

Mr. Hudson moved that the rules be further waived, and that Senate Bill No. 495 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 495 was read a third time in full.

Upon the passage of Senate Bill No. 495 the roll was called and the vote was:

Yeas—Senators Adkins, Carney, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, McCreary, McLeod, McMullen, Miller, Perkins, Stokes—17.

Nays—None.

So the bill passed, title as stated.

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

Mr. Dayton moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned until Friday, May 26, at 9 o'clock a. m.

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## FRIDAY, MAY 26, 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, Broome, Calkins, Carney, Culpepper, 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.

Prayer by the Chaplain.

The reading of the Journal of May 25 was dispensed with.

The Journal of May 25 was corrected and approved as corrected.

## REPORTS OF COMMITTEES.

Messrs. L'Engle and Calkins submitted the following report:

Tallahassee, Fla., May 25, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

We, your Special Committee on Tax Certificates, beg leave to make report herewith and hand bill to be considered by your honorable body.

L. D. WALL,  
F. L. STRINGER,  
O. K. REAVES,

As Committee on Part of the House.

J. C. L'ENGLE,  
JAMES E. CALKINS.

As Committee on Part of the Senate.

Mr. Calkins moved that the report be adopted and spread on the Journal.

Which was agreed to.

## INTRODUCTION OF RESOLUTIONS.

Mr. Williams offered the following—

Senate Resolution No. 57:

Whereas, The Senate has no need of more than two stenographers; and,

Whereas, There are now four on the pay roll; and,

Whereas, There is no longer any use for the clerks of the committees except the Engrossing and Enrolling Committees; and,

Whereas, There are several committee clerks unneeded and are sitting idle around the Capitol building or walking the streets of Tallahassee at the expense of the State; therefore, be it

Resolved, That all the Senate stenographers except two be discharged and all the committee clerks except the clerks used by the Engrossing and Enrolling Committees be discharged.

Which was read.

Mr. Williams moved to adopt the resolution.  
The resolution was referred to the Committee on Legislative Expenses.

Mr. Culpepper offered the following—  
Senate Resolution No. 58:

Whereas, The work in the Enrolling Room will continue to increase from now on, and even now the force employed has all it can do; therefore, be it

Resolved, That the Chairman of the Enrolling Committee be empowered to secure such help from now on as he finds to be actually necessary.

Mr. Culpepper moved to adopt the resolution.

The resolution was referred to the Committee on Legislative Expenses.

### INTRODUCTION OF BILLS.

By Committee on Judicial Circuits—  
Senate Bill No. 502:

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

Which was read the first time by its title.

Mr. Massey moved that the rules be waived, and that Senate Bill No. 502 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 502 was read a second time by its title.

Mr. Massey moved that the rules be further waived, and that Senate Bill No. 502 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 502 was read a third time in full.

Upon the passage of Senate Bill No. 502 the roll was called and the vote was:

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

kins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Wilson, Withers, Zim—26.

Nays—None.

So the bill passed, title as stated.

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

By Special Committee—

Senate Bill No. 503:

A Bill to be entitled An Act to provide for the enforcement of tax sale certificates held by the State for delinquent taxes.

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

#### MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida,  
Executive Department.  
Tallahassee, Fla., May 25, 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 regulating the manner of catching fish in the fresh water lakes and streams of Leon County, Florida, and providing punishment for the violations of this Act.

An Act to amend Section 4 of Chapter 6057 of the Laws of Florida, being entitled "An Act to incorporate the Town of Gretna, in Gadsden County; to establish a municipal government for said town; to provide for its government and to prescribe its jurisdiction and powers."

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 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 Act, which originated in your honorable body :

An Act to prevent the hunting, chasing, trapping, shooting or killing of deer, turkey and quail and squirrels in the counties of Taylor and Lafayette for the term of five years.

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

ALBERT W. GILCHRIST,  
Governor.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House was read :

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

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

*Sir :*

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

Senate Bill No. 152:

A Bill to be entitled An Act to provide for quieting the title to real estate sold for State and county taxes.

Which amendment is as follows:

Add to Section 4 the following: "But in all cases before a decree pro confesso is entered the Court shall inquire whether there is any reason to believe that infants or lunatics are interested in the lands, and if there be found any such, shall protect their interests according to the usual course of chancery practice."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And Senate Bill No. 152, with the amendment offered by the House, as contained in the above message, was taken up.

Mr. Massey moved that the Senate do concur in the said amendment offered by the House of Representatives.

Which was agreed to.

And Senate Bill No. 152, with amendment by the House of Representatives, as concurred in by the Senate, was referred to the Committee on Enrolled Bills.

The following message 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 has passed—

House Bill No. 514:

A Bill to be entitled An Act to organize and establish a County Court in and for Holmes County, Florida, to provide for the appointment of a Prosecuting Attorney for said court, to fix and provide for the compensation of the Judge and a Prosecuting Attorney of said court, to inhibit the Judge of said court from practicing law, to prescribe the terms of said court, and to provide for the transfer of causes pending in other courts, at the time this Act goes into effect, within the jurisdiction of the County Court.

Also—

House Bill No. 548:

A Bill to be entitled An Act to prohibit the catching and removal of fish from the fresh waters, lakes and streams of Calhoun County, Florida, between the 15th days of April and the 1st days of June of each and every

year and also to prohibit the shipping or transporting of any fish so caught from such waters, outside of the limits of the State of Florida.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 514, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 548, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

The motion of Mr. Williams to reconsider the vote by which—

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.

Passed the Senate.

Was taken up in its order for consideration.

Mr. Williams moved that the vote by which Senate Bill No. 492 passed the Senate be now reconsidered.

Which was agreed to.

