

SATURDAY, MAY 27, 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, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 26 was dispensed with.

The Journal of May 26 was corrected and approved as corrected.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., May 27, 1911.

Hon. F. P. Cone,

President of the Senate.

Sir:

Your Committee on Engrossed Bills reports as properly engrossed—

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 trus

tees 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.

Very respectfully,

J. E. BROOME,
Chairman of Committee

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

Senate Chamber,
Tallahassee, Fla., May 27, 1911.

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

Sir:

Your Committee on Engrossed Bills reports as properly engrossed—

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.

Very respectfully,

J. E. BROOME,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 27, 1911.

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

Sir:

Your Committee on Engrossed Bills reports as properly engrossed—

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.

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 26, 1911.

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

Sir:

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

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.

Also—

An Act for the relief of J. M. Andrews and others.

Also—

An Act to amend Section 3774 of the General Statutes of the State of Florida, and Sections 1 and 2 of Chapter 5433 of the Laws of Florida, relating to protection and preservation of fish in the State of Florida, and prohibiting the catching and shipping of certain fish during certain months.

Also—

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.

Also—

An Act to fix the salary of the Comptroller of this State.

Also—

An Act to prescribe the time for shooting wild ducks in the waters of Indian River, Mosquito Lagoon 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.

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 hereof.

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 27, 1911.

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

Sir:

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

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.

Also—

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.

Also—

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 Janu-

ary, and declaring the violation thereof to be a misdemeanor.

Also—

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 issued in pursuance of said election.

Also—

An Act to abolish the present municipal government 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.

Also—

An Act to extend the powers of the Railroad Commissioners so as to give them power and authority to regulate the charges and service 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.

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

Senate Chamber,
Tallahassee, Fla., May 27, 1911.

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

Sir:

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

An Act to regulate and prescribe the practice of attorneys in criminal cases.

Also—

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

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 HOUSE OF REPRESENTATIVES.

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. 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.

Has also adopted—

House Concurrent Resolution No. 27:

Be it resolved by the House of Representatives, the Senate concurring, That a commission, consisting of two Senators to be elected by the Senate and three Representatives to be elected by the House of Representatives and two Justices of the Supreme Court to be elected by the Supreme Court, and three members of the State Bar Association of the State of Florida, to be named by the said association, be and are hereby authorized and empowered to frame a bill for presentation to the Legislature of Florida at the session of 1913, said bill to provide for the reformation of pleading, practice and administration of the laws of Florida. Said commission to select its own chairman and secretary and meet at its own convenience and to report to the Legislature of Florida at its session of 1913. The members of said commission to serve without pay or expense to 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 Senate Bill No. 369, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And House Concurrent Resolution No. 27, contained in the above message, was read the first time by its title.

Which went over under the rules.

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 with amendments—

Senate Bill No. 179:

A Bill to be entitled An Act making it a misdemeanor

for any person or persons to operate any hotel, boarding house or restaurant within this State without keeping all doors, windows and other similar openings in dining rooms, kitchens and passageways between same screened, and fixing a penalty for failure to comply with the provisions of this Act.

Which amendments are as follows:

In Section 1, line 5, before the word "screened," insert the word "securely."

In Section 1, last line, after the words "screen wire," strike out "of the kind commonly used for such purposes," and insert in lieu thereof the following: "not coarser than 12 mesh to the inch."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The House amendments to Senate Bill No. 179, contained in the above message, was read as follows:

In Section 1, line 5, before the word "screened," insert the word "securely."

Mr. Sloan moved that the Senate do concur in the House amendment as read.

Which was agreed to.

Also House amendment to Senate Bill No. 179, contained in the above message, was read as follows:

In Section 1, last line, after the words "screened wire," strike out "of the kind commonly used for such purpose," and insert in lieu thereof the following: "Not coarser than 12 mesh to the inch."

Mr. Sloan moved that the Senate do concur in the House amendment, as read.

Which was agreed to.

