

Senate Bill No. 158 with amendment pending was laid on the table.

Which went over under the rules.

Mr. Johnson moved that the Senate do now adjourn until tomorrow morning, 9 o'clock.

Which was agreed to.

Whereupon the Senate stood adjourned until 9 o'clock a. m., Wednesday, May 24, 1911.

WEDNESDAY, MAY 24, 1911.

NINE 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, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—28.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 23 was dispensed with.

The Journal of May 23 was corrected, and approved as corrected.

REPORTS OF COMMITTEES.

The Committee on Judiciary B reported without recommendation on—

House Bill No. 271:

A Bill to be entitled An Act to amend Section 3484 of the General Statutes of the State of Florida, entitled "Refusing to make abstract."

The Committee on Judiciary B reported without recommendation on—

House Bill No. 288:

A Bill to be entitled An Act to amend Section 1, Chapter 5921 (No. 52), Laws of Florida, being An Act to amend Section 3542 of the General Statutes of the State of Florida relating to profanity.

The Committee on Judiciary B reported without recommendation on—

House Bill No. 283:

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

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

Senate Chamber,
Tallahassee, Fla., May 24, 1911.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Bill No. 149:

An Act to extend and enlarge the powers of the Railroad Commissioners of the State of Florida so as to give them exclusive power and authority 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.

Also—

Senate Bill No. 93:

An Act to regulate the granting of new trials and the setting aside and reversals of judgments.

Also—

Senate Concurrent Resolution No. 31:

Either House when in session may receive any mes-

sage from the other House whether the latter be in session or not.

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.

The Committee on Judiciary B reported without recommendation on—

House Bill No. 132:

A Bill to be entitled An Act to protect the secret work of fraternal orders and to punish the publication, selling or circulation of any work pertaining to be the secret work of any fraternal order, or which is claimed or represented to be such work.

The Committee on Judiciary B reported without recommendation on—

Senate Bill No. 446:

A Bill to be entitled An Act to provide for State aid for hospitals.

The Committee on Judiciary B reported without recommendation on—

Senate Bill No. 23:

A Bill to be entitled An Act to repeal Section 3320 of the General Statutes of the State of Florida, relating to obtaining money or property upon false promises to perform labor.

The Committee on Judiciary B reported without recommendation on—

House Bill No. 97:

A Bill to be entitled An Act requiring all railroad companies operating in the State of Florida to report wrecks to the Railroad Commissioners, and prescribing a penalty for failure so to do.

The Committee on Judiciary B reported without recommendation on—

House Bill No. 256:

A Bill to be entitled An Act to amend Section 1866 of the General Statutes of the State of Florida, concerning constructive service of process.

The Committee on Judiciary B reported without recommendation on—

House Bill No. 257:

A Bill to be entitled An Act to amend Section 2213 of the General Statutes of the State of Florida, concerning enforcement of liens by persons not in privity with the owner.

The Committee on Judiciary B reported without recommendation on—

House Bill No. 274:

A Bill to be entitled An Act to require a license tax from persons or corporations selling or offering for sale stocks of Oriental or imported or fancy manufactured goods, wares, or merchandise; regulating the sale of such goods, wares or merchandise at auction; prescribing the duties of those selling such articles at auction, and prescribing and fixing penalties for violations of this Act.

The Committee on Judiciary B reported without recommendation on—

Senate Bill No. 445:

A Bill to be entitled An Act to prevent the waste and flow of water from artesian wells, and prescribing penalties therefor, and defining waste and artesian wells.

The Committee on Judiciary B reported without recommendation on—

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.

The Committee on Judiciary B reported without recommendation on—

Senate Bill No. 400:

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.

The Committee on Judiciary A reported favorably with amendments on—

House Bill No. 80:

A Bill to be entitled An Act to extend the powers of the Railroad Commissioners so as to give them power and authority to regulate charges of telegraph companies for the transmission of messages by telegraph; to apply the powers given to said commissioners by law over railroad companies to all persons or companies owning, controlling or operating a line or lines of telegraph, and to make the penalties prescribed against railroads for violating commissioners' rules apply to the companies and persons herein named, whose line or lines is, or are wholly or in part in this State, and for other purposes.

Senate Committee on Judiciary A offered the following amendments to House Bill No. 80, to-wit:

In line 4 of title, after the word "charges" insert the words "and service."

In lines 2 and 3 in Section 1 strike out the words "companies or persons" and insert in lieu thereof the following: "persons, firms and corporations."

In line 11 in Section 1 strike out "company or person or persons" and insert in lieu thereof: "person, firm or corporation."

In line 14 in Section 1 strike out the words "company, person or persons" and insert in lieu thereof the words "person, firm or corporation."

In lines 22 and 23 in Section 1 strike out the words "companies or persons" and insert in lieu thereof the words "person, firm and corporation."

In lines 29 and 30 in Section 1 strike out the words "corporation, company, person or persons" and insert in lieu thereof the words "person, firm or corporation."

After the word "railroad" in line 19 in said Section 1 strike out the words "existing laws embraced in Chapter 4700, Laws of Florida" and insert in lieu thereof the words "and under the Laws of Florida."

After the word "charged" in line 10 in said Section 1 insert the words "and service to be rendered."

In lines 27 and 28 in said Section 1 strike out the words "provisions of Chapter 4700."

The Committee on Judiciary A reported unfavorably on—

House Bill No. 579:

A Bill to be entitled An Act to make it unlawful for the Board of County Commissioners of Gadsden County, in the State of Florida, to erect or contract for the erection of any court house in said county without first obtaining the approval of a majority of the electors of said county voting at a special election, ordered for the purpose of determining the necessity of erecting a court house in said county.

The Committee on Judiciary A, to whom was referred the following bills, reports that it has had the same under consideration, but because of the congested condition of the Calendar of the Senate, and because of limitation of time returns same to Senate, to-wit:

Senate Bill No. 455:

A Bill to be entitled An Act relating to the recording of instruments in the State of Florida.

Also—

Senate Bill No. 465:

A Bill to be entitled An Act to authorize sentences upon first offenders to be suspended in certain cases.

Also—

Senate Bill No. 441:

A Bill to be entitled An Act to prohibit County Treasurers in this State from depositing public funds outside of the limits of the State of Florida.

Also—

Senate Bill No. 440:

A Bill to be entitled An Act regulating the determina-

tion of questions of fact and questions of law upon trials in the courts of this State, and providing for the entry of judgments.

Also—

Senate Bill No. 443:

A Bill to be entitled An Act to amend Section 1811 of the General Statutes as amended by Chapter 5641 of the Laws of Florida, being An Act to amend Section 1811 of the General Statutes, fixing the regular terms of the Circuit Court of the Seventh Judicial Circuit.

Also—

Senate Bill No. 444:

A Bill to be entitled An Act to amend Section 873, 874, 877, 879, 880, 881, 882, 883 and 884 of the General Statutes of the State of Florida, so as to provide for the issuing of bonds by special tax road districts for the construction and maintenance of hard surfaced roads within such districts.

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

Senate Chamber,
Tallahassee, Fla., May 24, 1911.

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

Sir:

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

An Act to extend and enlarge the powers of the Railroad Commissioners of the State of Florida so as to give them exclusive power and authority 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.

Also—

An Act to regulate the granting of new trials and the setting aside and reversals of judgments.

Also—

A resolution providing that either House when in ses-

sion may receive any message from the other House whether the latter be in session or not.

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 signatures of the Speaker and Chief Clerk thereof.

INTRODUCTION OF RESOLUTIONS.

Mr. Cone offered the following—

Senate Resolution No. 55:

Resolved by the Senate, That the Sergeant-at-Arms be allowed to employ an additional clerk to assist in the mailing room and to do any other work designated by the Sergeant-at-Arms in conducting the business of the Senate.

Which was read.

Mr. Cone moved to adopt the resolution.

Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Broome—

Senate Bill No. 482:

A Bill to be entitled An Act to legalize the election held on the 16th day of May, A. D. 1911, in Gadsden County, State of Florida, to determine whether bonds should be issued by the Board of County Commissioners for said county as proposed and provided by a resolution voted upon and passed by said Board of County Commissioners of Gadsden County, Florida, passed in open session at a regular meeting of said board on the 3rd day of April, A. D. 1911, and to declare and render valid said resolution and to authorize the issuance of bonds as provided by said resolution.

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

By Mr. Dayton—

Senate Bill No. 483:

A Bill to be entitled An Act to cancel judgment recovered by the State of Florida against C. C. Keathley and W. M. Hope, October 5, 1886, for \$254.83, in the Circuit Court of Hernando County, Florida.

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

By Mr. Flournoy (by request)—

Senate Bill No. 484:

A Bill to be entitled An Act authorizing and directing the Board of State Institutions to renew the present contract with the State Printer, requiring all work to be executed by the present State Printer, and for other purposes.

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

MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida, Executive Department,
Tallahassee, Fla., May 24, 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 amend Section One (1) of Chapter 5431, being An Act for the protection of shad in this State, to prescribe a close season thereon, to prohibit the transportation or possession of such shad during such close season.

Also—

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

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

Very respectfully,
ALBERT W. GILCHRIST,
Governor.

Also the following message was read:

State of Florida, Executive Department,
Tallahassee, Fla., May 24, 1911.

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

Sir:

I have the honor to inform you that I have received from the Senate, and have caused to be filed in the office of the Secretary of State, the following Act, which was heretofore returned by me to the Senate, without my approval, and thereupon passed by the Legislature in the manner prescribed by the Constitution, viz:

An Act creating three additional Judicial Circuits in the State of Florida to be known and designated as the 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 limits and boundaries of the eight existing judicial circuits.

Very respectfully,
ALBERT W. GILCHRIST,
Governor.

PENDING BILL.

Senate Bill No. 476:

A Bill to be entitled An Act authorizing and directing the Governor of the State of Florida to offer a reward for the detection and apprehension of the murderers of six (6) negro prisoners, taken from the County Jail of

Columbia County, on the morning of May 21, 1911, and making an appropriation therefor.

Which was pending as unfinished business, was again taken up, together with the pending amendment to the bill offered by Mr. Adkins, which amendment reads as follows:

Strike out the words "five thousand" and insert in lieu thereof the following: "one thousand."

Mr. Adkins moved the adoption of the amendment.

Which was not agreed to.

Mr. Cone offered the following amendment to Senate Bill No. 476:

Add at the end of the Section 2 the following: "Provided the State of Florida shall pay the entire cost of prosecuting the cases in the courts."

Which was withdrawn.

Mr. Cone offered the following amendment to Senate Bill No. 476:

Add at the end of Section 2 the following: "But the State of Florida shall reimburse Columbia County for all costs and expenses incident to and necessary in the prosecution of persons charged with the crimes mentioned in this Act."

Mr. Cone moved to adopt the amendment.

Mr. Calkins moved to refer Senate Bill No. 476, with pending amendments, to the Committee on Judiciary A.

Which was agreed to.

And the bill, with pending amendment, was so referred.

SPECIAL ORDERS OF THE DAY.

Senate Bill No. 126:

A Bill to be entitled An Act prescribing the management, control and maintenance of a State Normal School at DeFuniak Springs, Walton County, Florida; providing for scholarships thereat, and providing for the appointment of a Board of Trustees therefor, and defining their duties and powers.

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

Mr. Williams, Chairman of the Committee on Education, as required by the rule, moved to indefinitely postpone Senate Bill No. 126:

Which was agreed to.

And the bill was indefinitely postponed.