Mr. Williams moved that Senate Bill No. 492 be indefinitely postponed.

Mr. Hudson moved to waive the rules and that Senate Bill No. 492 be put back on the Second Reading for amendment and be placed on the Local Calendar to be considered tomorrow.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was.

Yeas—Senators Broome, Calkins, Carney, Cook, Finlay-

son, Flournoy, Henderson, Hosford, Hudson, L'Engle, Massey, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers—19.

Nays—Senators Adkins, Culpepper, Humphries, Malone, McCreary—5.

So the motion was agreed to by a two thirds' vote.

The motion by Mr. McCreary to reconsider the vote by which—

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.

Passed the Senate.

Was taken up.

Mr. McCreary moved that the House of Representatives be requested to return House Joint Resolution No. 222. Whereupon, upon rising vote, the vote was 17 yeas and 9 nays, whereupon the Chair ruled that it required two-thirds vote to carry the motion, but suspended action temporarily to examine the Rules and authorities upon the question.

Mr. Baker was excused for the day.

Senate Bill No. 241:

A Bill to be entitled An Act to create, provide for and establish the Board of Pharmacy for the State of Florida; to provide for the appointment of its members; to prescribe the terms and number of members of said board, and for the regulation and organization of the board; prescribing the duties and powers of said board and its members; regulating the practice of pharmacy in the State of Florida; the manner of issuing certificates of registration; providing for the examination of applicants for registration; prescribing fees, prescribing fines, penalties and punishment for the violations of the provisions of this Act; regulating the sale of poisons and narcotics, and prescribing the penalties for the violation of same; defining the standard of strength, quality and purity of drugs, medicines, substances or preparations that may be manufactured or sold in the State of Florida, and prescribing the

penalties for the violations thereof, and to repeal all laws in conflict with the provisions of this Act.

The Committee on Public Health reported the following substitute:

"A Bill to be entitled An Act to amend Section 1 of Chapter 5964, Laws of Florida, Acts of the Legislature of Florida, session of 1909, relating to the examination and registration as registered pharmacists of candidates applying for same."

The consideration of which at the adjournment on yesterday was pending.

Was taken up.

Mr. Malone occupying the floor.

The question recurred upon the motion of Mr. Culpeper to indefinitely postpone Senate Bill No. 241.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Cook, Culpepper, Davis, Finlayson, Flournoy, Hosford, Hudson, Humphries, Massey, McLeod, Miller, Williams, Wilson, Withers, Zim—20.

Nays—Senators Henderson, Malone, McCreary, McMullen—4.

So the motion to indefinitely postpone Senate Bill No. 241 prevailed.

And the bill was indefinitely postponed.

### SPECIAL ORDERS OF THE DAY.

House Bill No. 407:

A Bill to be entitled An Act for the incorporation, powers, duties and liabilities of trust and security companies, and to regulate the same.

Was taken up and read the third time in full, together with the amendments thereto adopted by the Senate.

Upon the passage of House Bill No. 407 the vote was:

Yeas—Senators Adkins, Broome, Calkins, Cook, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McLeod, Perkins, Williams, Withers—20.

Nays—Senators Stokes, Zim—2.

So the bill, with amendments thereto as adopted by the Senate, passed, title as stated.

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

Mr. L'Engle moved that the rules be waived, and that Senate Bill No. 267 be taken up in place of Senate Bill No. 277, and that Senate Bill No. 277 take the place of Senate Bill No. 267 on the Calendar.

Which was agreed to by a two thirds' vote.

And—

Senate Bill No. 267:

A Bill to be entitled An Act relating to county finances and providing for the preparation and filing of reports thereof by the County Commissioners and Clerk of the Circuit Court, and to authorize the Comptroller to prescribe forms for and rules relating to such reports.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 267 the vote was:

Yeas—Senators Adkins, Broome, Calkins, Carney, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Withers—23.

Nays—Senators Davis, Williams—2.

So the bill passed, title as stated.

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

Mr. Massey moved that the rules be waived and that House Bill No. 104 be substituted for Senate Bill No. 468.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 104:

A Bill to be entitled An Act to amend An Act entitled An Act to provide for service by publication upon unknown parties in interest of property involved in certain chancery suits, and for decrees and other proceedings after such service, approved May 30, 1905.

Was taken up and read the second time in full.

Mr. Massey offered the following amendment to—

House Bill No. 104:

In Section 2 strike out the words of said section beginning with the word "such," in line 10, down to and in-

cluding the word "attorney," in line 19 thereof, and insert in lieu thereof the following: "Such guardian shall make and file on oath that he will faithfully discharge the duties of his office, and he shall file such answer and make such defense as he may deem proper to protect the substantial interests, if any, of said absent defendants."

Mr. Massey moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment to—  
House Bill No. 104:

Add to Section 3 the words "but shall not offset any pending suit."

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. 104, 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. 104, as amended by the Senate, was read a third time in full.

Mr. Massey, by unanimous consent, offered the following amendment to House Bill No. 104:

In Section 3, line 2, strike out the word "immediate," and insert in lieu thereof the following: "Immediately."

Which amendment was unanimously agreed to.

Upon the passage of House Bill No. 104, as amended the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Humphries, Johnson, L'Engle, Massey, McLeod, McMullen, Miller, Stokes, Wilson, Withers, Zim—22.

Nays—Senator Malone—1.

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

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

Senate Bill No. 306:

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

Was taken up and read a third time in full.

Mr. Finlayson moved to waive the rules and that Sen-

ate Bill No. 306 be recommitted to the Committee on Engrossed Bills.

Which was agreed to by a two thirds' vote.

Mr. Johnson moved that the rules be waived and that House messages now be taken up out of their order.

Which was agreed to by a two thirds' vote.