And Senate Bill No. 179, as amended by the House, contained in the above message, was referred to the Committee on Enrolled Bills.

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 concurred in Senate amendments to—

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.

Which amendments are as follows:

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

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

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

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

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."

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

On page 19, lines 12 and 13, strike out the words "appointed and confirmed," and insert in lieu thereof the following: "Elected as hereinbefore provided."

On page 20, 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."

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

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

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."

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."

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.

Before the title add "A Bill to be entitled."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

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—

House Bill No. 672:

A Bill to be entitled An Act to fix the salary of the State Superintendent of Public Instruction.

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

Mr. McCreary moved to waive the rules and that the bill be not referred to a committee, but that the Senate proceed now to its consideration.

Which was not agreed to.

And House Bill No. 672 was placed on the Calendar of Bills on Second Reading.

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—

House Bill No. 648:

A Bill to be entitled An Act making an appropriation to pay the Tampa Tribune Publishing Company for extra volumes of Florida Supreme Court reports, reprinted under contract of said company with the Board of Commissioners of State Institutions.

Also—

House Bill No. 613:

A Bill to be entitled An Act fixing the amount of bonds to be given by certain administrative officers of the executive department of the State Government, and requiring additional bonds from those now in office.

Also—

Senate Bill No. 311:

A Bill to be entitled An Act to authorize and direct the State Board of Health to establish a hospital for the treatment of indigent crippled children, and providing an appropriation therefor.

And respectfully requests the concurrence of the House of Representatives thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 648, contained in the above mes-

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

And House Bill No. 613, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

And Senate Bill No. 311, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

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 concurred in Senate amendment to—

House Bill No. 140:

A Bill to be entitled An Act to amend Section 3774 of the General Statutes of Florida, and Sections 1 and 2 of Chapter 5433 of the Laws of Florida, relating to the protection and preservation of fish in the State of Florida, and prohibiting the catching and shipping of certain fish during certain months.

Which amendment is as follows:

After the word "nets" add "except an ordinary cast-net."

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

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 concurred in Senate amendments to—

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.

Which amendments are as follows:

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

Also following amendment:

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."

Also following amendment:

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

Also following amendment:

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."

Also following amendment:

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."

Also following amendment:

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."

Also following amendment:

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."

Also following amendment:

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

Also following amendment:

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

Very respectfully,

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

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 concurred in Senate amendments to—

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.

Which amendment was as follows:

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

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

Very respectfully,

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

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 concurred in Senate amendments to—

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.

Which amendment is as follows:

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 either regular order and try and determine the same as early as possible."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

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

Mr. Withers moved to waive the rules and that the Senate now take up the consideration of the motion to reconsider.

Which was agreed to by a two thirds' vote.

Mr. Malone asked that the reconsideration be temporarily passed.

Which was granted.

SELECT ORDERS OF THE DAY.

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.

Was taken up.

Mr. Cook moved that the rules be waived and that House Bill No. 274 be substituted for Senate Bill No. 121.

Which was agreed to by a two thirds' vote.

Mr. Cook withdrew Senate Bill No. 121.

ENROLLED.

The President announced that he was about to sign—

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.

Also—

An Act for the relief of J. M. Andrews and others.

Also—

An Act to amend Section 3774 of the General Statutes of the State of Florida, and Sections 1 and 2 of Chapter 5433 of the Laws of Florida, relating to protection and preservation of fish in the State of Florida, and prohibiting the catching and shipping of certain fish during certain months.

Also—

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.

Also—

An Act to fix the salary of the Comptroller of this State.

Also—

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

Also—

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 eight existing judicial circuits."

The Acts were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the

Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

By permission, 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 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.

Also—

An Act for the relief of J. M. Andrews and others.

Also—

An Act to amend Section 3774 of the General Statutes of the State of Florida, and Sections 1 and 2 of Chapter 5433 of the Laws of Florida, relating to protection and preservation of fish in the State of Florida, and prohibiting the catching and shipping of certain fish during certain months.