Senate Bill No. 178:

A Bill to be entitled An Act defining kidnapping and fixing a penalty for the violation of the provisions of this Act.

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

The following amendment of the Committee on Judiciary A was read, as follows:

Strike out all of Section 2, and insert "Sec. 2. Chapter 5907 of the Laws of Florida entitled An Act to prescribe the punishment for kidnapping a child under the age of fifteen years to be held for ransom, is hereby repealed."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

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

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 jurisdiction of County Judges in criminal matters

Was taken up.

Mr Culpepper offered the following substitute to—
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 jurisdiction of County Judges in criminal matters

Mr. Culpepper moved to adopt the amendment.

Which was agreed to.

And Substitute for Senate Bill No. 230 was placed on the Calendar of Bills on the Third Reading.

Mr. Sloan moved that the rules be waived and that Senate Bill No. 178 be recalled from the Committee on Engrossed Bills for amendment.

Which was agreed to.

Mr. Sloan offered the following substitute to—
Senate Bill No. 178:

A Bill to be entitled "An Act defining kidnapping, and fixing a penalty for violation of the provisions of this Act, and repealing Chapter 5907 of the Laws of Florida,

entitled An Act to prescribe the punishment for kidnaping a child under the age of fifteen years to be held for ransom."

Mr. Sloan moved the adoption of the substitute.

Pending the consideration of the motion to adopt, Mr. Sloan was granted permission to have the bill and substitute informally passed.

Mr. Johnson moved that the rules be waived and that the Senate take up House messages for consideration.

Which was agreed to by a two thirds' vote.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read :

House of Representatives,
Tallahassee, Fla., May 23, 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 required two thirds' vote, the Governor's veto to the contrary notwithstanding—

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.

Very respectfully,

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

And the Act contained in the above message was referred to the Joint Committee on Enrolled Bills to convey to the Governor.

The following message from the House of Representatives was read :

House of Representatives,
Tallahassee, Fla., May 24, 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 respectfully requests that the Senate return to House of Representatives—

House Bill No. 630:

A Bill to be entitled An Act relating to the issuance of bonds and special tax bills; the assessment, levy and collection of taxes; the licensing, regulation and prohibition of businesses, occupations, trades and amusements, and the abatement of nuisances by the City of Pensacola, and also to further alter and increase the jurisdiction, privileges and powers of said city in other matters pertaining to its general welfare, and to revise, supersede or repeal conflicting laws.

Very respectfully,

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

Mr. Johnson moved that the request of the House be granted, and that the Senate return House Bill No. 630. Which was agreed to.

Mr. Johnson moved to waive the rules and that the Senate resume the regular order of business.

Which was agreed to by a two thirds' vote.

Mr. McCreary moved that Senate Bill No. 106 be substituted for Senate Bill No. 290.

Which was agreed to.

Mr. McCreary withdrew Senate Bill No. 290.

And—

Senate Bill No. 106:

A Bill to be entitled An Act for the relief of C. B. McClenny.

Was taken up and read the second time in full.

The following amendment of the Committee on Claims was read as follows:

In Section 1, line 1, strike out the words "twenty-five hundred dollars," and insert in lieu thereof the following: "One thousand dollars."

Mr. Sloan moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 106, as above amended, was referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 216:

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

Was taken up.

Mr. McLeod moved that House Joint Resolution No. 222 be substituted for Senate Joint Resolution No. 216.

Which was agreed to.

Mr. McLeod withdrew Senate Joint Resolution No. 216.

And—

House Joint Resolution No. 222:

A Joint Resolution proposing amendments to Sections One (1), Sixteen (16) and Seventeen (17) of Article Three (3) of the Constitution of the State of Florida, relating to the legislative authority of the State of Florida.

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

Mr. McLeod moved that the rules be waived and that House Joint Resolution No. 222 be read the third time in full and put upon its passage.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Dayton, Hosford, Hudson, Humphries, Malone, McLeod, Stokes, Williams, Zim—15.

Nays—Senators Flournoy, Henderson, L'Engle, Wilson—4.

So the motion was agreed to.

And House Joint Resolution No. 222 was read the third time in full as follows:

House Joint Resolution No. 222:

A Joint Resolution proposing amendments to Sections One (1), Sixteen (16) and Seventeen (17) of Article Three (3) of the Constitution of the State of Florida,

relating to the legislative authority of the State of Florida.

Be it resolved by the Legislature of the State of Florida, That the following amendments to Section One (1), Section Sixteen (16) and Section Seventeen (17) as amended, of Article Three (3) of the Constitution of the State of Florida, be and they are hereby agreed to, and shall be proposed and submitted to the electors of this State for approval or rejection at the next general election hereafter, that is to say:

Section One (1) of said Article Three (3) shall be amended so as to read as follows:

Section 1. (1) The Legislative authority of this State shall be vested in a Legislature consisting of a Senate and a House of Representatives, and shall be designated, *The Legislature of the State of Florida*, but the people reserve to themselves power to propose laws and amendments to the Constitution of the State, and to enact or reject such laws and amendments at the polls independently of the Legislature, and also reserve at their own option the power to approve or reject at the polls any act, item or section of any act, or resolution of the Legislature.

(2) The first power reserved by the people is the initiative, and twenty (20) per centum of the legal voters shall have the right to propose any legislative measure, and twenty-five (25) per centum shall have the right to propose amendments to the Constitution by petition, and every such petition shall include the full text of the measure so proposed.

(3) The second power reserved is the referendum and it may be ordered, except as to laws necessary for the immediate preservation of public peace, health and safety, either by petition signed by twenty (20) per centum of the legal voters, or by the Legislature.

(4) The percentage of legal voters hereinbefore stated shall be based upon the total number of votes cast at the last general election for the State officer receiving the highest number of votes cast at such election.

(5) All petitions submitted under the power of the initiative shall be known as "Initiative Petitions," and shall be filed with the Secretary of State not less than four (4) months preceding the date of the election at which

the measures so proposed are to be voted upon, and all petitions submitted under the power of the referendum shall be known as "Referendum Petitions," and shall be filed with the Secretary of State not more than (60) days after the final adjournment of the session of the Legislature, which shall have passed the measure to which the referendum is applied, the filing of Referendum Petition against any item, or section of any act, or resolution, shall not prevent the remainder of such measure from becoming effective.

(6) Any measure or amendment to the Constitution proposed under the initiative, and any measure to which the referendum is applied, shall be referred to a vote of the qualified electors of the State, and shall become a law when approved by a majority of the votes cast thereon, and upon proclamation of the Governor, and not otherwise.

(7). The veto power of the Governor shall not extend to initiative or referendum measures approved by a majority of the qualified electors.

(8). The reservation of the power of the initiative and referendum in this Article shall not deprive the Legislature of the right to repeal any law, propose, or pass any measure, which may be consistent with the Constitution of the State and of the United States.

(9). The Legislature shall make suitable provisions for carrying into effect the provisions of this section.

That Section Sixteen (16) of said Article Three (3) shall be amended so as to read as follows:

Section 16. Each law enacted, whether by the Legislature or by the people under the initiative, shall embrace but one subject and matter properly connected therewith, which subject shall be briefly expressed in the title, and no law shall be amended or revised to its title only; but in such case the act, as revised, or section, as amended, shall be re-enacted and published at length.

That Section Seventeen (17) of said Article Three (3) shall be amended so as to read as follows:

Section 17. Every bill passed by the Legislature shall be read by its title on its first reading in either House, unless one third of the members present desire it read by sections. Every bill shall be read on three several days, unless two thirds of the members present when such bill

may be pending shall deem it expedient to dispense with this rule. Every bill shall be read by its sections on its second reading and on its final passage, unless on its second reading two thirds of the members present in the House where such bill may be pending shall deem it expedient to dispense with this rule. The vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the Journal of each House; provided, that any general revision of the entire laws embodied in any bill shall not be required to be read by sections upon its final passage, and its reading may be wholly dispensed with by a two thirds' vote. A majority of the members present in each House shall be necessary to pass every bill or joint resolution. All bills or joint resolutions so passed shall be signed by the presiding officer of the respective Houses and by the Secretary of the Senate and the Clerk of the House of Representatives.

Upon the passage of House Joint Resolution No. 222 the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Hosford, Hudson, Malone, Massey, McCreary, McLeod, McMullen, Sloan, Stokes, Williams, Wilson, Zim—20.

Nays—Senators Dayton, Flournoy, Henderson, Johnson, Withers—5.

So House Joint Resolution No. 222 having received the Constitutional three fifths' majority vote of all the members elected to the Senate, passed title as stated.

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

Explanation of Mr. Flournoy's vote on House Joint Resolution No. 222:

The matter in this resolution, both in form and principle, is objectionable. In principle, it is directly in conflict both with our political system and the State and Federal Constitutions. The Federal Constitution, Article IV, Section 4, guarantees a *Republican* form of government to every State, and the State Constitution is likewise in spirit and further requires us to submit to the electors of Florida only one class of amendments. viz: not carelessly considered, or those proposed amendments against which we are personally opposed, but those which pass

by a three fifths' vote of the Legislature, and which we personally favor. Such *direct* rule of the people in all matters of government, as comprehended within this resolution, is neither desirable nor practicable. It has been successful, if at all, only in the small cantons of Switzerland, or the compact City States of antiquity, and then only when the electorate or those permitted to participate as such were limited. The plan cannot be successfully applied to our modern aggregation of people which constitutes the modern State with its large territory and its varied interests, complicated system and extensive dominion for which the experience and wisdom of ages, in my opinion, give to us the one alternative of a *Republican* form of government consistent in purpose, spirit and letter with our State and Federal Constitutions and the surest precursor of the perpetuity of our political system. It is alarming, it seems to me, to note the recent tendency to drift from the intent of our fathers in the effort to change their great structure of free government to the extreme view of direct rule in all matters of legislation. Government by the people, whether direct or indirect, to be successful, demands honesty, courage, character and highly developed political instinct in both the officials and the people. The frailty of human nature should be guarded by all, that the structure of our government may not be temporary only. I am opposed to the resolution both in theory, principle and practice. If I had any doubt about the question, I might then find excuse for voting for the proposed amendment.

The State Constitution requires me in such event to vote against submitting the proposed amendment. Otherwise, the people would not, by their Constitution, have required the three fifths' vote of this Legislature. And, otherwise, an unlimited number of proposed amendments would go to the people, a condition at once inconsistent with the proper theory of government.

In considering private or public rights, we should be invulnerable to fancied public sentiment, but in this Chamber and Forum of wisdom and fairness, cautiously consider, honestly and loyally vote as the Representatives of the people our convictions, which action will merit and doubtless receive not merely temporary approbation. Carelessness in the discharge of political duties and functions warrants the statement of the historians that a

Republic is but a recurring temporary stage in the cycle of political growth and decay. We should zealously guard the arch of our government upon which rests the confidence of the people that the orderly constitutional provisions and processes may not be ruined by sporadic assaults of ill-advised action. With these views, although I regret to differ with my fellow Senators, I must vote against the resolution.

Mr. Johnson explained his vote on House Joint Resolution No. 222, as follows:

"I am in favor of the referendum where same is for the purpose of allowing voters to pass upon all questions of extraordinary taxation and on all questions of innovations effecting the people.

"I am in favor of the initiative on all important questions.

"I am opposed to this amendment for the reason that there is entirely too much red tape in this amendment, and the provisions in same will defeat the purposes of the amendment.

"I have always favored initiative and referendum in questions of extraordinary taxation and extraordinary innovations.

