

WEDNESDAY, MAY 17, 1911.

10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim.—28.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 16 was dispensed with.

The Journal of May 16 was corrected and approved as corrected.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., May 17, 1911.

Hon. F. P. Cone,

President of the Senate.

Sir:

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

An Act to amend Section 2 of Chapter 5595, Acts of 1905, relating to the construction of a line of railway from the mainland of Florida to Key West.

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

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

The Committee on Banking reported favorably on—
House Bill No. 79:

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

The Committee on Claims reported unfavorably on—
Senate Bill No. 365:

A Bill to be entitled An Act for the relief of A. M. McMillan and J. R. Steward.

The Committee on Claims reported unfavorably on—
Senate Bill No. 416:

A Bill to be entitled An Act for the relief of Albury Mimms.

Mr. Broome, Chairman of Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 17, 1911.

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

Sir:

Your Committee on Engrossed Bills reports as properly engrossed—

Senate Bill No. 366:

A Bill to be entitled An Act to establish a reservation for the protection and propagation of shad, mullet, sturgeon and other food fishes of all kinds in the waters of the St. Johns River and tributaries and adjacent waters between the north line of Township No. 12 South, Range No. 26 East, and the south line of Township No. 13 South, Range 26 East, establishing the boundaries of said reservation, and prescribing penalties for violation of the provisions thereof.

Very respectfully,

J. E. BROOME,
Chairman of Committee.

The Committee on Rules and Procedure submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 17, 1911.

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

Sir:

Your Committee on Rules and Procedure recommends that a session of the Senate be held at 3 o'clock in the afternoon of Wednesday, May 17, and that at said session the first order of business shall be the consideration of the Special Calendar.

Very respectfully,

F. M. HUDSON,
Chairman of Committee.

Mr. Hudson moved to adopt the report.
Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Humphries—
Senate Bill No. 429:

A Bill to be entitled An Act to prevent persons from traveling upon or using that portion of the public roads in any of the counties of this State that are being graded or hard surfaced under any contract made by the respective Boards of County Commissioners of such counties, and to provide a penalty therefor.

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

By Mr. Humphries—
Senate Bill No. 430:

A Bill to be entitled An Act to amend Section 3152 of the General Statutes of the State of Florida relating to certain pits and holes not to be left open.

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

By Mr. Adkins—
Senate Bill No. 431:

A Bill to be entitled An Act to abolish the present municipal government of the Town of Lawtey, in the County of Bradford, and State of Florida, and to establish, organize and constitute a municipality to be known and

designated as Lawtey, and to define its territorial boundary and to provide for its jurisdiction, powers and privileges.

Which was read the first time by its title.

Mr. Adkins moved that Senate Bill No. 431 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.

Mr. Johnson moved that the rules be waived and that Senate Bill No. 346 be withdrawn from the Committee on Appropriations and placed on the Calendar of Bills on the Second Reading.

Which was agreed to by a two thirds' vote.

MESSAGES FROM THE GOVERNOR.

The following message from the Governor was received and read:

State of Florida,
Executive Office,
Tallahassee, May 16, 1911.

Gentlemen of the Legislature:

This morning I addressed to you a special message showing the number of cases decided by the Supreme Court of certain Southern States, including the State of Florida. It appears from the statement that the Justices of these States, except those of the State of Florida, decide eighty to ninety cases per year each. For the year 1910, one hundred and seventy-nine cases were docketed in the Supreme Court of Florida. It is quite apparent that five Justices would be sufficient to transact the business of such court. I have been informed by Justice Parkhill that he will resign before the expiration of his term of office. He will not, of course, be a candidate for re-election. I therefore recommend the passage of the following:

A Bill to be entitled An Act providing for a reduction in the number of the Justices of the Supreme Court of Florida.

Be it Enacted by the Legislature of the State of Florida:

Section 1. That only one Justice of the Supreme Court shall be elected for the full term beginning in January,

1913, and thereafter the Supreme Court shall consist of five members, to be elected as provided by law. And should a vacancy occur in the office of one of the Justices whose term expires in January 1913, it shall not be filled, and the Supreme Court shall, after such vacancy occurs, consist of five members to be elected as provided by law.

Respectfully,

ALBERT W. GILCHRIST,
Governor.

Mr. Massey moved that the message as read be referred to the Committee on Governor's Message with instructions to bring in a bill in accordance with the recommendation of the message for the consideration of the Senate.

Which was agreed to, and the message was so referred.

A message from the Governor relative to the creation of a commission to examine into the system of pleading and practice in this State and to suggest to the next Legislature such changes in the law as may be deemed advisable, etc.

Was read.

Mr. Flournoy moved that the message be referred to the Committee on the Governor's Message and that the same be not spread on the Journal until the committee makes its report.

Mr. Calkins moved as a substitute to the motion that the message be referred to the Committee on the Governor's Message.

Mr. Flournoy asked to withdraw his motion.

Which was agreed to.

Mr. Calkins moved that the message be referred to the Committee on the Governor's Message.

Mr. Flournoy moved as a substitute to the motion that the message be not spread on the Journal.

Mr. Johnson moved to amend the substitute offered by Mr. Flournoy to the motion made by Mr. Calkins that the message be not spread on the Journal and that it be referred to a Special Committee of three to be appointed by the chair, to draft such resolutions necessary to defend the dignity of this body.

Mr. Calkins asked to withdraw his motion.

Which was objected to.

Mr. Johnson moved to adopt the amendment to the sub-

stitute offered by Mr. Flournoy to the motion of Mr. Calkins.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Hosford, Johnson, McMullen, Withers—4.

Nays—Mr. President, Senators Adkins, Baker, Broome, Calkins, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Zim—27.

So the amendment to the substitute to the motion of Mr. Calkins was not agreed to.

Mr. Baker said in explanation of his vote: In explanation of my vote, I will say I favor the object but not the method.

The question recurred upon the substitute offered by Mr. Flournoy to the motion made by Mr. Calkins.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Cook, Culpepper, Davis, Flournoy, Henderson, Hilburn, Hudson, Humphries, L'Engle, Massey, McCreary, McMullen, Miller, Williams, Wilson, Zim—20.

Nays—Senators Calkins, Finlayson, Hosford, Johnson, Malone, McLeod, Perkins, Sloan, Stokes, Withers—10.

