

Friday, May 2, 1913

The Senate met pursuant to adjournment.

The President in the Chair.

The roll being called, the following Senators answered to their names:

Mr. President, Senators Adkins, Blicht, Brown, Calkins, Carney, Cone, Conrad, Cooper, Culpepper, Davis, Donegan, Finlayson, Himes, Hudson, Igou, Johnson, L'Engle, Lindsey, Malone, McCreary, McGeachy, McLean, McLeod, Roddenbery, Stringer, Wall, Watson, Wells, Wilson, Zim.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 1 was corrected.

The Journal of May 1 was approved as corrected.

Mr. Himes moved that Senate Journal of April 30 be corrected, as follows:

On page 58 of said Journal, line 20, correct the word "pair" in the amendment to House Bill No. 109 to read "pave."

Which was agreed to.

REPORTS OF COMMITTEES.

Mr. A. Z. Adkins, Chairman of the Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:
Your Committee on Judiciary A, to whom was referred—

Governor's Veto Message to Senate Bill No. 401 of 1911.

Had the same under consideration and recommend that it do not pass and that the Governor's veto be sustained.

Also—

Governor's Veto Message to Senate Bill No. 226 of 1911.

Had the same under consideration and recommend that it do not pass and that the Governor's veto be sustained.

Also—

Governor's Veto Message to Senate Bill No. 509 of 1911.

Had the same under consideration and recommend that it do not pass and that the Governor's veto be sustained.

Have had the same under consideration and recommend that they do not pass.

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

The Acts, contained in the above report, were placed on Calendar under the orders of the day.

Mr. A. Z. Adkins, Chairman of Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:
Your Committee on Judiciary A, to whom was referred—

House Bill No. 153:

A Bill to be entitled An Act to provide for the payment of defendant's witnesses in criminal cases upon defendants acquittal or dismissal.

Had the same under consideration and recommend that it do not pass.

Also—

Senate Bill No. 307:

A Bill to be entitled An Act to prescribe the fees and compensation of masters in chancery.

Had the same under consideration and recommend that **it do pass.**

Also—

Senate Bill No. 189:

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

Had the same under consideration and recommend that it do not pass.

Also—

Senate Bill No. 321:

A Bill to be entitled An Act prescribing additional cause for challenge of jurors in any civil or criminal cause in any of the courts of the State of Florida.

Had the same under consideration and recommend that it do pass.

Also—

Senate Bill No. 322:

A Bill to be entitled An Act to amend Section 1069 of the General Statutes of the State of Florida, being an Act providing for the arrest and trial of violators of the laws of towns and cities.

Had the same under consideration and recommend that it do not pass.

Also—

Senate Bill No. 192:

A Bill to be entitled An Act creating the Board of Fire Insurance Examiners, providing for examination of fire insurance agents, prescribing qualifications for such agents and providing penalties for the violation of the provisions of this Act.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

Senate Bills Nos. 307 and 321, contained in the above report, were placed on Calendar of Bills on second reading, and House Bill No. 153 and Senate Bills Nos. 189, 322 and 192, contained in the above report, under the rule, were laid on the table.

Mr. A. Z. Adkins, Chairman of Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 306:

A Bill to be entitled An Act authorizing cities and towns to exercise the right of eminent domain, to acquire property for certain purposes, prescribing the procedure in such actions, and providing for the issue of bonds for the payment of property for such purposes, whether acquired by eminent domain or otherwise, and for the payment of improvements connected with said purposes.

Had the same under consideration and recommend that it do not pass.

Also—

Senate Bill No. 293:

A Bill to be entitled An Act to enable Col. James Letcher McMurtry of Putnam County, Florida, to practice law in the various courts of Florida without being subjected to the examination as is required by law in such cases.

Had the same under consideration and recommend that it do not pass.

Also—

Senate Bill No. 34:

A Bill to be entitled An Act relating to granting of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile; and providing for the probating of the wills of such absentees and of the annexation of such wills to letters of administration granted in such cases.

Had the same under consideration and recommend that it do pass.

