

L'Engle, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim—25.

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

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

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock a. m. Thursday, April 27, 1911.

## THURSDAY, APRIL 27, 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, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Withers, Zim—28.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of April 26 was dispensed with.

The Journal of April 26 was corrected, and approved as corrected.

The following report was received and read:

Senate Chamber,  
Tallahassee, Fla., April 27, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

Your Committee on Judiciary B, to whom was referred—

“An Act authorizing and providing for the issuance of county bonds for the laying out, opening, construction, repairing and maintaining of hard surface roads and bridges, and providing for and regulating the use of the proceeds of such bonds; and providing for the payment

of the principal and interest of such bonds and granting to said Board of Trustees the right to condemn lands for the purpose of constructing hard surface roads and bridges."

Has had the same under consideration and recommends that the veto of the Governor be sustained.

S. J. HILBURN,  
Chairman of Committee.

And the Act with the Governor's objections was placed on the Calendar in its order.

Also the following report was received and read:

Senate Chamber,  
Tallahassee, Fla., April 27, 1911.

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

*Sir:*

Your Committee on Judiciary B, to whom was referred—

"An Act concerning obstructions to navigation by bridges or other structures, and remedies therefor."

Has had the same under consideration and recommends the veto of the Governor be sustained.

S. J. HILBURN,  
Chairman of Committee.

And the Act, with the Governor's objections thereto, was placed on the Calendar in its order.

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

Senate Chamber,  
Tallahassee, Fla., April 27, 1911.

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

*Sir:*

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

Senate Concurrent Resolution No. 2:

That a committee be appointed, two from the Senate and three from the House, to investigate the work of

draining the Everglades, and report same to the Legislature.

Also—

Senate Concurrent Resolution No. 7:

That a committee be appointed, one from the Senate and two from the House, to confer with the Governor and his Cabinet, inspect the Capitol grounds and buildings, and make report to the Legislature, with such recommendations as is deemed necessary.

Also—

Senate Concurrent Resolution No. 14:

That a committee be appointed, two from the Senate and three from the House, to investigate the primary laws of this and other States, to make full investigation thereof, and to report to the Legislature, with recommendations, as expeditiously as possible.

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

Very respectfully,

C. T. CULPEPPER,

Chairman of Committee.

The Committee on Constitutional Amendments reported unfavorably—

House Joint Resolution No. 3:

Proposing to amend Section 10 of Article XII of the Constitution, relative to education.

The Committee on Constitutional Amendments reported with amendment—

House Joint Resolution No. 10:

Joint Resolution of the Legislature of the State of Florida ratifying and approving the proposed amendment to the Constitution of the United States relative to the income tax.

Has had the same under consideration and recommends that it do pass, with the following amendments:

After the last word in said Joint Resolution, insert

the following: "And to the Secretary of State of the United States."

The Committee on Constitutional Amendments reported favorably—

Senate Joint Resolution No. 257:

Proposing an amendment to Article V of the Constitution of the State of Florida relative to the Judiciary Department.

The Committee on Constitutional Amendments reported unfavorably—

Senate Joint Resolution No. 1:

Proposing an amendment to Section 1 of Article XVI of the Constitution of the State of Florida, relating to the seat of government.

The Committee on Constitutional Amendments reported unfavorably—

Joint Resolution No. 276:

Proposing an amendment to Section 11 of Article XII of the Constitution of Florida, relating to the maintenance of schools and municipalities.

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 101:

A Bill to be entitled An Act to regulate the publication in newspapers of articles, either as news matter or as editorials, for the publication of which money has been paid, and prescribing penalties for the violation thereof.

Also—

Senate Bill No. 98:

A Bill to be entitled An Act providing for an annual tax to be paid on all dogs, prescribing the manner in which said tax shall be paid, and prescribing a penalty for any violations of this Act.

Also—

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 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.

Also—

Senate Bill No. 142:

A Bill to be entitled An Act to amend Section 821 of the Revised Statutes of the State of Florida, entitled "Fees," and relative to the fees of County Treasurers.

Also—

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.

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 128:

A Bill to be entitled An Act to create the Florida State Board of Dental Examiners, to provide for the appointment of its members, to prescribe the duties and powers of the board and its members, to require the examination by said board and its members of applicants for certificates to practice dentistry and dental surgery, to regulate the manner of issuing such certificates, to specify the charges therefor, to regulate the practice of dentistry and dental surgery in this State, to declare the practicing of dentistry or dental surgery without first having obtained and recorded such certificate to be a violation of this Act, and provide the punishment therefor, and for the violation of this Act, to declare the filing or attempting to file with said board or its members, certain spurious documents as a basis for the issuing of such certificates to be a violation of this Act, and to provide for its punishment, to provide for the cancellation of certain certificates, and to repeal all laws in conflict herewith.

The Committee on Judiciary B reported unfavorably on—

Senate Bill No. 272:

A Bill to be entitled An Act for the creation, regulation and operation of co-operative fire insurance companies.

The Committee on Judiciary B reported favorably on—  
House Bill No. 78:

A Bill to be entitled An Act to require persons, firms and corporations maintaining and operating public bath houses, bathing pavilions and other similar places at seaside resorts to maintain life lines and life rafts for protection of bathers.

The Committee on Judiciary B returned without recommendation—

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 the said court.

The Committee on Judiciary B reported unfavorably on—

Senate Bill No. 289:

A Bill to be entitled An Act to prohibit any person, firm, corporation or association from engaging in any moving picture, theatrical or vaudeville performance on Sunday and prescribing penalty for the violation thereof.