So the substitute to the motion of Mr. Calkins was agreed to.

The following message from the Governor was read:

State of Florida,
Executive Department,
Tallahassee, Fla., May 16, 1911.

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

Sir:

I have the honor to inform you that I have approved and signed the following Acts, which originated in your honorable body:

An Act to provide for the acquisition of a site and the erection, building and furnishing of a building thereon for the use of the Supreme Court of the State of Florida,

the Railroad Commission of the State of Florida, and for a library, and making appropriations for the same, and other purposes appertaining thereto.

An Act regulating the trial of minors, not married, in all courts, including municipal courts, of this State.

Very respectfully,

ALBERT W. GILCHRIST,
Governor.

Also the following message from the Governor was read:

State of Florida,
Executive Department,
Tallahassee, May 16, 1911.

Gentlemen of the Legislature:

I have the honor to transmit herewith copy of a report received by me from the Commissioner of the State of Florida for the promotion of the uniformity of Legislation in the United States.

Very respectfully,

ALBERT W. GILCHRIST,
Governor.

Tallahassee, Fla., March 4, 1911.

*To His Excellency,
Albert W. Gilchrist,
Governor of Florida.*

Sir:

The Nineteenth Conference of Commissioners on Uniform State Laws was held at the City of Detroit, in the State of Michigan, August 19, 20, 21, 23, 1909, much of the time was consumed in the consideration of a uniform law of "Transfer of Shares of Stock in Corporations," which was finally approved by a majority vote of the commissioners with the request that the Legislatures of the several States enact the same into law. Attached hereto is a copy of the Act so recommended.

At the same meeting a uniform "Bills of Lading Act" was approved by a majority vote of the commissioners and the Legislatures of the several States requested to enact the same into law. A copy of said Act is attached hereto.

The Twentieth Conference of the Commissioners was held at Chattanooga, in the State of Tennessee, on Aug-

ust 25, 26, 27 and 29, 1910. Much of the time was occupied in the consideration of a uniform "Law of Corporation" and a uniform law on "Marriage and Licenses to Marry."

An Act "relating to the desertion and non-support of wife by husband, or of children by either father or mother, and providing punishment therefor; and to promote uniformity between the States in reference thereto" was recommended to the various States for adoption. A copy of said Act is attached hereto.

An Act "relative to wills executed without this State, and to promote uniformity among the States in that respect" was approved and recommended to the various States for adoption. A copy of said Act is attached hereto.

Respectfully submitted,

R. W. WILLIAMS,
Commissioner of State of Florida for the Promotion of
Uniformity of Legislation in the United States.

Also the following message from the Governor was read:

State of Florida,
Executive Department,
Tallahassee, May 15, 1911.

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

Sir:

I have the honor to transmit herewith copy of a report received from The Adjutant General of the State of Florida, of the disbursements of his department under appropriations for "current expenses," as required by Section 4, Chapter 5870, Acts of 1909.

Very respectfully,
ALBERT W. GILCHRIST,
Governor.

St. Augustine, Fla., May 12, 1911.

Hon. A. W. Gilchrist,
Governor of Florida,
Tallahassee, Florida.

Sir:

I have the honor to submit to you, for the information

of the Legislature, report, as required by Section 4, Chapter 5870, Laws of Florida (Acts of 1909), of the disbursements of this department under appropriations for "current expenses":

| | | |
|--|----------|----------|
| January 1, 1910— | | |
| To appropriation for Current Expenses | | \$400.00 |
| February 12, 1910— | | |
| By payment to John B. Davis Co., of Jacksonville, Florida, for business phonograph outfit | \$213.75 | |
| March 15, 1910— | | |
| By payment to Cordesman, Myer & Co., of Cincinnati, Ohio, for wood-working machine for repair shop at State Arsenal..... | 175.00 | |
| January 1, 1911— | | |
| To appropriation for Current Expenses | | 400.00 |
| February 2, 1911— | | |
| By payment to the Multigraph Sales Co., of Jacksonville, for multigraph outfit..... | 325.00 | |
| By balance in fund..... | 86.25 | |
| | | \$800.00 |
| | | \$800.00 |

Detailed report upon the expenditures made under all funds pertaining to the Military Department are, as usual, included in the regular reports of the department which are printed each year; but the above statement is submitted in case it should be the understanding of your Excellency that a special report is called for of these particular expenditures by the Act cited.

Very respectfully,

J. CLIFFORD R. FOSTER,
The Adjutant General.

Mr. Malone moved to waive the rules and that the Senate do now take up Messages from the House of Representatives, received since the order for Messages from the House was passed on the Calendar.

Which was agreed to by a two thirds' vote.
And the Senate proceeded to take up—

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 16, 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 Memorial No. 7:

Memorial to the Congress of the United States asking that the proceeds of any income tax levied and collected under the proposed Sixteenth Amendment to the Constitution of the United States, be paid to the several States of the union.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And House Memorial No. 7, contained in the above message, was read the first time by its title and went over under the rules.

And the following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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 amendments—

Senate Substitute for Senate Bill No. 209:

A Bill to be entitled An Act creating three additional Judicial Circuits in the State of Florida, to be known and designated as Ninth, Tenth and Eleventh Judicial Circuits and defining and fixing the territorial limits and boundaries of such additional circuits and defining and fixing

the territorial boundaries of the eight existing judicial circuits.

Which amendments are as follows:

In Section 7, line 1, strike out the word "Sixth" and insert in lieu thereof the following: "Tenth."

In Section 11, line 1, strike out the word "Tenth" and insert in lieu thereof the following: "Sixth."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The first amendment offered by the House of Representatives to Substitute for Senate Bill No. 209, as contained in the above message, was read.

Mr. Johnson moved that the Senate do not concur in the amendment.

Which was agreed to.

The second amendment offered by the House to substitute for Senate Bill No. 209, as contained in the above message, was read.

Mr. Johnson moved that the Senate do not concur in the amendment.

Which was agreed to.

Mr. Johnson moved to waive the rules and that the refusal of the Senate to concur in the above House amendments to Substitute for Senate Bill No. 209 be immediately certified to the House of Representatives.

Which was agreed to.