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

Senate Bill No. 34, contained in the above report, was placed on Calendar of Bills on second reading, and Senate Bills Nos. 306 and 293, contained in the above report, under the rule, were laid on the table.

Mr. Malone, Chairman of Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, May 1, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 326:

A Bill to be entitled An Act appropriating money to carry out the purposes of Chapter 6156 of the Laws of Florida, approved May 23, 1911.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
A. S. WELLS,
Chairman of Committee.

Senate Bill No. 326, contained in the above report, was placed on Calendar of bills on second reading.

Mr. Calkins, Chairman of Committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Education, to whom was referred—

Senate Bill No. 324:

A Bill to be entitled An Act providing for teachers' summer training schools and making appropriation therefor.

Have had same under consideration and recommend that it do pass.

Also—

Senate Bill No. 4C:

A Bill to be entitled An Act prescribing the number, names and requirements for certificates of teachers and for the issuance of the certificates; to secure fairness in the conduct of the examinations and uniformity in the value of certificates; to create a State Board of Examiners for holding all examinations of teachers, to prescribe the duties of such Board of Examiners; to make an appropriation for the salaries and expenses of the Board of Examiners; to give the force of law to the rules and regulations prescribed by the State Board of Education for the fair and faithful execution of the provisions of this Act.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
JAMES E. CALKINS,
Chairman of Committee.

Senate Bills Nos. 324 and 46, contained in the above report, were placed on Calendar of Bills on second reading.

Mr. Calkins, Chairman of Committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Education, to whom was referred—

Senate Bill No. 13:

A Bill to be entitled An Act to prohibit discrimination between city and rural schools, and to require that such schools shall be maintained from the General Fund for terms of equal length.

Recommend that it do not pass.

Also—

Senate Bill No. 9:

A Bill to be entitled An Act to authorize the sale of State school lands upon the instalment plan.

Recommend that it do not pass.

Also—

Senate Bill No. 247:

A Bill to be entitled An Act to prescribe the qualifications for the office of County Superintendent of Public Instruction in this State.

Recommend that it do not pass.

Also—

Senate Bill No. 231:

A Bill to be entitled An Act to provide for the formation and disbursement of a Public School Teachers' Pension and Retirement Fund.

Recommend that it do not pass.

Also—

Senate Bill No. 122:

A Bill to be entitled An Act requiring that the State Board of Education have printed and circulated the minutes of the transactions of said board.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

JAMES E. CALKINS,
Chairman of Committee.

Senate Bills Nos. 13, 9, 247, 231 and 122, contained in the above report, under the rule, were laid on table.

Mr. Calkins, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Education, to whom was referred—

Senate Bill No. 244:

A Bill to be entitled An Act to provide for the appointment of Probation Officers and Assistant Probation Officers under the provision of Chapter 6216 of the Acts

of 1911, approved June 6, 1911; to prescribe the terms of office and duties of such officers; and to fix the compensation of Probation Officers.

Recommend that it do not pass.

Also—

Senate Bill No. 252:

A Bill to be entitled An Act to authorize and empower tax payers in this State to direct the taxes assessed and paid by them for the support of free public schools and for the Special Tax District schools.

Recommend that it do not pass.

Also—

Senate Bill No. 120:

A Bill to be entitled An Act to amend paragraphs two and six of Section 374 of the Laws of Florida, and to provide for the location of school houses and limit the age of persons who teach in the public schools of Florida.

Recommend that it do not pass.

Also—

Senate Bill No. 123:

A Bill to be entitled An Act to designate and to name a certain day as Mother's Day which said day shall be observed in the public schools of this State.

Recommend that it do not pass.

Also—

Senate Bill No. 271:

A Bill to be entitled An Act providing for the payment of all moneys and the conveying of all lands remaining in the Internal Improvement Fund after the drainage and reclamation work is finished to the State school fund.

Recommend that it do not pass.

Very respectfully,

JAMES E. CALKINS,
Chairman of Committee.

Senate Bills Nos. 244, 252, 120, 123 and 271, contained in the above report, under the rule were laid on the table.

