

WEDNESDAY, MAY 31, 1911.

9 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, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, 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 30 was dispensed with.

The Journal of May 30 was corrected, and approved as corrected.

On motion of Mr. Massey, Mr. Baker was excused from attendance after May 29 for the rest of the session on account of illness.

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 30:

A Concurrent Resolution regarding lease of convicts:

Be it resolved by the House of Representatives, the Senate concurring, That the Board of Commissioners of State Institutions be, and they are hereby directed, to not lease nor re-lease State convicts, nor renew the present lease of the State convicts before the first day of July 1913.

Was taken up and read the second time.

Upon the question of its passage House Concurrent Resolution No. 30 was adopted.

House Memorial No. 12:

Requesting our Senators and Representatives in the Congress of the United States to procure an appropriation aiding the State of Florida to establish an Industrial

School, whereby the Seminole Indians may be taught the art of agriculture as well as given a common school education.

Was taken up and read the second time.

Upon the question of its passage, House Memorial Resolution No. 12 was adopted.

Mr. Williams moved to take up the motion to reconsider the vote by which Senate Joint Resolution No. 319 passed the Senate.

Which was agreed to.

Mr. Williams moved that the Senate do now reconsider the vote by which Senate Joint Resolution No. 319 passed the Senate.

Mr. Stokes moved to lay the motion on the table.

Upon which a yea and nay vote was demanded.

Upon call of the roll the vote was:

Yeas—Mr. President, Senators Broome, Carney, Cook, Culpepper, Dayton, Hilburn, Hosford, Hudson, Humphries, Malone, McLeod, McMullen, Miller, Sloan, Stokes, Williams, Wilson, Withers, Zim—18.

Nays—Senators Adkins, Cook, Davis, Finlayson, Flournoy, Henderson, McCreary—7.

So the motion to reconsider was not agreed to.

So the motion to lay on the table prevailed.

Mr. Williams moved that the action of the Senate be certified, with the resolution, to the House of Representatives.

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

Which was agreed to.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives
Tallahassee, Fla., May 31, 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. 263:

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

Also—

Senate Bill No. 364:

A Bill to be entitled An Act for the relief of M. A. Schuler.

Also—

Senate Bill No. 189:

A Bill to be entitled An Act for the relief of Lee Daniel.

Also—

Senate Bill No. 250:

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

Also—

Senate Bill No. 346:

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

Also—

Senate Bill No. 44:

A Bill to be entitled An Act prescribing the method of serving process upon non-resident co-partners having an office or conducting business in the State of Florida.

Also—

Senate Bill No. 226:

A Bill to be entitled An Act to provide for the selection and securing of a site for the Government Biological Station on the Gulf Coast of Florida.

Very respectfully,

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

And Senate Bill No. 263, 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. 364, 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. 189, 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. 250, 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. 346, 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. 44, 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. 226, 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 30, 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 indefinitely postponed—

Senate Bill No. 373:

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

Also indefinitely postponed—

Senate Bill No. 75:

A Bill to be entitled An Act to more effectively protect the people against combinations, conspiracies and agree-

ments between insurers, whereby rates of insurance are raised or fixed.

Very respectfully,

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

Mr. Perkins moved that the Senate now resume the consideration of the regular order of business.

Which was agreed to.

The consideration of Committee Substitute for House Bill No. 165.

Was resumed.

Mr. Williams moved to place the bill back on the Second Reading for further amendment.

Which was agreed to.

And—

House Bill No. 165:

A Bill to be entitled An Act making appropriations for salaries and expenses of the State Government for six months of the year 1911, and for the year 1912, and for six months of the year 1913.

Was taken up on its second reading.

Mr. McMullen moved to waive the rules and that the following amendment to—

Committee Substitute for House Bill No. 165, to-wit:

“In Section 3, line 147, strike out ‘\$12,500’ and insert in lieu thereof the following: ‘\$15,000.’”

Which was adopted, be reconsidered.

Which was agreed to, and the adoption of the amendment was reconsidered.

Mr. McMullen offered the following amendment to—

Committee Substitute for House Bill No. 165:

In Section 1 at bottom of paragraph headed “Secretary of State,” insert, “for Janitor Capitol building \$900.”

Mr. McMullen moved to adopt the amendment.

Which was agreed to.

Mr. McMullen offered the following amendment to—

Committee Substitute for House Bill No. 165:

In Section 3, line 147, printed bill, strike out “\$12,500” and insert in lieu thereof the following: “\$15,000.”

Mr. McMullen moved to adopt the amendment.

Which was agreed to.

Mr. McMullen offered the following amendment to—
Committee Substitute for House Bill No. 165:

In Section 3, line 144, in printed bill, strike out "12,500" and insert in lieu thereof the following: "15,000."

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

Mr. McMullen offered the following amendment to—
Committee Substitute for House Bill No. 165:

In Section 3 of printed bill strike out lines 20 and 22, and insert in lieu of line 22 the following: "For janitor Capitol building, "\$900."

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

Mr. McMullen offered the following amendment to—
Committee Substitute for House Bill No. 165:

In Section 3, after line 62, insert the following: "On official business within the State."

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

Mr. McMullen offered the following amendment to—
Committee Substitute for House Bill No. 165:

In Section 1, line 5, strike out "\$10,000" and insert in lieu thereof the following: "\$10,500."

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

Mr. McMullen offered the following amendment to—
Committee Substitute for House Bill No. 165:

In Section 2, line 5, strike out "\$20,000.00" and insert in lieu thereof the following: "\$21,000.00."

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

Mr. McMullen offered the following amendment to—
Committee Substitute for House Bill No. 165:

In Section 3, line 4, strike out "\$10,000.00," and insert in lieu thereof the following: "\$10,500.00."

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

Mr. McMullen moved that the rules be waived, and that Senate Substitute to House Bill No. 165, as further amended, be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Substitute to House Bill No. 165, as amended, was read a third time in full.

Upon the passage of House Bill No. 165 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Cook, Culpeper, Dayton, Finlayson, Flournoy, Henderson, Hosford, Humphries, Johnson, L'Engle, Massey, McCreary, McMullen, Stokes, Wilson, Withers, Zim—19.

