

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

Which was agreed to.

Whereupon the Senate stood adjourned until Tuesday, 10 o'clock a. m., May 2, 1911.

TUESDAY, MAY 2, 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, Davis, Dayton, Finlayson, Flournoy, Henderson, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—23.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 1st was dispensed with.

The Journal of May 1st was corrected and approved as corrected.

REPORTS OF COMMITTEES.

Mr. Hudson, Chairman of the Committee on Rules and Procedure, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1911.

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

Sir:

Your Committee on Rules and Procedure, to whom was referred—

Senate Committee Bill No. 209:

Recommend that Senate Committee Bill No. 209, relative to the number of Judicial Circuits in the State of

Florida, be made an order of the day for Wednesday, May 3, 1911.

Very respectfully,

F. M. HUDSON,
Chairman of Committee.

Which was read.

Mr. Hudson moved to adopt the report.

Which was agreed to.

The Committee on Judiciary A reported without recommendation—

Committee substitute for—

Senate Bill No. 16:

A Bill to be entitled An Act to license and regulate the running of automobiles, locomobiles and other vehicles and conveyances whose motive power is other than animal power, along and over the public highways of this State; to provide for the registration of the same; to provide uniform rules, regulating the use and speed thereof, and to prescribe penalties for the violation of said rules and regulations, and for the licensing of chauffeurs and repeal An Act entitled An Act to regulate the running of automobiles, locomobiles and other vehicles and conveyances whose motive power is other than animal, along and over the public highways of this State; to provide for the registration of the same, to provide uniform rules regulating the use and speed thereof, and to prescribe for the violation of said rules.

Mr. Broome, Chairman of the Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 75:

An Act to more effectively protect the people against combinations, conspiracies and agreements between insurers whereby rates of insurance are raised or fixed.

The Committee on Privileges and Elections reported unfavorably on—

Senate Bill No. 271:

A Bill to be entitled An Act relative to time of paying poll tax to be entitled to vote.

Also unfavorably on—

Senate Bill No. 269:

A Bill to be entitled An Act allowing persons qualified to register the privilege of registering at any time after such qualification.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1911.

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

Sir:

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

House Bill No. 425:

An Act to abolish the present municipal government of the Town of Marianna, Jackson County, Florida, and to establish, organize and incorporate a city municipality to be known and designated as the City of Marianna, and to define its territorial boundaries, to provide for its jurisdiction, powers and privileges, and for the exercise of same.

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 signatures of the President and Secretary thereof.

Very respectfully,
WILLIAM W. FLOURNOY,
Acting Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1911.

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

Sir:

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

House Bill No. 309 :

An Act to validate the incorporation of the Town of St. Cloud, in Osceola County, and to define the boundaries thereof.

Also—

House Bill No. 267 :

An Act to amend Section 1, Chapter 6067, Acts of 1909, entitled "An Act to provide a municipal government for the Town of Lee, in Madison County, Florida."

Also—

House Bill No. 306 :

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

Also—

House Bill No. 205 :

An Act to amend Sections 40, 41, 42 and 43 of An Act entitled "An Act to abolish the present municipal government of the Town of Titusville, in the County of Brevard, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Titusville, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges.

Also—

House Bill No. 286 :

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

Also—

House Bill No. 370 :

An Act to authorize the Board of County Commissioners of Marion County, Florida, to refund certain county warrants or script issued or to be issued by the County Commissioners of Marion County, Florida, and to validate the same, and to provide for the payment of interest thereon.

Begs to report that the same have been duly signed by the Speaker and Chief Clerk of the House of Representa-

tives and are herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,
WM. W. FLOURNOY,
Acting Chairman of Committee.

INTRODUCTION OF BILLS.

By Mr. Stokes—

Senate Bill No. 341:

A Bill to be entitled An Act to repeal Chapter 5983, Laws of Florida, same being An Act entitled An Act to organize and establish a County Court in and for Escambia County, Florida, and to prescribe the terms thereof, and for calling special terms of said court; the transfer of causes from other courts and matters pertaining thereto, and to provide for the transfer of causes therein pending to other courts.

Which was read the first time by its title.

Mr. Stokes moved to waive the rules and that Senate Bill No 341 be not referred to a committee but that it be placed on the Local Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

And the bill was so placed.