Also—

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.

Also—

An Act to fix the salary of the Comptroller of this State.

Also—

An Act to prescribe the time for shooting wild ducks in the waters of Indian River, Mosquito Lagoon 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.

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

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

By permission, 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 the eight existing Judicial Circuits.

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

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

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.

Was taken up and read a second time in full.

Mr. Zim moved that the rules be further waived, and that House Bill No. 274 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 274 was read a third time in full.
Upon the passage of House Bill No. 274 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Dayton, Finlayson, Flournoy, Henderson, Hosford, Humphries, Johnson, L'Engle, Malone, McLeod, McMullen, Miller, Perkins, 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.

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 the third time in full.

Upon the passage of Senate Bill No. 306, the vote was:

Yeas—Senators Calkins, Davis, Dayton, Finlayson, Malone, Perkins, Sloan—7.

Nays—Mr. President, Senators Adkins, Baker, Broome, Carney, Cook, Culpepper, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, McCreary, McLeod, McMullen, Miller, Stokes, Williams, Withers, Zim—21.

So the bill failed to pass.

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.

Was taken up and read the third time in full.

Mr. Calkins moved to recommit Senate Bill No. 486.

Which was agreed to.

And Senate Bill No. 486 was recommitted to the Committee on Claims.

Mr. Withers called his motion to reconsider the vote by which House Joint Resolution No. 76 failed to pass the Senate.

The question upon the reconsideration of the vote by which the Joint Resolution failed to pass the Senate was put by the chair.

The motion to reconsider prevailed.

And—

House Joint Resolution No. 76:

A Joint Resolution proposing an amendment to Article XII of the Constitution of the State of Florida, relative to education, to be known as Section 17 of said Article, providing for the issuance of bonds by incorporated cities and towns, regular school districts and special tax school districts, for the exclusive use of public free schools within such city, town or school district, and authorizing the levy of a tax to create a sinking fund for the payment of the interest and redemption of such bonds.

Was taken up and read the third time in full.

Mr. Williams moved to recommit House Joint Resolution No. 76 and that it be made a continuing order.

Which was agreed to.

And House Joint Resolution No. 76 was recommitted to the Committee on Constitutional Amendments.

Senate Bill No. 163:

A Bill to be entitled An Act to protect the game of the State of Florida, and to define what birds and animals shall be classed as game, and to regulate the taking of the same, and to provide closed seasons for the taking of the same, and to provide means for deriving a revenue therefrom, and to provide for the appointment of a Game, Fish and Forest Commissioner, and to provide for the appointment of Deputy Fish, Game and Forest Commissioners and Wardens, and defining the duties of such commissioners, their deputies and wardens, and providing for their compensation, and to define non-game birds and animals, and to provide rewards for the capture or killing of certain animals, and to protect certain non-game birds and animals, and to provide for a license system of hunting, and to fix fees for such licenses, and to provide for the protection of game birds and animals during certain seasons and in certain localities, and to encourage introduction of foreign game and animals and the protection of the same, and provide for establishing private game reserves and their protection.

Was taken up.

Mr. Williams moved that Senate Bill No. 153 change position on the Calendar with Senate Bill No. 451.

Which was agreed to.

And—

Senate Bill No. 451:

A Bill to be entitled An Act to appropriate fifty thousand dollars to make an exhibition of the history, progress, development and resources of the State of Florida at the National Historical Exposition to be held at St. Augustine, in the year of 1913.

Was taken up and read the second time in full.

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

In Section 2, line 7, at the end thereof, insert the following: "Provided, That no money shall be available under the provisions of this Act, until satisfactory proof is made to the commission provided for in Section 3 of this Act, that the Ponce de Leon Association has raised not less than \$200,000.00 independently of the provisions of this Act, for the purpose of holding said National Historical Exposition."

Mr. Zim moved to adopt the amendment.

Which was agreed to.

Mr. Johnson offered the following amendment to Senate Bill No. 451:

Strike out all after the enacting clause.