The following message from the House of Representatives was read:

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

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

*Sir:*

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

Senate Bill No. 502:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 502 was referred to the Committee on Enrolled Bills.

Mr. Johnson moved that the rules be waived and that the Senate resume the regular order of business.

Which was agreed to by a two thirds' vote.

Senate Bill No. 388:

A Bill to be entitled An Act to amend Section 1 of An Act entitled An Act to prohibit certain games and sports on Sunday. Approved June 5, 1905.

Was taken up and read the second time in full.

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

Which was agreed to by a two thirds' vote.

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

Upon the passage of Senate Bill No. 388 the roll was called and the vote was:

Yeas—Senators Adkins, Calkins, Cook, Finlayson, Hosford, L'Engle, Wilson, Zim—8.

Nays—Senators Broome, Carney, Davis, Flournoy, Henderson, Hudson, Humphries, Johnson, Malone, Massey, McLeod, McMullen, Sloan, Stokes—14.

So the bill failed to pass.

In explanation of his vote on Senate Bill No. 388, Mr. Hosford said:

"In explanation of my vote, Mr. President, I must say, in the first place, that I am an advocate of local option, and as this measure is left entirely with a majority of the voters of the City of Jacksonville as to whether or not they shall endorse the measure and play baseball, I feel it my duty to allow a majority of them to dictate the matter as to what they shall have, and I, therefore, vote "aye."

Mr. Perkins moved that the Senate do now take a recess to 3 o'clock this afternoon.

Which was agreed to.

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

#### AFTERNOON SESSION.

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, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers Zim—29.

A quorum present.

Mr. Malone moved that the rules be waived and that the Senate now take up House Messages.

Which was agreed to by a two thirds' vote.

#### MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following Message was read:

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

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

*Sir:*

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

**House Bill No. 677:**

A Bill to be entitled An Act making appropriations for the support and maintenance of the State Institutions for Higher Education created and required to be maintained by Chapter 5384 of the Laws of Florida, approved June 5, 1905, now known as the University of Florida, the Florida State College for Women, the Florida School for the Deaf and the Blind, and the Florida Agricultural and Mechanical College for Negroes.

Also—

**House Bill No. 678:**

A Bill to be entitled An Act to authorize the Secretary of State and Clerk of the Supreme Court to furnish certain books for the Board of Control for the use of the Law School at the University of Florida.

Also—

**House Bill No. 679:**

A Bill to be entitled An Act to enlarge the powers of the Board of Control and to confer the right of Eminent Domain upon said Board of Control in certain cases.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

Mr. Malone moved to waive the rules and that House Bill No. 677 be substituted for Senate Bill No. 459.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 677:

A Bill to be entitled An Act making appropriations for the support and maintenance of the State Institutions for Higher Education, created and required to be maintained by Chapter 5384 of the Laws of Florida, approved June 5, 1905, now known as the University of Florida, the Florida State College for Women, the Florida School for the Deaf and the Blind and the Florida Agricultural and Mechanical College for Negroes.

Was taken up.

Mr. Cone moved that House Bill No. 677 be made a special order for Monday afternoon at 3 o'clock, and that 100 copies of the bill be printed.

Mr. Massey moved to amend the motion that the bill be made a special order for Monday, May 29, at 3:15 o'clock.

Which was agreed to.

The question recurred upon the motion of Mr. Cone as amended.

The motion of Mr. Cone, as amended was agreed to.

House Bill No. 678, contained in the above message was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

And House Bill No. 679, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

The following message was read:

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

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

*Sir:*

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

House Bill No. 250:

A Bill to be entitled An Act to establish a State Board

of Embalming; defining the duties thereof; to provide for the better protection of life and health, and to prevent the spread of contagious diseases; to regulate the practice of embalming in connection with the care and disposition of the dead, and to provide penalty for the violation thereof.

Also—

**House Bill No. 17:**

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

Also—

**House Bill No. 437:**

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

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

**J. G. KELLUM.**

**Chief Clerk of the House of Representatives.**

And House Bill No. 250, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

And House Bill No. 17, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

And House Bill No. 437, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on the Second Reading.

Mr. Dayton moved that the rules be waived and that House Bill No. 343 be substituted for Senate Bill No. 195.

Which was agreed to by a two thirds' vote.

Mr. Dayton withdrew Senate Bill No. 195.

And—

House Bill No. 343:

A Bill to be entitled An Act to require County Solicitors and State's Attorneys to procure certain prima facie evidence in dealing in spiritous, vinous or malt liquors; to require prosecution by County Solicitors for certain offenses upon acquisitions of certain prima facie evidence of dealing in spiritous, vinous or malt liquors; to require State's Attorneys to present to grand juries certain prima facie evidence of dealing in spiritous, vinous or malt liquors; to constitute a failure to do so as malfeasance of office and ground for the removal of such officer.

Was taken up.

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

Which was agreed to by a two thirds' vote.

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

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

Which was agreed to by a two thirds' vote.

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

Upon the passage of House Bill No. 343 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Culpepper, Dayton, Henderson, Hosford, Hudson, Humphries, L'Engle, Massey, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—19.

Nays—Senator Johnson—1.

So the bill passed, title as stated.

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

Senate Bill No. 177:

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

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

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

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

Mr. Miller moved to adopt the amendment.

Which was agreed to.

Also the following Committee Amendment was read:

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

Mr. Miller moved to adopt the amendment.

Which was agreed to.

Also the following Committee Amendment was read:

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

Mr. Miller moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

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

Mr. Miller moved the adoption of the amendment.

Which was agreed to.