By Mr. Dayton—

Senate Bill No. 342:

A Bill to be entitled An Act to provide for the appointment of a commission to formulate a complete system of pleading, practice and procedure for the courts of this State, both in their civil and criminal jurisdiction, and to provide for the payment of said commission and their incidental expenses.

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

Mr. Dayton moved to withdraw Senate Bill No. 282 from the Committee on Judiciary A, and that the bill be placed on the Calendar of Bills on Second Reading.

Which was agreed to, and the bill was so placed.

By Mr. McMullen (by request)—

Senate Bill No. 343:

A Bill to be entitled An Act to amend Sections 2, 3, 4, 20, 21 and 23 of Chapter 5859 of the Laws of Florida, approved May 27, 1907; also to amend Sections 15, 22, 41, 42, 43, 44, 48 and 49 of Chapter 5363 of the Laws of Florida, approved June 8, 1903, and also to amend Chapter 6109 of the Laws of Florida, approved May 29, 1909, amending Section 28 of Chapter 4883 of the Laws of Florida, all of said Acts relating to the City Charter of the City of Tampa, and providing for its government, jurisdiction and duties, and relating to the same, and to abolish the municipal government of the Town of East Tampa and to extend and define the corporate limits of the City of Tampa.

Which was read the first time by its title.

Mr. McMullen moved to waive the rules and that Senate Bill No. 243 be not referred, but that it be placed on the Local Calendar of Bills on the Second Reading.

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

By Mr. Dayton—

Senate Bill No. 344:

A Bill to be entitled An Act to establish senatorial district scholarships at the Florida State College for Women, at Tallahassee, Florida, and at the University of Florida, at Gainesville, Florida; to provide for the appointment of such scholarships and support and maintenance of such scholarships, and making an appropriation therefor.

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

By Mr. Cone—

Senate Bill No. 345:

A Bill to be entitled An Act prescribing the period of time within which an action arising on account of an act causing wrongful death shall be brought, and applying the same to certain actions heretofore commenced.

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

By Mr. Johnson—

Senate Bill No. 346:

A Bill to be entitled An Act appropriating five thousand dollars for farmers' demonstration work, and providing the method for expending the same.

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

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 1, 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. 112:

A Bill to be entitled An Act relating to the drainage and reclamation of certain lands in Putnam County, Florida, establishing a drainage district, creating a Board of Drainage Commissioners, and prescribing its powers and duties, establishing a drainage system by the cutting of canals and constructing and maintaining canals and levees for the purpose of drainage, levying a drainage tax relating to the assessment of lands to be drained and benefited; the collection of necessary funds by assessment of benefits and taxation of lands within said drainage district for the drainage and improvement of said lands, and for the exercise of the right of Eminent Domain.

Which amendment is as follows:

On page 2, section 4, 1st line, strike out the words "ten cents" and insert in lieu thereof the words "twenty cents."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And any action upon the House amendment to Senate Bill No. 112 was deferred until the introducer of the bill should return.

House of Representatives,
Tallahassee, Fla., May 1, 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. 1:

A Bill to be entitled An Act to require all persons or firms residing in this State doing business as a partnership or firm to file with the Clerk of the Circuit Court of the county in which their principal place of business is located names of the person or persons composing such firm or partnership and to require the Clerk of the Circuit Court to keep a record of the same and fixing the Clerk's fees for recording same and providing a penalty for the violation thereof.

Also—

House Bill No. 30:

A Bill to be entitled An Act to amend Section 4033, General Statutes of Florida, relating to the issue of commitments by Justices of the Peace on convictions.

Also—

House Bill No. 46:

A Bill to be entitled An Act authorizing the use of the proceeds from insurance policies where public property has been destroyed by fire, or otherwise, for the purpose of replacing such property by construction or repair.

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

And House Bill No. 30, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary B.

And House Bill No. 46, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary A.

House of Representatives,
Tallahassee, Fla., May 1, 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 indefinitely postponed—

Senate Concurrent Resolution No. 19:

A Concurrent Resolution proposing that the Senate and the House of Representatives go into a committee of the whole on May 11, 1911, to hear representatives of the cattle associations of this State and other associations on the subject-matter of Senate Bill No. 172 and House bill No. 357.