Mr. Johnson moved to adopt the amendment.

Which was not agreed to.

Mr. Johnson offered the following amendment to Senate Bill No. 451:

At end of Section 2 add the following: "Provided this appropriation shall not be available or paid until the United States Congress shall have appropriated for the purpose of this celebration a sum not less than one hundred thousand dollars."

Mr. Johnson moved to adopt the amendment.

Which was not agreed to.

And Senate Bill No. 451 as amended was referred to the Committee on Engrossed Bills.

Mr. Dayton moved to waive the rules and take up messages from the House of Representatives.

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 27, 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. 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.

Also—

House Bill No. 703:

A Bill to be entitled An Act to establish and constitute a municipality in DeSoto County, Florida, to be known and designated as the Town of Zolfo, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges.

Also—

House Bill No. 716:

A Bill to be entitled An Act to extend the powers of the Town of Palm Beach, Florida.

Also—

Senate Bill No. 477:

A Bill to be entitled An Act to prohibit the hauling and dragging of seines in the fresh water 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 the 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.

Also—

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 provisions 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 the said city and its inhabitants.

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. 256, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And House Bill No. 703, 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. 716, 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 Senate Bill No. 477, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 485, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

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

House of Representatives,
Tallahassee, Fla., May 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. 714:

A Bill to be entitled An Act to regulate the hunting of fox in Leon County, Florida, by non-residents of said county.

Also—

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 other cattle or other than 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.

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. 714, 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 Senate Bill No. 442, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

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

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

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

Sir:

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

Senate Bill No. 433:

A Bill to be entitled An Act to legalize and validate an ordinance passed by the Town of Brooksville on the 27th day of February, A. D. 1911, and approved by the Mayor of said town on the 7th day of March, A. D. 1911, said ordinance being entitled as follows: "An Ordinance to provide for an election for the purpose of submitting to the electors qualified to vote in a bond election in the Town of Brooksville, Florida, the question of issuing bonds for any or all of the purposes and amount hereafter set forth; to provide the form of ballot to be used; to provide for the canvass of the vote cast at said election; to provide the forms of bonds authorized by said election, and for the printing of the same; to provide the manner of issuing any bonds to be issued under the provisions of this ordinance, and the amount of each, and to provide for the sale of the same; to provide for the proper expenditure of any and all funds arising from the sale of any bonds issued under the provisions of this ordinance, and for the safe-keeping of the said bonds and the funds arising from the sale thereof; to designate the proportion to be paid by each the owners of property and the Town of Brooksville where street paving shall be undertaken; to provide for a levy of special taxes on the taxable property of said town for the payment of interest on any bonds issued under the provisions of this ordinance and for retiring said bonds as they shall fall due, and to provide for the payment of old bonds now unpaid," and to legalize and validate the election held under the authority of and pursuant to said ordinance, which said election was held in the Town of Brooksville, on the 25th day of April A. D. 1911, pursuant to the Mayor's published proclamation calling said election.

Very respectfully.

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 433, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 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 adopted—

House Concurrent Resolution No. 28:

Be it resolved by the House of Representatives, the Senate concurring, That there shall be appointed a special committee (to be known as the Committee on Budget) composed of five members of the Legislature, three members of whom shall be named by the Speaker of the House, two by the President of the Senate, who shall be directed to make a compilation of the appropriations of the present Legislature together with an estimate of the total sum of revenue probably to be derived from all sources of taxation, and it shall be the duty of the Committee to recommend what State levy may be necessary in their opinion to meet the current expenses of the State government for the next ensuing fiscal two years.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 28, contained in the above message, was read the first time by its title and was laid over under the rules.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 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. 721:

A Bill to be entitled An Act providing for the election of a Congressman at large should the State be allowed four members of the House of Representatives in the Congress of the United States.

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. 721, 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 from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 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. 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, supercede or repeal conflicting laws.

Which amendments are as follows.