The Committee on Judiciary B reported favorably on—  
House Bill No. 31:

A Bill to be entitled An Act to prohibit the printing and publication of the name or identity of any female raped or upon whom an assault may be made with intent to commit rape in this State and providing a penalty for the violation thereof.

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

Senate Bill No. 177:

A Bill to be entitled An Act to provide for the method and manner of opening, establishing, building, constructing and maintaining public roads and bridges in the State of Florida, and to provide a road and bridge fund for

the several counties in the State of Florida, and for the assessment and collection of same.

Amendments to—

Senate Bill No. 177:

Strike out "giving at least" in line 78, page 6, of printed bill, and insert in lieu thereof the word "after."

Strike out the words "bidder after due notice" in line 7, Section 5, of printed bill, and insert in lieu thereof "competent bidder after due notice by publication in a newspaper published in the county where such contract is made for a period of two weeks prior to the making of such contract."

Strike out lines 10, 11, 12, 13 and 14 of Section 5 at top of page 9 of printed bill and insert in lieu thereof the following: "And the successful bidder shall give a good and sufficient bond payable to the Board of County Commissioners in such sum as may be required by them, conditioned for the faithful performance of such contract. The Board of County Commissioners may reject any or all bids and require new bids to be made, in its discretion."

In line 3, Section 6, page 9, of printed bill, strike out the word "proscription" and insert in lieu thereof the word "prescription."

After the word "eighteen" in line 9, Section 9, strike out all of balance of said section and insert in lieu thereof "years," or in lieu thereof "may pay to the road overseer on or before the day he is called upon to render such service the sum of three dollars, and such overseer shall turn into the County Treasury of his county any and all moneys so paid to him, the same to be placed to the credit of the road and bridge fund and subject to the order of the Board of County Commissioners for road and bridge purposes; and provided further, That all moneys collected in lieu of road duty shall be expended by the Board of County Commissioners upon the public roads and bridges in the sub-division where such road duties should have been performed."

Amend Section 11 by striking out last sentence thereof.

The Committee on Judiciary B reported unfavorably on—

## Senate Bill No. 290:

A Bill to be entitled An Act to amend Section 2349 of the General Statutes of the State of Florida, the same being relative to bonds required by executors.

The Committee on Judiciary B reported unfavorably on—

## Senate Bill No. 176:

A Bill to be entitled An Act to require certain persons, firms or corporations to fence certain waste escaping from mining operations, and providing that a failure to comply with the provisions of this Act shall be a misdemeanor and providing penalties therefor; and providing that persons, firms or corporations violating the provisions of this Act shall be liable for damages in civil actions, and providing the measure of damages and for attorneys' fees in such civil action.

The Committee on Judiciary B reported unfavorably on—

## Senate Bill No. 291:

A Bill to be entitled An Act to amend Section 2412 of the General Statutes of the State of Florida, the same being relative to the sale of personal property.

The Committee on Judiciary B reported unfavorably on—

## 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.

The Committee on Judiciary B reported unfavorably on—

## Senate Bill No. 287:

A Bill to be entitled An Act amending Section 3 of Chapter 5915, provided June 8, 1909.

The Committee on Judiciary B reported unfavorably on—

## Senate Bill No. 232:

A Bill to be entitled An Act to amend Chapter 5404

of the Laws of Florida, Acts of 1905, the same being an Act to prohibit the issuing by any one of drafts, checks, or orders upon banks or other persons when the makers of such checks, drafts or orders have not sufficient funds on deposit with the drawee to pay such draft, check or order, and to prescribe a rule of evidence therein, and provide punishment therefor.

The Committee on Judiciary B reported unfavorably on—

Senate Bill No. 245:

A Bill to be entitled An Act to prescribe the qualifications of County Judges in counties where County Courts have been established or shall hereafter be established.

The Committee on Judiciary B reported unfavorably on—

Senate Bill No. 238:

A Bill to be entitled An Act to regulate continuances and to speed the trial of civil causes in the several courts of this State, and to prescribe punishment for false swearing in applications for the continuances of such causes.

The Committee on Judiciary B reported unfavorably on—

Senate Bill No. 244:

A Bill to be entitled An Act to regulate secret societies' meeting, the issuing of permit for the same, and providing penalties for the holding of secret meetings of members of secret societies, without first having obtained a permit.

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

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 attorneys' fees and the expense of surveying the land in certain cases.

Amendments to Senate Bill No. 210:

In Section 1, line 1, insert after the word "who" the words "without color of title," and in Section 1, line 1, after the word "shall" insert the word "wilfully."

In Section 1, line 5, insert after the word "who" the words "without color of title," and in Section 1, line 5, after the word "shall" insert the word "wilfully."

In Section 1 strike out the words "for reasonable attorney's fee" and all words thereafter to the end of the section and insert in lieu thereof the following: "For double the value of the wood or timber as aforesaid with interest thereon from the date of the action, together with a reasonable attorney's fee and a reasonable surveyor's fee if the plaintiff has been obliged to employ a surveyor to establish his claim, both of which fees shall be fixed by the jury in evidence adduced at the trial and shall be levied as part of the costs. Provided that if the jury shall find that the value of the wood or timber as fixed by the plaintiff in the notice to the defendant was greater than the real value thereof, and that the defendant tendered to the plaintiff within the thirty days aforesaid double the real value thereof, which tender was refused, the plaintiff shall recover the double value so tendered only and without costs of suit."

Strike out Section 2.

