life in behalf of prohibition and temperance. I vote no because the penalty for second offense is too severe, and, further, because I believe the severe penalty will prevent convictions in many cases where parties are guilty.

J. A. WILLIAMS.

Senate Joint Resolution No. 18:

A Joint Resolution proposing an amendment to Sections 9 and 10 of Article XVIII of the Constitution of the State of Florida relative to the holding of general elections and the election of county officers.

Was taken up.

Mr. Johnson moved to waive the rules and that Senate Joint Resolution No. 18 be placed back on the Calendar of Bills on Second Reading for amendment.

Which was agreed to by a unanimous vote.

Senate Bill No. 61:

A Bill to be entitled An Act fixing the amount of credit to be allowed county convicts on fines and costs.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 61 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson,

L'Engle, Massey, McLeod, McMullen, Perkins, Stokes, Williams, Wilson, Withers, Zim—25.

So the bill passed, title as stated.

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

Senate Bill No. 77:

A Bill to be entitled An Act to amend Section 3627 (2684) of the General Statutes of the State of Florida, relating to furnishing weapons to minors, etc.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 77 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Massey, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Wilson, Withers, Zim—27.

So the bill passed, title as stated.

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

Mr. Adkins moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned to 10:00 o'clock Thursday, April 20, 1911.

THURSDAY, APRIL 20, 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, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Massey, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—28.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of April 19 was dispensed with.