Nays—None.

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

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

Mr. Adkins moved that the rules be waived, and that the Senate take up House Bill No. 727.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 727:

A Bill to be entitled An Act to fix the pay of members, officers and attaches of the Legislature of A. D. 1911, and certain expenses of the Legislature.

Was taken up and read the second time in full.

Mr. Cook offered the following amendment to—

House Bill No. 727:

In Section 2, line 51 (original bill), insert after the word "Senate" the following: "Shall have pay for ten days," and in Section 2, line 52, strike out the word "each."

Mr. Cook moved to adopt the amendment.

Which was agreed to.

Mr. Adkins offered the following amendment to—

House Bill No. 727:

In line 6 of the Section 2, strike out the word "elected," and insert in lieu thereof the word "authorized."

Mr. Adkins moved the adoption of the amendment.

Which was agreed to.

Mr. Adkins offered the following amendment to—

House Bill No. 727:

In line 6, Section 2, strike out the word "and," and insert in lieu thereof the word "or."

Mr. Adkins moved the adoption of the amendment.

Which was agreed to.

Mr. Adkins offered the following amendment to—

House Bill No. 727:

In line 14, page 2, strike out the word "aforesaid,"

and insert in lieu thereof the words "of six dollars per day."

Mr. Adkins moved the adoption of the amendment.

Which was agreed to.

Mr. Adkins offered the following amendment to—

House Bill No. 727:

In lines 23 and 24, page 2, strike out the words "for the two days additional," and insert in lieu thereof "for the additional days."

Mr. Adkins moved the adoption of the amendment.

Which was agreed to.

Mr. Adkins offered the following amendment to—

House Bill No. 727:

At the end of line 24, page 2, after the word "issued," insert the word "therefor."

Mr. Adkins moved the adoption of the amendment.

Which was agreed to.

Mr. Adkins offered the following amendment to—

House Bill No. 727:

In Section 2 strike out lines 20, 21, 22, and insert in lieu thereof the following: "The pay of the Janitor of the Senate shall be \$6.00 per day. The pay of the Janitor and Assistant Janitor of the House of Representatives shall be \$5.00 per day each."

Mr. Adkins moved the adoption of the amendment.

Which was agreed to.

The bill was informally passed for further consideration.

Mr. Massey moved that Committee Substitute for House Bill No. 472 be made a special order for 3:30 o'clock this afternoon.

Which was agreed to.

Mr. McMullen, Chairman of the Committee on Appropriations, called up—

House Bill No. 118:

A Bill to be entitled An Act to provide for the payment of the present indebtedness of the Florida State Reform School.

Was taken up and read the third time in full.

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

Yeas—Mr. President, Senators Adkins, Cook, Culpep-

per, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, L'Engle, Massey, McCreary, McLeod, McMullen, Stokes, Wilson, Withers—18.

Nays—Senators Johnson, Miller—2.

So the bill passed, title as stated.

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

Mr. McMullen, Chairman of the Committee on Appropriations, called up—

House Bill No. 120:

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

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

Mr. McMullen moved that the rules be further waived, and that House Bill No. 120 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 120 was read a third time in full.

Upon the passage of House Bill No. 120 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Carney, Culpepper, Davis, Dayton, Flournoy, Henderson, Hudson, Johnson, L'Engle, Massey, McCreary, McLeod, McMullen, Sloan, Stokes, Wilson, Withers, Zim—20.

Nays—Senator Miller—1.

So the bill passed, title as stated.

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

Mr. McMullen, Chairman of the Committee on Appropriations, called up—

House Bill No. 560:

A Bill to be entitled An Act making appropriations to cover the cost of certain repairs to the Capitol building.

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

Mr. McMullen moved that the rules be further waived and that House Bill No. 560 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 560 was read a third time in full.

Upon the passage of House Bill No. 560 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, Massey, McMullen, Sloan, Stokes, Williams, Wilson, Withers, Zim—23.

Nays—None.

So the bill passed, title as stated.

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

Mr. McMullen, Chairman of the Committee on Appropriations, called up—

House Bill No. 643:

A Bill to be entitled An Act making an appropriation for the purpose of enabling the Railroad Commissioners to audit, investigate and examine into the books and accounts of the express and railroad companies subject to their jurisdiction.

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

Mr. McMullen moved that the rules be further waived and that House Bill No. 643 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 643 was read a third time in full.

Upon the passage of House Bill No. 643 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, L'Engle, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Stokes, Williams, Wilson, Withers, Zim—24.

Nays—Senator Johnson—1.

So the bill passed, title as stated.

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

Mr. McMullen, Chairman of the Committee on Appropriations, called up—

House Bill No. 522:

A Bill to be entitled An Act appropriating the sum of four thousand dollars for the purpose of carrying into effect the provisions of Chapter 5735 of the Laws of Florida, approved May 1, 1907, appropriating four thousand dollars to the West Florida Fair Association to pay pre-

miums at fairs to be held at DeFuniak Springs, Florida, in the falls of 1907 and 1908, respectively.

Was taken up and read the second time in full.

Mr. McMullen moved that the rules be further waived and that House Bill No. 522 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 522 was read a third time in full.

Upon the passage of House Bill No. 522 the roll was called and the vote was:

Yeas—Senators Broome, Calkins, Carney, Cock, Davis, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, McCreary, McMullen, Miller, Sloan, Stokes, Withers, Zim—19.

Nays—Senators Adkins, Johnson, McLeod—3.

So the bill passed, title as stated.

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

Mr. Hosford in explanation of his vote, said:

I feel it my duty to vote for this bill for the same reasons that I voted for the Tampa Fair appropriation made by the Legislature of 1907.

Mr. Flournoy withdrew Senate Bill No. 456

Mr. McMullen, Chairman of the Committee on Appropriations, called up—

House Bill No. 614:

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

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

Mr. McMullen moved that the rules be further waived and that House Bill No. 614 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 614 was read a third time in full.

Upon the passage of House Bill No. 614 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Hudson, Humphries, Massey, McCreary, McMullen, Stokes, Williams, Withers, Zim—20.