The Committee on Judiciary B reported to sustain the Governor's veto on An Act authorizing and providing for the issuance of county bonds for the laying out, opening, construction, repairing and maintaining of hard-surfaced roads and bridges and providing for and regulating the use of the proceeds of such bonds; and providing for the payment of the principal and interest of such bonds and granting to said Board of Trustees the right to condemn lands for the purpose of constructing hard-surfaced roads and bridges.

The Committee on Judiciary B reported to sustain the veto of the Governor on An Act concerning obstructions to navigation by bridges or other structures and remedies therefor.

The Committee on Judiciary A reported favorably on—  
Senate Bill No. 251:

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

The Committee on Judiciary A reported favorably on—  
Senate Bill No. 253:

A Bill to be entitled An Act to taxing attorneys' fees against defendants on all suits brought on open account.

The Committee on Judiciary A reported unfavorably on—

Senate Bill No. 237:

A Bill to be entitled An Act to amend Section 3570 of the General Statutes of the State of Florida, relating to vagrancy.

The Committee on Judiciary A reported unfavorably on—

Senate Bill No. 254:

A Bill to be entitled An Act to define the meaning of the words "stealing" and "larceny" when used in an indictment, information or complaint; to define the offense of larceny and to regulate the prosecution, and to prescribe the punishment therefor, and to provide that a person charged with a commission of said offenses may have a bill of particulars of the nature and grounds of the kind charged against them.

The Committee on Judiciary A reported unfavorably on—

Senate Bill No. 235:

A Bill to be entitled An Act to amend Section 3262 of the General Statutes of the State of Florida relating to carrying concealed weapons.

The Committee on Judiciary A reported favorably on—  
Senate Bill No. 236:

A Bill to be entitled An Act to amend Section 3569 of the General Statutes of the State of Florida relating to desertion of husband or father, of his wife and children or child, or children or child, or wife where there are no children or child, and prescribing the punishment therefor.

Amended as follows:

Amend by adding after Section 3569 the following: "desertion of wife and children."

Report same favorably with amendment.

The Committee on Judiciary A reported favorably on—  
Senate Bill No. 278:

A Bill to be entitled An Act to amend Section 2459 of the General Statutes of Florida relating to conveyances by corporations and to validate certain conveyances by corporations heretofore made.

The Committee on Judiciary A reported favorably on—  
Senate Bill No. 261:

A Bill to be entitled An Act to amend Section 1369 of the General Statutes of the State of Florida relative to the rights and liabilities and sureties of accommodation signers on bonds, notes, drafts and bills of exchange, and providing for contribution between such persons.

The Committee on Judiciary B reported unfavorably on—

Senate Bill No. 270:

A Bill to be entitled An Act to authorize express companies to grant and exchange franks in certain cases.

## INTRODUCTION OF BILLS.

By Mr. Cone—

Senate Bill No. 298:

A Bill to be entitled An Act to regulate the employment of persons operating engines and trains used as common carriers of freight or passengers in this State and to prescribe penalty for violations thereof.

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

By Mr. Flournoy—

Senate Joint Resolution 299:

A Joint Resolution proposing an amendment to Section nine (9) of Article five (V) of the Constitution of Florida relating to judicial salaries.

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

By Mr. Flournoy—

Senate Bill No. 300:

A Bill to be entitled An Act to require the City or Town Council of all cities and towns of this State to divide their respective cities and towns into wards.

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

By Mr. Adkins—

Senate Bill No. 301:

A Bill to be entitled An Act to empower Circuit Courts to authorize curators, administrators and executors to continue the trade or business of deceased persons in certain cases.

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

By Mr. Hudson—

Senate Bill No. 302:

A Bill to be entitled An Act to prevent the adulteration misbranding and imitation of food for man or beast, of beverages, candies or condiments, of medicines, drugs and liquors, or the manufacture and sale thereof in the State of Florida; prescribing a penalty of the violation hereof; providing for the inspection and analysis of the articles described by the Florida State Department of Agriculture; charging the State's Attorney with the enforcement hereof, and providing means therefor; providing for the appointment of an additional State Chemist or Expert Food Analyst, three Food and Drug Inspectors; to appropriate the necessary funds to enforce the provisions of this Act, and for the general expenses of the State Laboratory and Chemical

Division of the Agricultural Department of the State of Florida, and to repeal all laws in conflict with this Act.

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

By Mr. Hudson—

Senate Bill No. 303:

A Bill to be entitled An Act to prescribe what shall constitute Farmer's Institute Trains and to provide for the free transportation and handling of such trains, persons, property and equipment connected therewith in the State of Florida.

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

By Mr. Perkins—

Senate Bill No. 304:

A Bill to be entitled An Act to amend Chapter 5392 Laws of Florida, 1905, defining legal holidays in the State of Florida.

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

By Mr. McLeod—

Senate Bill No. 305:

A Bill to be entitled An Act to provide for the working of all convicts sentenced for a period of five years or less on the public roads, highways and bridges of the State; defining the duties of all the courts and the Boards of County Commissioners relative thereto.

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

By Mr. Finlayson—

Senate Bill No. 306:

A Bill to be entitled An Act to amend Section 2193 (1729) of the General Statutes, relating to liens for materials furnished.

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

By Mr. Hilburn—

Senate Bill No. 307:

A Bill to be entitled An Act to require the Clerks of the Circuit Courts in each county of this State to furnish to the Tax Assessor of his county an abstract showing the names of grantors and grantees and their postoffice addresses, dates of transfer of deeds and conveyances and other data from his records to aid the Tax Assessors in the assessment of lands for taxation, and to provide compensation for the clerks and to provide a penalty for a failure to comply with the provision of this Act.