Also the following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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 concurred in Senate amendment to House amendment to—

Senate Bill No. 55:

A Bill to be entitled An Act to require that all railroad locomotives operated and used for drawing passenger and

freight trains shall be equipped with and use an electric headlight and providing a penalty for a violation of said Act.

Which House amendment reads as follows:

In Section 1, line 4, strike out the words "electric headlights which electric" and insert in lieu thereof the following: "Headlights of not less than one thousand candlepower which headlight."

The Senate amendment to the said House amendment to Senate Bill No. 55 reads as follows.

Strike out the words "one thousand" where same appear in said amendment, and insert in lieu thereof the following: "Two thousand five hundred."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Mr. Hilburn moved that the Senate do concur in the House Amendment to Senate Bill No. 55 as amended by the Senate, which Senate Amendment was concurred in by the House of Representatives, as conveyed in the message.

Which was agreed to.

Mr. Hilburn moved that the Senate do concur in the following House amendment to Senate Bill No. 55:

In Section 1, line 10, strike out the words "an electric" and insert in lieu thereof the following: "A headlight."

Which was agreed to.

Mr. Hilburn moved that the Senate do concur in the following House amendment to Senate Bill No. 55:

Amend the title by striking out the word "electric" wherever it occurs in the title of the bill.

Which was agreed to.

And the concurrence of the Senate was ordered to be certified to the House of Representatives and Senate Bill No. 55, as amended was referred to the Committee on Enrolled Bills.

Also the following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 1911.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the Constitutional three fifths' vote of all members of the House of Representatives—

Senate Joint Resolution No. 257:

A Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida relative to the Judiciary Department:

Be it resolved by the Legislature of the State of Florida, That the following amendment to Article V of the Constitution of the State of Florida relative to the Judiciary Department, to be numbered Section 42 of said Article V, be and the same is hereby agreed to and shall be submitted to the electors of the State at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1912, for ratification or rejection, to wit:

Section 42. There shall be another Judge of the Circuit Court of Duval County in addition to the Circuit Judge of the Circuit in which said County is situated. Such additional Circuit Judge shall be appointed by the Governor and confirmed by the Senate, and shall hold office for six (6) years, and shall receive the same salary and allowances for expenses as other Circuit Judges, but the same shall be paid by the County of Duval out of the general revenue of said county. He shall have all the powers and perform all the duties that are or may be provided or prescribed by the Constitution or by statute for Circuit Judges, and all statutes concerning Circuit Judges shall apply to him. The distribution of the business of the Circuit Court of Duval County between the two Circuit Judges and the allotment or assignment of matters and cases to be heard, decided, ordered, tried, decreed or adjudged shall be controlled or made when necessary by the Judge of said court who shall have the older commission in force at the time. Such additional Circuit Judge shall reside in Duval County.

And respectfully requests the concurrence of the Senate thereto.

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

And Senate Joint Resolution No. 257 was referred to the Committee on Enrolled Bills.

Also the following message from the House of Representatives was read:

House of Representatives,
 Tallahassee, Fla., May 17, 1911.

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

Sir:

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

Senate Bill No. 162:

A Bill to be entitled An Act to amend Chapter 5609 of the Laws of Florida, entitled An Act to provide for the enumeration of agricultural, horticultural, live stock, manufacturing, industrial and other statistics; for the appointment of County Enumerators; to define their duties; to provide for their compensation, and to define the duties of the Boards of County Commissioners in connection therewith.

Also—

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.

Also—

Senate Bill No. 166:

A Bill to be entitled An Act to aid the Florida Division of Confederate Veterans to erect in this State a monument or memorial in honor of the women of Florida and

of the South in honor of their heroism, devotion and self-sacrifice during the Civil War in 1861-1865, and to appropriate five thousand dollars therefor.

Also—

Senate Bill No. 312:

A Bill to be entitled An Act to provide for an Inspector of Nursery Stock, prescribe his term of office and salary, and the employment of his deputies and assistants; 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 with injurious insects, pests or diseases; to prevent the introduction, increase or dissemination of said insects, pests or diseases; to provide that said rules and regulations shall prescribe cost and charges for said inspection and certification; to make it unlawful to knowingly sell, exchange, give away or transport, or offer or attempt thereto, in the State of Florida, any nursery stock, trees, shrubs, plants, vines, cuttings, scions, grafts, buds, seeds, pits, bulbs, roots or parts thereof, infested or infected with injurious insects, pests or diseases; to provide penalties for the violation of this Act and the rules and regulations thereof; to make an appropriation to carry out the provisions of this Act, and to repeal all laws or parts thereof inconsistent herewith.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 162, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 156, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 166, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 312, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

Also the following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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. 280:

A Bill to be entitled An Act to amend Section 3342 of the General Statutes of the State of Florida, relative to offering for sale slaughtered beef or hogs without exhibiting the hides and the heads with ears of same for inspection.

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

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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. 453:

A Bill to be entitled An Act making an appropriation for and directing the payment of certain vouchers heretofore issued by the Board of Control.

Also—

House Bill No. 477:

A Bill to be entitled An Act to make available an appropriation of fifteen thousand dollars made by An Act approved May 27, 1907, entitled An Act to provide for a monument to be erected on the battlefield of Chickamauga in memory of the soldiers of Florida who took part in that battle.

Also—

Committee Substitute for—

House Bill No. 321:

A Bill to be entitled An Act to authorize the Governor to complete the historial archives of the State of Florida, to collect and catalogue historical records and making appropriation therefor.

Also—

House Bill No. 522:

A Bill to be entitled An Act appropriating the sum of four thousand dollars for the purpose of carrying into effect the provisions of Chapter 5735 of the Laws of Florida, approved May 31, 1907, appropriating four thousand dollars to the West Florida Fair Association to pay premiums at fairs to be held in DeFuniak Springs, Florida, in the falls of 1907 and 1908, respectively.

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

And House Bill No. 477, contained in the above message, was read the first time by its title and referred to the Committee on Appropriations.

And Committee Substitute for House Bill No. 321, contained in the above message, was read the first time by its title and referred to the Committee on Appropriations.