Nays—None.

So the bill passed, title as stated.

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

Mr. McMullen, Chairman of the Committee on Appropriations, called up—

House Bill No. 453:

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

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

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

Which was agreed to by a two thirds' vote.

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

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

Yeas—Senators Adkins, Broome, Calkins, Cook, Culpepper, Dayton, Finlayson, Flournoy, Henderson, Hosford, Hudson, Humphries, L'Engle, McCreary, McMullen, Williams, Withers, Zim—18.

Nays—Senators Johnson, Miller—2.

So the bill passed, title as stated.

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

By consent, Mr. Withers withdrew Senate Bill No. 425.

By consent, Mr. Flournoy withdrew Senate Bill No. 456.

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.

Mr. Johnson moved that the rules be waived, and that House Bill No. 303 be substituted for Senate Bill No. 486.

Which was agreed to by a two thirds' vote.

Mr. Johnson withdrew Senate Bill No. 486.

And—

House Bill No. 303:

A Bill to be entitled An Act to require the Clerk of the Circuit Court to report the redemption and sale of tax certificates to the Comptroller; to require him to remit to the County Treasurer the amount due the county upon tax certificates sold or redeemed, and to remit to the Comptroller the amount due the State upon such sale and redemptions, and prescribing certain duties for the Comptroller in connection therewith.

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

Mr. Johnson moved that the rules be further waived and that House Bill No. 303 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 303 was read a third time in full.

Upon the passage of House Bill No. 303 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Culpepper, Humphries, McMullen, Miller, Sloan, Williams—9.

Nays—Mr. President, Senators Calkins, Cook, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Johnson, L'Engle, McCreary, McLeod, Wilson, Withers, Zim—12.

So the bill failed to pass.

Mr. Finlayson moved to reconsider the vote by which House Bill No. 303 failed to pass the Senate, and to lay the motion to reconsider on the table.

Which was agreed to.

The consideration of—

House Bill No. 727:

A Bill to be entitled An Act to fix the pay of members, officers and attaches of the Legislature of A. D. 1911, and certain expenses of the Legislature.

Was resumed.

Mr. Cone offered the following amendment to House Bill No. 727:

Strike out the words in Section 2, "the Secretary of the Senate and the Chief Clerk of the House of Representatives shall each be entitled to pay for ten days after the adjournment of the Legislature, at the rate aforesaid to bring up the work of the Journal," and insert in lieu thereof the following:

"The Secretary of the Senate and the Chief Clerk of the House of Representatives shall each be entitled to pay for fifteen days after the adjournment of the Legislature, at the rate aforesaid to bring up the work of the Journal."

Mr. Cone moved to adopt the amendment.

Which was agreed to.

Mr. Hilburn offered the following amendment to House Bill No. 727

In Section 2, line 7, after the words "per diem," insert the following: "Excepting Clerks of the Judiciary Committees of the Senate and House of Representatives, who shall receive six dollars per diem."

Mr. Hilburn moved to adopt the amendment.

Pending the consideration of which the bill was temporarily passed.

Mr. Williams moved to waive the rules and take up House Bill No. 446.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 446:

A Bill to be entitled An Act to provide for furnishing school text books free to certain children.

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

Mr. Williams moved that the rules be further waived, and that House Bill No. 446 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 446 was read a third time in full.

Upon the passage of House Bill No. 446 the roll was called and the vote was:

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

Hilburn, Hosford, Humphries, McCreary, McLeod, McMullen, Miller, Stokes, Williams, Withers, Zim—20.

Nays—None.

So the bill passed, title as stated.

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

Mr. Miller moved that the rules be waived, and that Senate Bill No. 177 be taken up.

Which was agreed to by a two thirds' vote.

And—

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 read the third time in full.

Upon the passage of Senate Bill No. 177 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Fournoy, Henderson, Hosford, Hudson, McLeod, McMullen, Miller, Sloan, Williams, Wilson, Withers—19.

Nays—None.

So the bill passed, title as stated.

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

MESSAGES FROM THE GOVERNOR.

State of Florida, Executive Department,
Tallahassee, Fla., May 31, 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 extend the jurisdiction of the process of the Mayor's or Municipal Courts, and of City and Town Marshals and Deputy Marshals of the municipalities of the State of Florida.

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

An Act to prohibit the catching and taking of fish with haul seines or drag nets, and to prohibit the use of haul seines or drag nets in all of the salt and fresh waters in the Counties of Taylor and Lafayette situated between the mouth of the Suwannee River and the mouth of the Aucilla River, along the coast of the Gulf of Mexico, and to fix a penalty for the violation thereof, and to provide for the seizure and destruction of all haul seines and drag nets used in the violation of this Act.

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

An Act to authorize the County Commissioners of Putnam County, Florida, and their successors in office, to charge tolls on draw-bridges in said county, and to provide for the disposition and use of such tolls.

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.

An Act to amend Sections 738, 739, 740, 742, 743, 744, 745, 747, 748 and 749 of the General Statutes of the State of Florida, to provide for Florida Naval Militia and to promote its efficiency.

An Act to validate the acts of the Boards of County Commissioners of Gadsden County, this State, in drawing warrants on the general revenue fund of the county in payment for expenses incurred for road or bridge purposes, and of validating such warrants.

An Act reserving to the Trustees of the Internal Improvement Fund of the State of Florida, and their successors, and to the State Board of Education of Florida, and their successors, certain interests in and to phosphate and other minerals, and petroleum, which may be in, on or under the lands sold by the same, with the privilege and rights to mine and develop said lands.

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

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

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

Senate Chamber,
Tallahassee, Fla., May 31, 1911.

Hon. F. P. Cone,

President of the Senate.

Sir:

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

An Act making appropriation 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 Blind and the Florida Agricultural and Mechanical College for Negroes.

Also—

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

Also—

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.

Also—

House Concurrent Resolution for the appointment of a Committee on Budget.

Also—

An Act to authorize incorporated towns and cities to

establish and maintain free public libraries and reading rooms.

Also—

An Act to amend Section 371 of the General Statutes of the State of Florida, relating to life certificates.