Also the following committee amendment was read:

After the word "eighteen" in line 9, Section 9, strike out all of balance of said section and insert in lieu thereof "years," or in lieu thereof "may pay to the road overseer on or before the day he is called upon to render such service the sum of three dollars, and such overseer shall turn into the County Treasurer of his county any and all moneys so paid to him, the same to be placed to the credit of the road and bridge fund and subject to the order of the Board of County Commissioners for road and bridge pur-

poses; and provided further, That all moneys collected in lieu of road duty shall be expended by the Board of County Commissioners upon the public roads and bridges in the sub-division where such road duties should have been performed."

Mr. Miller moved the adoption of the amendment.

Which was agreed to.

Also the following committee amendment was read:

Amend Section 11 by striking out last sentence thereof.

Mr. Miller moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 177, as above amended, was referred to the Committee on Engrossed Bills.

#### Senate Bill No. 301:

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

Was taken up and read the second time in full.

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

Which was agreed to by a two thirds' vote.

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

Upon the passage of Senate Bill No. 301 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Culpepper, Dayton, Flournoy, Hosford, Hudson, Humphries, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Withers—18.

Nays—Senators Davis, Finlayson, Henderson—3.

So the bill passed, title as stated.

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

Mr. Adkins, Chairman of the Special Committee to draft a bill fixing a time for the terms of the courts for the eleven Judicial Circuits, submitted the following report:

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

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

Sir:

Your Committee appointed to draft a bill fixing the time for the terms of the courts for the eleven Judicial Circuits, begs to report that they have drafted a bill for same and asks that it be taken up and considered at once.

Very respectfully,

A. Z. ADKINS,  
Chairman of Committee.

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

By Mr. Adkins—

Senate Bill No. 504:

A Bill to be entitled An Act to prescribe the time for holding the terms of the Circuit Courts in and for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh Judicial Circuits of the State of Florida.

Which was read the first time by its title.

Mr. Adkins moved that the rules be waived and that Senate Bill No. 504 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 504 was read a second time by its title.

Mr. Adkins moved that the rules be waived and that Senate Bill No. 504 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 504 was read a third time in full.

Upon the passage of Senate Bill No. 504 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, McCreary, McLeod, McMullen, Perkins, Stokes, Williams, Withers—21.

Nays—None.

So the bill passed, title as stated.

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

Senate Committee Bill No. 330:

A Bill to be entitled An Act to amend Section 655 of the General Statutes of the State of Florida, relating to contracts for the public printing.

Was taken up and read a second time in full.

Mr. McCreary moved that the rules be waived and that Senate Committee Bill No. 330 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Committee Bill No. 330 was read a third time in full.

Upon the passage of Senate Committee Bill No. 330 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Calkins, Culpepper, Davis, Dayton, Finlayson, Henderson, Hosford, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Withers, Zim—23.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 101:

A Bill to be entitled An Act to amend Section 1496 of the General Statutes of the State of Florida relating to instructions and charges to juries by the Judges of the several courts of the State of Florida.

Was taken up and read the second time in full.

And was temporarily passed over.

Senate Bill No. 221:

A Bill to be entitled An Act to amend Sections 63 and 64 of Chapter 5596 of the Laws of Florida, Acts of 1907, relative to the commissions and compensation of County Assessors of Taxes and Tax Collectors.

Was taken up.

Mr. Johnson moved that the rules be waived, and that

Senate Bill No. 346 be substituted for Senate Bill No. 221.

Which was agreed to by a two thirds' vote.

Mr. Johnson withdrew Senate Bill No. 221.

And—

Senate Bill No. 346:

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

Was taken up and read the second time in full.

There being no amendment offered Senate Bill No. 346 was, under the rules, placed on the Select Calendar of Bills on Third Reading.

Senate Bill No. 264:

A Bill to be entitled An Act to amend Section 1733, Second Division, Title 1, Chapter 28, Article 2, of the General Statutes of the State of Florida, relating to security for costs in civil cases.

Was taken up.

Mr. Hudson moved that the rules be waived and that House Bill No. 378 be substituted for Senate Bill No. 264.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 378:

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

Was taken up and read the second time in full.

Mr. Dayton offered the following amendment to—

House Bill No. 378:

In Section 2, at end of Section, add "Provided that nothing in this Act shall prevent common carriers in this State from transporting free of charge, or at reduced rates, materials for building roads, bridges and streets in this State."

Which was withdrawn.

Mr. Hudson moved that the rules be further waived and that House Bill No. 378 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 378 was read a third time in full. Upon the passage of House Bill No. 378 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Calkins, Carney, Cook, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Stokes, Wilson, Withers, Zim—26.

Nays—None.

So the bill passed, title as stated.

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

Mr. Hudson withdrew Senate Bill No. 264.

Senate Bill No. 308:

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

Was taken up and read the second time in full.

Mr. Perkins moved that the rules be further waived, and that Senate Bill No. 308 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 308 was read a third time in full.

Upon the passage of Senate Bill No. 308 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Cook, Culpepper, Davis, Dayton, Henderson, Hudson, Humphries, Malone, McMullen, Perkins, Stokes, Williams, Wilson, Withers, Zim—18.

Nays—Senators Hosford, Massey, Miller—3.

So the bill passed, title as stated.

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

Senate Bill No. 378:

A Bill to be entitled An Act authorizing the manager or proprietor of any hotel in this State to sell unclaimed articles left in the hotel of which he is manager or proprietor by any guest, and to apply the proceeds of such

sale on any account that may be due such hotel by such guest.

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

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

Add after the word "hotel" wherever it appears in title or body of bill the words "boarding house or lodging house."

Mr. Wilson moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 378, as amended, was referred to the Committee on Engrossed Bills.

#### Senate Bill No. 377:

A Bill to be entitled An Act to preserve the purity of the waters of the State for the protection of the public health.