And House Bill No. 522, contained in the above message, was read the first time by its title and referred to the Committee on Appropriations.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 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. 420:

A Bill to be entitled An Act to provide and create commission form of government and to permit the adoption of same in all cities in the State of Florida which now have or which may hereafter have a population of more than two thousand (2,000) people according to the last Federal census or municipal census which may hereafter be taken; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to fix their powers, duties and compensation; to punish improper conduct in connection with election and petitions hereunder; to abolish Mayors, Councilmen, Aldermen and certain other city officials and otherwise; to provide for the creation and maintenance of said commission form of government.

Also—

House Bill No. 237:

A Bill to be entitled An Act to prescribe the time for shooting wild ducks in the waters of Indian River and Indian River North, in Brevard County, and adjoining County of Volusia, and regulating the number and time of day of killing wild ducks, prohibiting the sale of the same, and fixing a penalty for the violation of this Act.

Also—

House Bill No. 591:

A Bill to be entitled An Act to repeal Chapter 5888

of the Laws of Florida, approved June 8, 1909, entitled An Act prohibiting fire insurance companies from combining as to what rate of commission shall be paid by any other company to an agent.

Also—

House Bill No. 284:

A Bill to be entitled An Act to amend Chapter 5877, Laws of Florida, being An Act to make an appropriation for the support and maintenance of the Confederate Soldiers and Sailors' Home in Jacksonville, Florida.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 420, contained in the above message, was read the first time by its title and referred to the Committee on Municipalities.

And House Bill No. 237, contained in the above message, was read the first time by its title and placed on the Local Calendar of Bills on Second Reading.

And House Bill No. 591, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary B.

And House Bill No. 284, contained in the above message, was read the first time by its title and referred to the Committee on Pensions.

Mr. Williams moved that the rules be waived and that the Senate now proceed to take up the Special Order for 11 o'clock.

Which was agreed to by a two thirds' vote.

And—

Senate Bill No. 214:

A Bill to be entitled An Act to encourage, protect and develop the oyster industry of the State of Florida, and to increase the revenues of the State therefrom, by recognizing and declaring the ownership of the State in and to the bottoms of beds of the bodies of streams of water along the Coast of the Gulf of Mexico and along the coast of the Atlantic Ocean within the jurisdiction of the State

of Florida not heretofore granted, for the purpose of giving exclusive rights to plant oysters; by prohibiting other alienations of same in fee; by recognizing and declaring the ownership of the State in and to all reefs of oysters growing naturally thereon; for the protection of those heretofore engaged in the growing of oysters; by creating the office of Oyster Commissioner of the State of Florida, and defining his powers and duties; by providing for the leasing of oyster lands belonging to the State; by providing for the licensing, registration and designation of vessels employed in the oyster industry; by levying a special assessment or privilege tax on oysters produced in said waters; and a police license on persons, firms, corporations and vessels engaged in the oyster industry; by providing for the manner of collecting, handling, depositing and disbursing the revenues derived from said industry, and the distribution of the surplus revenues; by providing for the protection and enlargement of the natural oyster reefs in this State and for the creating of artificial reefs or beds; by providing such other regulations and provisions as are necessary to properly carry out the objects and purposes of this Act; by providing penalties for the violation of this Act; and by repealing and superceding all laws on the same subject matter and in conflict with the provisions of this Act.

Was taken up and read a second time in full.

Mr. Hilburn moved that the Senate do now take a recess to 3 o'clock p. m.

Which was agreed to.

Whereupon the Senate took a recess until 3 o'clock p. m.

Senate Bill No. 214, on its Second Reading, pending consideration.

AFTERNOON SESSION.

The Senate met pursuant to recess order at 4 o'clock p. m.

The President in the chair.

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

Mr. President, Senators Adkins, Baker, Broome, Carney, Cook, Dayton, Flournoy, Henderson, Hilburn, Hudson, Humphries, Johnson, McCreary, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—17.

Messrs. Davis, McMullen and Finlayson being absent from roll call on account of attending Committee Session.

A quorum present.

Pursuant to the report of the Committee on Rules and Procedure adopted this morning the Senate proceeded to the consideration of local bills on their second reading.

House Bill No. 547:

A Bill to be entitled An Act to amend Section 2 of Chapter 5805, Acts of the Legislature of the State of Florida of 1907, the said Act being An Act entitled "An Act to abolish the present municipal government of the Town of Fort Pierce, in the County of St. Lucie, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Fort Pierce, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges."

Was taken up.

Mr. Hudson moved that the rules be waived and that House Bill No. 547 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 547 was read a second time by its title.

Mr. Hudson moved that the rules be further waived and that House Bill No. 547 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 547 was read a third time in full.

Upon the passage of House Bill No. 547 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Henderson, Hudson, Humphries, Johnson, McCreary, Perkins, Sloan, Stokes, 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 under the rules.

House Bill No. 586:

A Bill to be entitled An Act to authorize the Board of Public Instruction of Leon County, Florida, to borrow not exceeding fifteen thousand (\$15,000) dollars for the purpose of paying certain indebtedness incurred in the erection of a High School Building in Tallahassee, Sub-school District No. 1, of said county, and to furnish and equip said building, and to issue interest-bearing warrants for such loan.

Was taken up.

Mr. Henderson moved that the rules be waived and that House Bill No. 586 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 586 was read a second time by its title.

Mr. Henderson moved that the rules be further waived, and that House Bill No. 586 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 586 was read a third time in full.

Upon the passage of House Bill No. 586 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Carney, Culpepper, Dayton, Flournoy, Henderson, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, 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 under the rules.

House Bill No. 572:

A Bill to be entitled An Act legalizing the general election held in the City of Live Oak, Florida, on the second day of May, A. D. 1911, and declaring the city officers elected thereat to be duly elected officers of said city.

Was taken up.

Mr. Johnson moved that the rules be waived and that House Bill No. 572 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 572 was read a second time by its title.

Mr. Johnson moved that the rules be further waived, and that House Bill No. 572 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 572 was read a third time in full.

Upon the passage of House Bill No. 572 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Perkins, Sloan, Williams, Wilson, 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.

House Bill No. 573:

A Bill to be entitled An Act providing for the building of hard roads in Taylor County, Florida, for the raising of money therefor, authorizing the issuing of interest-bearing warrants for such purpose, the payment of such warrants, and a levy of a tax for such payment, and empowering the Board of County Commissioners of said Taylor County, Florida, to do all such things and acts as may be determined necessary or expedient to be done in connection with the building of said hard roads.

