

WEDNESDAY, APRIL 26, 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, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim—25.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 25th was corrected and approved as corrected.

The following invitation from Anna Jackson Chapter U. D. C. to the Senate was read and ordered spread on the Journal:

Anna Jackson Chapter, U. D. C., extends to the members and attaches of the Senate of the State of Florida a most cordial invitation to attend the memorial services at the city cemetery, Wednesday, April 26th, 1911, at 4:30 p. m.

FENTON G. DAVIS,

April 24, 1911.

Secretary.

The Committee on Judiciary A reported unfavorably, with amendment, the following bill—

Senate Bill No. 230:

A Bill to be entitled An Act to amend Section 3903 of the General Statutes of the State of Florida, relating to the jurisdiction of County Judges in criminal matters.

The Committee on Public Health reported—

Senate Bill No. 175:

A Bill to be entitled An Act to establish, maintain and operate a Hog Cholera Serum Plant, to authorize the

Board of Control to make rules for the production and distribution of said Serum, and to make appropriations therefor.

Recommends the following substitute:

A Bill to be entitled An Act to establish, maintain and operate a Hog Cholera Serum Plant, to authorize the State Board of Health to make rules for the protection and distribution of said Serum.

The Committee on Public Health reported unfavorably—

Senate Bill No. 242:

A Bill to be entitled An Act to amend Section 443 of the General Statutes of the State of Florida, imposing a license tax upon itinerant vendors of drugs, nostrums, ointments or appliances sold for the cure of disease, injuries or deformities.

The Committee on Public Health reported unfavorably—

Senate Bill No. 239:

A Bill to be entitled An Act to make it the duty of the Board of Control to make rules and regulations for the inspection, certification, sale, exchange, transportation and introduction of nursery stock, infested or infected or suspected of being infested or infected with injurious insects, pests or diseases; to appoint an Inspector of Nursery Stock and necessary assistants, prescribing their duties and fixing their salaries; to prescribe costs and charges for said inspections and certifications; to fix penalties for the violations of this Act, and the rules and regulations thereof; to make an appropriation to carry out the provisions of this Act.

The Committee on Public Health reported unfavorably—

Senate Bill No. 241:

A Bill to be entitled An Act to create, provide for and establish the Board of Pharmacy for the State of Florida; to provide for the appointment of its members; to prescribe the terms and number of members of said board, and for the regulation and organization of the board; prescribing the duties and powers of said board

and its members; regulating the practice of pharmacy in the State of Florida; the manner of issuing certificates of registration; providing for the examination of applicants for registration, prescribing fees, prescribing fines, penalties and punishment for the violations of the provisions of this Act; regulating the sale of poisons and narcotics, and prescribing the penalties for the violation of the same; defining the standard of strength, quality and purity of drugs, medicines, substances or preparations that may be manufactured or sold in the State of Florida and prescribing the penalties for the violations thereof, and to repeal all laws in conflict with the provisions of this Act.

The Committee on Public Health reported unfavorably—

Senate Bill No. 243:

A Bill to be entitled An Act to regulate the writing of prescriptions by physicians, surgeons, dentists or veterinarians, and prescribing the penalties for violations thereof.

The Committee on Militia reported favorably on—

Senate Bill No. 259:

A Bill to be entitled An Act to amend Sections 738, 739, 740, 742, 743, 744, 745, 747, 748 and 749 of the General Statutes of the State of Florida, to provide for the Florida naval militia and to promote its efficiency.

The Committee on Engrossed Bills reported as properly engrossed—

Senate Concurrent Resolution No. 19:

Relative to forestry legislation.

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 149:

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 exclusive power within the State of Florida to regulate the services and the charges of all persons, firms or corporations carrying on a telephone business within the State of Florida, and for other purposes.

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

Senate Chamber,
Tallahassee, Fla., April 26, 1911.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Concurrent Resolution No. 14:

For the appointment of a Joint Committee from the Senate and the House of Representatives, respectively, to investigate the primary laws of this and other States, and make report and recommendations thereon.