Was taken up.

Mr. McMullen moved that the rules be waived, and that House Bill No. 591 be substituted for Senate Bill No. 377.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 377 was withdrawn.

And—

#### House Bill No. 591:

A Bill to be entitled An Act to repeal Chapter 5888 of the Laws of Florida, approved June 8, 1909, entitled An Act prohibiting fire insurance companies from combining as to what rate of commission shall be paid by any other company to an agent.

Was taken up and read the second time in full.

Mr. McMullen moved that the rules be further waived and that House Bill No. 591 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 591 was read a third time in full.

Upon the passage of House Bill No. 591 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Flournoy, Henderson, Hosford, Hudson, L'Engle, Malone, Massey, McCreary, Mc-

Leod, McMullen, Miller, Perkins, Sloan, Stokes, 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.

House Bill No. 101:

A Bill to be entitled An Act to amend Section 1496 of the General Statutes of Florida relating to instructions and charges to juries by the Judges of the several courts of the State of Florida.

Was taken up and read the second time in full.

Mr. Perkins offered the following amendment to House Bill No. 101:

After the word "plaintiff," in line 12, of Section —, add the following: "In any civil case."

Mr. Perkins moved the adoption of the amendment.

Which was agreed to.

Mr. Perkins offered the following amendment to House Bill No. 101:

After "County Court" wherever it appears in the bill, insert "or Court of Record."

Mr. Perkins moved the adoption of the amendment.

Which was agreed to.

Mr. Perkins moved that the rules be waived, and that House Bill No. 101, 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. 101, with amendments thereto, was read a third time in full.

Upon the passage of House Bill No. 101 the roll was called and the vote was:

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

Nays—None.

So the bill passed, title as stated.

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

## Senate Bill No. 323:

A Bill to be entitled An Act to amend Sections 796 and 799 of Article II, Chapter 2, Title 9 of the First Division of the General Statutes of the State of Florida, relating to the disposition of the proceeds of county bonds, and to provide for the appointment and election of trustees of county bonds, and to prescribe their powers and duties, and also relating to county bonds heretofore issued and to trustees of such county bonds heretofore appointed, and to extend the provisions of this Act to the same, and to repeal all Acts in conflict herewith.

Was taken up and read the second time in full.

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

In line 18, Section 2, strike out "shall give bond as and in the manner required in respect to county officers, in the sum of fifty thousand dollars," and insert in lieu thereof the following: "who shall each give bond payable to the Governor of the State of Florida and his successors in office in such sum as shall be required by the Board of County Commissioners."

Mr. L'Engle moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 323, as amended, was referred to the Committee on Engrossed Bills.

## House Bill No. 217:

A Bill to be entitled An Act to amend Section 2023 of the Revised Statutes of the State of Florida in relation to the right of way of railroads.

Was taken up and read the second time in full.

Mr. Massey moved that the bill be temporarily passed.

Which was agreed to.

By Mr. Dayton (by unanimous consent)—

## Senate Bill No. 505:

A Bill to be entitled An Act to permit common carriers in this State to transport at free or reduced rates material for roads, streets or bridge purposes.

Which was read the first time by its title.

Mr. Dayton moved that the rules be waived and that Senate Bill No. 505 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 505 was read a second time by its title.

Mr. Dayton moved that the rules be further waived and that Senate Bill No. 505 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 505 was read a third time in full.

Upon the passage of Senate Bill No. 505 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Calkins, Cook, Culpepper, Dayton, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Williams, Wilson, Withers, Zim—24.

Nays—Senators Finlayson, Stokes—2.

So the bill passed, title as stated.

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

By Mr. Culpepper (by unanimous consent)—

Senate Bill No. 506:

A Bill to be entitled An Act to require the owner or operator of any unfenced railroad or tram road to erect and maintain stock guards at points where fences cross the same.

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

By Mr. Williams—

Senate Bill No. 507:

A Bill to be entitled An Act to amend Section 12 of Chapter 5929 of the Acts of 1909, relating to the duty of inspectors of primaries designated to deliver the ballot boxes, and his compensation therefor.

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

By Mr. Williams—

Senate Bill No. 508:

A Bill to be entitled An Act authorizing the County Commissioners of Levy County to offer rewards for the killing of certain animals.

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

By Mr. Carney—

Senate Bill No. 509:

A Bill to be entitled An Act to permit the registered voters of Election District No. 25, of Marion County, Florida, to decide whether hogs shall be allowed to run at large in said district.

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

Senate Bill No. 356:

A Bill to be entitled An Act to create and provide for the appointment of a commission to be known as the Florida Special Tax Commission, to inquire into the subject of taxation for both State and local purposes; to examine into the laws of this State, and other States and countries; the expediency of revising and amending the laws of this State relative to taxation; to make report to the Governor thereupon, and to provide for the payment of the expense of such commission.

Was taken up and read the second time in full.

Mr. Flournoy moved that the rules be further waived and that Senate Bill No. 356 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 356 was read a third time in full.

Upon the passage of Senate Bill No. 356 the roll was called and the vote was:

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

Nays—Mr. President—1.

So the bill passed, title as stated.

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

## REPORTS OF COMMITTEES.

The Committee on Public Health reported without recommendation on—

Senate Bill No. 417:

A Bill to be entitled An Act to amend Section 8 of Chapter 5947 of the Laws of Florida, Acts of 1909, relating to the practice of optometry.

The Committee on Public Health reported unfavorably on—

Senate Bill No. 243:

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

The Committee on Public Health reported without recommendation on—

Senate Bill No. 450:

A Bill to be entitled An Act to enforce better sanitary conditions in inns and hotels, boarding houses and restaurants with respect to linens, beds, closets, toilet rooms, privies and screening of kitchens and dining rooms; to define offenses for violations of this Act and to fix fines and punishment therefor.