Has also indefinitely postponed—

Senate Bill No. 48:

A Bill to be entitled An Act to repeal Section 3643 of the General Statutes of the State of Florida relating to persons beating their way on railroad trains.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Mr. Broome moved that when the Senate do adjourn this morning that the Senate adjourn to 3 o'clock this afternoon.

Mr. Wilson moved to amend the motion that when the Senate takes a recess today it shall take a recess to 4 o'clock this afternoon.

The amendment offered by Mr. Wilson was agreed to.

ORDERS OF THE DAY.

Committee Substitute for—

Senate Bill No. 125:

A Bill to be entitled An Act to provide for the treatment, control of dependent and delinquent children, to provide for the disposition, care, education, protection, support, maintenance and punishment of delinquent or dependent children, and for their guardianship and adoption, to prescribe the power and duties of County Judges, with respect thereto.

Was taken up and read again the third time in full.

Upon the passage of Senate Bill No. 125 the vote was:

Yeas—Mr. President, Senators Calkins, Carney, Cook, Dayton, Flournoy, Henderson, Hudson, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Zim—20.

Nays—Senators Adkins, Baker, Withers—3.

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

A message from the Governor was received.

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.

Pending amendment on the Second Reading was taken up.

Mr. Stokes offered the following amendment to Senate Bill No. 83:

In Section 2 at the end insert the following: "provided that no person shall be entitled to a pension whose income exceeds one thousand dollars per annum, or whose property, real and personal, exceeds in value \$3,000.

Mr. Stokes moved the adoption of the amendment.

Mr. Davis offered the following substitute to the amendment offered by Mr. Stokes:

Insert after the word "service"—

In line 6, page 2, Section 2 of printed bill the following "and who performed actual service for period of not less than one year, or who was in actual service at the time of the close of said war, unless incapacitated by reason of wounds received or disease contracted while in line of duty, and whose property valuation, both real and personal including the property of his wife does not exceed the sum of five thousand dollars or whose income including wife, does not exceed \$500 per annum.

Mr. Davis moved to adopt the substitute.

Which was agreed to.

Mr. Cone offered the following amendment to—

Senate Bill No. 83:

Insert at the end of Section 2 "that no property qualification shall prevent any soldier or sailor from getting a pension who was disabled by wounds or lost a limb or limbs, eye or eyes, and by reason thereof is unable to earn a livelihood."

Mr. Cone moved the adoption of the amendment.

Pending the consideration of which.

Mr. Johnson moved to lay the amendment offered by Mr. Cone to Senate Bill No. 83 on the table.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Calkins, Carney, Cook, Davis, Henderson, Humphries, Johnson, Malone, Massey, McLeod, McMullen, Miller, Stokes, Wilson, Withers—15.

Nays—Mr. President, Senators Adkins, Baker, Broome, Dayton, Finlayson, Flournoy, Hudson, McCreary, Perkins, Sloan, Zim—12.

Mr. Broome in explanation of his vote said:

Believing a soldier's pension should be based on voluntary and meritorious conduct regardless of wealth or property, and should be prized as the Frenchman prizes the Cross of the Legion, or the Englishman the Order of the Garter, I vote no.

So the amendment, together with Senate Bill No. 83, was laid on the table.

Mr. Stokes moved that the Senate take a recess.

Which was agreed to.

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

AFTERNOON SESSION.

4 O'clock P. M., May 2, 1911.

The President in the chair.

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

Mr. President, Senators Adkins, Broome, Calkins, Carney, Cook, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—20.

A quorum present.

BILLS ON THIRD READING.

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.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 300 the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Cook, Davis, Dayton, Finlayson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—23.

Nays—None.

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

LOCAL BILLS ON THE SECOND READING.

House Bill No. 272:

A Bill to be entitled An Act making it unlawful to catch fish in the fresh water lakes or streams of Osceola County during certain months of the year.

Was taken up.

Mr. Massey moved that the rules be waived and that House Bill No. 272 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No 272 was read a second time by title only.

Mr. Massey moved that the rules be further waived and that House Bill No. 272 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 272 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

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

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 182:

A Bill to be entitled An Act to organize a County Court in the County of Pasco, to prescribe for the appointment of a Prosecuting Attorney therefor, and prescribe the terms of said court.

Was taken up.

Mr. Dayton moved to waive the rules and to substitute Senate Bill No. 282 for Senate Bill No. 182.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 282 took the place and position of Senate Bill No. 182.