Also—

Senate Memorial No. 1:

Memorializing Congress to make appropriation for the surveying, dredging, etc., of Yellow River, in Santa Rosa County, Florida.

Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., April 26, 1911.

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

Sir:

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

Senate Concurrent Resolution No. 14:

For the appointment of a Joint Committee from the Senate and the House of Representatives, respectively, to investigate the primary laws of this and other States, and make report and recommendations thereon.

Also—

Senate Memorial No. 1:

Memorializing Congress to make appropriation for the surveying, dredging, etc., of Yellow River, in Santa Rosa County, Florida.

Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

The Acts contained in the above report were ordered referred to the Joint Committee on Enrolled Bills to be conveyed to the House of Representatives for the signature of the Speaker and Chief Clerk thereof.

INTRODUCTION OF RESOLUTIONS.

Mr. Zim offered the following—

Senate Concurrent Resolution No. 20:

A resolution memorializing Congress to make an appropriation for improving the entrances to the harbor at St. Augustine.

Whereas, The Matanzas and North Rivers, forming, as they do, a junction at the entrance of the Atlantic Ocean at St. Augustine, Florida, afford a most inviting land-locked harbor, stretching a distance of some eight or ten miles, with a depth of water ranging from thirty to forty feet; and,

Whereas, The said harbor is the most inviting and would be accessible as a refuge from storms along the entire East Coast of Florida; and,

Whereas, Said harbor, by nature, forms the basis for a pretentious port of entry, and would serve as a great depot for shipments along the entire Coast Line Canal; and,

Whereas, The increasing population and rapidly growing commercial interests tributary to St. Augustine demand the deeping of the channel at the entrance to the harbor to admit the passage of deep sea-going vessels: therefore, be it

Resolved by the Legislature of the State of Florida, That the Congress of the United States be petitioned to

making an appropriation sufficient for the jettying of the narrow bar that intervenes between the ocean and the deep waters of the harbor.

Resolved further, That our Senators and Representatives in Congress be urged to secure the passage of legislation necessary to accomplish this object.

Be it further resolved, That the Secretary of State of the State of Florida be requested to furnish each of the Senators and Representatives aforesaid a copy of this Memorial.

Which was read the first time and went over under the rules.

INTRODUCTION OF BILLS.

By Mr. Massey—

Senate Bill No. 292:

A Bill to be entitled An Act to provide for the levy of taxes for the years 1911 and 1912 and relating to the assessment, collection and distribution of taxes upon lands and other property in this State.

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

By Mr. Massey (by request)—

Senate Bill No. 293:

A Bill to be entitled An Act imposing licenses and other taxes, providing for the payment thereof, prescribing penalties for doing business without a license or other failure to comply with the provisions thereof and providing for the collection thereof when there is a default in payment.

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

By Mr. Johnson—

Senate Bill No. 294:

A Bill to be entitled An Act authorizing the Board of County Commissioners of Suwannee County, Florida, to issue interest bearing time warrants, or county script, for the purpose of raising funds with which to open, lay out, establish, grade, pave, repair, improve and construct public roads and highways within said county and to purchase all necessary teams, wagons, tools, implements, ma-

chinery, supplies and appliances for such purposes; providing for the re-issuance of said warrants under certain circumstances and for the levy of a special tax to redeem said warrants or script.

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

By Mr. Johnson—

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.

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

By Mr. Humphries—

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.

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

By Mr. Zim—

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.

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

By Mr. Johnson—

Senate Bill No. 294:

A Bill to be entitled An Act authorizing the Board of County Commissioners of Suwannee County, Florida, to issue interest-bearing time warrants, or county script, for the purpose of raising funds with which to open, lay out, establish, grade, pave, repair, improve and construct

public roads and highways within said county, and to purchase all necessary teams, wagons, tools, implements, machinery, supplies and appliances for such purposes, providing for the re-issuance of said warrants under certain circumstances for the levy of a special tax to redeem said warrants or script.