The Committee on Public Health reported without recommendation on—

Senate Bill No. 461:

A Bill to be entitled An Act to establish a State Board of Veterinary Medical Examiners to regulate the practice of veterinary medicine and surgery in the State of Florida.

The Committee on Public Health reported without recommendation on—

Senate Bill No. 472:

A Bill to be entitled An Act allowing members of the School of Medicine, known as the Physio-Medical School, to practice in this State under certain conditions without examination.

The Committee on Public Health reported unfavorably on—

Senate Bill No. 242:

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

The Committee on Appropriations returned without recommendation—

Senate Bill No. 425:

A Bill to be entitled An Act to make an appropriation for the Board of Commissioners of State Institutions, to purchase lands, timber, building material and other equipage to establish a State Prison Farm, and to authorize the Board of Commissioners of State Institutions to sell detached parcels of land, and to buy land, timber and building material necessary to the said State Prison Farm.

The Committee on Appropriations returned without recommendation—

Senate Bill No. 288:

A Bill to be entitled An Act appropriating money for the benefit and maintenance of the Florida State Reform School.

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 457:

A Bill to be entitled An Act to prohibit a candidate and other persons from employing workers at or before and in connection with an election or primary election; to prohibit a person from accepting employment as a worker at or before or in connection with such election; defining the word "worker" and fixing a penalty.

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

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

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

*Sir:*

Your Committee on Enrolled Bills, to whom was referred—

An Act to amend An Act entitled "An Act creating three additional Judicial Circuits in the State of Florida, to be known and designated as Ninth, Tenth and Eleventh Judicial Circuits, and defining and fixing the territorial limits and boundaries of such additional circuits and defining and fixing the territorial limits and boundaries of the eight existing judicial circuits.

Has carefully examined the same and finds it correctly enrolled.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

And the Act contained in the above report, was referred to the Joint Committee on Enrolled Bills.

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

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

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

*Sir:*

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

An Act to amend An Act entitled "An Act creating three additional Judicial Circuits in the State of Florida, to be known and designated as Ninth, Tenth and Eleventh Judicial Circuits, and defining and fixing the territorial limits and boundaries of such additional circuits and defining and fixing the territorial limits and boundaries of the eight existing judicial circuits.

Has carefully examined the same and finds it correctly enrolled.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

The Act contained in the above report was 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.

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

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

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

*Sir:*

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

An Act to amend An Act entitled An Act creating three additional Judicial Circuits in the State of Florida, to be known and designated as Ninth, Tenth and Eleventh Judicial Circuits, and defining and fixing the territorial limits and boundaries of the eighth existing Judicial Circuits.

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.

## MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida, Executive Department,  
Tallahassee, Fla., May 26, 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 regulate the granting of new trials and the setting aside and reversals of judgments.

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.

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 from the Governor was read:

State of Florida,  
Executive Office,  
Tallahassee, Fla., May 26, 1911.

*Gentlemen of the Legislature:*

I have the honor to submit for your consideration, copy of resolution adopted by the Board of Commissioners of State Institutions.

I would earnestly request the appropriation for the purchase of lands on which an option has been taken. So much of other lands as are within the boundaries of that tract should also be purchased. You are probably aware of the fact that within a very short time it will be necessary to establish another hospital for the insane. There is very little land now owned by the State at Chatta-

hoochee, suitable for the hospital for the insane. Whenever the board finds it necessary to buy any land in that vicinity, the price of the same is several hundred dollars per acre. In my judgment, it will be only a short time before another hospital for the insane will have to be erected and maintained. It is well for these unfortunate people to be placed in a position so that they may work. Work is good for them, mentally and physically. As a large percentage of the convicts are negroes, in my judgment, a negro hospital for the insane should sooner or later be established on this tract of land, the purchase of which is now being considered. It is therefore necessary to purchase this tract of land. As soon as possible the land embraced in the tract should also be purchased. It is difficult to conceive the enhanced value of land owned by individuals as soon as the State finds it necessary to purchase the same. The State Board of Education found it necessary to purchase an old field lying westward of the Florida State College for Women. It is true that there was an old, cheap house on the same. The board had to pay twenty-two hundred dollars for this seven-acre tract.

Very respectfully,  
ALBERT W. GILCHRIST,  
Governor.

Also the following message from the Governor was read:

At a meeting of the Board of Commissioners of State Institutions, held in the executive office on the 26th day of May, A. D. 1911, the following resolution was unanimously adopted:

Whereas, There appears to be some question on the part of the Legislature as to the advisability of making provision for the purchase of the timber on the lands recently purchased by this board in Bradford County for a State Prison Farm, and on the adjacent lands, on which this board has secured an option; therefore, be it

Resolved by the Board of Commissioners of State Institutions, That, in their judgment, it is not absolutely necessary that the said timber be purchased. Inasmuch as the buildings to be erected should be of brick, the Board of Commissioners of State Institutions are of

the opinion that the appropriation to be applied to the erection of the necessary buildings, and for the purchase of the necessary equipment for such an institution, should be increased fully twenty-five thousand dollars (\$25,000) over the amount now contemplated.

The foregoing is a true and correct copy of a resolution unanimously adopted by the Board of Commissioners of State Institutions.

ALBERT W. GILCHRIST,  
Governor and Chairman of Board.

G. T. WHITFIELD,  
Secretary Board of Commissioners of State Institutions.

Mr. McCreary moved to waive the rules and that the Senate now take up and consider the motion to reconsider the vote by which the Senate passed House Joint Resolution No. 222.

Mr. McCreary moved to reconsider the vote by which House Joint Resolution No. 222 passed the Senate.