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

By Mr. Hilburn—

Senate Bill No. 308:

A Bill to be entitled An Act for the creation of a commission to examine into the system of pleading and practice in this State, and to suggest to the next Legislature such changes in the laws as may be deemed advisable to promote a speedy administration of the law and to avoid technical difficulties in such administration.

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

By Mr. Malone—

Senate Bill No. 309:

A Bill to be entitled An Act relating to the regulation of life insurance companies doing business in the State of Florida, and prohibiting certain acts and things, also certain misrepresentations, distinctions between insured parties, contracts other than as expressed in the policy, or inducements to insurance, and providing punishments in relation thereto.

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

#### CONSIDERATION OF RESOLUTIONS.

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.

The question of the passage of the resolution was put and House Concurrent Resolution No. 18 was adopted.

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

House Concurrent Resolution No. 21:

Relating to pardon of W. S. Harlan et al.

Was taken up and read the second time.

Mr. Flournoy offered the following substitute for House Concurrent Resolution No. 21:

**Senate Substitute for—**

**House Concurrent Resolution No. 21:**

Be it resolved by the Senate, the House of Representatives concurring, That his excellency, the Hon. William H. Taft, President of the United States of America, be and is hereby most respectfully petitioned and requested to issue to W. S. Harlan, S. E. Huggins, C. C. Hilton, Robert Gallagher and Walter E. Grace, who were convicted at the March adjourned term of the United States Circuit Court of 1906, at Pensacola, Florida, Judge Charles Swayne presiding, upon the charge of a conspiracy to arrest and return certain persons to a condition of peonage, all of which persons are citizens of the State of Alabama, a full and complete pardon, including a remission of their fines, for their said offense, and to also restore unto them and each of them all civil and political rights.

Be it further resolved, That a copy of this resolution be transmitted to the President of the United States of America and that also a copy hereof be transmitted to the Hon. George W. Wickersham, Attorney General of the United States; that each of said copies be transmitted by the Secretary of State under the great seal of the State of Florida.

Mr. Flournoy moved to adopt the substitute for House Concurrent Resolution No. 21.

Which was agreed to.

The substitute to House Concurrent Resolution No. 21 was again read.

Upon the passage of the substitute for House Concurrent Resolution No. 21.

It was adopted.

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

A communication from Reverend J. B. Mitchell, inviting the Florida Legislature to Trinity Church on Sunday morning, April 30, was received and filed.

MESSAGES FROM THE HOUSE OF  
REPRESENTATIVES.

The following message from the House was read:

House of Representatives,  
Tallahassee, Fla., April 26, 1911.

*Hon. F. 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. 68:

A Bill to be entitled An Act requiring teachers' summer training schools and making appropriations therefor.

Also—

House Bill No. 412:

A Bill to be entitled An Act to regulate the election and terms of office of the Mayor, Clerk, Treasurer and Marshal of the City of Orlando.

Also—

House Bill No. 413:

A Bill to be entitled An Act to amend Section 1 of An Act entitled "An Act to authorize the City of Orlando to issue additional bonds to the amount of one hundred and fifty thousand dollars," approved May 31, 1905.

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

And House Bill No. 412, contained in the above message, was read the first time by its title and was referred to the Local Calendar of Bills on Second Reading.

And House Bill No. 413, contained in the above mes-

sage, was read the first time by its title and was referred to the Local Calendar of Bills on Second Reading.

Also the following was read :

House of Representatives,  
Tallahassee, Fla., April 26, 1911.

*Hon. F. 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 by a three fifths' vote—

House Joint Resolution No. 76 :

A Joint Resolution 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.

Be it resolved by the Legislature of the State of Florida, That the following amendment to Article XII of the Constitution of the State of Florida, to be known as Section 17 of said Article, be and the same is hereby agreed to, and shall be submitted to the electors of the State at the next general election of Representatives to be held in the year A. D. 1912, for the ratification or rejection.

Section 17. The Legislature may provide for incorporated cities and towns, regular school districts and special tax school districts, to issue bonds for the exclusive use of public free schools within any such city, town, regular school district or special tax school district, wherever a majority of the qualified electors thereof that pay a tax on real or personal property, shall vote in favor of the issuance of such bonds. Whenever any such city, town or school district has voted in favor of the issuance of such bonds, a tax not to exceed five mills on the dollar, in any one year, on the taxable property within the district voting for the issue of bonds shall be levied in accordance with the law providing for the levying of taxes

to become a fund for the payment of the interest and redemption of such bonds.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Joint Resolution No. 76, contained in the above message, was read the first time by its title and was referred to the Committee on Constitutional Amendments.

Also the following was read:

House of Representatives,  
Tallahassee, Fla., April 26, 1911.

*Hon. F. 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 with amendment—

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.

Which amendment is as follows:

Amend by inserting "three" before the words "for the Ports of Punta Gorda." Amend by striking out the letter "s" in the word "Ports" of Punta Gorda. After Punta Gorda insert "three for the Port of." Amend by inserting after "and" "three for the Port of," to be inserted before "Boca Grande." Strike out "inclusive." This shall read as follows: Three for the Port of Punta Gorda, three for the Port of Charlotte Harbor and three for the Port of Boca Grande.

Also amend as follows at the end of Section 1, after the word "provided," insert "and the said board shall require from each pilot satisfactory bond for the faithful performance of his duty."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 31, contained in the above message, was read the first time by its title.