"This amendment will only bring about confusion."

Mr. Dayton moved that the Senate do go into executive session at 12:30 o'clock p. m.

Which was agreed to.

Senate Bill No. 306:

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

Was taken up and read the second time in full.

The following amendment of the Committee on Judiciary A was read, as follows:

In line 3 of the amended section add after the word "building" in said line the following: "Fence."

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

Mr. Williams offered the following amendment to—
Senate Bill No. 306:

Strike out the word "fertilizer."

Mr. Williams moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 306, as above amended, was referred to the Committee on Engrossed Bills.

Committee Substitute for House Bill No. 204:

A Bill to be entitled An Act to regulate and prescribe the practice of attorneys in criminal cases.

Was taken up and read the second time in full.

Mr. Adkins moved that the rules be waived and that substitute for House Bill No. 204 be taken up and read the third time in full and put upon its final passage.

Which was agreed to by a two thirds' vote.

And—

Committee Substitute for House Bill No. 204:

A Bill to be entitled An Act to regulate and prescribe the practice of attorneys in criminal cases.

Was taken up and read the third time in full.

Upon the passage of committee substitute for House Bill No. 204 the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Calkins, Carney, Culpepper, Davis, Dayton, Hosford, Johnson, Malone, McCreary, McLeod, Perkins, Stokes, Williams, Zim—17.

Nays—Senators Broome, Finlayson, Henderson, Humphries, Massey, McMullen, Miller, Sloan, Wilson, Withers—10.

So the bill passed, title as stated.

And passage of the bill was ordered to be certified to the House of Representatives, under the rules.

Senate Bill No. 334:

A Bill to be entitled An Act to amend Section 1866 of the General Statutes of the State of Florida concerning constructive service of process.

Was taken up.

Mr. Hudson moved to substitute Senate Bill No. 263 for Senate Bill No. 334:

Which was agreed to.

And—

Senate Bill No. 263:

A Bill to be entitled An Act to amend Section 2017 of the General Statutes of the State of Florida, the same being relative to the payment into court for the use of the defendant by petitioners in condemnation proceedings of the compensation ascertained by the jury.

Was taken up and was read a second time in full.

Senate Bill No. 263:

A Bill to be entitled An Act to amend Section 2017 of the General Statutes of the State of Florida, the same being relative to the payment into court for the use of the defendant by petitioners in condemnation proceedings of the compensation ascertained by the jury.

Was read in full.

Mr. Hudson moved to adopt the substitute to Senate Bill No. 263 in lieu of the original bill.

Mr. Hudson moved that the rules be waived, and that Senate Bill No. 263 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

Committee substitute for Senate Bill No. 263.

Was read a third time in full and put upon its passage.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Dayton, Finlayson, Flournoy, Hosford, Hudson, Humphries, Malone, Massey, McCreary, McLeod, McMullen, Perkins, Sloan, Stokes, Williams, Withers, Zim—24.

Nays—Senators Henderson, Johnson—2.

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. McCreary (by unanimous consent)—

Senate Bill No. 485:

A Bill to be entitled An Act to legalize an ordinance entitled "An Ordinance providing for the issuance of bonds and the creation of an executive head under the provision of An Act of the Legislature of the State of

Florida, entitled 'extending and enlarging the powers of the City of Gainesville, a municipal corporation organized and existing in Alachua County, Florida, and providing for the exercise of those powers,' passed by the City Council of the City of Gainesville on September 4, 1905, and approved September 5, 1905, and to declare and render valid the result of said election as shown by the returns thereof and to authorize the sale of any and all bonds heretofore issued, or hereafter to be issued, and sold thereunder, and to authorize the said City of Gainesville to purchase or construct or contract for the construction of a public electric lighting plant, or gas plant, or both, such plants for the use of said city and its inhabitants."

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

By Mr. Johnson (by unanimous consent)—

Senate Bill No. 486:

A Bill to be entitled An Act to require the Board of Trustees of the Internal Improvement Fund to carry out certain provisions of Chapter 3474 of the Laws of Florida, entitled An Act for the relief of the City of Jacksonville, and the Counties of Baker, Bradford, Columbia, Suwannee, Madison, Jefferson, Duval and Leon.

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

By Mr. McMullen (by unanimous consent)—

Senate Bill No. 487:

A Bill to be entitled An Act fixing the salary of the Attorney General of the State of Florida.

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

Substitute for—

Senate Bill No. 178:

A Bill to be entitled An Act defining kidnapping and fixing a penalty for violation of the provisions of this Act, and repealing Chapter 5907 of the Laws of Florida, entitled An Act to prescribe the punishment for kidnapping a child under the age of 15 years to be held for ransom.

Which was read in full.

Mr. Sloan moved to adopt the substitute in lieu of the original bill.

Which was agreed to by a two thirds' vote.

Mr. Sloan moved that the rules be waived, and that Substitute for Senate Bill No. 178 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And the Substitute for Senate Bill No. 178 was read a third time in full.

Pending the question of its passage the substitute was informally passed.

House Bill No. 46:

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

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

The following amendment of the Committee on Judiciary A was read as follows:

In the title add "n" to the word "Construction."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

In Section 1, line 6, strike out "purpoe," and insert therefor the following: "purpose."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Mr. Baker moved that the rules be further waived, and that House Bill No. 46, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 46:

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

Was taken up and read the third time in full, with the amendments thereto.

Upon the passage of House Bill No. 46 the vote was:
Yeas—Mr. President, Senators Adkins, Baker, Broome,

Calkins, Carney, Culpepper, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, McCreary, McMullen, Miller, Perkins, Stokes, Williams, Wilson, Withers, Zim—24.

Nays—None.

So the bill passed, title as stated.

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

Mr. Humphries moved that the Senate do now go into executive session.

Which was agreed to.

The doors of the Senate closed at 12:25 o'clock p. m.

The doors of the Senate were opened at 12:50 o'clock p. m.

The Senate resumed its open session.

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, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Wilson, Withers, Zim—27.

A quorum present.

A communication from Hon. W. H. Milton was ordered spread on the Journal.

Mr. Stokes moved that Senate Bill No. 388 be substituted for Senate Bill No. 91.

Which was agreed to.

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

Which was agreed to.

Whereupon the Senate stood adjourned until 3 o'clock p. m.

CONFIRMATIONS.

To be Circuit Judges for the term of six years:

Hon. John W. Malone—Second Judicial Circuit.

Hon. Rhydon M. Call—Fourth Judicial Circuit.

Hon. W. S. Bullock—Fifth Judicial Circuit.

Hon. F. M. Robles—Sixth Judicial Circuit.

Hon. W. H. Price—Ninth Judicial Circuit.

Hon. L. W. Bethel—Eleventh Judicial Circuit.

To be State's Attorneys for a term of four years:

Hon. E. W. Davis—Fifth Judicial Circuit.

Hon. H. S. Phillips—Sixth Judicial Circuit.

Hon. A. V. Long—Eighth Judicial Circuit.

Hon. C. L. Wilson—Ninth Judicial Circuit.

Hon. John C. Gramling—Eleventh Judicial Circuit.

AFTERNOON SESSION.

The Senate resumed its session at 3 o'clock p. m., pursuant to recess order.

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, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCraery, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Zim—31.

A quorum present.

Mr. Massey moved to change the special order made for Senate Bills Nos. 292 and 293 from 9:30 o'clock a. m. on Friday to 3:15 o'clock p. m. Monday, May 29.

Mr. Johnson moved to reconsider the vote by which Senate Bill No. 126 be indefinitely postponed.

Which was agreed to.

Mr. Malone moved that Senate Bill No. 459 be made a special order for consideration at 11 o'clock a. m. on Friday, May 26.

Which was agreed to.

Mr. Johnson moved that the communication received from Hon. W. H. Milton be read, and that as same was in copy in the hands of the State Printer, that the Sergeant-at-Arms be instructed to go immediately to the State Printer and recall same.

Which was agreed to.

The communication from Hon. W. H. Milton having been returned, Mr. Johnson moved that the communication from Hon. W. H. Milton be read.

Which was agreed to.

Pending the communication being read, Mr. Calkins moved that the communication be not read, but referred to the Committee on Judiciary A.

Mr. Flournoy moved to amend the motion that it be referred to the Committee on Judiciary B.

Which was agreed to.

Senate Bill No. 172:

A Bill to be entitled An Act to establish a Forestry Commission and to promote conservation of forestry resources of the State.

Was taken up.

Mr. Williams moved that Senate Bill No. 26 be substituted for Senate Bill No. 176.

Which was agreed to.

Mr. Williams withdrew Senate Bill No. 176.

And—

Substitute for Senate Bill No. 26:

A Bill to be entitled An Act to provide for attorneys' fee in certain cases on appeal or writ of error.

Was taken up and read the second time in full.

Mr. Williams moved that the rules be waived and that Senate Bill No. 26 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

Senate Bill No. 26:

A Bill to be entitled An Act to provide for attorneys' fee in certain cases on appeal or writ of error.

Was taken up and read a third time in full.

Upon the passage of Senate Bill No. 26 the vote was:

Yeas—Senators Adkins, Baker, Carney, Culpepper, Davis, McLeod, Sloan, Stokes, Zim—9.

Nays—Senators Broome, Cook, Dayton, Finlayson, Flournoy, Henderson, Hosford, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, Perkins, Williams, Wilson, Withers—17.

So the bill failed to pass.

Senate Bill No. 349:

A Bill to be entitled An Act to amend Section 1292 of the General Statutes of the State of Florida, in relation to the appointment and qualifications of Pilot Commissioners.

Was taken up.

Mr. Malone offered the following substitute to—

Senate Bill No. 349:

A Bill to be entitled An Act to amend Section 1292 of the General Statutes of the State of Florida, in relation to the appointment and qualifications of Pilot Commissioners.

Which was read the first time by its title.

Mr. Malone moved to waive the rules and that the substitute be read the second time in full.

Which was agreed to.

And the substitute was read the second time in full.

Mr. Malone moved to adopt the substitute.

Which was agreed to.

Mr. Malone moved that the rules be waived, and that Substitute for Senate Bill No. 349 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

Substitute for Senate Bill No. 349:

A Bill to be entitled An Act to amend Section 1292 of the General Statutes of the State of Florida, in relation to the appointment and qualifications of Pilot Commissioners.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 349 the vote was:

Yeas—Senators Adkins, Baker, Broome, Carney, Cook, Culpepper, Flournoy, Hosford, Humphries, Johnson, Malone, McCreary, McLeod, Williams, Wilson, Withers, Zim—17.

Nays—Senators Calkins, Stokes—2.

So the bill passed, title as stated.

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

House Bill No. 259:

A Bill to be entitled An Act to prohibit any person or persons from unlawfully obtaining possession of or giving possession to another of any questions or question sheets or information pertaining thereto, used in the uniform examination for teachers; to prohibit cheating therein and to prescribe penalties for the violation of the provisions of this Act.

Was taken up and read the second time in full.

Mr. Broome moved that the rules be further waived and that Senate Bill No. 259 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 259:

A Bill to be entitled An Act to prohibit any person or persons from unlawfully obtaining possession of or giving possession to another of any questions or question sheets or information pertaining thereto, used in the uniform examination for teachers; to prohibit cheating therein and to prescribe penalties for the violation of the provisions of this Act.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 259 the vote was:

Yeas—Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Dayton, Finlayson, Flournoy, Hosford, Humphries, Johnson, Malone, McCreary, McLeod, Miller, Stokes, Williams, Wilson, Withers, Zim—21.