Mr. J. N. Wilson, Chairman of Committee on Corporations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Corporations, to whom was referred—

Senate Bill No. 141:

A Bill to be entitled An Act to amend An Act entitled "An Act to prescribe the terms and conditions upon which foreign corporations for profit may transact business or acquire, hold or dispose of property in this State."

Have had the same under consideration and recommend that it do pass.

Very respectfully,

JAMES N. WILSON,
Chairman of Committee.

Senate Bill No. 141, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. J. N. Wilson, Chairman of Committee on Corporations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Corporations, to whom was referred—

Senate Bill No. 289:

A Bill to be entitled An Act permitting the organization of trust companies under Chapter 6155, Acts of 1911, Laws of the State of Florida, with a minimum capital stock of twenty-five thousand dollars, in cities or towns having a population of less than fifteen thousand.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
JAMES N. WILSON,

Senate Bill No. 289, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. L'Engle, Chairman of the Committee on Banking, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Banking, to whom was referred—

House Concurrent Resolution No. 14:

A resolution authorizing the Governor to appoint a Commission composed of five members for the purpose of investigating the collecting data concerning the rural banking system and reporting thereon at the next session of the Legislature.

Have had the same under consideration and recommend that it be not adopted.

Very respectfully,

J. C. L'ENGLE,
Chairman of Committee.

House Concurrent Resolution No. 14, contained in the above report, under the rule, was laid on the table.

Mr. L'Engle, Chairman of the Committee on Banking, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Banking, to whom was referred—

Senate Bill No. 211:

A Bill to be entitled An Act in relation to crime of burglary with explosives.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

J. C. L'ENGLE,
Chairman of Committee.

Senate Bill No. 211, contained in the above report, under the rule, was laid on the table.

Mr. L'Engle, Chairman of Committee on Banking, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1st, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Banking, to whom was referred—

Senate Bill No. 204:

A Bill to be entitled An Act to remove certain disqualifications or disabilities of Notaries Public who are stockholders, directors, officers or employees of banks or any other corporations for profit.

Also—

Senate Bill No. 205:

A Bill to be entitled An Act relating to the punishment of derogatory statements affecting banking institutions or trust companies.

Also—

Senate Bill No. 206:

A Bill to be entitled An Act to punish the making or use of false statements to obtain property or credit.

Also—

Senate Bill No. 207:

A Bill to be entitled An Act relating to the sale of stocks, bonds, and other corporate securities, to define dealers therein, and to provide penalties for violations of this Act.

Also—

Senate Bill No. 208:

A Bill to be entitled An Act in relation to payment of deposits in two or more names.

Also—

Senate Bill No. 209:

A Bill to be entitled An Act relating to liability of a banking institution or trust company to its depositors for payment of forged or altered checks.

Also—

Senate Bill No. 210:

A Bill to be entitled An Act relating to payment of deposits in trust.

Have had the same under consideration and recommend that they pass.

Very respectfully,

J. C. L'ENGLE,
Chairman of Committee.

Senate Bills Nos. 204, 205, 206, 207, 208, 209 and 210, contained in the above report, were placed on Calendar of Bills on second reading.

Mr. Blitch, Chairman of Committee on Temperance, submitted the following report :

Senate Chamber,
Tallahassee, Fla., May 1, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Temperance, to whom was referred—

Senate Bill No. 251:

A Bill to be entitled An Act to regulate the sale or furnishing of intoxicating liquors, wines or beer. and prescribing a penalty for the violation of certain of its provisions.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

J. S. BLITCH,
Chairman of Committee.

Senate Bill No. 251, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Hudson, Chairman of Committee on Railroads and Telegraph, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Railroads and Telegraph, to whom was referred—

Senate Bill No. 219:

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 and 2924 of the General Statutes of this State, relating to the Railroad Commissioners and the regulation of common carriers.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
F. M. HUDSON,
Chairman of Committee.