Mr. Hudson moved to take a recess to 8 o'clock tonight. Which was agreed to.

Whereupon the Senate took a recess until 8 o'clock p. m.

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#### EVENING SESSION.

The Senate met pursuant to recess order at 8 o'clock p. m.

The President in the chair.

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

Mr. President, Senators Adkins, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—22.

A quorum present.

Mr. McCreary called up his motion to reconsider the vote by which House Joint Resolution No. 222 passed the Senate.

Upon the motion of Mr. McCreary to reconsider the vote by which House Joint Resolution No. 222 passed the Senate, and which is in the possession of the House of Representatives, under an order for immediate transmission.

Mr. Finlayson, speaking to the point of order, that the motion comes too late after the resolution has been certified to the other house.

Jefferson's Manual was cited by the Senator from the Sixteenth District in support of the above contention.

Mr. Finlayson contended that the rule of Jefferson's Manual had been superceded by the rule of the Senate of Florida, and cited the rule of the House of Representatives of the United States Congress as being identical practically with that of this Senate, and also the interpretation of the House of Representatives of its rule, holding that a measure could be reconsidered after same had been sent to the other house, and claimed that the precedent should be of sufficient weight to govern this body, as our relation to Jefferson's Manual was identical with that of Congress.

Mr. Flournoy stated that the question before the body is: "Whether it takes a two thirds' or a majority vote upon the recall of the resolution from the House?"

Mr. Finlayson again called up the motion to reconsider the vote by which the resolution passed.

The chair ruled the motion to reconsider out of order until the resolution is returned to this body by the House of Representatives.

Mr. Flournoy said:

I appeal from the decision of the chair from the ruling that the motion of the Senator from the Thirty-second District (McCreary), to reconsider was out of order till the House had sent the resolution (House Joint Resolution No. 222) back to the Senate. I make this appeal now to reserve the question, but ask that action of the Senate thereupon be passed temporarily.

Mr. Hudson moved that the consideration of the motion to reconsider the vote by which the resolution passed the Senate be continued until tomorrow morning.

The chair asked the advice of the Senate upon the question, "Does it require a two thirds' or a majority vote to recall a bill or Joint Resolution from the House of Representatives?"

Upon the question whether it requires a simple majority or a two thirds' vote to recall House Joint Resolution No. 222 a yea and nay vote was called for.

The roll was called and the vote was :

Yeas—Senators Adkins, Cook, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Humphries, Johnson, L'Engle, Malone, McCreary, Miller, Perkins, Wilson, Zim—17.

Nays—Senators Calkins, Carney, Culpepper, Hudson, Massey, McLeod, Stokes, Williams, Withers—9.

Mr. Hudson moved that the Senate do request the House of Representatives to return House Joint Resolution No. 222.

Which was agreed to.

Mr. Williams moved that the rules be waived and that Senate Bill No. 492 be recalled from the House for reconsideration.

Which was agreed to by a two thirds' vote.

Mr. Williams moved that the Journal of May 23 shall be corrected on page 43, immediately after the indefinite postponement of Senate Bill No. 126, that:

"Mr. Williams moved that the Senate reconsider the vote by which Senate Bill No. 126 was indefinitely postponed.

"Which went over under the rules."

As the same had been omitted from the Journal of the 23rd.

Which was agreed to.

Mr. Williams asked and obtained unanimous consent that the consideration of the motion be continued until tomorrow morning.

Senate Bill No. 399:

A Bill to be entitled An Act to permit the registered voters who are taxpayers upon real or personal property of any election district in any county in the State of Florida, to decide whether hogs and cattle shall be allowed to run at large in any of such election districts, and to make the result of the election effective in the election district.

Was taken up.

Mr. Carney moved that the rules be waived and that

House Bill No. 178 be substituted for Senate Bill No. 399  
Which was agreed to by a two thirds' vote.

Mr. Carney withdrew Senate Bill No. 399.

House Bill No. 178:

A Bill to be entitled An Act for the relief of Messrs. Tompkins and Cobb of Ocala, State of Florida, for the loss of twenty-three horses and mules killed by order of Thos. J. Mahaffey, veterinarian of the State Board of Health, and making appropriation therefor.

Was taken up and read the second time in full.

Mr. Carney moved that the rules be waived and that House Bill No. 178 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 178 was read a third time in full.

Upon the passage of House Bill No. 178 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Carney, Cook, Culpepper, Davis, Flournoy, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—22.

Nays—None.

So the bill passed, title as stated.

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

Mr. Williams explained his vote on House Bill No. 178, as follows:

In consideration of the fact that I am advised that only one test was made upon this stock and the United States Government makes three tests and further that the owners of the stock offered to give bond or to quarantine them and were refused, I shall vote "yea," otherwise I should have voted to have paid \$75 a head for the remaining thirteen head unpaid for by the State.

Senate Bill No. 302:

A Bill to be entitled An Act to prevent the adulteration, misbranding and imitation of food for man or beast, of beverages, candies or condiments, of medicines,

drugs and liquors, or the manufacture or sale thereof in the State of Florida, prescribing a penalty for the violation hereof, providing for the inspection and analysis of the articles prescribed by the Florida State Department of Agriculture, charging the State's Attorney with the enforcement thereof, and providing means therefor, providing for the appointment of an additional State Chemist, or expert Food Analyst, three Food and Drug Inspectors, to appropriate the necessary funds to enforce the provisions of this Act, and for the general expenses of the State Laboratory and Chemical Division of the Agricultural Department of the State of Florida, and to repeal all laws in conflict with this Act.

Was taken up.

Mr. Hudson moved that the rules be waived and that Senate Bill No. 302 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 302 was read a second time by its title.