Amendment No. 1:

In Section 18, paragraph 3, strike out the entire paragraph.

Amendment No. 2:

In Section 18, paragraph 2, strike out the words "to own, lease or operate public utilities."

And respectfully requests the concurrence of the Senate thereto.

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

Mr. Stokes moved that the Senate do not concur in the following House amendment to Senate Bill No. 448: In Section 18, paragraph 3, strike out the entire paragraph.

Which was agreed to.

And the amendment was not concurred in.

The following House amendment to Senate Bill No. 448 was read.

In Section 18, paragraph 2, strike out the words "to own, lease or operate public utilities."

Mr. Stokes moved that the Senate do not concur in said amendment.

Which was agreed to.

And the action of the Senate was ordered to be certified to the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
 Tallahassee, Fla., May 27, 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. 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."

Also—

Senate Bill No. 494:

A Bill to be entitled An Act to abolish the present municipal government of the Town of Micanopy, in the County of Alachua, State of Florida, and to establish,

organize and constitute in its place a municipality, to be known and designated as the Town of Micanopy, to define its territorial boundaries and to provide for its jurisdiction, powers and privileges, and the exercise of the same.

Also—

House Bill No. 715:

A Bill to be entitled An Act to amend Section 2 of Chapter 6007 (No. 138) Laws of Florida, Acts of 1909, entitled "An Act empowering the County of Orange to call and have an election in certain election precincts thereof, and prescribing the conditions under which swine shall be impounded in those groups of precincts which vote to prohibit same from running at large within the limits of such groups of precincts."

Also—

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."

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. 491, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 494, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And House Bill No. 715, contained in the above mes-

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

And Senate Bill No. 490, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 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. 601:

A Bill to be entitled An Act to define the quality of and fix the standards of sweetened condensed milk, and evaporated (unsweetened) condensed milk; to prevent the sale or exchange of impure, or skimmed condensed or evaporated milk, and to provide a penalty therefor.

Also—

House Bill No. 208:

A Bill to be entitled An Act imposing a premium tax upon domestic insurance companies.

Also—

House Bill No. 210:

A Bill to be entitled An Act relating to the filing of annual statements by insurance companies, publication of abstract of same, and the issuance and renewal of certificates of authority.

Also—

Senate Bill No. 351:

A Bill to be entitled An Act to amend Section 4, Chapter 5565, Laws of Florida, the same being An Act to organize and establish a County Court in and for Washington 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 Prosecuting Attorney of said court; to inhibit the Judge from practicing law; to prescribe the terms of said court, and to pro-

vide for the transfer of causes pending in other courts at the time this Act goes into effect within the jurisdiction of the County Court; approved May 23, 1905, as amended by Chapter 6019.

Also—

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.

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. 601, 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. 208, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

And House Bill No. 210, contained in the above message, was read the first time by its title and was placed on the Calendar of Bills on Second Reading.

And Senate Bill No. 351, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And Senate Bill No. 482, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 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. 474:

A Bill to be entitled An Act giving to the electorate of the City of Miami, a municipal corporation organized and existing under the Laws of the State of Florida, and located in the County of Dade, the power to recall any or all of its officers made elective under its present charter, namely, Chapter 5823, Acts of the Legislature of Florida, for the year 1907, and Chapter 6073, Acts of the Legislature of Florida for the year 1909.

Also—

House Bill No. 717:

A Bill to be entitled An Act authorizing and empowering the City of St. Augustine to contract for the construction of a bridge over and across the San Sebastian River at the point where the wooden bridge now stands, and authorizing the City Council of said city to issue interest-bearing time warrants in payment for said bridge in said city.

Also—

Senate Bill No. 501:

A Bill to be entitled An Act fixing and defining the corporate limits of the Town of Chipley in Washington and Jackson Counties, Florida.

Also—

House Bill No. 702:

A Bill to be entitled An Act making it unlawful to catch fish in certain fresh water lakes, streams and bayous in the County of DeSoto, State of Florida, during certain months of the year, and prescribing a license therefor.