Also—

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

Also—

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

Also—

An Act imposing a premium tax upon domestic insurance companies.

Also—

An Act directing that a statue of Dr. John Gorrie be placed in the National Statuary Hall in the Capitol of the United States at Washington, in the District of Columbia, and directing the Governor to appoint a Commission to take necessary steps to that end, and making an appropriation therefor.

Also—

An Act to amend Section 1 of Chapter 5334, Laws of Florida, approved June 15, 1903, entitled "An Act for the relief of S. I. Wailes and the estate of W. K. Beard, deceased, and in full settlement of any claim the said S. I. Wailes and the estate of W. K. Beard, deceased, may have against the State of Florida.

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. Stokes moved that the rules be waived and that the Senate take up House Bill No. 150.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 150:

A Bill to be entitled An Act to enable cities, towns and villages, incorporated under any general or special law of this State, to fix rates and charges for the supply of electricity or gas for the purpose of illuminating, heating, supplying motor power or any other purpose for which electricity or gas may be used, furnished by any individual, company or corporation to any such city, town or village, and the inhabitants thereof, within the corporate limits of such city, town or village.

Was taken up and read the second time in full.

Mr. Flournoy, Chairman of the Committee on Judiciary A, as required by the rules, moved to indefinitely postpone House Bill No. 150.

Mr. Stokes offered the following amendment to—

House Bill No. 150:

In Section 1, line 17, strike out after the word "reasonable" and insert the following: "And to supervise and regulate the manner and method of supplying such electricity and gas for the purposes herein provided and the service of such persons, firms and corporations."

Mr. Stokes moved to adopt the amendment.

Which was agreed to.

Mr. Stokes offered the following amendment to—

House Bill No. 150:

In the title, after the last word, insert the following: "and to regulate and supervise the manner and method of supplying such electricity and gas, and the service of such persons, firms and corporations."

Mr. Stokes moved to adopt the amendment.

Which was agreed to.

Mr. Stokes offered the following amendment to—

House Bill No. 150:

Strike out the last word in the last section.

Mr. Stokes moved to adopt the amendment.

Mr. Stokes withdrew the amendment.

The question then recurred upon the motion to indefinitely postpone the bill.

Pending the consideration of which, Mr. Dayton moved that the Senate do now go into executive session.

Mr. Stokes moved to lay the motion on the table.
Which was agreed to.

Mr. Humphries offered the following amendment to—
House Bill No. 150:

Strike out all after the enacting clause.

Mr. Humphries moved to adopt the amendment.

Mr. Johnson moved that the Senate do take a recess
until 3 o'clock this afternoon.

Which was agreed to.

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

AFTERNOON SESSION.

The Senate met at 3 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, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

A quorum present.

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

Senate Chamber,
Tallahassee, Fla., May 31, 1911.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

An Act to amend Section 2 of Chapter 5885, Laws of Florida, relating to pensions.

Also—

An Act defining the right of action for libel by publica-

tion in newspapers, magazines or periodicals and prescribing a rule of evidence in such cases.

Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., May 31, 1911.

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Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., May 31, 1911.

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

Sir:

Your Committee on Enrolled Bills, to whom was referred—

An Act for the relief of M. A. Schuler.

Also—

An Act to provide for the selection and securing of a site for government biological station on the Gulf Coast of Florida.

Also—

An Act to prescribe the method of serving process upon non-resident co-partners having an office or conducting a business in the State of Florida.

Also—

An Act for the relief of Lee Daniel.

Also—

An Act for the relief of Harriet M. Wright and Lizzie B. McCarty.

Also—

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.

Also—

An Act appropriating five thousand dollars for farmers' demonstration work, and providing the method for expending same.

Also—

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

Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

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

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Senate Chamber,
Tallahassee, Fla., May 31, 1911.

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

Sir:

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

An Act providing for the employing of a janitor for the Capitol building, prescribing his duties and providing for his compensation.

Also—

An Act authorizing the Board of County Commissioners of Madison County, Florida, to issue interest-bearing time warrants, or county script, for the purpose of raising funds with which to open, lay out, establish, grade, pave, repair, improve and construct public roads and highways within said county and to purchase all necessary teams, wagons, tools, implements, machinery, supplies and appliances for such purposes; providing for the reissuance of said warrants under certain circumstances and for the levy of a special tax to redeem said warrants or script.

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 31, 1911.

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

Sir:

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

An Act to amend Section 3 of Chapter 5943 of the Laws of Florida, Acts of 1909, being An Act to provide for the sale of lands that are now, or may hereafter be, vested in the Trustees of the Internal Improvement Fund of the State of Florida and the State Board of Education of the State of Florida.

Also—

An Act to establish a reservation for the protection and propagation and to regulate the means and method of capturing food fishes in the waters of New Smyrna Inlet, Hillsboro (Indian River, North), Mosquito Lagoon, Halifax River, Spruce, Tomoka, Bulow and Smith Creeks, and the bays and tributary waters thereof, in the County of Volusia, State of Florida.

Also—

An Act to prohibit certain dispositions of citrus fruits which are immature or otherwise unfit for consumption, and the misbranding of citrus fruits.

Also—

An Act authorizing the Board of County Commissioners of Columbia County, Florida, to issue interest-bearing time warrants for the purpose of raising funds with which to lay out, establish, grade, repair, improve, pave and construct public roads and highways within said Columbia County and validating all outstanding unpaid warrants drawn on the road fund.

Also—

A Memorial to the Congress of the United States asking aid in commemorating the four hundredth anniversary celebration of the discovery of Florida by Ponce de Leon.

Also—

An Act to amend Chapter 5497 of the 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," etc.

Also—

An Act for the relief of the Newberry Stable Company.

Also—

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 issue of bonds as provided by said resolution.

Also—

An Act to permit common carriers in this State to transport at free or reduced rates material for roads, street or bridge purposes.

Also—

An Act to amend Section 655 of the General Statutes of the State of Florida relating to contracts for the public printing.

Also—

An Act to legalize an ordinance, entitled "An Ordinance providing for the issuance of bonds and the creation of an Executive Board under the provisions of An Act of the Legislature of the State of Florida entitled 'An Act 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 these powers,' passed by the City Council of the City

of Gainesville on 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," etc.