The House amendment thereto was read:

Mr. Hosford moved to concur in the House amendments to Senate Bill No. 31.

Which was agreed to.

And Senate Bill No. 31, as amended, was referred to the Committee on Enrolled Bills.

Also the following was read:

House of Representatives,  
Tallahassee, Fla., April 26, 1911.

*Hon. F. 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. 184:

A Bill to be entitled An Act to provide for the planting, protection and care of shade trees on the streets and highways of the City of Pensacola, and for the appointment of a Shade Tree Commission, and for raising money for such purposes, and creating liens on property benefited by the planting of such trees.

Also—

House Bill No. 401:

A Bill to be entitled An Act to prohibit the dragging or hauling of seines in the waters of Indian River and its tributaries.

Also—

House Bill No. 402:

A Bill to be entitled An Act to prohibit the catching or taking of food fish in the waters of Homosassa River and its tributaries in the County of Citrus, in the State of Florida, by the use of seines, gill nets, haul nets, or by any other kind of nets or device except cast nets, hook and line, and prescribing that its violations shall be punished by general laws in such cases made and provided.

Also—

House Bill No. 408:

A Bill to be entitled An Act to legalize and confirm the incorporation of the town of Greensborough, in Gadsden County, Florida, to define its boundaries, to validate the acts of its duly authorized officers, to cure any defects in the original incorporation of said town and to declare the same a legally incorporated town.

Also—

House Bill No. 410:

A Bill to be entitled An Act to establish the municipality of the Town of Hilliard, to provide for its government, fix its territorial limits and to prescribe its jurisdiction and powers.

Also—

House Bill No. 411:

A Bill to be entitled An Act to change the boundaries of the City of Orlando in Orange County.

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. 184, contained in the above message, was read the first time by its title and was placed to the Local Calendar of Bills on Second Reading.

And House Bill No. 401, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 402, contained in the above message, was read the first time by its title and placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 408, contained in the above message, was read the first time by its title and placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 410, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 411, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on Second Reading.

The following was read:

House of Representatives,  
Tallahassee, Fla., April 27, 1911.

*Hon. F. 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—  
Senate Memorial No. 5:

A Memorial to the Congress of the United States, asking an appropriation to improve the navigation of St. Marys River between Kings Ferry and the Cumberland Sound.

Also—

Senate Concurrent Resolution No. 13:

A Memorial to the Congress of the United States requesting an appropriation for Taylors Creek.

Very respectfully,

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

And Senate Memorial No. 5, contained in the above message, was read the first time by its title and was referred to the Committee on Enrolled Bills.

And Senate Resolution No. 13, contained in the above message, was read the first time by its title and was referred to the Committee on Enrolled Bills.

The following was read:

House of Representatives,  
Tallahassee, Fla., April 27, 1911.

*Hon. F. 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—

Concurrent Resolution No. 22:

Memorializing Congress to build good roads.

Whereas, Congress annually appropriates many mil-

lions of dollars for the improvement of the rivers and harbors of the country; and,

Whereas, The section of the country adjacent to the sea coast derives very much more benefit from the said appropriations than does the interior portions of the country; and,

Whereas, It should be the policy of our government to give to all of its citizens, and the different parts of its territory equal advantages; and,

Whereas, The greatest need of our country at the present time is a system of good roads; therefore, be it

Resolved by the Legislature of the State of Florida:

Section 1. That Congress is hereby memorialized to make liberal appropriations for the building of a system of good roads and highways throughout the different States of the Union.

Sec. 2. Our Senators and Representatives in Congress are hereby earnestly requested to do all in their power to secure the enactment of a law to carry into effect the provisions of this resolution.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Concurrent Resolution No. 22, contained in the above message, was read the first time by its title and was laid over under the rules.

Also the following was read:

House of Representatives,  
Tallahassee, Fla., April 27, 1911.

*Hon. F. 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. 72:

A Bill to be entitled An Act to abolish the present municipal corporation of the Town of Goldsboro,, Orange

County, Florida, incorporated December 1, A. D. 1891, under the General Laws of the State of Florida, governing cities and towns, and to provide for the protection of all creditors of the said Town of Goldsboro, Orange County, Florida.

Also—

House Bill No. 73 :

A Bill to be entitled An Act to abolish the present municipal corporation of the Town of Sanford Heights, Orange County, Florida, incorporated April 3, A. D. 1911, under the General Laws of the State of Florida governing cities and towns, and to provide for the protection of all creditors of the said Town of Sanford Heights, Orange County, Florida.

Also—

House Bill No. 137 :

A Bill to be entitled An Act to abolish the present municipal government of the City of Sanford, Orange County, Florida, and organize a city government for the same, and to provide its jurisdiction and powers, and to repeal Chapter 4312, Laws of Florida, approved May 24, 1893, and all laws amendatory thereof.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 72, contained in the above message, was read the first time by its title and was referred to the Committee on Municipalities.

And House Bill No. 73, contained in the above message, was read the first time by its title and was referred to the Committee on Municipalities.

And House Bill No. 137, contained in the above message, was read the first time by its title and was referred to the Committee on Municipalities.

Also the following was read :

House of Representatives,  
Tallahassee, Fla., April 27, 1911.

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

*Sir :*

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

House Bill No. 445:

A Bill to be entitled An Act to abolish the present municipal government of the City of Tallahassee, in the County of Leon, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Tallahassee, and to define its territorial boundaries, and to provide for its government, jurisdiction, powers, franchises and privileges.