Also—

Senate Bill No. 401:

A Bill to be entitled An Act to amend Section 1808 of the General Statutes fixing the regular term of the Circuit Court of the Fourth Judicial Circuit.

With the following House amendments thereto:

In Section 1, line 8, strike out the word "first," and insert in lieu thereof the following: "second."

In Section 1, line 13, strike out the word "third," and insert in lieu thereof the following: "fourth."

Also—

House Bill No. 718:

A Bill to be entitled An Act to legalize and confirm the incorporation of the Town of Lloyd, in Jefferson County, Florida, and to declare the same a legally incorporated town.

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. 474, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And House Bill No. 717, 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 Senate Bill No. 501, contained in the above message, was read the first time by its title and referred to the committee on Enrolled Bills.

And House Bill No. 702, 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 Senate Bill No. 401, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

The following House Amendment to Senate Bill No. 401 was read:

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

Mr. Zim moved that the Senate do concur in the amendment, as read.

Which was agreed to.

Also the following House amendment to Senate Bill No. 401 was read:

In Section 1, line 13, strike out the word "third," and insert in lieu thereof the following: "Fourth."

Mr. Zim moved that the Senate do concur in the amendment, as read.

Which was agreed to.

And Senate Bill No. 401, as amended, was referred to the Committee on Enrolled Bills.

And House Bill No. 718, contained in the above message, was read the first time by its title and was referred to the Local Calendar of Bills on Second Reading.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 1911.

Hon. F. P. Cone,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendments to—

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.

Which amendments are as follows:

Amendment No. 1:

In line 2 of Article VI in Section 3, after the word "separate," insert the word "equitable."

Amendment No. 2:

In line 6 of Article IX in Section 3, strike out the word "instructed," and insert the word "intrusted."

Amendment No. 3:

In line 2 of Article XIV in Section 3, after the word "company," insert "and."

Amendment No. 4:

In line 3 of Article XIV in Section 3, after the word "land" strike out the words "to insure the fidelity of persons holding office or places of trust or responsibility, and to become sole surety in any case where by law two or more sureties are required."

Amendment No. 5:

In line 6 of Article XIV in Section 3, strike out the words "certificates of incorporation," and insert the word "charter."

Amendment No. 6:

In line 6 of Section 4, after the word "by" strike out the words "mortgage upon lands or by other securities, the actual value of which other securities shall at all

times exceed by at least ten per centum of the amount loaned upon the same," and insert in lieu thereof the following: "first mortgage upon real estate not to exceed sixty per centum of the value of such real estate, or by other approved securities, the actual value of which other approved securities shall at all times exceed by at least twenty per centum of the amount loaned upon the same."

Amendment No. 7:

In line 4 of Section 6, after the word "than" strike out the words "fifty thousand (\$50,000.00) dollars or more than one hundred thousand (\$100,000.00) dollars," and insert in lieu thereof the words "twenty-five thousand (\$25,000.00) dollars."

Amendment No. 8:

In line 6 of Section 6, after the word "securities," insert the words "of equal market value."

Amendment No. 9:

In line 11 of Section 6, after the word "received," insert the following: "provided such values shall be fixed by the Treasurer, Attorney General and Comptroller."

Amendment No. 10:

In line 32 of Section 6, after the word "Comptroller," insert the words "Treasurer and Attorney General."

Amendment No. 11:

Strike out the whole of Section 7.

Amendment No. 12:

In line 5 of Section 8, after the word "business," strike out the words "Provided, That when the number of directors shall exceed nine they may, once in six months, designate by resolution nine members, any five of whom shall constitute a quorum."

Amendment No. 13:

At the end of Section 7, add the following: "and stockholders of every company organized under this Act shall be held individually responsible equally and ratably and not for one another, for all contracts, debts and engagements of such company to the extent of the amount of their stock therein at the par value thereof in addition to the amount invested in such shares. Persons holding stock as executors, administrators, guardians or trustees, shall not be personally subject to any liability, but the estates and funds in their hands shall be liable in like manner and to the same extent as the testator, intestate,

ward or person interested in trust funds would be if living and competent to hold stock in his own name."