Senate Bill No. 282:

A Bill to be entitled An Act to organize a County Court in the County of Pasco; to prescribe for the appointment of a Prosecuting Attorney therefor, and to prescribe the terms of said court.

Was taken up in lieu of Senate Bill No. 182.

Mr. Dayton moved that the rules be waived and that Senate Bill No. 282 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 282 was read a second time by its title only.

Mr. Dayton moved that the rules be further waived and that Senate Bill No. 282 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 282 was read a third time in full. Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Cook, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Stokes, Wilson, Withers, Zim—27.

Nays—None.

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

Mr. Henderson, Chairman of the Committee on Municipalities, moved that Senate Bills Nos. 215 and 264, and House Bill No. 264 be recalled from the Committee on Municipalities, and that the bills be placed on the Local Calendar of Bills on the Second Reading.

Which was agreed to.

And Senate Bills Nos. 215 and 264 and House Bill No. 264 were so placed.

Senate Bill No. 138:

A Bill to be entitled An Act to validate and confirm Ordinance No. 217 of the City of St. Petersburg, Florida, being entitled An Ordinance vacating Second Avenue, North, between the west line of Fifth Street and the east line of Lake Street.

Was taken up.

Mr. McMullen moved that the rules be waived and that Senate Bill No. 138 be read a second time by its title only.

Which was agreed to by a two third's vote.

And Senate Bill No. 138 was read a second time by its title only.

Mr. McMullen moved that the rules be further waived and that Senate Bill No. 138 be read a third time and put upon its passage.

Which was agreed to by a two third's vote.

And Senate Bill No. 138 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Davis, Dayton, Finlayson, Flournoy,

Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—28.

Nays—None.

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

House Bill No. 369:

A Bill to be entitled An Act to continue the municipal corporation of the Town of Plant City, Florida, under the corporate name of the City of Plant City, Florida, to prescribe the territorial boundaries, jurisdiction, powers, immunities, privileges and duties of the City of Plant City, Florida; to validate certain indebtedness of the Town of Plant City, Florida, and to make the same legal and binding on the City of Plant City, Florida; to make all bonds and indebtedness of the Town of Plant City, Florida, legal and binding on the City of Plant City, Florida, and to create the City of Plant City, Florida, as the legal successor of the Town of Plant City, Florida, in all respects and for other purposes.

Was taken up.

Mr. McMullen moved that the rules be waived and that House Bill No. 369 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 369 was read a second time by its title only.

Mr. McMullen moved that the rules be further waived and that House Bill No. 369 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 369 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—22.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 314:

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 purposes for and the manner in which the same may be levied, assessed and collected.

Was taken up.

Mr. Zim moved that the rules be waived and that House Bill No. 314 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 314 was read a second time by its title only.

Mr. Zim moved that the rules be further waived, and that House Bill No. 314 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 314 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Cook, Davis, Dayton, Finlayson, Flornoy, Henderson, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—27.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 301:

A Bill to be entitled An Act for the protection and preservation of deer, turkey, quail and other wild game and birds of Lee County, Florida, and designating the time when they can be hunted, chased and killed, and when they cannot be hunted, chased and killed or molested, and providing for a license tax to be paid by non-residents of the State of Florida for a permit to hunt, chase and kill same, and providing for the appointment of a Game Warden and Deputy Game Warden, and defining their powers and duties and providing a special game fund for the prosecution of violations of such game laws, and for paying the expenses thereof, and declaring violations thereof to be misdemeanors.

Was taken up.

Mr. Malone moved that the rules be waived and that House Bill No. 301 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 301 was read a second time by its title only.

Mr. Malone moved that the rules be further waived and that House Bill No. 301 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 301 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Baker, Broome, Calkins, Carney, Cook, Dayton, Finlayson, Flournoy, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Perkins, Sloan, Wilson, Withers, Zim—23.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 388:

A Bill to be entitled An Act to amend Section 1 of Chapter 6092, Laws of Florida, the same being An Act entitled An Act to provide for the deposit in bank or banks and for the loan and investments of funds of the City of Palatka, and for obtaining interest thereon, approved June 1, 1909.

Was taken up.

Mr. Hilburn moved that the rules be waived and that House Bill No. 388 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 388 was read a second time by its title only.