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

By Mr. Johnson—

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.

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

By Mr. Humphries—

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.

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

By Mr. Zim—

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 surface roads in St. Johns County.

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

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.

Upon the question of its adoption House Concurrent

Resolution No. 18 was informally passed on the Calendar.

House Concurrent Resolution No. 21:

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

Was taken up and read the second time.

Upon the question of its adoption House Concurrent Resolution No. 21 was temporarily passed on the Calendar.

Senate Concurrent Resolution No. 19:

Relative to inviting representatives of cattle associations, saw mill associations and all other associations of this State and others before the Senate and House of Representatives sitting as a committee of the whole on May 11, 1911.

Was taken up and read the second time.

Mr. Zim moved to adopt Senate Concurrent Resolution No. 19.

Which was agreed to.

And Senate Concurrent Resolution No. 19 was ordered to be certified to the House of Representatives.

The motion of Mr. Davis to reconsider vote by which substitute for—

Senate Bill No. 229:

A Bill to be entitled An Act for the protection and preservation of wild game in Taylor and Lafayette counties, Florida, and provide penalties for the violation of this Act to repeal Chapter 5783 of the Acts of 1907.

Passed the Senate on yesterday.

Was taken up.

Upon the question of shall the vote be reconsidered by which Senate Bill No. 229 passed the Senate.

It was agreed to.

And the vote was reconsidered.

Mr. Culpepper moved to place Senate Bill No. 229 back on Calendar of Local Bills on the Second Reading.

Which was agreed to.

ORDERS OF THE DAY

Senate Bill No. 68:

A Bill to be entitled An Act to regulate child labor in the State of Florida, and to make provision of such Act effective, creating the office of State Labor Inspector and defining duties and compensation of such officer.

Was taken up and informally passed on the Calendar of Orders of the Day.

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 informally passed on the Calendar of Orders of the Day.

Senate Bill No. 100:

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

Was taken up and informally passed on the Calendar of Orders of the Day.

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 informally passed on the Calendar of Orders of the Day.

Senate Bill No. 6:

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

Was taken up and passed informally on the Calendar of Orders of the Day.

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.

Mr. Calkins moved that the consideration of Senate Bill No. 14 be deferred until the Chairman of the Committee on Temperance shall be present.

Mr. Hudson moved to amend the same that it retain its position and continue to be the order of the day.

The amendment was agreed to.

The motion of Mr. Calkins as amended was agreed to.

CONSIDERATION OF BILLS ON THIRD READING.

Senate Bill No. 75:

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

Was taken up and passed informally on Calendar.

Senate Bill No. 76:

A Bill to be entitled An Act to license automobiles and other motor-driven vehicles used on the public roads or highways in the State of Florida, either for hire or otherwise.

Was taken up and read the third time in full.

Mr. Zim moved that Senate Bill No. 76 be made special order for Monday next and that Senate Bill No. 16 be made special order at that time and both bills be considered together.

Which was not agreed to.

Upon the passage of Senate Bill No. 76 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Hosford, Hudson, Humphries, Massey, McCreary, McLeod, Perkins, Wilson, Zim—15.

Nays—Senators Johnson, Malone, Miller—3.

So the bill passed, title as stated.

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

Senate Bill No. 111:

A Bill to be entitled An Act to regulate the instruction of juries in jury trial.

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

Mr. Hudson moved to make Senate Bill No. 111 a special order for Friday next.

Which was agreed to.

Senate Bill No. 50:

A Bill to be entitled An Act to prescribe and regulate rates for the transmission of telegrams and providing a penalty for violation of said regulations.

Was taken up and passed informally on the Calendar of Bills on Third Reading.

Senate Bill No. 59:

A Bill to be entitled An Act to prescribe the maximum passenger rate in this State on certain steam railroads, and to provide that the Railroad Commission may prescribe maximum passenger rates on steam railroads in this State not in conflict with the provisions of this Act, and to provide for the use of certain evidence in cases arising under this Act, and to provide a penalty for the violation of this Act.