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.

ENROLLED.

The President announced that he was about to sign—

An Act to amend Chapter 5497 of the 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, etc.

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An Act for the relief of the Newberry Stable Company.

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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 issue of bonds as provided by said resolution.

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transport at free or reduced rates material for roads, streets or bridge purposes.

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An Act to legalize an ordinance, entitled "An Ordinance providing for the issuance of bonds and the creation of an executive board under the provisions of An Act of the Legislature of the State of Florida, entitled An Act 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 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, etc.

Also—

An Act to amend Section 3 of Chapter 5943 of the Laws of Florida, Acts of 1909, being An Act to provide for the sale of lands that are now, or may hereafter be, vested in the Trustees of the Internal Improvement Fund of the State of Florida, and the State Board of Education of the State of Florida.

Also—

An Act to establish a reservation for the protection and propagation and to regulate the means and method of capturing food fishes in the waters of New Smyrna Inlet, Hillsboro (Indian River North), Mosquito Lagoon, Halifax River, Spruce, Tomoka, Bulow and Smith Creeks, and the bays and tributary waters thereof, in the County of Volusia, State of Florida.

Also—

An Act to prohibit certain dispositions of citrus fruits which are immature or otherwise unfit for consumption, and the misbranding of citrus fruits.

Also—

An Act authorizing the Board of County Commissioners of Columbia County, Florida, to issue interest-bearing

time warrants for the purpose of raising funds with which to lay out, establish, grade, repair, improve, pave and construct public roads and highways within said Columbia County, and validating all outstanding unpaid warrants drawn on the road fund.

Also—

A Memorial to the Congress of the United States asking aid in commemorating the four hundredth anniversary celebration of the discovery of Florida by Ponce de Leon.

Also—

An Act providing for the employing of a janitor for the Capitol building, prescribing his duties and providing for his compensation.

Also—

An Act authorizing the Board of County Commissioners of Madison County, Florida, to issue interest-bearing time warrants, or county script, for the purpose of raising funds with which to open, lay out, establish, grade, pave, repair, improve and construct public roads and highways within said county and to purchase all necessary teams, wagons, tools, implements, machinery, supplies and appliances for such purposes; providing for the re-issuance of said warrants under certain circumstances, and for the levy of a special tax to redeem said warrants or script.

Also—

An Act making appropriation 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 5th, 1905, now known as the University of Florida, the Florida State College for Women, the Florida School for the Deaf and Blind, and the Florida Agricultural and Mechanical College for Negroes.

Also—

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

Also—

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.

Also—

A Concurrent Resolution providing for the appointment of a Committee on Budget.

Also—

An Act to authorize incorporated towns and cities to establish and maintain free public libraries and reading rooms.

Also—

An Act to amend Section 371 of the General Statutes of the State of Florida, relating to life certificates.

Also—

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

Also—

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

Also—

An Act imposing a premium tax upon domestic insurance companies.

Also—

An Act directing that a statue of Dr. John Gorrie be placed in the National Statuary Hall in the Capitol of the United States at Washington, in the District of Columbia, and directing the Governor to appoint a commission to take necessary steps to that end, and making an appropriation therefor.

Also—

An Act to amend Section 1 of Chapter 5334, Laws of Florida, approved June 15, 1903, entitled An Act for the relief of S. I. Wailes and the estate of W. K. Beard, deceased, and in full settlement of any claim which the said S. I. Wailes and the estate of W. K. Beard, deceased, may have against the State of Florida.

Also—

An Act to authorize the counties of the State of Florida to create and constitute special road and bridge districts, within said counties.

Also—

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—

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 for its jurisdiction and powers.

Also—

An Act to abolish the present municipal government of the Town of Welaka, in the County of Putnam, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Welaka.

Also—

An Act to prohibit the catching of fish in the waters of Santa Rosa and Escambia Counties, Florida, with seines, nets, traps, or by set devices, etc.

Also—

An Act to repeal Chapter 5980 of the Laws of Florida.

Also—

An Act relating to the sewerage system of the Town of Perry, Florida, and authorizing the drainage of the sewage into what is known as Spring Creek.

Also—

An Act for the relief of John G. Welsh, Joseph W. Brewton and others, ex-members of the Board of County Commissioners of Escambia County, Florida.

Also—

An Act to establish the municipality of Pass-a-Grille, to authorize its issuance of bonds; to provide for its government, to fix its territorial limits and to prescribe its jurisdiction and powers.

Also—

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.

Also—

An Act authorizing and empowering the Town Council of the Town of Belleview, 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, etc., of hogs, cows or cattle or other domestic animals.

Also—

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 the present charter.

Also—

An Act to amend Section 1808 of the General Statutes, fixing the regular terms of the Circuit Court of the Fourth Judicial Circuit.

Also—

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.

Also—

An Act fixing and defining the corporate limits of the Town of Chipley, in Washington and Jackson Counties, Florida.

Also—

An Act to amend Section 5565 of the Laws of Florida, the same being An Act to organize a County Court in and for Washington County, Florida.

Also—

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

Also—

An Act to prohibit gigging or spearing fish in the fresh waters of Wakulla County, Florida.

Also—

An Act to amend Section 1 of Chapter 5920, Laws of Florida.

Also—

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.

Also—

An Act to prescribe what shall constitute Farmers' Institute trains and to provide for the free transportation and hauling of such trains, persons, property and equipment connected therewith in the State of Florida.

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.

House Bill No. 150:

A Bill to be entitled An Act to enable cities, towns and villages, incorporated under any general or special law of this State, to fix rates and charges for the supply of electricity or gas for the purpose of illuminating, heating, supplying motor power or any other purpose for which electricity or gas may be used, furnished by any individual, company or corporation to any such city, town or village, and the inhabitants thereof, within the corporate limits of such city, town or village.

Was resumed, with the pending amendment thereto, to-witt:

“Strike out all after the enacting clause.”

Mr. Cook moved to lay the amendment on the table, upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Cook, Dayton, Finlayson, Henderson, Hosford, Humphries, Johnson, Malone, Perkins—11.