Amendment No. 14:

In line 11 of Section 8, after the word "published," insert the following: "and copy of said notice shall be mailed to each stockholder at his last known residence."

Amendment No. 15:

In line 25 of Section 12, after the word "be" strike out the word "used," and insert the word "sued"

Amendment No. 16:

In the last line of Section 13, strike out the words "punished accordingly," and insert the words "be punished by fine not exceeding one thousand (\$1,000.00) dollars, or imprisonment in State Prison not exceeding one year, or both, at the discretion of the court."

Amendment No. 17:

In line 3 of Section 15, strike out the word "of" and insert in lieu thereof the word "or."

Amendment No. 18:

Strike out the whole of original Section 17, and insert in lieu thereof the following: "Sec. 16. Every trust company receiving deposits of money under Section 3, paragraph 18, shall be subject as to its reserve and in all other particulars, to the provisions of Sections 2710 and 2711 of the General Statutes, relative to the reserves of banking companies."

Amendment No. 19:

In line 4 of Section 17, strike out the word "appointed," and insert in lieu thereof the word "employed."

Amendment No. 20:

In line 10 of Section 17, strike out the word "appointed" and insert in lieu thereof the word "employed."

Amendment No. 21:

In line 3 of Section 19, strike out the word "appointed" and insert in lieu thereof the word "employed."

Amendment No. 22:

In line 16 of Section 19, strike out the word "may," and insert in lieu thereof the word "shall."

Amendment No. 23:

In line 5 of Section 20, after the words "apply to the," insert the word "circuit."

Amendment No. 24:

In line 6 of Section 20, after the word "court," strike out the word "of chancery."

Amendment No. 25:

In line 1 of Section 21, after the words "the court," strike out the words "of chancery."

Amendment No. 26:

In line 22 of Section 21, after the words "of the court," strike out the words "of chancery."

Amendment No. 27:

In line 1 of Section 22, after the words "on filing any," strike out the word "certificates," and insert in lieu thereof the word "charter."

Amendment No. 28:

In line 4 of Section 22 strike out the words "certificates of incorporation," and insert in lieu thereof the word "charter."

Amendment No. 29:

In line 9 of Section 23, after the word "amended," strike out the words "certificates of incorporation," and insert in lieu thereof the word "charter."

Amendment No. 30:

In line 17 of Section 23 strike out the words "court of chancery," and insert in lieu thereof the words "circuit court."

Amendment No. 31:

After the last word in original Section 24 add the following: "Said trustees shall make to the court on the first Monday of each month an itemized report of their administrations of the affairs of said trust company in winding up the same, and shall at the same time file a copy thereof with the State Comptroller."

Amendment No. 32:

Strike out the whole of original Sections 25, 26, 27, 28 and 29.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 407, as amended by the House and concurred in by the Senate, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 1911.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendments to—

Senate 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.

Which amendments are as follows:

Amendment No. 1:

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."

Amendment No. 2:

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

Amendment No. 3:

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

Amendment No. 4:

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

Amendment No. 5:

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."

Amendment No. 6:

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

Amendment No. 7:

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

Amendment No. 8:

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 land 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, further, 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 the 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."

Amendment No. 9:

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."

Amendment No. 10:

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

Amendment No. 11:

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 prop-

erty 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.

Amendment No. 12:

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

Amendment No. 13:

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

Amendment No. 14:

Insert in said bill as Section 23 thereof the following:
"Sec. 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 provide 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."

Amendment No. 15:

Insert as Section 25 thereof the following:

"Sec. 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 unenforcible; 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."

Amendment No. 16:

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

Amendment No. 17:

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

Amendment No. 18:

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

Amendment No. 19:

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

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 603, as amended, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 1911.