Was taken up and informally passed on the Calendar.

Senate Bill No. 118:

A Bill to be entitled An Act providing that a money bond may be given for appearance or as a bail bond, prescribing the duties of the officer taking such bond, and providing for the disposition of the proceeds of said bond, upon default thereof.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 118 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim
—22.

Nays—Senators Henderson, L'Engle—2.

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

Senate Bill No. 117 :

A Bill to be entitled An Act to amend Sections 1660, 1661 and 1662 of the General Statutes of the State of Florida relating to the powers and duties of and the procedure before referees.

Was taken up and read the third time in full.

Upon call of the roll on the passage of Senate Bill No. 117 the vote was :

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

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

Senate Bill No. 156 :

A Bill to be entitled An Act to amend Section 1 of Chapter 5431, being An Act for the protection of shad in the State; to prescribe a closed season thereon; prohibit the transportation or possession of such shad during such closed season.

Was taken up and read the third time in full.

Mr. Perkins moved that the Journal of April 14 be corrected to have the chapter in the title of Senate Bill No. 156 to read "Chapter 5431," instead of "Chapter 4531," as printed in said Journal, also to have the same correction made in printed Journal of yesterday, and that the Secretary be authorized to make correction in the written record of the Senate.

Which was agreed to.

Upon the passage of Senate Bill No. 156 the roll was called and the vote was :

Yeas—Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim—22.

So the bill passed, titled as stated.

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

Senate Bill No. 157 :

A Bill to be entitled An Act to amend Section 3774 of

the General Statutes of the State of Florida relating to closed season for mullet.

Was taken up and informally passed on the Calendar.

Substitute for—

Senate Bills Nos. 127 and 131:

A Bill to be entitled An Act to prohibit the hunting or killing of cat squirrels or fox squirrels or doves in certain seasons, and prescribing a penalty therefor.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 131 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Calkins, Culpepper, Davis, Finlayson, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, Miller, Stokes, Wilson, Zim—21.

Nays—Senators Baker, Carney—2.

So the bill passed, title as stated.

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

Senate Joint Resolution No. 171:

Proposing an amendment to Section 19, of 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.

Was taken up and read the third time in full.

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

Yeas—Senators Adkins, Broome, Calkins, Culpepper, Davis, Finlayson, Hilburn, Hosford, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, Miller, Perkins, Wilson, Zim—18.

Nays—Mr. President, Senators Baker, Carney, Henderson, Hudson, McLeod, Stokes—7.

So Senate Joint Resolution No. 171 not receiving the required three fifths' vote failed to pass.

Senate Bill No. 190:

A Bill to be entitled An Act relating to the procurement of petit jurors for the first week of the terms of the Circuit Court, the Court of Record, the Criminal

Court of Record and the County Court, and the length of service of such jurors.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 190 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Finlayson, Henderson, Hilburn, Hosford, Hudson, Humphries, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim—21.

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

Senate Bill No. 196:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 196 the roll was called and the vote was:

Yeas—Senators Adkins, Baker, Broome, Calkins, Carney, Hilburn, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim—18.

Nays—Mr. President, Senators Finlayson, Johnson—3.

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

Mr. Wilson moved that the rules be waived and that the Senate now take up House messages.

Which was agreed to by a two thirds' vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

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

Hon. Fred 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. 425:

A Bill to be entitled An Act to abolish the present Municipal Government of the Town of Marianna, Jackson County, Florida, and to establish, organize and incorporate a city and 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 the same.

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

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

Which was agreed to by a two thirds' vote.

And House Bill No. 425, was read a second time by its title.

Mr. Wilson moved that the rules be further waived and that House Bill No. 425 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 425:

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

Was read the third time in full.

Upon the passage of House Bill No. 425 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Davis, Finlayson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim—23.

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

Mr. Massey moved that the Senate do now resume the consideration of Bills on the Third Reading.

Which was agreed to.