Nays—Mr. President, Senators Broome, Carney, Culpepper, Davis, Hilburn, McCreary, McLeod, McMullen, Miller, Sloan, Stokes, Williams, Wilson, Zim—15.

So the motion was not agreed to.

The question recurred upon the adoption of the amendment, upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Cook, Dayton, Finlayson, Henderson, Hosford, Humphries, Malone, Massey, Perkins—10.

Nays—Mr. President, Senators Broome, Carney, Culpepper, Davis, Hilburn, McCreary, McLeod, McMullen, Sloan, Stokes, Williams, Zim—13.

The amendment was not agreed to.

Mr. Stokes moved that the rules be waived and that House Bill No. 150 be read a third time and put upon its passage.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Broome, Carney, Culpepper, Hilburn, McCreary, McLeod, McMullen, Sloan, Stokes, Williams, Zim—12.

Nays—Senators Adkins, Cook, Dayton, Finlayson, Henderson, Hosford, Humphries, Johnson, Malone, Perkins—10.

So the motion was not agreed to.

Mr. Stokes moved that House Bill No. 150 be made a special order for 4:30 this afternoon.

Which was not agreed to.

And House Bill No. 150 was placed on the Calendar of Bills on the Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 30, 1911.

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

Sir:

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

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

Also—

An Act to prohibit gigging or spearing fish in the fresh waters of Wakulla County, Florida.

Also—

An Act to amend Section 1 of Chapter 5920, Laws of Florida.

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An Act to require a license tax from persons or cor-

porations selling or offering for sale stocks of Oriental or imported or fancy manufactured goods, wares or merchandise.

Also—

An Act to prescribe what shall constitute Farmers' Institute trains and to provide for the free transportation and hauling of such trains, persons, property and equipment connected therewith in the State of Florida.

Also—

An Act to establish the municipality of Pass-a-Grille; to authorize its issuance of bonds; to provide for its government; to fix its territorial limits and to prescribe its jurisdiction and powers.

Also—

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.

Also—

An Act authorizing and empowering the Town Council of the Town of Belleview, 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, etc., of hogs, cows or cattle or other domestic animals.

Also—

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 the present charter.

Also—

An Act to amend Section 1808 of the General Statutes fixing the regular terms of the Circuit Court of the Fourth Judicial Circuit.

Also—

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.

Also—

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Town of Chipley in Washington and Jackson Counties, Florida.

Also—

An Act to amend Section 5565 of the Laws of Florida, the same being An Act to organize a County Court in and for Washington County, Florida.

Also—

An Act to authorize the counties of the State of Florida to create and constitute special road and bridge districts within said counties.

Also—

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—

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.

Also—

An Act to abolish the present municipal government of the Town of Welaka, in the County of Putnam, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Welaka.

Also—

An Act to prohibit the catching of fish in the waters of Santa Rosa and Escambia Counties, Florida, with seines, nets, traps or by set devices, etc.

Also—

An Act to repeal Chapter 5980 of the Laws of Florida.

Also—

An Act relating to the sewerage system of the Town of Perry, Florida, and authorizing the drainage of the sewage into what is known as Spring Creek.

Also—

An Act for the relief of John G. Welsh, Joseph W. Brewton and others, ex-members of the Board of County Commissioners of Escambia County, Florida.

Also—

An Act making appropriation for the support and maintenance of the State institutions for higher education created and required to be maintained by Chapter 5384, 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 Blind, and the Florida Agricultural and Mechanical College for Negroes.

Also—

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

Also—

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.

Also—

An Act to amend Chapter 5497 of the 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, etc.

Also—

An Act for the relief of the Newberry Stable Company.

Also—

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 issue of bonds as provided by said resolution.

Also—

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

Also—

An Act to amend Section 655 of the General Statutes of the State of Florida relating to contracts for the public printing.

Also—

An Act to legalize an ordinance entitled An Ordinance providing for the issuance of bonds and the creation of an executive board under the provisions of An Act of the Legislature of the State of Florida, entitled An Act 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 these powers, passed by the City Council of the City of Gainesville on 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, etc.

Also—

A House Concurrent Resolution for the appointment of a Committee on Budget.

Also—

An Act to authorize incorporated towns and cities to establish and maintain free public libraries and reading rooms.

Also—

An Act to amend Section 371 of the General Statutes of the State of Florida, relating to life certificates.

Also—

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

Also—

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

Also—

An Act imposing a premium tax upon domestic insurance companies.

Also—

An Act directing that a statue of Dr. John Gorrie be placed in the National Statuary Hall in the Capitol of the United States at Washington, in the District of Columbia, and directing the Governor to appoint a commission to take necessary steps to that end, and making an appropriation therefor.

Also—

An Act to amend Section 1 of Chapter 5334, Laws of Florida, approved June 15, 1903, entitled An Act for the relief of S. I. Wailes and the estate of W. K. Beard, deceased, and in full settlement of any claim which the said S. I. Wailes and the estate of W. K. Beard, deceased, may have against the State of Florida.

Also—

An Act to amend Section 3 of Chapter 5943 of the Laws of Florida, Acts of 1909, being An Act to provide for the sale of lands that are now, or may hereafter be, vested in the Trustees of the Internal Improvement Fund of the State of Florida and the State Board of Education of the State of Florida.

Also—

An Act to establish a reservation for the protection and propagation and to regulate the means and method of capturing food fishes in the waters of New Smyrna Inlet, Hillsborough (Indian River North), Mosquito Lagoon, Halifax River, Spruce, Tomaka, Bulow, and Smith Creeks, and the bays and tributary waters thereof, in the County of Volusia, State of Florida.

Also—

An Act to prohibit certain dispositions of citrus fruits which are immature or otherwise unfit for consumption, and the misbranding of citrus fruits.

Also—

An Act authorizing the Board of County Commissioners of Columbia County, Florida, to issue interest-bearing time warrants for the purpose of raising funds with which to lay out, establish, grade, repair, improve, pave and construct public roads and highways within said Columbia County, and validating all outstanding unpaid warrants drawn on the road fund.