Was taken up and read a second time.

Mr. Culpepper offered the following substitute to—

House Bill No. 573:

A Bill to be entitled An Act providing for the building of hard roads in Taylor County, Florida, for the raising of money therefor, authorizing the issuing of interest-bearing warrants for such purpose, the payment of such warrants, and a levy of a tax for such payment, and empowering the Board of County Commissioners of said Taylor County, Florida, to do all such things and acts as may be determined necessary or expedient to be done in connection with the building of said hard roads.

Mr. Culpepper moved to adopt the substitute for House Bill No. 573.

Which was agreed to.

And the substitute for House Bill No. 573 was read the first time by its title.

Mr. Culpepper moved that the rules be waived and that Substitute for House Bill No. 573 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Substitute for House Bill No. 573 was read a second time by its title.

Mr. Culpepper moved that the rules be further waived, and that Substitute for House Bill No. 573 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And Substitute for House Bill No. 573 was read a third time in full.

Upon the passage of Substitute for House Bill No. 573 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Henderson, Hudson, Humphries, McCreary, McLeod, Perkins, Stokes, Williams, Wilson, Withers, Zim—19.

Nays—None.

So the Substitute for House Bill No. 573 passed, title as stated.

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

By consent, Mr. Culpepper withdrew House Bill No. 400.

House Bill No. 574:

A Bill to be entitled An Act to incorporate the Town of Fort Meade, in Polk County, Florida, and to provide for its government and prescribe its jurisdiction and powers, and to abolish the present corporation of Fort Meade.

Was taken up.

Mr. Sloan moved that the rules be waived and that House Bill No. 574 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 574 was read a second time by its title.

Mr. Sloan moved that the rules be further waived, and that House Bill No. 574 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 574 was read a third time in full.

Upon the passage of House Bill No. 574 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hudson, Humphries, Johnson, McCreary, McLeod, Perkins, Sloan, Stokes, Williams, Zim—17.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 576:

A Bill to be entitled An Act to declare legal the incorporation of the Town of Hampton, in the County of Bradford; incorporated under the general laws for incorporating cities and towns, and to provide for the issuing of bonds by said town for the purpose of establishing a system of water works and for illuminating purposes, and to create a Board of Public Works for said town.

Was taken up.

Mr. Johnson moved that the rules be waived and that House Bill No. 576 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 576 was read a second time by its title.

Mr. Adkins moved that the rules be further waived and that House Bill No. 576 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 576 was read a third time in full.

Upon the passage of House Bill No. 576 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hudson, Humphries, Johnson, McCreary, McLeod, Stokes, Williams, Wilson, Zim—17.

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. 577:

A Bill to be entitled An Act to legalize the incorporation of the Town of Raiford, in Bradford County; to declare the incorporation and ordinances of said town of full force and effect.

Was taken up.

Mr. Adkins moved that the rules be waived that House Bill No. 577 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 577 was read a second time by its title.

Mr. Adkins moved that the rules be further waived and that House Bill No. 577 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 577 was read a third time in full.

Upon the passage of House Bill No. 577 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Stokes, Williams, Wilson, Withers, 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.

Mr. Cone moved to waive the rules and that House Bill No. 578 be informally passed on the Calendar, and that Senate Bill No. 420 be taken up in its place.

Which was agreed to by a two thirds' vote.

And—

Senate Bill No. 420:

A Bill to be entitled An Act amending Section 58 and repealing Sections 59, 61, 62 and 63 of An Act entitled An Act to abolish the present municipal government of the Town of Lake City, in the County of Columbia and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Lake City, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges, approved on the 22nd day of May, 1901, known as Chapter 5091, Laws of Florida, and further supplementing said

Act, and to create the office of City Attorney and City Marshal and Tax Assessor and to provide for their election, powers, duties and compensation.

Was taken up.

Mr. Cone moved that the rules be waived and that Senate Bill No. 420 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 420 was read a second time by its title only.

Mr. Cone moved that the rules be further waived and that Senate Bill No. 420 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 420 was read a third time in full.

Upon the passage of Senate Bill No. 420 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, McCreary, McLeod, Miller, Perkins, Stokes, Williams, 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 under the rules.

By Mr. McLeod (by permission)—

Senate Bill No. 432:

A Bill to be entitled An Act to amend Section 30 of Chapter 5368, Laws of Florida, the same being An Act to legalize the incorporation of the Town of White Springs, in Hamilton County, Florida, to fix and define the boundaries thereof, to declare the incorporation and ordinances of said town valid and of full force and effect, and to provide for its jurisdiction, powers and privileges.

Which was read the first time by its title.

Mr. McLeod moved that the rules be waived and that Senate Bill No. 432 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 432 was read a second time by its title.

Mr. McLeod moved that the rules be further waived and

that Senate Bill No. 432 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 432 was read a third time in full.

Upon the passage of Senate Bill No. 432 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Williams, 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.

By Mr. Dayton (by permission)—

Senate Bill No. 433:

A Bill to be entitled An Act to legalize and validate an ordinance passed by the Town of Brooksville on the 27th day of February, A. D. 1911, and approved by the Mayor of said town on the 7th day of March, A. D. 1911, said ordinance being entitled as follows: "An Ordinance to provide for an election for the purpose of submitting to the electors qualified to vote in a bond election in the Town of Brooksville, Florida, the question of issuing bonds for any or all of the purposes and amounts hereinafter set forth; to provide the form of ballot to be used; to provide for the canvass of the vote cast at said election; to provide the form of bonds authorized by said election, and for the printing of the same; to provide the manner of issuing any bonds to be issued under the provisions of this ordinance, and the amount of each, and to provide for the sale of the same; to provide for the proper expenditure of any and all funds arising from the sale of any bonds issued under the provisions of this ordinance, and for the safe-keeping of the said bonds and the funds arising from the sale thereof; to designate the proportion to be paid by each the owners of property and the Town of Brooksville where street paving shall be undertaken; to provide for a levy of special taxes on the taxable property of said town for the payment of interest on any bonds issued under the provisions of this ordinance, and for retiring said bonds as they shall fall due, and to provide for the payment of old bonds now unpaid,"

and to legalize and validate the election held under the authority of and pursuant to said ordinance, which said election was held in the Town of Brooksville, on the 25th day of April, A. D. 1911, pursuant to the Mayor's published proclamation calling said election.