Mr. Hilburn moved that the rules be further waived, and that House Bill No. 388 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 388 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Cal-

kins, Carney, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hudson, Humphries, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Withers, Zim—22.

Nays—None.

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

House Bill No. 367:

A Bill to be entitled An Act to legalize the election held in the City of Jasper, Florida, on the 18th day of April, A. D. 1911, to determine by a two thirds' vote of the registered and legally qualified voters of the said city of Jasper, who were owners of real estate within the corporate limits of the said City of Jasper and who had paid taxes therein for the last year when said taxes were due, whether or not the bonds proposed by an ordinance entitled "An Ordinance providing for the issuance of bonds by the City of Jasper, Florida, for the purpose of constructing a sewerage system, erecting a city hall and improving the streets and sidewalks of said city," passed by the City Council of the City of Jasper, Florida, on the 4th day of April, A. D. 1911, and approved by the Mayor of said city on the 5th day of April, A. D. 1911, should be authorized and issued, and to declare and render valid and legal said election, and the Mayor's proclamation calling said election and the result as shown by the returns thereof and to declare and render legal and valid said ordinance and to declare and render legal and binding an ordinance passed by the said City Council of Jasper, Florida, on the 14th day of April, A. D. 1911, entitled "An Ordinance entitled An Ordinance prescribing the qualifications of electors for bond elections held in the City of Jasper, Florida, and the duties of the registration officer, and other officers, in reference thereto," and approved by the Mayor of said city on the 14th day of April, A. D. 1911, thereby becoming an ordinance of said city and to declare valid and binding all bonds which have or may be issued under the terms of said ordinances.

Was taken up.

Mr. McLeod moved that the rules be waived and that House Bill No. 367 be read a second time by its title only.

Which was agreed to by a two third's vote.

And House Bill No. 367 was read a second time by its title only.

Mr. McLeod moved that the rules be further waived and that House Bill No. 367 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 367 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Withers, Zim—23.

Nays—None.

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

Mr. Johnson moved that the vote by which Senate Joint Resolution No. 18 failed to pass the Senate yesterday be reconsidered.

Which went over under the rules.

Senate Bill No. 295:

A Bill to be entitled An Act making legal and valid the present municipal corporation of the Town of Branford in Suwannee County, Florida.

Was taken up.

Mr. Johnson moved that the rules be waived and that Senate Bill No. 295 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 295 was read a second time by its title only.

Mr. Johnson moved that the rules be further waived, and that Senate Bill No. 295 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 295 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Cook, Davis, Finlayson, Henderson, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary,

McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Withers, Zim—24.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 297:

A Bill to be entitled An Act authorizing and empowering the Board of County Commissioners of St. Johns County to issue county warrants or script in the aggregate sum of thirty thousand dollars; to take up certain promissory notes which were given for the purpose of building hard surfaced roads in St. Johns County.

Was taken up.

Mr. Zim moved that the rules be waived, and that Senate Bill No. 297 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 297 was read a second time by its title only.

Mr. Zim moved that the rules be further waived, and that Senate Bill No. 297 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 297 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Broome, Calkins, Carney, Dayton, Hilburn, Hudson, Humphries, Malone, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—19.

Nays—None.

So the bill passed, title as stated.

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

The Honorable E. F. Porter, President of the Senate of the State of Kansas, being present in the chamber he was invited to be seated beside the President of the Senate.

Which courtesy, so heartily extended by the Senate, was accepted.

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 Lee, 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.

Mr. Henderson asked that the rules be waived and that the bill be referred to the Committee on Municipalities.

Which was agreed to by a two thirds' vote, and the bill was so referred.

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.

Was taken up.

Mr. Massey moved that the rules be waived and that House Bill No. 412 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 412 was read a second time by its title only.

Mr. Massey moved that the rules be further waived and that House Bill No. 412 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 412 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President. Senators Adkins, Broome, Calkins, Carney, Cook, Davis, Dayton, Finlayson, Henderson, Hilburn, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—25.

Nays—None.

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

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.

Was taken up.

Mr. Massey moved that the rules be waived and that

House Bill No. 413 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 413 was read a second time by its title only.