Also—

A Memorial to the Congress of the United States asking aid in commemorating the four hundredth anniversary celebration of the discovery of Florida by Ponce de Leon.

Also—

An Act providing for the employing of a janitor for the Capitol building, prescribing his duties and providing for his compensation.

Also—

An Act authorizing the Board of County Commissioners of Madison County, Florida, to issue interest-bearing time warrants, or county script, for the purpose of raising funds with which to open, lay out, establish, grade, pave, repair, improve and construct public roads and highways within said county, and to purchase all necessary teams, wagons, tools, implements, machinery, supplies and appliances for such purposes; providing for the re-issuance of said warrants under certain circumstances, and for the levy of a special tax to redeem said warrants or script.

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

Very respectfully,

C. T. CULPEPPER,
Chairman of Committee.

Mr. Williams offered the following—

Senate Resolution No. 60:

Resolved, That the Sergeant-at-Arms be, and he is hereby directed, to enter the name of Miss Martha Roach on the roll of Senate employes as assistant to the Sergeant-at-Arms, dating from April 4, she having performed

the duties of such officer throughout the present session.

Mr. Williams moved to adopt the resolution.

Which was agreed to.

Mr. Massey moved that House Bill No. 472 be further considered at 8:30 o'clock this evening.

Which was agreed to.

Mr. Henderson moved that the rules be waived, and that the consideration of House Bill No. 672 be resumed.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 672:

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

Was taken up and read the second time in full.

Mr. Henderson offered the following amendment to—

House Bill No. 672:

Strike out the word "salary" in the title of the bill and insert in lieu thereof "salaries;" also, add at the end of the title the following:

Secretary of State, State Treasurer, Attorney General and Commissioner of Agriculture, and making an appropriation therefor, and requiring that all fees received by them be itemized and paid into the State Treasury.

Mr. Henderson moved to adopt the amendment.

Which was agreed to.

Mr. Henderson offered the following amendment to—

House Bill No. 672:

In line 1, Section 1, strike out the word "salary," and insert in lieu thereof "salaries;" also, after the word "instruction" in line 2 of Section 1, add the following:

"Secretary of State, State Treasurer, Attorney General and Commissioner of Agriculture;" also, in line 4, Section 1, strike out the word "salary" and insert in lieu the word "salaries;" also, add at the end of Section 1, the following: "Provided, that all fees of whatever nature received by any of the said named officers shall be itemized, and paid into the State Treasury."

Mr. Henderson moved to adopt the amendment.

Which was agreed to.

Mr. Henderson moved that the rules be waived and that House Bill No. 672 be read a third time and put upon its passage.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Culpepper, Davis, Finlayson, Henderson, Hilburn, Hosford, Humphries, Massey, McCreary, McLeod, McMullen, Perkins, Stokes, Withers, Zim—18.

Nays—Senators Calkins, Cook, Dayton, Hudson, Malone, Wilson—7.

So the motion was agreed to.

And—

House Bill No. 672:

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

As amended by the Senate, was read the third time in and put upon its final passage.

The roll was called and the vote was:

Yeas—Senators Adkins, Carney, Davis, Dayton, Finlayson, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—21.

Nays—Senator Broome—1.

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

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

Mr. Henderson moved that the vote by which House Bill No. 672 passed the Senate be reconsidered.

Mr. Henderson moved to lay the motion to reconsider on the table.

Which was agreed to.

Mr. Adkins moved that the Senate resume the consideration of House Bill No. 727.

Which was agreed to.

And—

House Bill No. 727:

A Bill to be entitled An Act to fix the pay of members, officers and attaches of the Legislature of A. D. 1911, and certain expenses of the Legislature.

Was taken up.

By unanimous consent Mr. McMullen offered the following amendment to—

House Bill No. 727, now on its Third Reading:

In Section 2, at the end of line 14 of second page insert the following: "And the Assistant Secretary of the Senate shall be entitled to pay for five days after adjournment at the rate aforesaid."

Mr. McMullen moved to adopt the amendment.

Which was agreed to.

By unanimous consent Mr. Miller offered the following amendment to—

House Bill No. 727:

Add to Section 2: "That the Sergeant-at-Arms of the Senate shall be allowed two assistants for Saturday to mail out Senate Journals."

Mr. Miller moved to adopt the amendment.

Which was agreed to.

Mr. Adkins offered the following amendment to—

House Bill No. 727:

Strike out lines 20, 21, 22 and 23 in Section 2, and insert in lieu thereof the following: "The pay of the Janitor of the Senate shall be \$6.00 per day. The pay of the Janitors of the House of Representatives shall be \$5.00 per day each."

Mr. Adkins moved to adopt the amendment.

Which was agreed to.

Mr. Johnson moved to waive the rules and that the Senate do now take up and consider messages from the House of Representatives.

Which was agreed to by a two thirds' vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 31, 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 indefinitely postponed—

Senate Bill No. 154:

A Bill to be entitled An Act to amend Sections 2890, 2891, 2893, 2894, 2896, 2899, 2900, 2901, 2903, 2904, 2905, 2908, 2910, 2914, 2917, 2918, 2924 of the General Statutes of this State relating to the Railroad Commissioners and the regulation of common carriers.

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 31, 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 receded from its amendment to—

Senate Bill No. 56:

A Bill to be entitled An Act to amend Section 2 of Chapter 5885, Laws of Florida, relating to pensions.

Which amendment is as follows:

In Section 2, line 6, strike out the words "of not less than one year."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 56, 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 30, 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 failed to pass—

Senate Bill No. 160:

A Bill to be entitled An Act defining the right of action for libel by publication in newspapers, magazines or periodicals, and prescribing a rule of evidence in such cases.

Which amendment is as follows:

Strike out all after the enacting clause and insert the following:

“Section 1. Before instituting any action for damages on account of any libelous publication by any newspaper, magazine or periodical, the person who has been libeled shall, within thirty days after such publication has come to his notice, notify the editor, proprietor or publisher of such newspaper, magazine or periodical, in writing, that such publication is libelous. The notice herein provided for shall be served upon such editor, publisher or proprietor personally, or shall be mailed to him at his postoffice address, postage prepaid, by registered mail.