Nays—Senator Cook—1.

So the bill passed, title as stated.

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

Senate Bill No. 369:

A Bill to be entitled An Act to authorize the counties of the State of Florida to create and constitute special road and bridge districts within said counties, and to issue bonds and levy and collect a special road and bridge tax with which to pay for the construction, repair and

maintenance of the roads and bridges within said special roads and bridge districts.

Was taken up.

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

Which was agreed to by a two thirds' vote.

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

Mr. Humphries offered the following substitute to Senate Bill No. 369:

A Bill to be entitled An Act to authorize the counties of the State of Florida to create and constitute special road and bridge districts within said counties, and to issue bonds and levy and collect a special road and bridge tax with which to pay for the construction, repair and maintenance of the roads and bridges within said special roads and bridge districts.

Mr. Humphries moved to adopt the substitute.

Which was agreed to.

Mr. Humphries moved that the rules be further waived and that substitute for Senate Bill No. 369 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

Substitute for—

Senate Bill No. 369:

A Bill to be entitled An Act to authorize the counties of the State of Florida to create and constitute special road and bridge districts within said counties, and to issue bonds and levy and collect a special road and bridge tax with which to pay for the construction, repair and maintenance of the roads and bridges within said special road and bridge districts.

Was read a third time in full.

Upon the passage of Senate Bill No. 369 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Cook, Culpepper, Dayton, Hosford, Humphries, Malone, McCreary, Wilson, Withers, Zim—13.

Nays—Senators Henderson, Johnson, McLeod, Williams—4.

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. 361:

A Bill to be entitled An Act to require the County Commissioners of the several counties in the State of Florida to give bonds to secure a faithful discharge of their official duties.

Was taken up and read the second time in full.

Mr. Perkins moved that the rules be waived and that Senate Bill No. 361 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

Senate Bill No. 361:

A Bill to be entitled An Act to require the County Commissioners of the several counties in the State of Florida to give bonds to secure a faithful discharge of their official duties.

Was read a third time in full.

Upon the passage of Senate Bill No. 361 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Calkins, Carney, Culpepper, Davis, Perkins, Stokes, Withers—9.

Nays—Senators Baker, Broome, Cook, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Williams, Wilson, Zim—15.

So the bill failed to pass.

Senate Bill No. 284:

A Bill to be entitled An Act to extend the powers of the Railroad Commissioners, so as to give them power and authority to regulate charges of telegraph companies for the transmission of messages by telegraph, to apply the powers given said commissioners by law over railroad companies to all persons or companies owning or controlling or operating a line or lines of telegraph, and to make the penalties prescribed against the railroads for violating Commissioners' Rules apply to the companies and persons herein named, whose line or lines is, or are wholly or in part in this State, and for other purposes.

Was taken up.

Mr. Henderson moved that the rules be waived and that

House Bill No. 80 be substituted for Senate Bill No. 248.
Which was agreed to by a two thirds' vote.

And—

House Bill No. 80:

A Bill to be entitled An Act to extend the powers of the Railroad Commissioners so as to give them power and authority to regulate charges of telegraph companies for the transmission of messages by telegraph; to apply the powers given to said commissioners by law over railroad companies to all persons or companies owning, controlling or operating a line or lines of telegraph, and to make the penalties prescribed against railroads for violating commissioners' rules apply to the companies and persons herein named, whose line or lines is, or are wholly or in part in this State, and for other purposes.

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

The following amendment of the Committee on Judiciary A was read as follows:

In line 4 of title, after the word "charges," insert the words "and service."

Mr. Henderson moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

In lines 2 and 3 in Section 1, strike out the words "companies or persons," and insert in lieu thereof the following: "persons, firms and corporations."

Mr. Henderson moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

In line 11, in Section 1, strike out "company or person or persons," and insert in lieu thereof: "person, firm or corporation."

Mr. Henderson moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

In line 14, in Section 1, strike out the words "company, person or persons," and insert in lieu thereof the words "person, firm or corporation."

Mr. Henderson moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

In lines 22 and 23, in Section 1, strike out the words

"companies or persons," and insert in lieu thereof the words "persons, firms and corporations."

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

Also the following committee amendment was read:

In lines 29 and 30, in Section 1, strike out the words "corporation, company, person or persons," and insert in lieu thereof the words "person, firm or corporation."

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

Also the following committee amendment was read:

After the word "railroad" in line 19, in said Section 1, strike out the words "existing laws embraced in Chapter 4700, Laws of Florida," and insert in lieu thereof the words "and under the laws of Florida."

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

Also the following committee amendment was read:

After the word "charged" in line 10 in said Section 1, insert the words "and service to be rendered."

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

Also the following committee amendment was read:

In lines 27 and 28 in said Section 1, strike out the words "provisions of Chapter 4700."

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

Mr. Henderson moved that the rules be further waived and that House Bill No. 80 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 80 was read a third time in full.

Upon the passage of House Bill No. 80 the roll was called and the vote was:

Yeas—Senators Calkins, Carney, Cook, Dayton, Finlayson, Henderson, Hudson, Humphries, Johnson, L'Engle, Malone, McCreary, McLeod, Perkins, Sloan, Stokes, Wilson, Withers—18.

Nays—Senators Adkins, Broome, Hosford, Massey, Miller, Williams, Zim—7.

So the bill passed, title as stated.

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

Senate Bill No. 15:

A Bill to be entitled An Act to provide for the establishment of a Bureau of Labor Statistics, and appointment of a commission.

Was taken up and read the second time in full.

Mr. Zim moved that the rules be waived and that Senate Bill No. 15 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 15 was read a third time in full.

Upon the passage of Senate Bill No. 15 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker, Carney, Culpepper, Flournoy, Hudson, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Withers, Zim—17.

Nays—Senators Adkins, Broome, Calkins, Cook, Davis, Finlayson, Henderson, Hosford, Humphries, Johnson, L'Engle, Malone, Wilson—13.

So the bill passed, title as stated.

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

Senate Joint Resolution No. 319:

A Joint Resolution proposing an amendment to Section 1 of Article VI of the Constitution of Florida, as amended by Joint Resolution No. 2, Acts of 1893, relating to suffrage and eligibility.

Was taken up and read a second time in full.

Mr. Davis, Chairman of the Committee on Constitutional Amendments, as required by the rules, moved to indefinitely postpone Senate Bill No. 319.

Which was not agreed to.

Mr. Carney moved that the rules be waived and that Senate Joint Resolution No. 319 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And—

Senate Joint Resolution No. 319 was read a third time in full, as follows:

Senate Joint Resolution No. 319:

A Joint Resolution proposing an amendment to Section

1 of Article VI of the Constitution of Florida, as amended by Joint Resolution No. 2, Acts of 1893, relating to suffrage and eligibility.

Be it resolved by the Legislature of the State of Florida, That the following amendment to Section 1 of Article VI of the Constitution of the State of Florida be, and the same is hereby agreed to and shall be submitted to the electors of the State at the general election in 1912 for ratification or rejection:

Section 1. Every male person of the age of twenty-one years and upwards who shall at the time of registration be able to read and write any section of the Constitution of the State of Florida, being a citizen of the United States, and shall have resided and had his habitation, domicile, home and place of permanent abode in Florida for one year and in the county for six months, shall in such county be deemed a qualified elector at all elections under this Constitution; but no person who was on January 1, 1867, or at any time prior thereto, entitled to vote under any form of government, or who at that time resided in some foreign nation, and no lineal descendant of such person, shall be denied the right to register and vote because of his inability to so read and write sections of such Constitution. Naturalized citizens of the United States at the time of and before registration shall produce to the registration officers his certificate of naturalization or a duly certified copy thereof. Upon the adoption of this amendment to the Constitution the Legislature shall enact appropriate laws to carry into effect the purposes of this amendment.

Upon the passage of Senate Joint Resolution No. 319 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, Massey, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—23.

Nays—Senators Davis, Finlayson, Henderson, L'Engle, Malone, McCreary—6.

So Senate Joint Resolution No. 319 having received the Constitutional majority of three fifths of all the members elected to the Senate, was passed, title as stated.

Mr. Carney moved to waive the rules and that Senate Joint Resolution No. 319 be certified to the House of Rep-

representatives, together with all other bills passed and to be passed by the Senate today, at once.

Which was agreed to by a two thirds' vote.

Senate Bill No. 380 :

A Bill to be entitled An Act to make the obtaining of any food, lodging, entertainment or other accommodation, by fraud or misrepresentation, from any hotel, restaurant, rooming, boarding or eating house and the failure to pay therefor, a misdemeanor, and providing a penalty therefor.

Was taken up and read the second time in full.

Mr. Wilson moved that the rules be further waived and that Senate Bill No. 380 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 380 was read a third time in full.

Upon the passage of Senate Bill No. 380 the roll was called and the vote was :

Yeas—Mr. President, Senators Adkins, Baker, Broome, Carney, Cook, Culpepper, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers—27.

Nays—Senator Calkins—1.

So the bill passed, title as stated.

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

Mr. Withers moved to reconsider the vote by which House Joint Resolution No. 76 failed to pass the Senate on yesterday.

Which went over under the rules.

Mr. Williams gave notice that he would move for a reconsideration of the vote by which Substitute for Senate Bill No. 26 failed to pass.

Senate Bill No. 250 :

A Bill to be entitled An Act for the relief of Harriet M. Wright and Lizzie B. McCarty.

Was taken up and read the second time in full.

Mr. Perkins moved that the rules be further waived and that Senate Bill No. 250 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 250 was read a third time in full.

Upon the passage of Senate Bill No. 250 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Calkins, Carney, Cook, Culpepper, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, Perkins, Sloan, Stokes, Wilson, Withers, Zim—24.

Nays—Senators Baker, Johnson, Miller—3.

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. 373:

A Bill to be entitled An Act to encourage the raising and growing of corn, sea island and upland cotton in the State of Florida, and making appropriations to carry out the provisions thereof.

Was taken up and read the second time in full.

The Committee on Agriculture offered the following substitute to—

Senate Bill No. 373:

A Bill to be entitled An Act to encourage the raising and growing of corn, sea island and upland cotton, Irish and sweet potatoes and sugar cane in the State of Florida, and making an appropriation to carry out the provisions of this Act.

Mr. Cone moved to adopt the substitute.

Which was agreed to.

Mr. Cone moved that the rules be further waived and that committee substitute for Senate Bill No. 373 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And the substitute to Senate Bill No. 373 was read a third time in full.

Upon the passage of substitute to Senate Bill No. 373 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Sloan, Stokes, Withers, Zim—26.

Nays—Senators Cook, Miller—2.

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. Finlayson (by unanimous consent) (by request)—

Senate Bill No. 448:

A Bill to be entitled An Act to provide a municipal government for the Town of Aucilla in Jefferson County, Florida.

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

By Mr. McMullen—

Senate Bill No. 489:

A Bill to be entitled An Act to prescribe the number of pilots for the ports of Tampa, Port Tampa, St. Petersburg and Manatee.

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

By Mr. McCreary—

Senate Bill No. 490:

A Bill to be entitled An Act to amend Chapter 5497 of Laws of Florida, entitled "An Act extending and enlarging the territorial limits and the powers of the City of Gainesville, a municipal corporation organized and existing in Alachua County, Florida, and providing for the exercise of those powers, as amended by Chapter 5806, Laws of Florida, entitled An Act amending Sections 1, 2, 4, 8 and 10 of An Act entitled, An Act extending and enlarging the territorial limits, and the powers of the City of Gainesville, a municipal corporation organized and existing in Alachua County, Florida, and providing for the exercise of those powers, the same being Chapter 5497, Laws of Florida, Acts of 1905."