Which was read the first time by its title.

Mr. Dayton moved that the rules be waived, and that Senate Bill No. 433 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 433 was read a second time by its title.

Mr. Dayton moved that the rules be further waived, and that Senate Bill No. 433 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 433 was read a third time in full.

Upon the passage of Senate Bill No. 433 the roll was called and the vote was:

Yeas—Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Sloan, Williams, Withers, Zim—18.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Dayton—

Senate Bill No. 434:

A Bill to be entitled An Act to authorize the Mayor and the Town Council of the Town of Brooksville to issue the bonds of the Town of Brooksville in such amounts and for the purposes enumerated in an ordinance entitled "An Ordinance to provide for an election for the purpose of submitting to the electors qualified to vote in a bond election in the Town of Brooksville, Florida, the question of issuing bonds for any or all of the purposes and amounts hereinafter set forth; to provide the form of ballot to be used; to provide for the canvass of the vote cast at said election; to provide the form of bonds authorized by said election, and for the printing of the same; to provide the manner of issuing any bonds to be issued under the provisions of this ordinance, and the amount of each; and

to provide for the sale of the same; to provide for the proper expenditure of any and all funds arising from the sale of any bonds issued under the provisions of this ordinance, and for the safe-keeping of the said bonds and the funds arising from the sale thereof; to designate the proportion to be paid by each the owners of property and the Town of Brooksville where street paving shall be undertaken; to provide for a levy of special taxes on the taxable property of said town for the payment of interest on any bonds issued under the provisions of this ordinance, and for retiring said bonds as they shall fall due, and to provide for the payment of old bonds now unpaid," which was passed by the Town Council of the Town of Brooksville, on the 27th day of February, A. D. 1911, and approved by the Mayor on the 7th day of March, A. D. 1911, which said ordinance provided for an election by the qualified electors in the Town of Brooksville qualified to vote in a town bond election in the said Town of Brooksville.

Which was read the first time by its title.

Mr. Dayton moved that the rules be waived and that Senate Bill No. 434 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 434 was read a second time by its title.

Mr. Dayton moved that the rules be further waived, and that Senate Bill No. 434 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 434 was read a third time in full.

Upon the passage of Senate Bill No. 434 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, 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 under the rule.

By Mr. Hosford—

Senate Bill No. 435:

A Bill to be entitled An Act to prohibit the catching

of food fish in any of the fresh water lakes and streams of Liberty County, Florida, other than with hook and line or bob; to prohibit the selling of any fish so caught with hook and line or bob, and to prohibit the shipment of same.

Which was read the first time by its title.

Mr. Hosford moved that the rules be waived and that Senate Bill No. 435 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 435 was read a second time by its title.

Mr. Hosford moved that the rules be further waived and that Senate Bill No. 435 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 435 was read a third time in full.

Upon the passage of Senate Bill No. 435 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, 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.

By Mr. Cook (by permission)—

Senate Bill No. 436:

A Bill to be entitled An Act to validate and confirm the issue of the Town of Chipley, Florida, for the construction and improving of waterworks owned by the town and providing for the levy and collection of a tax for the payment of the interest and principal of such bonds.

Which was read the first time by its title.

Mr. Hudson moved that the rules be waived and that Senate Bill No. 436 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 436 was read a second time by its title.

Mr. Hudson moved that the rules be further waived and that Senate Bill No. 436 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 436 was read a third time in full.

Upon the passage of Senate Bill No. 436 the roll was called and the vote was:

Yeas—Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Stokes, Williams, Wilson, Withers, 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.

By Mr. Cook—

Senate Bill No. 437:

A Bill to be entitled An Act authorizing the Town of Chipley, in Washington County, Florida, to issue bonds for the construction and equipment of an electric lighting plant and system, and providing that the said Town of Chipley may issue bonds for municipal purposes to the amount of twenty-five per cent. of the assessed valuation of all of the real and personal property within the corporate limits of said town.

Which was read the first time by its title.

Mr. Hudson moved that the rules be waived and that Senate Bill No. 437 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 437 was read a second time by its title.

Mr. Hudson moved that the rules be further waived and that Senate Bill No. 437 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 437 was read a third time in full.

Upon the passage of Senate Bill No. 437 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hilburn, Hosford, Hudson, Humphries, Johnson, McLeod, Miller, Perkins, Sloan, Stokes, Williams, 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.

By Mr. Baker—

Senate Bill No. 483:

A Bill to be entitled An Act prohibiting the use of seines, haul or drag nets for catching fish in fresh waters, rivers, creeks, etc., of Clay and St. Johns Counties, Florida.

Which was read the first time by its title.

Mr. Baker moved that the rules be waived and that Senate Bill No. 438 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 438 was read a second time by its title.

Mr. Baker moved that the rules be further waived, and that Senate Bill No. 438 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 438 was read a third time in full.

Upon the passage of Senate Bill No. 438 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, 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.

Senate Bill No. 431:

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

Was taken up.

Mr. Dayton moved that the rules be waived and that Senate Bill No. 431 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 431 was read a second time by its title.

Mr. Dayton moved that the rules be further waived and that Senate Bill No. 431 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 431 was read a third time in full.

Upon the passage of Senate Bill No. 431 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, 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.

Mr. Hudson was granted permission to withdraw Senate Bill No. 431 and the bill was withdrawn.

Senate Bill No. 366:

A Bill to be entitled An Act to establish a reservation for the protection and propagation of shad, mullet, sturgeon and other food fishes of all kinds in the waters of the St. Johns River and tributaries and adjacent waters between the north line of Township No. 12 South, Range No. 26 East, and the south line of Township No. 13 South, Range 26 East, establishing the boundaries of said reservation, and prescribing penalties for violation of the provisions thereof.

Was taken up and read a third time in full

Upon the passage of Senate Bill No. 366 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker, Broome, Carney, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, Perkins, Stokes, Williams, Wilson, Withers, Zim—19.

Nays—Senator Hilburn—1.

So the bill passed, title as stated.