Senate Bill No. 219, contained in the above report, was placed on Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Enrolled Bills, to whom was referred—

House Bill No. 420:

A Bill to be entitled An Act for the protection of fish in the fresh waters of Lafayette County, Florida, and in that portion of Steinhatchee River between Lafayette and Taylor Counties.

Have carefully examined the same, and find it correctly enrolled.

Very respectfully,
S. P. RODDENBERY,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

House Bill No. 420:

A Bill to be entitled An Act for the protection of fish in the fresh waters of Lafayette County, Florida, and in that portion of Steinhatchee River between Lafayette and Taylor Counties.

Have carefully examined the same and find it correctly enrolled.

Very respectfully,

S. P. RODDENBERY,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

House Bill No. 420:

A Bill to be entitled An Act for the protection of fish in the fresh waters of Lafayette County, Florida, and in that portion of Steinhatchee River between Lafayette and Taylor Counties.

Beg leave to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Repre-

sentatives, and is herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

S. P. RODDENBERY,
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

House Bill No. 420:

A Bill to be entitled An Act for the protection of fish in the fresh waters of Lafayette County, Florida, and in that portion of Steinhatchee River between Lafayette and Taylor Counties.

The Act was therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

House Bill No. 420:

A Bill to be entitled An Act for the protection of fish in the fresh waters of Lafayette County, Florida, and in that portion of Steinhatchee River between Lafayette and Taylor Counties.

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

Very truly,
S. P. RODDENBERY,
Chairman of Committee.

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Enrolled Bills, to whom was referred—

House Bill No. 369:

A Bill to be entitled An Act relative to the levying of municipal taxes by the town of Oakland, in Orange County.

Have carefully examined the same and find it correctly enrolled.

Very respectfully,

S. P. RODDENBERY,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

House Bill No. 369:

A Bill to be entitled An Act relative to the levying of municipal taxes by the town of Oakland, in Orange County.

Have carefully examined the same and find it correctly enrolled.

Very respectfully,

S. P. RODDENBERY,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

House Bill No. 369:

A Bill to be entitled An Act relative to the levying of municipal taxes by the town of Oakland, in Orange County.

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

Very respectfully,

S. P. RODDENBERY,
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

House Bill No. 369:

A Bill to be entitled An Act relative to the levying of municipal taxes by the town of Oakland, in Orange County.

The Act was therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

House Bill No. 369:

A Bill to be entitled An Act relative to the levying of municipal taxes by the town of Oakland, in Orange County.

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

Very respectfully,

S. P. RODDENBERY,
Chairman of Committee.

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Bill No. 33:

A Bill to be entitled An Act relating to the City of Pensacola to create a Commission form of government for said city; to provide for the election of Commissioners, their terms of office and the selection of one Commissioner as Mayor; to fix the powers, duties and compensation of such Commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish all existing offices and boards, including the Council of the City of Pensacola, and to enlarge and extend the powers and jurisdiction of said city, and provide for the support and maintenance of its government.

Have carefully examined the same and find it correctly enrolled.

Very respectfully,

S. P. RODDENBERY,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

Senate Bill No. 33:

A Bill to be entitled An Act relating to the City of Pensacola to create a Commission form of government for said city; to provide for the election of Commissioners, their terms of office and the selection of one Commissioner as Mayor; to fix the powers, duties and compensation of such Commissioners; to punish improper

conduct in connection with elections and petitions hereunder; to abolish all existing offices and boards, including the Council of the City of Pensacola, and to enlarge and extend the powers and jurisdiction of said city, and provide for the support and maintenance of its government.

Have carefully examined the same and find it correctly Enrolled.

S. P. RODDENBERY,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

Senate Bill No. 33:

A Bill to be entitled An Act relating to the City of Pensacola to create a Commission form of government for said city; to provide for the election of Commissioners, their terms of office and the selection of one Commissioner as Mayor; to fix the powers, duties and compensation of such Commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish all existing offices and boards, including the Council of the City of Pensacola, and to enlarge and extend the powers and jurisdiction of said city, and provide for the support and maintenance of its government.