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

By Mr. Dayton—

Senate Bill No. 491:

A Bill to be entitled An Act to repeal Chapter 5803 of

the Laws of Florida enacted in 1907, the same being entitled "An Act to incorporate the Town of Floral City, in Citrus County, Florida; to provide for its government, jurisdiction, powers and privileges."

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

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

Senate Chamber,
Tallahassee, Fla., May 24, 1911.

Hon. F. P. Cone.

President of the Senate.

Sir:

Your Committee on Rules and Procedure recommends that after disposition of the Committee Calendar of Selected Orders of the Day, now under consideration, all bills on the said Calendar which have not been disposed of and all of the said bills which have passed second reading and been engrossed, shall have precedence as Selected Orders of the Day, and that thereafter, there shall be a Second Committee Calendar to be made up in the same manner as the above mentioned Committee Calendar, and that each Senator shall designate a bill to be placed upon the said Calendar not later than 9:00 o'clock on the morning of May 25th; but that all provisions herein recommended, shall be subject to the previous orders of the Senate as to precedence of bills.

Very respectfully,

F. M. HUDSON,
Chairman of Committee on Rules and Procedure.

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

REPORTS OF COMMITTEES, BY CONSENT.

The Committee on Claims reported favorably on—
Senate Bill No. 212:

A Bill to be entitled An Act for relief of W. L. Zachary of Escambia County, Florida; for appropriation of

money to pay cost in disbarment proceedings and to provide for manner of payment of same.

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

Senate Chamber,
Tallahassee, Fla., May 24, 1911.

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

Sir:

Your Committee on Engrossed Bills reports as properly engrossed—

Senate Bill No. 306:

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

Also—

Senate Bill No. 106:

To be entitled An Act for the relief of C. B. McClenny.

Very respectfully,
J. E. BROOME,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 24, 1911.

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

Sir:

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

An Act creating three additional circuits in the State of Florida, and fixing the territorial boundaries of such additional circuits, and fixing the boundaries of the eight existing Judicial Circuits of the State of Florida.

Begs to report that the same has been again presented to the Governor.

Very respectfully,
C. T. CULPEPPER,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 24, 1911.

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

Sir:

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

An Act to extend and enlarge the powers of the Railroad Commissioners of the State of Florida, so as to give them exclusive power and authority 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.

Also—

That either House when in session may receive any message from the other House whether the latter be in session or not.

Also—

An Act to regulate the granting of new trials and the setting aside and reversals of judgments.

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

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

Mr. Adkins moved that the Senate do now take a recess to 8 o'clock p. m.

Which was agreed to.

Whereupon the Senate stood adjourned until 8 o'clock p. m.

EVENING SESSION—EIGHT O'CLOCK.

The Senate resumed its session pursuant to recess order. The President in the chair.

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

Mr. President, Senators Adkins, Broome, Carney, Culpepper, Davis, Dayton, Henderson, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—19.

A quorum present.

Mr. L'Engle moved to waive the rules and that House Bill No. 603 be now taken up and considered.

Which was not agreed to.

BILLS ON THIRD READING.

Senate Bill No. 37:

A Bill to be entitled An Act to abolish the present registration of Hillsboro County and provide for a new registration.

Was taken up on its third reading.

Mr. McMullen asked for and obtained unanimous consent to place Senate Bill No. 37 back on its second reading for amendment.

The following Committee amendment to Senate Bill No. 37 was read:

In Section 2, line 2, strike out all of said Section 2 after the words "be made," and insert in lieu thereof the following: "at the first date upon which the registration books of said Hillsboro County are required to be kept open."

Mr. McMullen moved the adoption of the amendment.

Which was agreed to.

The following committee amendment to Senate Bill No. 37 was read:

In Section 5, strike out the entire section, and insert in lieu thereof the following: "This Act shall go into effect the 15th day of January, A. D. 1912."

Mr. McMullen moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 37, as amended, was referred to the Committee on Engrossed Bills.

House Bill No. 181:

A Bill to be entitled An Act to amend Section 1, Chapter 6002, Laws of Florida, in relation to fishes in fresh water lakes and ponds in the County of Marion.

Was taken up.

Mr. Carney moved that the rules be waived, and that Senate Bill No. 466 be substituted for House Bill No. 181. Which was agreed to by a two thirds' vote.

LOCAL BILLS ON SECOND READING.

Senate Bill No. 466:

A Bill to be entitled An Act to define and prescribe the boundary lines between Marion County and the Counties of Levy, Alachua, Putnam, Lake, Sumter and Citrus.

Was taken up.

Mr. Carney moved that the rules be waived and that Senate Bill No. 466 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 466 was read a second time by its title.

Mr. Carney moved that the rules be further waived, and that Senate Bill No. 466 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 466 was read a third time in full.

Upon the passage of Senate Bill No. 466 the roll was called and the vote was:

Yeas—Mr. President, Senators Carney, Dayton, Henderson, Hosford, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Williams, Withers, Zim—17.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 256:

A Bill to be entitled An Act to incorporate the City of Lakeland, in Polk County, Florida, and to provide for its government and prescribe its jurisdiction and powers and to abolish the present corporation of said city.

Was taken up.

Mr. Sloan moved that the rules be waived and that Senate Bill No. 256 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 256 was read a second time by its title only.

By unanimous consent the Secretary was instructed to

add the words "A Bill" to the beginning of the title of the bill.

Mr. Sloan moved that the rules be further waived and that Senate Bill No. 256 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 256 was read a third time in full.

Upon the passage of Senate Bill No. 256 the roll was called and the vote was:

Yeas—Mr. President, Senators Broome, Carney, Cook, Culpepper, Dayton, Henderson, Hosford, Hudson, Humphries, Malone, Massey, McLeod, McMullen, Miller, Perkins, Sloan, 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 immediately.

House Bill No. 509:

A Bill to be entitled An Act to repeal Chapter 5982 of the Laws of Florida, entitled "An Act to organize and establish a County Court in and for the County of DeSoto; to prescribe the terms thereof; to prescribe the jurisdiction and powers; to provide for the appointment of a Prosecuting Attorney, and for the compensation of the Judge and Prosecuting Attorney."

Was taken up.

Mr. Humphries moved that the rules be waived and that House Bill No. 509 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 509 was read a second time by its title.

Mr. Humphries moved that the rules be further waived, and that House Bill No. 509 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 509 was read a third time in full.

Upon the passage of House Bill No. 509 the roll was called and the vote was:

Yeas—Mr. President, Senators Broome, Carney, Culpepper, Dayton, Finlayson, Henderson, Hosford, Hudson,

Humphries, Massey, McMullen, Miller, Sloan, Williams, Wilson, Withers—17.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 412:

A Bill to be entitled An Act to prohibit the blowing of steam whistles, and to prescribe a penalty therefor.

Was taken up.

Mr. L'Engle moved to waive the rules and that House Bill No. 603 be substituted for Senate Bill No. 412.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 603:

A Bill to be entitled An Act affecting the government of the City of Jacksonville and conferring additional jurisdiction, powers and duties on said city; creating certain offices, reducing the terms of office of certain officials and abolishing certain offices and boards.

Was taken up.

Mr. L'Engle moved that the rules be waived and that House Bill No. 603 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 603 was read a second time by its title.

Mr. L'Engle offered the following amendment to House Bill No. 603:

Strike out Section 1 thereof and insert the following:

“Section 1. That the Board of Bond Trustees of the City of Jacksonville shall consist of nine members; their terms of office shall be for the period of four years; but the terms of the present members of said Board shall expire, two on October 1, 1911; two on October 1, 1912; two on October 1, 1913, and three on October 1, 1914, to-wit: The terms of office of A. B. Campbell and Arthur F. Perry shall expire on October 1, 1911; the terms of Sig Hess and Frank Richardson on October 1, 1912; the terms of office of W. M. Bostwick, Jr., and Henry Galliard on October 1, 1913, and the terms of office of Frank Adams, John R. Baker and A. R. Merrill on October 1, 1914. Their successors shall be elected by a majority

vote of all the members of the City Council at their first regular meeting in October, or as soon thereafter as practicable. Thirty days' notice of each such election shall be given by publishing the same in two newspapers published in the City of Jacksonville, one each week for four successive weeks, prior to such election. Vacancies occurring otherwise than by expiration of terms shall be filled in the same manner."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 4, line 11, after the word "direction," insert the words "and control."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 5, line 6, after the word "salary," insert the words "and period of employment."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 5, line 7, strike out the word "it," and insert in lieu thereof the following: "His salary."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 5, lines 16, 17 and 18, strike out the words "after having been given notice of the charges against him and a reasonable opportunity to be heard before said board."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 6, line 12, after the word "under," insert the words "or appointed by."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 10, line 2, after the word "members," insert the words "who shall be elected by the City Council."

Mr. L'Engle moved the adoption of the amendment. Which was agreed to.

Mr. L'Engle offered the following amendment to— House Bill No. 603:

Strike out all of Section 15 and insert in lieu thereof the following:

"Sec. 15. The Mayor and City Council of the City of Jacksonville, in their proper capacity, are hereby authorized to issue bonds of said city, of such denominations, bearing such rates of interest, not exceeding five per cent, becoming due at such times and upon such conditions as may be determined by ordinance, to an amount not exceeding five hundred thousand dollars (\$500,000.00). The proceeds from the sale of such bonds may be used for any or all of the following purposes: Extending water mains, sewerage, drainage, opening, paving and grading streets, acquiring, filling and grading lands for parks, bulk-heading city lines abutting on creeks and waterways, building, extending and improving the city waterworks and electric light plants, and for the payment of such bonds and the interest thereon and a sinking fund therefor, the entire taxable property of said city shall be thereby pledged; Provided, however, That before the issue of said bonds shall be made, the issuance of the bonds then proposed to be issued shall be provided for by ordinance adopted by a two thirds' vote of the City Council on its third reading, setting forth the total amount of such bonds issued and the denomination of such bonds, the rate of interest thereon, the time, place and conditions when said bonds, the interest thereon and sinking fund therefor shall become due and payable, and the rate of said sinking fund, as well as the purposes for which the issue of said bonds are to be used, which ordinance shall be approved by a two thirds' vote of all members of the Board of Bond Trustees and subsequently approved by a majority of the votes cast by the qualified electors of said city who are qualified to vote at a city general election next preceding the election for said bonds at an election held solely for that purpose at a time and in a manner to be prescribed by ordinance; and Provided, further, That

notice of such special election shall be published in a daily newspaper published in said city once each week for four successive weeks prior to said election; and, Provided, further, That the now existing Board of Bond Trustees and its successors in office shall have all the powers in reference to the bonds issued hereunder as are now vested in the said Board of Bond Trustees by law and ordinance in reference to the existing bonds of said city; and, Provided, farther, That not more than five hundred thousand dollars (\$500,000.00) of bonds of said city may be issued under this Act, and that not more than two hundred and fifty thousand dollars (\$250,000.00) of said bonds shall be issued or sold during any one year. The Mayor and City Council shall levy annually such special tax on the taxable property within the corporate limits of said city as may be necessary to pay the interest on said bonds and the sinking fund for the payment thereof provided by said ordinance under which the said bonds shall be issued, and by ordinance shall require of the disbursing agents handling the moneys hereby provided for, such bonds for the faithful performance of their duties as they may determine."