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

The consideration of—

Senate Bill No. 214 :

A Bill to be entitled An Act to encourage, protect and develop the oyster industry of the State of Florida, and to increase the revenues of the State therefrom, by recognizing and declaring the ownership of the State in and to the bottoms of beds of the bodies of streams of water along the coast of the Gulf of Mexico and along the coast of the Atlantic Ocean within the jurisdiction of the State of Florida not heretofore granted, for the purpose of giving exclusive rights to plant oysters; by prohibiting other alienations of same in fee; by recognizing and declaring the ownership of the State in and to all reefs of oysters growing naturally thereon; for the protection of those heretofore engaged in the growing of oysters; by creating the office of Oyster Commissioner of the State of Florida, and defining his powers and duties; by providing for the leasing of oyster lands belonging to the State; by providing for the licensing, registration and designation of vessels employed in the oyster industry; by levying a special assessment or privilege tax on oysters produced in said waters; and a police license on persons, firms, corporations and vessels engaged in the oyster industry; by providing for the manner of collecting, handling, depositing and disbursing the revenues derived from said industry, and the distribution of the surplus revenues; by providing for the protection and enlargement of the natural oyster reefs in this State and for the creating of artificial reefs or beds; by providing such other regulations and provisions as are necessary to properly carry out the objects and purposes of this Act; by providing penalties for the violation of this Act; and by repealing and superceding all laws on the same subject matter and in conflict with the provisions of this Act.

Was resumed.

Mr. Johnson offered the following amendment to Senate Bill No. 214 :

In Section 9, lines 12 and 13, strike out the words "whether from the natural oyster reefs, bedding or propagating grounds."

Mr. Johnson moved the adoption of the amendment.

Mr. Wilson moved to lay the amendment on the table. Which was not agreed to.

Mr. Williams offered the following substitute to the amendment to Senate Bill No. 214:

In Section 9, lines 12 and 13, strike out the words "whether from the natural oyster reefs, bedding or propagating grounds," and insert in lieu thereof the following: "One (1) cent per barrel on each and every barrel of oysters gathered from planted beds or bars."

Mr. Williams moved the adoption of the substitute to the amendment.

Which was agreed to.

Mr. Johnson offered the following amendment to Senate Bill No. 214:

In Section 15, strike out lines 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, and all in line 14 down to and including the word "them" in said line 14, also strike out the word "provided" at the end of line 2, said section.

Mr. Johnson moved the adoption of the amendment.

Which was agreed to.

Mr. Williams offered the following amendment to Senate Bill No. 214:

In Section 7, line 73, strike out the words and figures "15th," and insert in lieu thereof the following: "1st."

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

Mr. Williams offered the following amendment to Senate Bill No. 214:

In Section 9, line 11, strike out the word "waters," and insert in lieu thereof the following: "natural bars or beds."

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

Mr. Williams offered the following amendment to—
Senate Bill No. 214:

In Section 10, line 9, strike out the words "fifty dollars shall be made by said Oyster Commissioner for each steam box, nor more than thirty-five feet in length, and two dollars for each additional foot in length" and insert in lieu thereof the following: "\$2.00 for each lineal foot or fraction thereof shall be made on each and every steam box."

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

Mr. Williams offered the following amendment to—
Senate Bill No. 214:

In Section 10, line 61, strike out the words and figures "twelve dollars and fifty cents (\$12.50)" and insert in lieu thereof the following: "\$10.00."

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

Mr. Williams offered the following amendment to—
Senate Bill No. 214:

In Section 11, line 59, strike out the words and figures "seven dollars and fifty cents (\$7.50)" and insert in lieu thereof the following: "\$5.00."

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

Mr. Williams offered the following amendment to—
Senate Bill No. 214:

In Section 21, line 11, strike out the word "two" and insert in lieu thereof the following: "three."

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

Mr. Williams offered the following amendment to—
Senate Bill No. 214:

In Section 27, line 35, strike out the words "five years" and insert in lieu thereof the following: "one year."

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

Mr. Hosford offered the following amendment to—
Senate Bill No. 214:

In Section 8, line 7, after the word "vessel" add these words: "and that the commandant of all vessels so employed by said Oyster Commissioner shall not be of a lower rank than that of a Second Lieutenant of the United States Navy."

Mr. Hosford moved to adopt the amendment.
Which was not agreed to.

Mr. Cook offered the following amendment to—
Senate Bill No. 214:

In line 8 of the title strike out all after the word "Florida" to and including "fee," line 11.

Mr. Cook moved the adoption of the amendment.

Mr. Williams offered the following substitute to amend-

ment of Senator Cook to amendment to—

Senate Bill No. 214:

In title, line 10, strike out the words "by prohibiting other alienation of same in fee."

Mr. Williams moved the adoption of the substitute for the amendment.

Which was agreed to.

Mr. Johnson offered the following amendment to—

Senate Bill No. 214:

In Section 27, lines 39 and 40, strike out the words "with or without hard labor nor," and insert in lieu thereof the following: "not."

Mr. Johnson moved the adoption of the amendment.

Which was agreed to.

Mr. Cook offered the following amendment to—

Senate Bill No. 214:

Strike out Section 2.

Mr. Cook moved the adoption of the amendment.

Which was withdrawn.

Mr. Cook offered the following amendment to—

Senate Bill No. 214:

In Section 2, lines 6 and 7, strike out the words "be and the same are hereby confirmed as under said chapter provided for," and insert in lieu thereof the following: "shall not in any manner be affected by this Act."

Mr. Cook moved the adoption of the amendment.

Which was agreed to.

Mr. Cook offered the following amendment to—
Senate Bill No. 214:

In Section 11, line 3, after the word "Florida" strike out the balance of the line, and all of line 4 except the word "or."

Mr. Cook moved the adoption of the amendment.
Which was passed informally.

Mr. Cook offered the following amendment to—
Senate Bill No. 214:

In Section 11, line 10, strike out the words "these leases can" and the balance of the section.
Which was withdrawn.

Mr. Cook offered the following amendment to—
Senate Bill No. 214:

In Section 12 strike out all after the word "same" in line 21 down to and including line 29½.
Which was withdrawn.

Mr. Cook offered the following amendment to—
Senate Bill No. 214:

Strike out the words "in the State" in line 2 of Section 11, and all of line 3 and all of line 4 of said section except the word "or," and insert in lieu thereof the following: "The property of the State."