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. 445, contained in the above message, was read the first time by its title and was referred to the Local Calendar of Bills on Second Reading.

#### ORDERS OF THE DAY.

The motion made by Mr. Henderson on yesterday to reconsider the vote by which the Senate failed to pass—

Senate 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.

And which went over under the rules.

Was taken up in its order.

The question of reconsideration of the vote upon the Joint resolution was put.

And the motion to reconsider was agreed to.

Senate Joint Resolution No. 171 was taken up and again read the third time in full.

Upon the passage of Senate Joint Resolution No. 171 the roll was called and the following was the vote:

Yeas—Senators Adkins, Broome, Calkins, Cook, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Humphries, Johnson, L'Engle, Malone, McCreary, Perkins, Wilson—18.

Nays—Mr. President, Senators Baker, Carney, Culpeper, Hudson, Massey, McLeod, Stokes, Withers—9.

So the Joint Resolution not having received the necessary three fifths' majority failed to pass.

Senate Bill No. 120:

A Bill to be entitled An Act to provide that in action on insurance policies, a substantial compliance with the terms, conditions and warranties of such policies shall be deemed sufficient, etc.

Was taken up and read the second time in full.

The following committee amendment to the bill was read:

Report the same favorable with the following amendments:

In Section 1, line 4, after the word "personal" insert the following: "Or real."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

On page 2 in the title, after the words "when such interest must exist" add the following: "fixing the measure of recovery in such cases."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

Make Section 11 read Section 12, Section 12 read Section 13, Section 13 read Section 14.

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

Add after Section 10, the following:

"Section 11. In actions upon fire insurance policies, where the assured at the time of the loss or damage had an insurable interest in the property insured, as defined in this Act, the company or defendant shall not set up as a defense to such action, that the title of the assured was other than that of absolute and unconditional ownership, but shall be liable for such loss or damage up to the face of the policy."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Mr. Malone offered the following amendment to—

Senate Bill No. 120:

Strike out Section 4.

Mr. Malone moved the adoption of the amendment.

Which was not agreed to.

And Senate Bill No. 120, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 100 was taken up and was informally passed on the Calendar.

Senate Bill No. 89:

A Bill to be entitled An Act to prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporations that violate the terms of this Act and to authorize the institution of prosecutions of suits therefor.

Was taken up and was informally passed.

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.

Was taken up and was made the special order for 4:30 o'clock in the afternoon session.

#### BILLS ON THIRD READING.

Senate Bills Nos. 75, 50 and 157 were passed informally on the Calendar.

Senate Bill No. 149 was made the special order of consideration for 5 o'clock p. m. today.

Senate Bill No. 113:

A Bill to be entitled An Act to create a State School Book Commission and to procure for use in the public schools of the State of Florida a uniform series of text books and to define the duties and powers of said commission; to make preparations for carrying this Act into effect, and providing penalties for violation of same.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 113 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Carney, Culpepper, Davis, Finlayson, Flournoy, Hosford, Hudson, Humphries, Malone, Massey, Perkins, Stokes, Wilson, Withers—17.

Nays—Senators Calkins, Dayton, Henderson, Hilburn, Zim—5.

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

#### House Bill No. 133:

A Bill to be entitled An Act to authorize the State Board of Health of Florida to employ a Sanitary Engineer whenever the said board may consider the necessities of sanitation in and about the State may so require, and to further provide for his compensation.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 133 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Carney, Culpepper, Dayton, Flournoy, Henderson, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Perkins, Stokes, Wilson, Withers, Zim—20.

Nays—Senators Baker, Hilburn, Hosford, Miller—4.

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

#### Senate Bill No. 84:

A Bill to be entitled An Act to provide permanently for reprinting the Reports of the Supreme Court.

Was taken up and read the third time in full.

Pending its reading the bill was recommitted to the Committee on Engrossed Bills.

#### Senate Bill No. 174:

A Bill to be entitled An Act relating to the maintenance and repair of ditches, drains and canals constructed under the provisions of Chapter XVI, Title 9, First Division of the General Statutes of the State of Florida, and providing a penalty for obstructing any such ditch, drain or canal.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 174 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Withers, Zim—28.

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

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

Mr. Johnson moved as a substitute that the Senate do now take a recess until 4 o'clock this afternoon.

The substitute was agreed to.

Whereupon the Senate took a recess until 4 o'clock this afternoon.

#### AFTERNOON SESSION.

Four o'clock p. m., Thursday, April 27, 1911.

The President in the chair.

The roll was called and 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, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Withers, Zim—28.

A quorum present.

Senate Bill No. 82:

A Bill to be entitled An Act to amend Section 3299 of the General Statutes of the State of Florida, relative to horse and cattle stealing.

Was taken up.

Mr. Adkins offered the following substitute to—

Senate Bill No. 82:

A Bill to be entitled An Act to amend Section 3299 of the General Statutes of the State of Florida, relating to horse and cattle stealing.

Which was read in full.

Mr. Adkins moved to adopt the substitute for Senate Bill No. 82.

Which was agreed to.

There being no amendments, substitute for Senate Bill No. 82 was paced on the Calendar of Bills on the Third Reading.

Senate Bill No. 85:

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

Was taken up and read the second time in full.

And there being no amendments, was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 141:

A Bill to be entitled An Act to amend Section 2192 of the General Statutes.

Was taken up.

Mr. Finlayson offered the following substitute:

A Bill to be entitled An Act to amend Section 2192 (1728) of the General Statutes, relating to liens for labor on farms.