Mr. L'Engle moved to adopt the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to—
House Bill No. 603:

Strike out Section 16, and insert in lieu thereof the following:

"Sec. 16. Whenever the Board of Bond Trustees shall deem it advisable to lay sewers in the city, said board shall pass and send to the City Council a resolution declaring the necessity for the laying of such sewers and designating the street or streets in which the same are proposed to be laid, which resolution shall be accompanied by plans and specifications for such work and an estimate which will, in the opinion of said board, cover the total cost of the work. Upon the presentation of such resolution, or at any time thereafter, the Mayor and City Council shall be authorized by ordinance to lay out and prescribe a special assessment sewer district or districts, which shall comprise the streets designated in said resolution of said Board of Bond Trustees, each of which district shall be designated by a number or some other means of identification, and may require the doing by said

Board of Bond Trustees, by the lowest and best responsible bidder or bidders, of the work covered by the resolution of said board in compliance with the plans and specifications submitted. One-third of the entire cost of said work shall be paid by said city and the remainder of the entire cost of such work in said district shall be assessed against the lands fronting or abutting on the street or streets, or parts thereof, in which said sewers are laid, according to their frontage thereon. The ordinances requiring the doing of any such work, with the resolution of said board declaring the necessity therefor and the amount estimated to be the necessary cost thereof, shall be published once a week for four weeks with notice of the time, not less than forty days after the publication of said notice, and place where the City Council will meet to hear, consider and act upon petitions presented to them seeking a correction or reduction of assessments for the cost of such work."

Mr. L'Engle moved to adopt the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 17, line 5, strike out the words "and such railway."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to—
House Bill No. 603:

Strike out all of Section 18 and insert in lieu thereof the following:

"Sec. 18. The said estimates of said board and the Tax Assessor shall be kept by the City Recorder open for public inspection, during reasonable office hours, from the time of filing with him until the City Council shall have acted upon all petitions as hereinafter provided. Any person owning any such lot or any interest therein, or having a lien thereon, shall have the right, at any time within thirty days after the filing with the City Recorder of the Tax Assessor's estimate of the amount of the lien which the city will claim for such work and until the time fixed in the notice for the meeting of the City Council to consider petitions, to present to the City Recorder a sworn petition to the City Council, stating his interest in the property and alleging that in the opinion of the petitioner

the estimated amount of such lien upon such lot is incorrect, and wherein it is incorrect or will exceed the special benefits accruing from the work to such lot. If such petition is within such time presented to the City Recorder the City Council shall hear and consider the petition, and make due and proper inquiry into the question involved. And if it shall appear to their satisfaction that the estimated amount of said lien is incorrectly estimated or will exceed the special benefits accruing to such lot, then the City Council shall by resolution so declare, and shall make the necessary correction and fix the amount to be charged up against such lot at an amount not exceeding the special benefits to such lot, and the amount so fixed shall stand as the amount of such lien, and any amount in excess thereof shall be paid by the city. In all cases where no petition shall be filed within the time as hereinbefore provided, the amount of lien, as estimated by the Tax Assessor, unless changed for cause by the City Council, shall stand fixed as the amount of the city's lien. The City Council, after giving all persons who have filed their petitions an opportunity to be heard, and having made all corrections in their judgment necessary to equalize the assessments in proportion to benefits, shall approve and ratify the said estimates by resolution, after which the said estimate shall stand as true and correct.

Mr. L'Engle moved to adopt the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

Strike out the words "or railway" wherever they appear in lines 7, 8, 10 or 14 of Section 21.

Mr. L'Engle moved to adopt the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

Strike out the number of the section immediately following Section 21, and insert in lieu thereof "Section 22."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to—
House Bill No. 603:

Insert in said bill as Section 23 thereof the following:

"Section 23. That the Mayor and City Council shall have the power by ordinance to lay out and prescribe drainage districts in said city and to provide for the construction and maintenance of drains and other works therein for the drainage thereof; and in said ordinance the amount or proportion of the cost of such drains and drainage works to be sustained and paid for by said city shall be fixed and determined, and the remainder of said cost shall be paid by and assessed and be a lien upon the lands in said drainage district and any street railway or railways having a track or tracks in any street or streets in said drainage district in such proportions and under such method of assessment and collection as shall be provided in said ordinance. Said ordinance shall provide an opportunity for all persons to be heard and their complaints, if any, to be acted upon, prior to the time when the amount or amounts to be assessed as aforesaid shall be finally fixed."

Mr. L'Engle moved to adopt the amendment.
Which was agreed to.

Mr. L'Engle offered the following amendment to—
House Bill No. 603:

Insert as Section 25 thereof the following:

"Section 25. That all improvements, materials, supplies and work of all kinds and for any purpose done, rendered, supplied or performed for said city, amounting to more than \$300.00, shall be let by contract to the lowest and best bidder, according to written specifications previously prescribed therefor, and after publication in a daily newspaper of a notice calling for such bids once each week for not less than two weeks, and not otherwise; and any contract made in violation of this section shall be invalid and unenforceable; provided, that if the Board of Bond Trustees shall, after the time for receiving bids as aforesaid, adopt and transmit to the City Council a resolution at any time certifying either (1) that there shall be no bids from competent bidders or (2) that all bids submitted shall in the opinion of said Board be excessive and unreasonably increase the cost of such work, labor or materials over the actual cost thereof if done or supplied by said city itself, or (3) that there is reasonable ground for suspecting or believing that there exists a

combination of bidders to unduly increase the cost of said work, labor or materials or prevent free competition among said bidders, then the Mayor and City Council by ordinance may authorize the work, labor or materials covered by said resolution to be done, furnished or performed by said city in any manner prescribed by such ordinance, but such ordinance shall be confined solely to the particular work, labor or materials covered and described by said resolution."

Mr. L'Engle moved to adopt the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 23, line 1, strike out the figures "23," and insert in lieu thereof the following: "24."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 24, line 1, strike out the figures "24," and insert in lieu thereof the following: "26."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 25, line 1, strike out the figures "25," and insert in lieu thereof the following: "27."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle offered the following amendment to House Bill No. 603:

In Section 26, line 1, strike out the figures "26," and insert in lieu thereof the following: "28."

Mr. L'Engle moved the adoption of the amendment.

Which was agreed to.

Mr. L'Engle moved that the rules be further waived, and that House Bill No. 603, as amended, be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 603, as amended by the Senate, was read a third time in full.

Upon the passage of House Bill No. 603, as amended, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Cook, Culpepper, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Wilson, Withers—24.

Nays—None.

So the bill, as amended by the Senate, passed, title as stated.

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

House Bill No. 579 :

A Bill to be entitled An Act to make it unlawful for the Board of County Commissioners of Gadsden County, in the State of Florida, to erect or contract for the erection of any court house in said county without first obtaining the approval of a majority of the electors of said county voting at a special election, ordered for the purpose of determining the necessity of erecting a court house in said county.

Mr. Flournoy, Chairman of the Committee on Judiciary A, as required by the rule, moved to indefinitely postpone House Bill No. 579.

Which was agreed, and the bill was indefinitely postponed.

Senate Bill No. 265 :

A Bill to be entitled An Act to establish a reservation for the protection and propagation of food fishes in the waters of Mosquito Lagoon, Indian River North, Halifax River, and tributary and adjacent waters, between latitude 28 degrees and 40 minutes north and latitude 29 degrees and 24 minutes north; establishing the boundaries of said reservation and prescribing penalties for violation of the provisions thereof.

Was taken up.

Mr. Perkins moved to waive the rules and that Senate Bill No. 477 be substituted for Senate Bill No. 265.

Which was agreed to by a two thirds' vote.

By consent, Mr. Perkins withdrew Senate Bill No. 265.
And—

Senate Bill No. 477 :

A Bill to be entitled An Act to prohibit the hauling

and dragging of seines in the fresh waters, rivers, lakes, streams, creeks and bayous, etc., in Volusia and Lake Counties, State of Florida; to define what shall be deemed fresh water rivers, creeks and streams, and to prohibit the shipping of fish caught in said fresh waters of Volusia and Lake Counties, State of Florida, beyond the limits of said counties, and prohibiting common carriers from receiving the same for shipment beyond the limits of such counties.

Was taken up.

Mr. Perkins moved that the rules be waived and that Senate Bill No. 477 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 477 was read a second time by its title.

Mr. Perkins moved that the rules be further waived and that Senate Bill No. 477 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 477 was read a third time in full.

Upon the passage of Senate Bill No. 477 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Culpepper, Davis, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, Malone, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Williams, Wilson, Withers
—22.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 385:

A Bill to be entitled An Act to repeal Chapter 5980 of the Laws of Florida, the same being entitled "An Act to authorize and empower the Board of Public Instruction of Dade County, Florida, to issue interest-bearing coupon warrants to take up and cancel all outstanding county school warrants issued prior to January 1, 1910, and to borrow money for the purpose of erection public school buildings in the said county."

Was taken up.

Mr. Hudson moved that the rules be waived and that

Senate Bill No. 385 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 385 was read a second time by its title.

Mr. Hudson moved that the rules be further waived, and that Senate Bill No. 385 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 385 was read a third time in full.

Upon the passage of Senate Bill No. 385 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Culpepper, Davis, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McLeod, McMullen, Miller, Sloan, Williams, Wilson, Withers, Zim—23.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 72:

A Bill to be entitled An Act to abolish the present municipal corporation of the Town of Goldsboro, Orange County, Florida, incorporated December 1, A. D. 1891, under the General Laws of the State of Florida governing cities and towns, and to provide for the protection of all creditors of the said Town of Goldsboro, Orange County, Florida.

Was taken up.

Mr. Massey moved that the rules be waived and that House Bill No. 72 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 72 was read a second time by its title.

Mr. Massey moved that the rules be further waived, and that House Bill No. 72 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 72 was read a third time in full.

Upon the passage of House Bill No. 72 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Culpepper, Davis, Dayton, Flournoy, Henderson, Hosford,

Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Stokes, Williams, Wilson, Withers, Zim—25.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 73:

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

Was taken up.

Mr. Massey moved that the rules be waived and that House Bill No. 73 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 73 was read a second time by its title.

Mr. Massey moved that the rules be further waived and that House Bill No. 73 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 73 was read a third time in full.

Upon the passage of House Bill No. 73 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Culpepper, Davis, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—26.

Nays—None.

So the bill passed, title as stated.

And the same was order to be certified to the House of Representatives immediately.

House Bill No. 137:

A Bill to be entitled An Act to abolish the present municipal government of the City of Sanford, Orange County, Florida, and organize a city government for the

same, and to provide its jurisdiction and powers, and to repeal Chapter 4312, Laws of Florida, approved May 24, 1893, and all laws amendatory thereof.

Was taken up.

Mr. Massey moved that the rules be waived and that House Bill No. 137 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 137 was read a second time by its title.

Mr. Massey offered the following amendment to House Bill No. 137:

Amend the title by adding after the word "powers," the words "to erect the same into an independent road district of Orange County."

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to House Bill No. 137:

On page 5, line 23, strike out the word "present," and insert in lieu thereof the following: "Elected thereto."

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to House Bill No. 137:

On page 12, line 18, after the word "paid," insert the words "not exceeding three months."

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 12, lines 27 and 28 strike out the word "imprisonment," and insert in lieu thereof the following: "Improvement."