Hon. F. P. Cone,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to—

House Concurrent Resolution No. 26:

Be it resolved by the House of Representatives, the Senate concurring, That the Secretary of State be directed to have one copy each of the Journals of the House of Representatives, Senate and Session Laws of the Legislature, 1911, bound for each member of the House of Representatives and Senate, Chief Clerk, Assistant Chief Clerk, Reading Clerk, Assistant Reading Clerk, Bill Clerk, Enrolling Clerk, Recording Clerk, Engrossing Clerk and Sergeant-at-Arms of the House of Representatives; Secretary, Assistant Secretary, Bill Secretary, Enrolling Secretary, Recording Secretary, Engrossing Secretary and Sergeant-at-Arms of the Senate.

Which amendment is as follows:

In line 7, after the word "Bill Secretary," add the following: "Reading Secretary," and "Assistant Reading Secretary."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 26, contained in the above message, was read the first time by its title and went over under the rules.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 1911.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to—

House 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.

Which amendment is as follows:

In Section 1, at the end of line 6, add "except from the waters of Lake Wier."

Very respectfully,

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

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 1911.

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

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendments to—

House Bill No. 141:

A Bill to be entitled An Act to abolish the present convict lease system, to provide for the maintenance of State and county convicts, and providing for the working of the said State and county convicts upon the public roads.

Which amendment is as follows:

Strike out all of Section 2 after the words "shall be," in the third line of said section and up to and including the words "in the," in the sixth line of said section, and

insert in lieu thereof the following: "Under the charge of the State Prison Authorities, but they shall be employed in the maintenance and."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 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. 382:

A Bill to be entitled An Act to require all able-bodied men over the age of twenty-one and under the age of forty-five years who do not pay road taxes to render labor on the public roads or streets of towns and cities for a certain number of days annually, or pay a certain sum of money in lieu thereof; providing for the enforcement of said Act, and prescribing the duties of road overseers and Sheriffs in connection therewith.

Also—

House Bill No. 427:

A Bill to be entitled An Act regulating the business of fruit or produce brokers and commission merchants, providing a rule of evidence in connection therewith; a penalty for the violation thereof and a rule for civil damages in suits against such brokers or commission merchants.

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. 382, contained in the above message, was read the first time by its title and placed on the Calendar of Bills on the Second Reading.

And House Bill No. 427, contained in the above message, was read the first time by its title and placed on the Calendar of Bills on the Second Reading.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 27, 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. 426:

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, in Volusia County, and establishing the boundaries of said reservation.

Also—

House Bill No. 710:

A Bill to be entitled An Act to define the line between Levy and Alachua Counties.

Also—

House Bill No. 686:

A Bill to be entitled An Act to permit the registered voters of County Commissioners' District No. 5, of Palm Beach County, Florida, to decide whether hogs shall be allowed to run at large in said district.

Has also indefinitely postponed—

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.

Also has passed—

House Bill No. 704:

A Bill to be entitled An Act making it unlawful to hunt or kill any wild turkey, quail or deer in DeSoto County, State of Florida, during certain months, and prescribing a license therefor.

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. 426, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

And House Bill No. 410, 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. 686, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on Second Reading.

And House Bill No. 704, 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.

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

Which was agreed to.

The doors were closed at 12:40 o'clock p. m.

The doors were opened at 12:45 o'clock p. m.

The Senate resumed its 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, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

A quorum present.

Mr. Massey moved that the Senate do now adjourn to Monday, 9 o'clock a. m.

Which was agreed to.

Whereupon the Senate stood adjourned until 9 a. m. Monday, May 29, 1911.

CONFIRMATION.

Hon. W. Hunt Harris of Key West, Fla., to be Judge of the Criminal Court of Record in and for the County of Monroe, for four years from June 1, 1911.

MONDAY, MAY 29, 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, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—32.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 27 was dispensed with.

The Journal of May 27 was corrected, and approved as corrected.

REPORTS OF COMMITTEES.

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