Mr. Massey moved that the rules be further waived, and that House Bill No. 413 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 413 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Cook, Davis, Dayton, Henderson, Hilburn, Hudson, Humphries, Malone, Massey, McLeod, Perkins, Sloan, Stokes, Wilson, Withers, Zim—21.

Nays—None.

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

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.

Was taken up.

Mr. Stokes moved that the rules be waived and that House Bill No. 184 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 184 was read a second time by its title only.

Mr. Stokes moved that the rules be further waived, and that House Bill No. 184 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 184 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Cook, Davis, Dayton, Finlayson, Henderson, Hilburn, Hudson, Humphries, Malone, Massey, McLeod, McMullen, Perkins, Sloan, Stokes, Wilson, Withers, Zim—23.

Nays—None.

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

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.

Was taken up.

Mr. Dayton moved that the rules be waived and that House Bill No. 402 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 402 was read a second time by its title only.

Mr. Dayton moved that the rules be further waived, and that House Bill No. 402 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 402 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Davis, Dayton, Finlayson, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Perkins, Sloan, Wilson, Withers, Zim—24.

Nays—None.

So the bill passed, title as stated.

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

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.

Was taken up.

Mr. Broome moved that the rules be waived and that House Bill No. 408 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 408 was read a second time by its title only.

Mr. Broome moved that the rules be further waived and that House Bill No. 408 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 408 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Davis, Dayton, Finlayson, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod McMullen, Perkins, Sloan, Wilson, Withers, Zim—23.

Nays—None.

So the bill passed, title as stated.

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

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, to fix its territorial limits, and to prescribe its jurisdiction and powers.

Was taken up.

Mr. Calkins moved that the rules be waived and that House Bill No. 410 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 410 was read a second time by its title only.

Mr. Calkins moved that the bill be passed to the Calendar of Local Bills on the Third Reading.

Which was agreed to.

And the bill took its place on the Local Calendar of Bills on the Third Reading.

House Bill No. 411:

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

Was taken up.

Mr. Massey moved that the rules be waived and that House Bill No. 411 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 411 was read a second time by its title only.

Mr. Massey moved that the rules be further waived and that House Bill No. 411 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 411 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Davis, Dayton, Finlayson, Hilburn, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Withers, Zim—23.

Nays—None.

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

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.

Was taken up.

Mr. Zim moved that the rules be waived and that Senate Bill No. 215 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 215 was read a second time by its title only.

Mr. Zim moved that the rules be further waived and that Senate Bill No. 215 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 215 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Carney, Cook, Finlayson, Hilburn, Hudson, Humphries, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Wilson, Withers, Zim—20.

Nays—None.

So the bill passed, title as stated, and the same was or-

dered to be certified to the House of Representatives, under the rules.

House Bill No. 264:

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

Was taken up.

Mr. Wilson moved that the rules be waived and that House Bill No. 264 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 264 was read a second time by its title only.

Mr. Wilson moved that the rules be further waived, and that House Bill No. 264 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 264 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. Speaker, Senators Adkins, Baker, Carney, Cook, Dayton, Hudson, Humphries, Malone, Massey, McCreary, McLeod, McMullen, Miller, Wilson, Zim—16.

Nay—Senator Hilburn—1.

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

Senate Bill No. 343:

A Bill to be entitled An Act to amend Sections 2, 3, 4, 20, 21 and 23 of Chapter 5859 of the Laws of Florida, approved May 27, 1907; also to amend Sections 15, 22, 41, 42, 43, 44, 48 and 49 of Chapter 5363 of the Laws of Florida, approved June 8, 1903; and also to amend Chapter 6109 of the Laws of Florida, approved May 29, 1909, amending Section 28 of Chapter 4883 of the Laws of Florida, all of said Acts relating to the city charter of the City of Tampa, and providing for its government, jurisdiction and duties, and relating to the same, and to abolish the Municipal Government of the Town of East Tampa, and to extend and define the corporate limits of the City of Tampa.

Was taken up.

Mr. McMullen moved that the rules be waived and that Senate Bill No. 343 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 343 was read a second time by its title only.

Mr. McMullen moved that the rules be further waived, and that Senate Bill No. 343 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 343 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was :

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Cook, Dayton, Finlayson, Hilburn, Hudson, Humphries, Malone, Massey, McLeod, McMullen, Miller, Perkins. Sloan, Wilson, Zim—20.

Nays—None.

So the bill passed, title as stated.