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

Strike out all of Section 17.

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

Mr. Hudson offered the following amendment to Senate Bill No. 302:

Strike out all of Sections 9, 10 and 11, and insert in lieu thereof:

Sec. 9. That the Governor shall appoint two Inspectors of the Chemical Division of the Agricultural Department of the State of Florida, for a term not to exceed four years. The Inspectors of the Chemical Division shall have the authority, and it shall be their duty, to inspect foods and drugs, commercial stock feeds and commercial fertilizers, and other materials subject to inspection, as now provided by law throughout the State, or in the territory assigned to them, and to seize and attach all goods subject to inspection, as are misbranded, adulterated or illegally offered for sale, or that fail to bear the guaranteed analysis and inspection stamp provided by law; and place the same in the custody of the Sheriffs, subject to the order of the Commissioner of Agriculture, sending samples of such goods to the State Chemist for examination and analysis. The Inspectors

shall draw samples of foods and drugs, commercial stock feed, commercial fertilizers, and other goods subject to inspection, offered for sale in the State or territory assigned to them, and forward them to the State Chemist for examination or analysis, as provided by law. Each Inspector of the Chemical Division shall receive a salary of one thousand five hundred dollars per annum, payable quarterly, and a sum not to exceed twelve hundred dollars, each, per annum, for traveling expenses while in the performance of their duties. Detailed vouchers for such expenses shall be rendered by said Inspectors, and paid only on the approval of the State Chemist. The Governor shall also appoint an Assistant State Chemist—a food and drug analyst—on the recommendation of the State Chemist. His salary shall be one thousand and eight hundred dollars per annum, payable quarterly. The State Chemist and the Assistant State Chemist shall be ex-officio Inspectors of the Chemical Division, their annual traveling expenses shall be paid on detailed vouchers, approved by the State Chemist.

The expenditures for the Chemical Division of the State for any one year shall not exceed the sum appropriated herein, to carry out the provisions of this Act, the Commercial Fertilizer Law, the Commercial Stock Feed Law and the Commercial Cotton Seed Meal Law. The offices of the "Pure Food and Drug Inspectors," and the "Commercial Stock Feed Inspector" are hereby abolished and the same are merged into the offices of the "Inspectors of the Chemical Division of the Agricultural Department" of the State of Florida.

Sec. 10. The following sums are hereby annually appropriated payable from the funds arising from the collection of Inspection Fees, for the analysis of Commercial Fertilizers and Commercial Stock Feeds, for the support of the Chemical Division of the Agricultural Department of the State of Florida, to wit:

Salary of the State Chemist.....	\$ 2,500.00
Salary of Assistant State Chemist, Fertilizer Analyst .....	1,800.00
Salary of Assistant State Chemist, Food and Drug Analyst .....	1,800.00
Salary of Assistant State Chemist, Stock Feed Analyst .....	1,500.00

Salary two Inspectors, Chemical Division, \$1,500 each .....	3,000.00
Traveling expenses, two Inspectors, \$1,200 each .....	2,400.00
Samples and incidentals, Pure Food Depart- ment .....	1,000.00
Chemicals, apparatus and incidentals, State laboratory .....	1,000.00
Traveling expenses State Chemist and Assis- tants .....	1,000.00
Clerk Chemical Division.....	900.00
Postage State Chemist .....	100.00
<b>Total .....</b>	<b>\$17,000.00</b>

Sec. 11. In order to enforce and carry out the provisions of this Act, the Commercial Fertilizer Law, the Commercial Stock Feed Law and the Commercial Cotton Seed Meal Law, the sum of \$17,000, or so much thereof as may be necessary, is hereby annually appropriated and set aside from the funds arising from the inspection of fertilizer and stock feed, and so much as is necessary is made immediately available, and the Comptroller is hereby authorized and directed to pay the same as herein provided. All fines, forfeitures, and other sums arising from the enforcement of this law shall be turned into the treasury for the use of the general fund.

Mr. Hudson moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 302, as amended, was referred to the Committee on Engrossed Bills.

Mr. Stokes moved to waive the rules and that the vote by which Senate Bill No. 388 failed to pass the Senate be now taken up for consideration.

Which was agreed to by a two thirds' vote.

And—

Senate Bill No. 388:

A Bill to be entitled An Act to amend Section 1 of An Act entitled An Act to prohibit certain games and sports on Sunday. Approved June 5, 1905.

Was taken up.

Mr. Stokes moved that the vote by which the bill failed to pass the Senate be reconsidered.

Which was agreed to.

Mr. Hudson moved that further consideration of Senate Bill No. 388 be postponed to tomorrow.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Carney, Davis, Flournoy, Henderson, Hudson, Johnson, Malone, Massey, McLeod, Sloan, Withers—11.

Nays—Senators Adkins, Calkins, Cook, Culpepper, Finlayson, Hosford, L'Engle, McCreary, Stokes, Wilson, Zim—11.

So the motion did not prevail.

Upon the passage of Senate Bill No. 388 the roll was called and the vote was:

Yeas—Senators Adkins, Calkins, Cook, Culpepper, Finlayson, Hosford, L'Engle, McCreary, Stokes, Wilson, Zim—11.

Nays—Senators Carney, Davis, Flournoy, Henderson, Hudson, Johnson, Malone, Massey, McLeod, Sloan, Withers—11.

So the bill failed to pass.

Mr. Flournoy moved that the motion to reconsider House Joint Resolution No. 222, and the appeal from the ruling of the Chair thereupon, be carried over as an order of the day for tomorrow, whereupon the Chair ruled that such was so ordered.

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

Which was agreed to.

Whereupon the Senate stood adjourned until 9 o'clock a. m., Saturday, May 27, 1911.