Which was read the first time in full.

Mr. Finlayson moved that the substitute be adopted.

Which was agreed to.

Mr. Massey moved to waive the rules and that the substitute for Senate Bill No. 141 be read the second time by its title only.

Which was agreed to by a two thirds' vote.

There being no amendment, the substitute bill was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 7:

A Bill to be entitled An Act relating to the liability of common carriers to their employes in certain cases.

Was taken up and read the second time in full.

The following committee amendments were read:

A Bill to be entitled An Act relating to the liability of common carriers, to their employes, in certain cases.

Amended in Section 7, line 5, strike out the word "and" and insert in lieu thereof the following: "Or."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Mr. Flournoy offered the following amendment to —  
Senate Bill No. 7:

In Section 1, line 4, strike out all after the word "surviving" including said word down to and inclusive of the

word "employe," in line 8, and insert in lieu thereof the following: "Widow or husband, as the case may be, and where there is neither widow nor husband, surviving the deceased, then for the benefit of the minor child or children, and where there is neither widow nor husband, nor minor child or children, then for the benefit of the surviving parents or such as may survive, and where there is neither widow nor husband, nor minor child nor children, nor parents, or either of them, surviving, then for the benefit of any person or persons whose support was contributed to by the deceased, and where there are none of the above classes of persons surviving, then for the benefit of the estate of the deceased. In case of the death of any person solely entitled, or all of the persons jointly entitled to the benefits of this Act, before action is instituted or after action is instituted but before judgment, the right of action or the actions, as the case may be, shall survive for the benefit of the person or persons next entitled to the benefits of this Act, and in case of the death of one or more persons jointly entitled to the benefits of this Act before action is instituted or after action is brought but before judgment, the right of action or the actions, as the case may be, shall survive for the benefit of the survivor, of such persons jointly entitled to the benefits of this Act, and in every action instituted under the provisions of this Act the jury shall give such damages as the party or parties entitled to the benefits of this Act may have sustained by reason of the death of the party killing, including damages for the mental pain and suffering of such party or parties, as the case may be. And when an action is instituted to recover damages for the death of any minor child, in addition to all other damages, the plaintiff shall be entitled to recover for the parents' loss of the services and earnings of such minor child, and in addition thereto, such sum for the mental pain and suffering of both parents, or such as may survive, as the jury may assess; provided, that any person or persons to whom a right of action or actions, as the case may be, may survive under the provisions of this Act shall recover such damages as by law such person or persons are entitled in their own right to recover, irrespective of the damages recoverable by the person or persons whom he, she or they may succeed."

Mr. Flournoy moved to adopt the amendment.  
Which was agreed to.

Mr. Flournoy offered the following amendment to—  
Senate Bill No. 7:

Strike out Section 3 and insert in lieu thereof the following:

“Section 3. That in any action brought against any common carrier under or by virtue of the provisions of this Act to recover damages for the injury to, or the death of, any of its employes, such employe shall in no case be held to have assumed the risk resulting in his injury or death so as to bar recovery. If the employe and the common carrier, its agents or employes, are both at fault, the plaintiff may recover, but the damages shall be diminished or increased by the jury in proportion to the amount of the cost attributable to such employe; provided, that no employe who may be injured or killed shall be held to have assumed any part of the risk resulting in his injury or death in any case where the violation of such common carrier of any statute enacted for the safety of employe contributed to the injury or death.”

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Mr. Flournoy offered the following amendment to—  
Senate Bill No. 7:

Strike out Section 8 and insert in lieu thereof the following:

Sec. 8. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed; Provided, That the repeal of any law or part of any law shall not be construed to effect in any wise any cause of action now existing or any action now pending, to recover damages for injury to or death of any employe of any common carrier.

Mr. Flournoy moved the adoption of the amendment.

Which was agreed to.

Mr. Flournoy offered the following amendment to—  
Senate Bill No. 7:

Strike out Section 9 and make same read “Section 10.”  
Insert as Section 9 the following:

Sec. 9. That in all actions instituted under the provisions of this Act to recover damages for injury to, or death of, any employe, the burden of proof shall be upon the common carrier to make it appear to the satisfaction

of the jury that such common carrier, its agents and servants, have exercised all due and reasonable care, skill and diligence, the presumption in all cases being against the common carrier. And that all questions of negligence, contributory negligence and assumption of risk shall be for the jury.

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

And the bill as amended was referred to the Committee on Engrossed Bills.

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.

Was taken up.

The amendment informally passed on April 15 was read as follows:

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

Was taken up.

The pending amendment thereto, offered by Mr. Dayton to the amendment offered by the Committee to Senate Bill No. 14, was read, to wit:

In Section 6 strike out the word "holiday."

Mr. Dayton moved to adopt the amendment to the amendment.

Which was agreed to.

Mr. Dayton moved to adopt the amendment as amended.

Which was agreed to.

Mr. Dayton offered the following amendment to Senate Bill No. 14:

In Section 1, line 5, strike out the word "securely."

Mr. Dayton moved the adoption of the amendment.