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

ENROLLED.

The President announced that he was about to sign—
House Bill No. 425 :

An Act to abolish the present municipal government of the Town of Marianna, Jackson County, Florida, and to establish, organize and incorporate a city municipality to be known and designated as the City of Marianna, and to define its territorial boundaries, to provide for its jurisdiction, powers and privileges, and for the exercise of same.

The Act was therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

The President announced that he was about to sign—
House Bill No. 309 :

An Act to validate the incorporation of the Town of St. Cloud, in Osceola County, Florida, and to define the boundaries thereof.

Also—

House Bill No. 267:

An Act to amend Section 1, Chapter 6067 Acts of 1909 entitled "An Act to provide a municipal government for the Town of Lee in Madison County, Florida."

Also—

House Bill No. 306:

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

Also—

House Bill No. 205:

An Act to amend Sections 40, 41, 42 and 43 of An Act entitled "An Act to abolish the present municipal government of the Town of Titusville in the County of Brevard and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Titusville, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges."

Also—

House Bill No. 286:

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

Also—

House Bill No. 370:

An Act to authorize the Board of County Commissioners of Marion County, Florida, to refund certain county warrants or script issued or to be issued by the County Commissioners of Marion County, Florida, and to validate the same, and to provide for the payment of interest thereon.

The Acts were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on *Enrolled Bills* to convey to the Governor for his approval.

Mr. Flournoy, Acting Chairman of the Joint Committee on *Enrolled Bills*, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1911.

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

Sir:

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

House Bill No. 425:

An Act to abolish the present municipal government of the Town of Marianna, Jackson County, Florida, and to establish, organize and incorporate a city municipality to be known and designated as the City of Marianna, and to define its territorial boundaries, to provide for its jurisdiction, powers and privileges, and for the exercise of same.

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

Very respectfully,
WILLIAM W. FLOURNOY,
Acting Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1911.

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

Sir:

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

House Bill No. 309:

An Act to validate the incorporation of the Town of St. Cloud, in Osceola County, and to define the boundaries thereof.

Also—

House Bill No. 267:

An Act to amend Section 1, Chapter 6067, Acts of 1909, entitled An Act to provide a municipal government for the Town of Lee in Madison County, Florida.

Also—

House Bill No. 306:

An Act to provide for the working of the public roads

and bridges of Liberty County, Florida, to provide a road and bridge fund for said county and for the assessment and collection of same.

Also—

House Bill No. 205:

An Act to amend Sections 40, 41, 42 and 43 of An Act entitled "An Act to abolish the present municipal government of the Town of Titusville in the County of Brevard and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Titusville, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges."

Also—

House Bill No. 286:

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

Also—

House Bill No. 370:

An Act to authorize the Board of County Commissioners of Marion County, Florida, to refund certain county warrants or script issued or to be issued by the County Commissioners of Marion County, Florida, and to validate the same, and to provide for the payment of interest thereon.

Begs to report that the same have been presented to the Governor for his approval.

Very respectfully,

WM. W. FLOURNOY,
Acting Chairman of Committee.

Mr. Wilson moved to reconsider the vote by which House Bill No. 264 passed the Senate this afternoon.

Which went over under the rules.

Mr. Wilson moved that the Senate do now adjourn to 10 o'clock a. m. tomorrow.

Which was agreed to.

Whereupon the Senate stood adjourned until 10 o'clock a. m. Wednesday, May 3, 1911.

WEDNESDAY, MAY 3, 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, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—29.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 2nd was dispensed with.

The Journal of May 2nd was corrected and approved as corrected.

The Committee on Judiciary B reported unfavorably—
Senate Bill No. 296:

A Bill to be entitled An Act to amend Sections 3103, 3104 and 3105 of the General Statutes of the State of Florida, relating to interest and usurious contracts.

The Committee on Judiciary B reported favorably, with amendment, the following bills—

Senate Bill No. 283:

A Bill to be entitled An Act to amend Section 820 of the General Statutes of the State of Florida relative to the fees of County Treasurer of school fund.

With the following amendments:

1. Strike out the letter "d" from the word "received" in the 4th line from bottom of bill.
2. Strike out the words at end of bill, "or for receiving such funds."

Senate Bill No. 306:

A Bill to be entitled An Act to amend Section 2193