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

Mr. Cook offered the following amendment to Senate Bill No. 214:

In Section 14, line 13, strike out the words "one thousand" and insert in lieu thereof the following: "Three hundred."

Mr. Cook moved the adoption of the amendment.
Which was not agreed to.

Mr. Cook offered the following amendment to Senate Bill No. 214:

In Section 15, line 2, strike out the word "provided," and strike out all of lines 3, 4, 5 and 6, and line 7 to and including the word "State."

Which was withdrawn.

Mr. Cook offered the following amendment to Senate Bill No. 214:

In Section 14, line 13, strike out the words "one thousand" and insert in lieu thereof the following: "Three hundred."

Which was withdrawn.

Mr. Cook offered the following amendment to Senate Bill No. 214:

In Section 15, line 2, strike out the word "provided" and all down to and including the word "State," in line 7.

Which was withdrawn.

Mr. Cook offered the following amendment to Senate Bill No. 214:

In Section 18 strike out the word "Strata" wherever it appears in said section and insert in lieu thereof the following: "Stratum."

Mr. Cook moved the adoption of the amendment.

Which was agreed to.

Mr. Cook offered the following amendment to Senate Bill No. 214:

In Section 18 strike out lines 58, 59 and line 60 to and including the word "account."

Which was withdrawn.

Mr. Cook offered the following amendment to Senate Bill No. 214:

In Section 18 strike out all of line 80 after the word "grounds" and all the balance of the section.

Which was withdrawn.

Mr. Dayton offered the following amendment to Senate Bill No. 214:

Add to the end of title: "The provisions of this Act shall apply to all clam beds of this State."

Which was withdrawn.

Mr. Malone offered the following amendment to Senate Bill No. 214:

Add after Section 27 the following:

Section 28. The provisions of this Act shall apply to clam and clam beds, and the said Oyster Commissioner shall have jurisdiction over clams and clam beds in the same manner as provided for oysters and oyster beds; Provided, The license, tax or consideration charged for leased State lands, for the use of the said land, shall be

fifty per cent of the license, tax, or consideration of the amount charged for oysters, under the provisions of this Act.

Mr. Malone moved to adopt the amendment.

Which was agreed to.

Mr. Malone offered the following amendment to Senate Bill No. 214:

In the title, line 2, add the words "and clams" after the word "oysters," and in line 10, after the word "oysters" add the words "and clams," and in line 12 add the words "and clams" after the word "oyster," and in line 15 add after the word "oyster" "and clams," and in the last line of page 1, add after the word "oysters" the words "and clams," and in line 2 of page 2, add after the word "oyster" "and clam," and in line 4 of page 2, add after the word "oyster" the words "and clams," and in line 6 of page 2 after the word "oyster," add "and clams," and in line 10, page 2, after the word "oysters" add "and clams."

Mr. Malone moved to adopt the amendment.

Which was agreed to.

Mr. Johnson offered the following amendment to Senate Bill No. 214:

In Section 11 strike out all of said section after the word "State" in line 18.

Mr. Johnson moved the adoption of the amendment.

Which was agreed to.

Mr. Hosford offered the following amendment to Senate Bill No. 214:

In Section 27, line 41, add these words: "Provided, however, that this Act shall not apply to the Counties of Franklin and Wakulla."

Mr. Hosford moved the adoption of the amendment.

Which was not agreed to.

Mr. Williams offered the following amendment to Senate Bill No. 214:

Make Section 28 read Section 29.

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

Mr. Williams offered the following amendment to Senate Bill No. 214:

Make Section 29 read Section 30.

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

Senate Bill No. 214, as amended, was referred to the Committee on Engrossed Bills.

By Mr. Hudson (by permission)—

Senate Bill No. 439:

A Bill to be entitled An Act to abolish the present municipal government of the Town of Fort Lauderdale, in the County of Dade, and the State of Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Fort Lauderdale and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges, to authorize and provide for the assessment and collection of taxes in said town for the year 1911 and subsequent years.

Which was read the first time by its title.

Mr. Hudson moved that the rules be waived and that Senate Bill No. 439 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 439 was read a second time by its title.

Mr. Hudson moved that the rules be further waived and that Senate Bill No. 439 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 439 was read a third time in full.

Upon the passage of Senate Bill No. 439 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Cook, Culpepper, Dayton, Henderson, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, Miller, 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 immediately under a waiver of the rules.

MISCELLANEOUS.

The following message from the Governor was received and read:

State of Florida,
Executive Department,
Tallahassee, Fla., May 17, 1911.

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

Sir:

I have the honor to inform you that I have approved

and signed the followings Acts, which originated in your honorable body:

An Act to prohibit the inducing, enticing or procuring women or girls for immoral purposes, and prescribing a penalty therefor.

An Act to authorize the County Commissioners of Gadsden County of this State to use for any special county purposes the surplus money in the fund raised for general county purposes.

An Act to prohibit the catching of fish in the lakes and streams of Polk County, State of Florida, with any seine, net, trap, or set devises except bait which may be caught with dip net or by shooting or gigging or otherwise than with a hook and line and to prohibit the transporting or receiving for transportation, and to prohibit the selling or offering for sale, shipping or offering for shipment or transportation, within said county, of any fish taken from such lakes or streams otherwise than with a hook and line.

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

An Act to authorize the Town of Palmetto, Florida, to issue bonds for municipal purposes, and to provide for the payment of interest thereon.

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 Fair Association, to pay premiums at

fairs to be held in Tampa, Florida, commencing November 1, 1907, and November 1, 1908, respectively.

And have caused the same to be filed in the office of the Secretary of State.

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

ENROLLED.

The President announced that he was about to sign—

An Act to amend Section 2 of Chapter 5595, Acts of 1905, relating to the construction of a line of railway from the mainland of Florida to Key West.

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.

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

Senate Chamber,
Tallahassee, Fla., May 17, 1911.

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

Sir:

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

An Act to amend Section 2 of Chapter 5595, Acts of 1905, relating to the construction of a line of railway from the mainland of Florida to Key West.

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

Very respectfully,

C. T. CULPEPPER,

Chairman of Committee.

Mr. Johnson moved that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Which was agreed to.

Whereupon the Senate stood adjourned until 10 o'clock a. m., Thursday, May 18, 1911.