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

Very respectfully,

S. P. RODDENBERY,
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

Senate Bill No. 33:

A Bill to be entitled An Act relating to the City of Pensacola to create a Commission form of government for said city; to provide for the election of Commissioners, their terms of office and the selection of one Commissioner as Mayor; to fix the powers, duties and compensation of such Commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish all existing offices and boards, including the Council of the City of Pensacola, and to enlarge and extend the powers and jurisdiction of said city, and provide for the support and maintenance of its government.

The Act was therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

Senate Bill No. 33:

A Bill to be entitled An Act relating to the City of Pensacola to create a Commission form of government for said city; to provide for the election of Commissioners, their terms of office and the selection of one Commissioner as Mayor; to fix the powers, duties and compensation of such Commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish all existing offices and boards, including the Council of the City of Pensacola, and to enlarge and extend the powers and jurisdiction of said city, and provide for the support and maintenance of its government.

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

Very truly,

S. P. RODDENBERY,
Chairman of Committee.

INTRODUCTION OF BILLS.

By Mr. Roddenbery—
Senate Bill No. 327:

A Bill to be entitled An Act to legalize and confirm the incorporation of the Town of Hosford, in Liberty County, Florida, to provide for its government, to prescribe its jurisdiction and powers, and to declare the same to be a legally incorporated town.

Which was read the first time by its title.

Mr. Roddenbery moved that the rules be waived and that Senate Bill No. 327 be advanced to the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote.

And the Bill was placed on the Calendar of Bills on the second reading without reference.

By Mr. Cooper (By Request)—
Senate Bill No. 328:

A Bill to be entitled An Act to cure certain informalities in the execution of deeds or other instruments conveying real property, which said deeds were recorded in the proper counties prior to the first of April, A. D. 1913.

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

By Mr. Cooper—
Senate Bill No. 329:

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 Avon Park, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

Which was read the first time by its title.

Mr. Cooper moved that the rules be waived and that Senate Bill No. 329 be advanced to the Calendar of Bills on the second reading without reference.

Which was agreed to by a two-thirds vote.

And the Bill was placed on the Calendar of Bills on the second reading without reference.

By Mr. Cooper (By Request)—
Senate Bill No. 330:

A Bill to be entitled An Act to secure greater permanency of boundaries to lots and lands in the several counties of the State; prescribing duties of County Surveyors and other officers; requiring County Commissioners to provide the Surveyor a suitable office and necessary record books and blanks, and to procure a copy of the original field notes of the County for his use; providing for notice of an official survey, and a record of same, and for an appeal therefrom to the Circuit Court; making it unlawful for any person to practice land surveying without a license from the Judge of Circuit Court, and making it unlawful to alter or deface established corners, or to set false corners, and providing a penalty for same; making it unlawful to convey land by reference to unrecorded plat, and provide penalty therefor; prohibiting the record of indefinite, unsigned and erroneous plats; requiring the Surveyor to keep field notes and records open to public inspection, and fixing compensation of Surveyor and other officers.

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

By Mr. Conrad—
Senate Bill No. 331:

A Bill to be entitled An Act to abolish the present municipal government of DeLand, Volusia County, Florida, and to organize a new city government for the same, and to provide for its jurisdiction and powers.

Which was read the first time by its title.

Mr. Conrad moved that the rules be waived and that Senate Bill No. 331 be advanced to the Calendar of Bills on the second reading without reference.

Which was agreed to by a two-thirds vote.

And the Bill was placed on the Calendar of Bills on the second reading without reference.

By Mr. Himes (By Request)—
Senate Bill No. 332:

A Bill to be entitled An Act to prescribe the force and effect of the existence on the public records for twenty or more years of deeds, powers of attorneys and other instruments which have been defectively executed, acknowledged or proved for record.

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

By Mr. L'Engle (By Request)—
Senate Bill No. 333:

A Bill to be entitled An Act in relation to private bankers.

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

By Mr. L'Engle (By Request)—
Senate Bill No. 334:

A Bill to be entitled An Act to amend Section 2711 of the General Statutes of the State of Florida, entitled "Disposition of part of reserve" and relative to the "regulation of banking business."