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 19, lines 7 and 8, strike out the words "appointed by the Mayor and confirmed by a majority vote of the City Council," and insert in lieu thereof the following: "Elected at the general city election herein provided."

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 19, line 9, strike out “appointed,” and insert
in lieu thereof the following: “Elected.”

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 19, lines 12 and 13, strike out the words “ap-
pointed and confirmed,” and insert in lieu thereof the fol-
lowing: “Elected as hereinbefore provided.”

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 20, lines 7 and 8, strike out the words “ap-
pointed by the Mayor and confirmed by a majority vote
of the City Council,” and insert in lieu thereof the fol-
lowing: “Elected at the general city election herein pro-
vided.”

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 20, line 9, strike out the word “appointed,”
and insert in lieu thereof the following: “Elected.”

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 20, line 12, strike out the words “appointed
and confirmed,” and insert in lieu thereof the following:
“Elected as hereinbefore provided.”

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 23, lines 26, 27 and 28, strike out the words
“and the said liens shall not be divested by any State and
County tax sale or by any deed based on any such sale.”

Mr. Massey moved the adoption of the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—
House Bill No. 137:

On pages 34 and 35 strike out Section 6, and insert in lieu thereof the following:

“Sec. 6. Beginning with the first city election under this Act no person, who holds or is interested directly or indirectly in any franchise granted by said city, shall be eligible to the office of Mayor or Councilman, and no grant of any such franchise shall be made to the Mayor or to a Councilman during his term of office.”

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

Mr. Massey offered the following amendment to—
House Bill No. 137:

On page 35 strike out Section 7, and on pages 35 and 36 make Section 8, Section 7; Section 9, Section 8; Section 10, Section 9, and Section 11, Section 10.

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

Mr. Massey offered the following amendment to—
House Bill No. 137:

Before the title add “A Bill to be entitled.”

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

Mr. Massey moved that the rules be further waived and that House Bill No. 137, as amended, be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 137, as amended by the Senate, was read a third time in full:

Upon the passage of House Bill No. 137 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Cook, Culpepper, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Williams, Withers, Zim—25.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 428:

A Bill to be entitled An Act to amend Section 42 of the

General Statutes of the State of Florida, relating to the boundaries of Citrus County.

Was taken up.

Mr. Dayton offered the following substitute to—
Senate Bill No. 428:

A Bill to be entitled An Act to amend Section 42 of the General Statutes of the State of Florida, relating to the boundaries of Citrus County.

Which was read the first time by its title.

Was taken up.

Mr. Dayton moved that the rules be waived and that Substitute for Senate Bill No. 428 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Substitute for Senate Bill No. 428 was read a second time by its title.

Mr. Dayton moved to adopt the substitute for Senate Bill No. 428.

Which was agreed to.

Mr. Dayton moved that the rules be further waived, and that Substitute for Senate Bill No. 428 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Substitute for Senate Bill No. 428 was read a third time in full.

Upon the passage of Substitute for Senate Bill No. 428 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Culpepper, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, McCreary, McMullen, Miller, Perkins, Williams, Withers, Zim—19.

Nays—None.

So Substitute for Senate Bill No. 428 passed, title as stated.

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

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.

Was taken up.

Mr. Hudson moved that the rules be waived, and that House Bill No. 237 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 237 was read a second time by its title.

Mr. Hudson moved that the rules be further waived, and that House Bill No. 237 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 237 was read a third time in full.

Upon the passage of House Bill No. 237 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Culpepper, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Stokes, Williams, 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.

Senate Bill No. 442:

A Bill to be entitled An Act authorizing and empowering the Town Council of the Town of Bellview, in the County of Marion, and State of Florida, to pass and adopt ordinances for the prevention of the running at large upon its streets, alleys and lanes, of hogs, cows or cattle or other domestic animals, and to provide for impounding of hogs, cattle or other animals so running at large upon its streets, alleys and lanes, and to empower police officers of the said town to impound same and to fix his compensation and fees.

Was taken up.

Mr. Carney moved that the rules be waived and that Senate Bill No. 442 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 442 was read a second time by its title.

Mr. Carney moved that the rules be further waived,

and that Senate Bill No. 442 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 442 was read a third time in full.

Upon the passage of Senate Bill No. 442 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Williams, Withers, Zim—20.

Nays—Senator Perkins—1.

So the bill passed, title as stated.

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

Senate Bill No. 448:

A Bill to be entitled An Act relating to the issuance of bonds and special tax bills; the assessment, levy and collection of taxes; the licensing, regulation and prohibition of businesses, occupations, trades and amusements, and the abatement of nuisances, by the City of Pensacola, and also to further alter and increase the jurisdiction, privileges and powers of said city in other matters pertaining to its general welfare, and to revise, supersede or repeal conflicting laws.

Was taken up.

Mr. Stokes moved that the rules be waived and that Senate Bill No. 448 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 448 was read a second time by its title.

Mr. Stokes moved that the rules be further waived and that Senate Bill No. 448 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 448 was read a third time in full.

Upon the passage of Senate Bill No. 448 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Davis, Flournoy, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McMullen, Miller, Stokes, Williams, Withers—16.

Nays—Senator McLeod—1.

So the bill passed, title as stated.

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

I introduced in the Senate, Senate Bill No. 448 and voted for its passage in pursuance of the following resolution by the City Council of the City of Pensacola.

JNO. P. STOKES.

*Hon. John P. Stokes,
Senator Escambia County, Florida,
Tallahassee, Florida.*

Dear Sir:

I am handing you herewith certified copy of a resolution requesting the passage of An Act relating to the issuance of bonds and special tax bills; the assessment, levy and collection of taxes; the licensing, regulation and prohibition of businesses, occupations, trades and amusements and the abatement of nuisances by the City of Pensacola, and also to further alter and increase the jurisdiction, privileges and powers of said city in other matters pertaining to its general welfare, and to revise, supercede or repeal conflicting laws, which was passed by the City Council April 19, and approved April 21, 1911.

I am also enclosing herewith copy of the Act referred to in the resolution.

Respectfully,

L. G. AYMARD,
City Clerk.

The resolution follows:

Be it resolved by the City Council of the City of Pensacola, That the Senator and Representatives from Escambia County be requested to secure the passage by the Legislature of Florida of the Act to be entitled "An Act relating to the issuance of bonds and special tax bills; the assessment, levy and collection of taxes; the licensing, regulation and prohibition of businesses, occupations, trades and amusements, and the abatement of nuisances by the City of Pensacola, and also to further alter and increase the jurisdiction, privileges and powers of said city in other matters pertaining to its general welfare, and to revise, supersede or repeal conflicting laws," which has been prepared and submitted to this council with the approval of the Finance Committee.

Be it further resolved that the City Clerk cause copies of this resolution, together with copies of said Act, to be sent to our Senator and each of our Representatives in the Legislature.

Passed April 19, 1911; approved April 21, 1911.

Attest:

FRANK REILLY,

L. G. AYMARD,
City Clerk.

Mayor.

I, L. G. AYMARD, City Clerk in and for the City of Pensacola, hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the City Council April 19, 1911, and approved April 21, 1911, requesting the Senator and Representatives from Escambia County to secure the passage by the Legislature of Florida of the Act relating to the issuance of bonds and special tax bills, etc., as same appears of record and file in my office.

Given under my hand and official seal this 22nd day of April, A. D. 1911.

L. G. AYMARD,

(Seal)

City Clerk.

House Bill No. 605:

A Bill to be entitled An Act to authorize the Board of Commissioners of Public Works of the City of Tampa, Florida, to grade, curb and pave certain streets, avenues and thoroughfares in the City of Tampa, and to enter into a contract therefor, and to validate and legalize all contracts for the grading, curbing and paving of said streets, avenues and thoroughfares, and to legalize and validate all paving contracts hereafter issued by the said city against the property abutting on said streets, avenues or thoroughfares for said improvements hereby authorized.

Was taken up.

Mr. Miller moved that the rules be waived and that House Bill No. 605 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 605 was read a second time by its title.

Mr. Miller moved that the rules be further waived, and that House Bill No. 605 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 605 was read a third time in full.
Upon the passage of House Bill No. 605 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Stokes, Williams, Wilson, Withers—20.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 636:

A Bill to be entitled An Act to prohibit the shooting, trapping or molesting squirrels and doves in Santa Rosa and Escambia Counties, Florida, and providing a penalty therefor from the 1st day of March to the 1st day of October in each year hereafter.

Was taken up.

Mr. Miller moved that the rules be waived and that House Bill No. 636 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 636 was read a second time by its title.

Mr. Miller moved that the rules be further waived, and that House Bill No. 636 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 636 was read a third time in full.

Upon the passage of House Bill No. 636 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McMullen, Miller, Sloan, 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 immediately.

House Bill No. 637:

A Bill to be entitled An Act enabling the Town of Eustis to inppound stock of all kinds.

Was taken up.

Mr. Withers moved that the rules be waived and that

House Bill No. 637 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 637 was read a second time by its title only.

Mr. Withers moved that the rules be further waived and that House Bill No. 637 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 637 was read a third time in full.

Upon the passage of House Bill No. 637 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Cook, Culpepper, Flournoy, Hosford, Hudson, Humphries, Malone, Massey, McCreary, McMullen, Miller, Sloan, Stokes, Williams, 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 immediately.

House Bill No. 589:

A Bill to be entitled An Act prohibiting the hunting and chasing or killing of any of the wild animals of Lee County, Florida, except during the months of November, December and January, and declaring the violation thereof to be a misdemeanor.

Was taken up.

Mr. Malone moved that the rules be waived and that House Bill No. 589 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 589 was read a second time by its title only.

Mr. Malone moved that the rules be further waived and that House Bill No. 589 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 589 was read a third time in full.

Upon the passage of House Bill No. 589 the roll was called and the vote was:

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

kins, Carney, Cook, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Malone, Massey, McCreary, McMullen, Miller, Sloan, Stokes, Williams, 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.

House Bill No. 627 :

A Bill to be entitled An Act empowering the City of Kissimmee to improve the streets, alleys and sidewalks within said city; to assess abutting owners for a part of the cost of such improvement, and to enforce the collection of such cost by proceedings in rem.

Was taken up.

Mr. Massey moved that the rules be waived and that House Bill No. 627 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 627 was read a second time by its title.

Mr. Massey offered the following amendment :

In Section 9, lines 15, 16 and 17, strike out the words, "the proper Appellate Court shall, on the motion of either party, advance such causes out of their regular order and try and determine the same as early as possible."

Which was agreed to.

Mr. Massey moved that the rules be further waived and that House Bill No. 627 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 627 was read a third time in full.

Upon the passage of House Bill No. 627 the roll was called and the vote was :

Yeas—Mr. President, Senators Adkins, Broome, Carney, Cook, Culpepper, Davis, Dayton, Flournoy, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McMullen, Miller, Stokes, Williams, 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 immediately.

House Bill No. 624:

A Bill to be entitled An Act relating to the sewerage system of the Town of Perry, Florida, and authorizing the draining of the sewage into what is known as Spring Creek.

Was taken up.

Mr. Culpepper moved that the rules be waived and that House Bill No. 624 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 624 was read a second time by its title.

Mr. Culpepper moved that the rules be further waived and that House Bill No. 624 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 624 was read a third time in full.

Mr. Malone in opposing the passage of the bill moved that the following communication be read and spread upon the Journal:

Which was agreed to.

And the following communication was read:

Executive Office,
State Board of Health of Florida,
Jacksonville, Fla., May 22, 1911.