“Sec. 2. Upon receiving notice as provided in Section 1 of this Act, if such newspaper, magazine or periodical makes retraction of the libelous publication at the earliest possible time after service of such notice, then, such retraction or correction may be given in evidence of mitigation of damages in any action brought thereon; Provided, That such retraction is published in a conspicuous place in said newspaper, magazine or periodical in which said libel was published.

“Sec. 3. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.”

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 concur in the House of Representatives' amendment to Senate Bill No. 160, contained in the above message, and as read in the message.

Which was agreed to.

And Senate Bill No. 160, as amended by the House, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 31, 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. 736:

A bill to be entitled An Act to repeal Chapter 5919, Acts of 1909, being "An Act to provide for clerical aid for the Judge of the Sixth Judicial Circuit, and fixing the pay for same."

Also—

House Bill No. 194:

A Bill to be entitled An Act for the relief of Sherwood & Pound.

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. 736, 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. 194, contained in the above message, was read the first time by its title as follows:

House Bill No. 194:

A Bill to be entitled An Act for the relief of Sherwood & Pound.

Mr. Johnson moved that the rules be waived, and that House Bill No. 194 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 194 was read a second time by its title.

Mr. Johnson moved that the rules be further waived and that House Bill No. 194 be read a third and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 194 was read a third time in full.

Upon the passage of House Bill No. 194 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McMullen, Perkins, Sloan, Wilson, Withers, Zim—23.

Nays—None.

So the bill having received the constitutional two-thirds' majority, passed, title as stated.

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

The Consideration of—

House Bill No. 727:

A Bill to be entitled An Act to fix the pay of members, officers and attaches of the Legislature of A. D. 1911, and certain expenses of the Legislature.

Was resumed.

Upon the final passage of House Bill No. 727 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Culpepper, Davis, Dayton, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Withers, Zim—19.

Nays—Senators Broome, Carney, Henderson, Stokes, Wilson—5.

So the bill passed, title as stated.

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

By Mr. Massey (by unanimous consent)—

Senate Bill No. 522:

A Bill to be entitled An Act for the levy of taxes for the years 1911 and 1912.

Which was read the first time by its title.

Mr. Massey moved that the rules be waived and that Senate Bill No. 522 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 522 was read a second time by its title.

Mr. Massey moved that the rules be further waived and that Senate Bill No. 522 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 522 was read a third time in full.

Upon the passage of Senate Bill No. 522 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Cook, Culpepper, Dayton, Finlayson, Henderson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Perkins, Sloan, Stokes, Withers, Zim—21.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 455:

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

Was taken up.

Mr. Culpepper moved that the rules be waived, and that Senate Bill No. 506 be substituted for Senate Bill No. 455.

Which was agreed to by a two thirds' vote.

And—

Senate Bill No. 506:

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

Was taken up.

Mr. Culpepper moved that the rules be waived, and that Senate Bill No. 506 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 506 was read a second time by its title.

Mr. Culpepper moved that the rules be further waived, and that Senate Bill No. 506 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 506 was read a third time in full.

Upon the passage of Senate Bill No. 506 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Perkins, Sloan, Withers, Zim—20.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 212:

A Bill to be entitled An Act for the relief of W. I. Zachary of Escambia County, Florida, for appropriation of money to pay the cost in disbarment proceedings and to provide for a manner of payment of same.

Was taken up.

Mr. Carney moved that the rules be waived and that House Bill No. 150 be substituted for Senate Bill No. 212.

Which was agreed to by a two thirds' vote.

Mr. Carney moved that the rules be waived and that House Bill No. 150 be taken up.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Broome, Carney, Culpepper, Davis, Hudson, Massey, McCreary, McLeod, Sloan, Zim—11.

Nays—Senators Adkins, Cook, Dayton, Finlayson, Henderson, Hosford, Humphries, Malone, Perkins, Wilson—10.

So the motion was not agreed to.

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.

Mr. Wilson moved that the rules be waived and that House Bill No. 452 be substituted for Senate Bill No. 378.

Which was agreed to by a two thirds' vote.

Mr. Wilson withdrew Senate Bill No. 378.

And—

House Bill No. 452:

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

Was taken up and read the second time in full.

Mr. Wilson moved that the rules be waived and that House Bill No. 452 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 452 was read a third time in full.

Upon the passage of House Bill No. 452 the roll was called and the vote was:

Yeas—Senators Adkins, Broome, Carney, Dayton, Finlayson, Hosford, Hudson, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Wilson, Withers, Zim—16.

Nays—Senators Cook, Culpepper, Davis, Henderson, Humphries—5.

So the bill passed, title as stated.

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

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 on railroads.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 217 the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Calkins, Carney, Cook, Culpepper, Davis, Finlayson, Henderson, Hosford, Humphries, Johnson, McLeod, Miller, Perkins, Stokes, Williams, Withers, Zim—20.

Nays—None.

So the bill passed, title as stated.

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

Mr. Cone moved to reconsider the vote by which House

Bill No. 217 passed the Senate, and to lay the motion to reconsider on the table.

Which was agreed to.

House Bill No. 305:

A Bill to be entitled An Act to amend Chapter 5690 of the Laws of the State of Florida, entitled An Act to amend Section 3556 of the General Statutes of the State of Florida, relative to the sale of liquors in counties or precincts voting against such sale, and to amend Section 3448 of the General Statutes of the State of Florida, relating to selling liquors without a license.

Was taken up and read the second time in full.

Mr. Henderson moved that House Bill No. 305 be indefinitely postponed.

Which was not agreed to.

And the bill was informally passed on the Calendar.

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 hereof, 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 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 and read a third time in full.

Pending the passage of the bill.

Mr. Stokes moved that the Senate do now adjourn to 10 o'clock tomorrow morning.

Mr. Massey moved to adjourn to 9 o'clock tomorrow morning.

The motion of Mr. Stokes was not agreed to.

The motion of Mr. Massey was agreed to.

Whereupon the Senate stood adjourned to 9 o'clock a. m. June 1, 1911.