Which was agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

Add after Section 12 the following:

"Sec. 13. Provided that the provisions of this Act shall not apply to counties of from ten thousand inhabitants to fifteen thousand inhabitants."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

Add after Section 12 the following:

"Sec. 13. Provided that the provisions of this Act shall not apply to the sale of intoxicating liquors, wines and beers, in incorporated cities of from three thousand inhabitants to five thousand inhabitants, said cities being situated wholly in counties of from ten thousand inhabitants to fifteen thousand inhabitants."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

Insert after Section 12 the following:

"Sec. 13. Provided that the provisions of this Act shall not apply to the sale of intoxicating liquors, wines and beers within the corporate limits of the City of Fernandina."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

In Section 1, line 2, add after the word "counties" the following: "of fifteen thousand inhabitants and over."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

Insert after Section 12 the following:

"Sec. 13. Provided that the provisions of this Act shall not apply to cities of from three thousand inhabitants to five thousand inhabitants where a city license tax of one thousand dollars per annum or over is required to engage in the business of a retail liquor dealer."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

In Section 8, line 7, strike out the words "chairs, settees, benches or tables."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

In Section 8, line 6, strike out the words "blinds or screens."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

In Section 7, lines 6 and 7, strike out the words "purchaser or any person whomsoever."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

Strike out all of Section 5, and insert in lieu thereof the following: "Sec. 5. That it shall be unlawful for any person to sell intoxicating liquors, wines and beer between the hours of eleven o'clock p. m. and six o'clock a. m."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

Strike out all of Section 5, and insert in lieu thereof the following: "Sec. 5. That it shall be unlawful for any person to sell intoxicating liquors, wines and beer between the hours of ten o'clock p. m. and six o'clock a. m."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

Add after the letters "a. m." in line 3 of Section 5, the following: "except in incorporated cities where the hours of opening and closing have been regulated by ordinance of the City Council."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

In Section 1, line 4, strike out the word "fourth," and insert in lieu thereof the following: "tenth."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

In Section 1, lines 5 and 6, strike out the word "sealed."

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 14:

Strike out Sections 1 and 7.

Mr. Calkins moved the adoption of the amendment.

Which was not agreed to.

And Senate Bill No. 14, as amended, was referred to the Committee on Engrossed Bills.

Mr. Johnson moved to waive the rules and that the Senate do now resume the consideration of bills on the second reading.

Which was agreed to.

And—

Senate Bill No. 147:

A Bill to be entitled An Act to amend Section 3898 of the General Statutes of the State of Florida, relating to the jurisdiction of Justices of the Peace.

Was taken up and read the second time in full.

Mr. Adkins moved to indefinitely postpone the bill.

Which was agreed to.

The bill was indefinitely postponed.

Senate Bill No. 146:

A Bill to be entitled An Act to prescribe the criminal jurisdiction of Justices of the Peace in counties having County Courts or Criminal Courts of Record.

Was taken up and read the second time in full.

The following committee amendment was read, to-wit:

Strike out the words "or Criminal Court of Record" wherever it appears in the bill or title thereof.

Mr. Cook moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 146 as amended was referred to the Committee on Engrossed Bills.

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 and read the second time in full.

Mr. Johnson offered the following substitute to Senate Joint Resolution No. 18:

Substitute for—

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.

Mr. Johnson moved to adopt the substitute.

Mr. Finlayson moved to lay the substitute on the table. Upon which the yeas and nays vote was demanded, and the vote was:

Yeas—Mr. President, Senators Calkins, Culpepper, Dayton, Finlayson, Henderson, Hosford, L'Engle, Malone, McLeod, Stokes, Wilson—12.

Nays—Senators Adkins, Baker, Carney, Cook, Davis, Hilburn, Hudson, Humphries, Johnson, Massey, McCreary, Withers, Zim—13.

So the substitute was adopted and was placed on the Calendar of Bills on the Third Reading.

Mr. McCreary moved to waive the rules and that the Senate resume consideration of Bills on the Third Reading.

Which was agreed to by a two-thirds vote.

And—

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.

Was taken up for consideration.

Mr. McCreary asked and obtained permission and unanimous consent to amend Senate Bill No. 149 on its Third Reading.

Having been read the second time on a previous day, the reading was omitted.

Mr. McCreary offered the following amendment to Senate Bill No. 149:

After the word "State," in line 6 of Section 1, insert the following: "and it shall be their duty."

Mr. McCreary moved the adoption of the amendment. Which was agreed to.

Mr. McCreary offered the following amendment to Senate Bill No. 149:

In Section 1, line 7, after the word "charges," insert the following: "and services."

Mr. McCreary moved the adoption of the amendment. Which was agreed to.

And Senate Bill No. 149, as amended, was referred to the Committee on Engrossed Bills.

Mr. Massey presented petition from the Town of Sanford Heights.

Also—

Petition from Town of Goldsboro, in Orange County, all relative to House Bills No. 72, 73 and 137.

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 133:

A Bill to be entitled An Act defining commission merchants, requiring such merchants to give bond, imposing a penalty for pursuing the occupation of a commission merchant when bond has not been made; providing a suit may be brought for such bonds; fixing the venue of such suits; repealing all laws in conflict, and declaring an emergency.

Mr. Adkins moved to adjourn to 10 o'clock tomorrow morning.

Which was agreed to.

Thereupon the Senate stood adjourned to 10 o'clock a. m., Friday, April 28, 1911.

## FRIDAY, APRIL 28, 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, McLeod, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—28.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of April 27 was dispensed with.

The Journal of April 27 was corrected, and approved as corrected.

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

Senate Chamber,  
Tallahassee, Fla., April 28, 1911.

*Hon. F. P. Conc,*

*President of the Senate.*

*Sir:*

Your Committee on Enrolled Bills, to whom was referred—

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, realting to the powers and duties of Pilot Commissioners.

Also—

Senate Concurrent Resolution No. 13:

A Memorial to the Congress of the United States, requesting an appropriation for Taylor's Creek.