Hon. W. H. Malone, Jr.,

Chairman Senate Committee on Public Health.

Sir:

I notice on page 14, Journal of the House, Wednesday, May 17, that Mr. Blanton of Taylor County, has introduced House Bill No. 624: A Bill to be entitled An Act relating to the sewerage system of the Town of Perry, Florida, and authorizing the drainage of the sewage into what is known as Spring Creek. The Journal states this was read the first time by its title and placed on Calendar.

Now, I know nothing further about the status of the bill, nor do I know anything of the nature of the bill except what the title states.

Chapter 5931, Laws of Florida, 1909, provides: "That the State Board of Health shall have the power. . . . to regulate the method of disposition of garbage or sewage and any other refuse matter in or near any incorporated town or village in this State" (among other things): Chapter 5954, Laws of 1909, provided that the State Board of Health shall supervise the depositing of rubbish, filth,

or poisonous or deleterious substances in the lakes, rivers, streams and ditches of the State. The present Legislature has kindly adopted an act to authorize the State Board of Health to employ a Sanitary Engineer whenever the board may consider the necessities of sanitation may so require.

It is anticipated by the board that the Sanitary Engineer would have as one of his duties that inspection and advising as to methods of disposal of sewage in our towns. The State Board of Health has therefore authority at this time to advise or regulate the manner in which the sewage of Perry, as well as other towns, shall be disposed of.

It would, therefore, seem to me to be a wise provision for House Bill No. 624, before its adoption, to have included in its that the proposed method of disposing of sewage should either have the approval of the State Board of Health, or that the permission granted in said bill should not curtail any of the powers of the State Board of Health in the premises. It would be unfortunate, to my way of thinking, for the Legislature to adopt a "local" measure, which may upon its face be a proper measure and yet upon an investigation by a Sanitary Engineer and an inspection of the proposed method be found faulty and dangerous from the viewpoint of the sanitarian.

I trust that the bill may be framed in such a way as not to result in any danger to the public health of Taylor County.

Very truly yours,

JOSEPH Y. PORTER,

State Health Officer.

Upon the passage of House Bill No. 624 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Culpepper, Davis, Flournoy, Hosford, Hudson, Massey, McLeod, McMullen, Miller, Stokes, Williams, Withers, Zim—18.

Nays—Senators Cook, Malone, Perkins, Sloan—4.

So the bill passed, title as stated.

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

House Bill No. 628:

A Bill to be entitled An Act to legalize the election held in the City of Arcadia on the 16th day of May, A. D. 1911, to determine by an affirmative vote of a majority of the electors of said city voting at the said election, whether or not the bonds proposed by an ordinance entitled "An Ordinance to provide for calling an election in the City of Arcadia to determine whether said city shall issue bonds for the following purposes, to wit: Constructing and maintaining a system of water works, constructing and maintaining a system of sewerage, and opening, widening and paving the streets of said city," passed by the City Council of said city on the 10th day of April, 1911, and approved on the 10th day of April, 1911, should be authorized and issued, and to declare and render valid said election and the results as shown by the returns thereof, and to declare and render valid said ordinance and to authorize the issue of bonds as provided by said ordinance.

Was taken up.

Mr. Humphries moved that the rules be waived and that House Bill No. 628 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 628 was read a second time by its title.

Mr. Humphries moved that the rules be further waived and that House Bill No. 628 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 628 was read a third time in full.

Upon the passage of House Bill No. 628 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Dayton, Flournoy, Hosford, Hudson, Humphries, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, 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 immediately.

House Bill No. 623:

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

Was taken up.

Mr. Zim moved that the rules be waived and that House Bill No. 623 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 623 was read a second time by its title.

Mr. Zim moved that the rules be further waived and that House Bill No. 623 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 623 was read a third time in full.

Upon the passage of House Bill No. 623 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Cook, Davis, Dayton, Flournoy, Hosford, Hudson, Humphries, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Stokes, 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 immediately.

House Bill No. 631:

A Bill to be entitled An Act for the relief of J. M. Andrews, William J. Sennott, James R. Stewart, John A. Wiggins and L. M. Davis, ex-members of the Board of County Commissioners of Escambia County, Florida, and to reimburse the said J. M. Andrews, William J. Sennott, James R. Stewart, John A. Wiggins and L. M. Davis for money paid by them to the said Escambia County, Florida.

Was taken up.

Mr. Stokes moved that the rules be waived and that House Bill No. 631 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 631 was read a second time by its title.

Mr. Stokes moved that the rules be further waived and

that House Bill No. 631 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 631 was read a third time in full.

Upon the passage of House Bill No. 631 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Cook, Flournoy, Hosford, Humphries, Malone, McCreary, McLeod, McMullen, Miller, Stokes, Withers, Zim—16.

Nays—Senator Hudson—1.

So the bill passed, title as stated.

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

House Bill No. 632:

A Bill to be entitled An Act to amend Sections 30, 31 and 60 of Chapter 5080, Laws of Florida, approved May 29, 1901, entitled An Act to abolish the present municipal government of the Town of Arcadia, in the County of DeSoto, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Arcadia, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

Was taken up.

Mr. Humphries moved that the rules be waived and that House Bill No. 632 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 632 was read a second time by its title.

Mr. Humphries moved that the rules be further waived and that House Bill No. 632 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 632 was read a third time in full.

Upon the passage of House Bill No. 632 the roll was called and the vote was:

Yeas—Mr. President, Senators Broome, Carney, Cook, Davis, Flournoy, Hosford, Hudson, Humphries, Malone, Massey, McCreary, McLeod, McMullen, Miller, 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 immediately.

By Mr. Hosford (by unanimous consent)—

Senate Bill No. 492:

A Bill to be entitled An Act to regulate the taking of food fish from the waters of Franklin County, State of Florida, and the handling and shipping of such fish, and regulating the size of the mesh or bar of seines and nets used in catching food fish in said County of Franklin, and providing a season during which such food fish shall not be shipped from said county, or caught in said county, and providing a period or season during which such food fish may lawfully be caught, shipped and transported from said county.

Which was read the first time by its title.

Mr. Hosford moved that the rules be waived and that Senate Bill No. 492 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 492 was read a second time by its title.

Mr. Williams moved to lay Senate Bill No. 492 on the table.

Which was not agreed to.

Mr. Hosford moved that the rules be further waived, and that Senate Bill No. 492 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 492 was read a third time in full.

Upon the passage of Senate Bill No. 492 the roll was called and the vote was:

Yeas—Senators Broome, Carney, Cook, Dayton, Flournoy Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, 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 immediately.

House Bill No. 633:

A Bill to be entitled An Act to provide for the assess-

ment and collection of the taxes for the City of Arcadia, and for the collection of the back taxes and tax sale certificates of said city.

Was taken up.

Mr. Humphries moved that the rules be waived and that House Bill No. 633 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 633 was read a second time by its title only.

Mr. Humphries moved that the rules be further waived, and that House Bill No. 633 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 633 was read a third time in full.

Upon the passage of House Bill No. 633 the roll was called and the vote was:

Yeas—Mr. President, Senators Broome, Carney, Dayton, Flournoy, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, 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 immediately.

House Bill No. 634:

A Bill to be entitled An Act to amend Section 16 of Chapter 4777, Laws of Florida, Acts of 1899, relating to roads and bridges in Brevard County, Florida.

Was taken up.

Mr. Hudson moved that the rules be waived and that House Bill No. 634 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 634 was read a second time by its title.

Mr. Hudson moved that the rules further waived and that House Bill No. 634 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 634 was read a third time in full.

Upon the passage of House Bill No. 634 the roll was called and the vote was:

Yeas—Mr. President, Senators Broome, Carney, Cook, Culpepper, Davis, Dayton, Flournoy, Hosford, Hudson,

Humphries, Malone, Massey, McCreary, McLeod, McMullen, Miller, Williams, 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 immediately.

House Bill No. 635:

A Bill to be entitled An Act to legalize and validate a call for an election, and an election held in pursuance of such call in the Town of Milton, Santa Rosa County, Florida, on the 26th day of April, A. D. 1910, for the purpose of determining whether or not said town should issue certain bonds, and to legalize and validate the bonds issued in pursuance of said election.

Was taken up.

Mr. Miller moved that the rules be waived and that House Bill No. 635 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 635 was read a second time by its title.

Mr. Miller moved that the rules be further waived and that House Bill No. 635 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 635 was read a third time in full.

Upon the passage of House Bill No. 635 the roll was called and the vote was:

Yeas—Senators Broome, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, 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 immediately.

Senate Bill No. 453:

A Bill to be entitled An Act to legalize the surveys and the description of such surveys of lands in that district of county known as Forbes Purchase.

Was taken up.

Mr. Hosford moved that the rules be waived and that

Senate Bill No. 453 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 453 was read a second time by its title.

Mr. Hosford moved that the rules be further waived and that Senate Bill No. 453 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 453 was read a third time in full.

Upon the passage of Senate Bill No. 453 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Cook, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Massey, McCreary, McLeod, McMullen, Miller, 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 immediately.

House Bill No. 629:

A Bill to be entitled An Act to amend Chapter 6005, Laws of Florida, Acts of 1909, the same being An Act to regulate the hunting of wild deer, turkey, quails, squirrel and other wild game in the County of Marion; prescribing the time when the same may be hunted therein; or killed therein; and providing for a license or permit to non-residents thereof; and prescribing the penalties for the violations thereof.

Was taken up.

Mr. Carney moved that the rules be waived and that House Bill No. 629 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 629 was read a second time by its title.

Mr. Carney moved that the rules be further waived and that House Bill No. 629 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 629 was read a third time in full.

Upon the passage of House Bill No. 629 the roll was called and the vote was:

Yeas — Senators Adkins, Broome, Carney, Cook, Culpepper, Flournoy, Hosford, Hudson, Humphries, L'Engle, Massey, McCreary, McLeod, McMullen, Miller, 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 immediately.

Senate Bill No. 469:

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

Was taken up.

Mr. Massey moved that the rules be waived and that Senate Bill No. 469 be read a second time by its title only. Which was agreed to by a two thirds' vote.

And Senate Bill No. 469 was read a second time by its title.

Mr. Massey moved that the rules be further waived and that Senate Bill No. 469 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 469 was read a third time in full.

Upon the passage of Senate Bill No. 469 the roll was called and the vote was:

Yeas—Mr. President, Senators Broome, Carney, Culpepper, Davis, Flournoy, Hosford, Hudson, Humphries, L'Engle, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Williams, 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 immediately.

Mr. Broome moved that the Senate have a session for the consideration of local bills tomorrow evening, to convene at 8 o'clock.

Which was agreed to.

By Mr. Cook (by unanimous consent)—

Senate Bill No. 493:

A Bill to be entitled An Act to fix the time for holding the spring term of the Circuit Court of Washington County, in the Ninth Judicial Circuit of Florida, for the year 1911.

Which was read the first time by its title.

Mr. Cook moved that the rules be waived and that Senate Bill No. 493 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 493 was read a second time by its title.

Mr. Cook moved that the rules be further waived and that Senate Bill No. 493 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 493 was read a third time in full.

Upon the passage of Senate Bill No. 493 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Cook, Culpepper, Davis, Dayton, Flournoy, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McLeod, McMullen, Miller, Perkins, Williams, 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 immediately.

Mr. Davis moved that the Senate do now adjourn to tomorrow morning at 9 o'clock.

Which was agreed to.

Whereupon the Senate stood adjourned until 9 o'clock a. m., Thursday, May 25, 1911.