Mr. Henderson moved to reconsider the vote by which Senate Joint Resolution No. 171 failed to pass the Senate.

Which went over under the rules.

Senate Bill No. 197:

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

Was taken up and read the third time in full.

Mr. Calkins moved to waive the rules and to place Senate Bill No. 197 back on the Calendar of Bills on the Second Reading.

Which was withdrawn.

Upon the pasage of Senate Bill No. 197 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim—26.

So the bill passed, title as stated.

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

Committee Senate Bill No. 198:

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

Mr. Calkins moved to waive the rules, and that Senate Bill No. 198 be placed back on the Calendar of Bills on Second Reading.

Which was agreed to.

Senate Bill No. 198 was returned to the Calendar of Bills on the Second Reading.

Committee Senate Bill No. 199:

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

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 199 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Miller, Perkins, Stokes, Wilson, Zim—26.

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

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.

Mr. Calkins moved that Senate Bill No. 149 be recommitted to the Committee on Engrossed Bills.

Which was agreed to.

CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 33:

A Bill to be entitled An Act to prevent the pollution of the streams and natural bodies of water of the State of Florida, and to prevent making any deposit of any substance therein which shall be destructive to the life of fish, or which shall effect the depth or navigability thereof.

Was taken up and informally passed on the Calendar.

Senate Bill No. 35:

A Bill to be entitled An Act to repeal Section 187 of the General Statutes of the State of Florida, pertaining to the publication of list of the qualified voters preceding general elections.

Was taken up and informally passed on the Calendar.

Senate Bill No. 25:

A Bill to be entitled An Act to require common carriers of passengers to provide individual drinking cups.

Was taken up and informally passed on the Calendar.

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 and informally passed on the Calendar.

Senate Bill No. 107:

A Bill to be entitled An Act: A Joint Resolution proposing to amend Section 10 of Article XII of the Constitution relative to education.

Was taken up and informally passed on the Calendar.

Senate Bill No. 108:

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.

Mr. Malone moved that House Bill No. 133 take the place of Senate Bill No. 108.

Which was agreed to.

And Senate Bill No. 108 was withdrawn.

Mr. Malone moved to waive the rules and to take up House Bill No. 133.

Which was agreed to by a two thirds' vote.

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 second time in full.

Mr. Malone offered the following amendments to House Bill No. 133:

Strike out all of Section 5.

Which was agreed to.

And House Bill No. 133, as amended, was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 109:

A Bill to be entitled An Act prescribing the hours

during which spiritous, vinous or malt liquors must not be sold; providing a requisite of all license to sell the same; prescribing rules of evidence in cases of violation thereof, and providing a penalty for such violation.

Was taken up and informally passed on the Calendar.

Senate Bill No. 139:

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

Was taken up and informally passed on the Calendar.

Senate Bill No. 85:

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

Was taken up and informally passed on the Calendar.

Senate Bill No. 65:

A Bill to be entitled An Act appropriating the sum of thirty thousand dollars for the purpose of carrying into effect the provisions of Chapter 5734 of the Laws of Florida, approved May 31, 1907, appropriating thirty thousand dollars to the Florida State Mid-Winter Association to pay premiums at fairs to be held in Tampa, Fla., commencing November 1, 1907, and November 1, 1908, respectively.

Was taken up and informally passed on the Calendar.

Senate Bill No. 24:

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

Was taken up and informally passed on the Calendar.

Senate Bill No. 69:

A Bill to be entitled An Act to prevent any person, persons, firm or corporation from shipping or carrying intoxicating liquors into any county or precinct voting against the sale of the same except for private use, and to prescribe a penalty therefor.

Was taken up and informally passed on the Calendar.

Senate Bill No. 36:

A Bill to be entitled An Act to prescribe the compensation of county officers, the manner in which they shall be paid; to require them to file statements of receipts and disbursements of funds, and to provide for the disposition to be made of the fees collected by such officers in excess of their compensation, and to fix penalties for the violation of certain provisions of this Act.

Was taken up and informally passed on the Calendar.

Senate Bill No. 115:

A Bill to be entitled An Act to amend Section 4072 of the General Statutes of Florida, as amended by Chapter 5651, Laws of Florida, A. D. 1907, relating to costs before County Judges, Justices of the Peace or other Committing Magistrates of the State of Florida.

Was taken up.

Mr. Hilburn, Chairman of the Committee on Judiciary B. as required by the rules, moved to indefinitely postpone the bill.

Which was agreed to.

Senate Bill No. 116:

A Bill to be entitled An Act prescribing the manner of pleadings and practice in Courts of County Judges, and terms of said court, and records in said court.

Was taken up.

Mr. Johnson moved to indefinitely postpone the bill.

Which was agreed to.

Senate Bill No. 142:

A Bill to be entitled An Act to amend Section 821 of the General Statutes of the State of Florida, entitled "Fees."

Was taken up.

Mr. Massey offered the following amendment to—

Senate Bill No. 142:

Add to the title the words "and relative to the fees of County Treasurer."

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—

Senate Bill No. 142:

In Section 1, line 6, strike out the word "fourth," and insert in lieu thereof the following word: "Half."

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

Mr. Johnson offered the following amendment to—
Senate Bill No. 142:

At end of Section 1 add the following:

“Provided the County Treasurer shall receive no fees or commissions for paying out or receiving funds of special tax school districts.”

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

And Senate Bill No. 142, as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 145 was informally passed on the Calendar.

Senate Bill No. 141:

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

Was taken up and read the second time in full.

The following committee amendment was read:

Amend title by adding thereto the words “relative to liens.”

Mr. Massey moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 141, as amended, was referred to the Committee on Engrossed Bills.

Senate Bills Nos. 122, 134 and 140 were consecutively taken up and passed informally on the Calendar.

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 a penalty for the violations thereof.

Was taken up and read the second time in full.

Mr. McCreary offered the following amendment:

After the word “matter,” at the end of line 3 of Section 1, insert the following, “of a political nature.”

Mr. McCreary moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 101 was passed to the Committee on Engrossed Bills.

Senate Bill No. 7 was taken up and informally passed on the Calendar.

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.

Was taken up and read the second time in full.

The following committee amendment was read:

In Section 2, line 4, strike out the words "County Judge" and insert in lieu thereof the following: "Governor."

Mr. Baker moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

Strike out the following words in lines 7 and 8 in Section 4, "any sum not less than one hundred dollars, and not."

Mr. Baker moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 133, as amended, was referred to the Committee on Engrossed Bills.

Senate Bills Nos. 137, 147, 146, 30, 126 and 124 were each taken up and informally passed on the Calendar.

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 second time in full.

There being no amendment, Senate Bill No. 84 was passed to the Calendar of Bills on Third Reading.

Senate Joint Resolution No. 18 was taken up and informally passed on the Calendar.

Senate Bill No. 173:

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

Was taken up.

Mr. Humphries moved that Senate Bill No. 173 be substituted by Senate Bill No. 174.

Which was agreed to.

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 read the second time in full and passed to the Calendar of Bills on Third Reading.

Senate Joint Resolution No. 42 was informally passed on the Calendar.

Mr. Massey moved that the rules be waived and that Senate Bill No. 141 be recalled from the Committee on Engrossed Bills, and retain its place on the Calendar of Bills on the Second Reading.

Which was agreed to.

And the bill was recalled and placed on the Calendar of Bills on the Second Reading.

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

Which was agreed to by a two thirds' vote

Senate Bill No. 59:

A Bill to be entitled An Act to prescribe the maximum passenger rate in this State on certain steam railroads, and to provide that the Railroad Commission may prescribe maximum passenger rates on steam railroads in this State not in conflict with the provisions of this Act, and to provide for the use of certain evidence in cases arising under this Act, and to provide a penalty for the violation of this Act.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 59 the roll was called and the vote was:

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

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