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

By Mr. Adkins—
Senate Bill No. 335:

A Bill to be entitled An Act prescribing the terms and conditions on which foreign public corporation shall engage in business in this State, and fixing penalties for violation of same.

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

By Mr. Wall—
Senate Bill No. 336:

A Bill to be entitled An Act to amend Section one of Chapter 6297, Laws of Florida, Act of 1911.

Which was read the first time by its title and referred to the Committee on Canals and Drainage.

By Mr. L'Engle—
Senate Bill No. 337:

A Bill to be entitled An Act regulating writs of garnishment by providing for the payment of costs before answering, the manner of depositing such costs and prescribing the form of the writ relating thereto.

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

By Mr. L'Engle—
Senate Joint Resolution No. 338:

Joint Resolution to amend Section 8, of Article VIII. of the Constitution of the State of Florida, relating to counties and cities.

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

The following message from the Governor was read:

State of Florida,
Executive Chamber,
Tallahassee, Fla., May 1st, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

I have the honor to advise that I have approved and signed the following Acts, which originated in the Senate, and have caused same to be filed in the office of the Secretary of State:

An Act to authorize the employment of an expert indexer to supervise and assist in the indexing of the Journals of the Legislature.

An Act to fix the salaries of the administrative officers of the State, and to make disposition of all fees and perquisites of these offices.

An Act giving the City of Bartow, Polk County, Florida, the right to pave, grade, curb, lay out, open, repair or otherwise improve the streets of said city, and to assess two-thirds of the cost thereof against the abutting property, and to give to the city a lien for the cost of such improvements, of prior dignity to all liens except taxes, and to provide for the issuance of certificates of indebted-

ness for such costs, and provide for their payment and collection.

I have also caused to be filed in the office of the Secretary of State:

Senate Concurrent Resolution No. 2, endorsing the proposed amendment to the Federal Constitution, providing for the election of Federal Judges by the people.

Very respectfully,

PARK TRAMMELL,
Governor.

ORDERS OF THE DAY.

Mr. Wells asked permission for the Committee on Appropriations to sit during the session of the Senate this morning.

Which was agreed to.

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.

Was taken up and read.

The Governor's objection thereto was read as follows:

State of Florida,
Executive Department,
Tallahassee, Fla., June 12, 1911.

Hon. H. Clay Crawford,
Secretary of State.
My dear Sir:

In pursuance of the provisions of Section 28 of Article III. of the State Constitution I have the honor to hand you herewith for filing the following Bill passed by the

Legislature of 1911 from which my approval is withheld for the reasons stated herein:

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.

After the usual enacting clause, this Bill is as follows:

Section 1. It shall be unlawful for any person or persons, firm or corporation to haul or drag any seine, of any kind, in the waters of any fresh water rivers, lakes, streams, creeks, bayous, etc. in Volusia and Lake Counties, State of Florida.

Sec. 2. Any river, stream or creek having its source in the interior of the State of Florida, and emptying into fresh water or salt water shall be deemed a fresh water river, stream or creek.

Sec. 3. It shall be unlawful for any person or persons firm or corporation, to ship or transport any fish caught in the fresh water rivers, lakes, streams, creeks and bayous in Volusia and Lake Counties, State of Florida, beyond the limits of such counties; provided, however, that nothing in this act shall be construed to prohibit the shipping of cat fish or shad beyond the limits of said counties.

Sec. 4 It shall be unlawful for any common carrier, agent, or employee of such carrier, to receive for carriage, or permit the carriage of any fresh water fish, other than cat fish or shad, caught in the fresh water rivers, lakes, streams, creeks, bayous, etc., in the counties of Volusia and Lake, for shipment beyond the limits in the counties of Volusia and Lake, for shipment beyond the limits of such counties.

Section 5. Any person, firm, or corporation violating the provisions of this Act, shall be guilty of a misdemeanor

The following are extracts from communications of a representative of the Florida Fish and Produce Company of Jacksonville, Florida, with reference to this bill:

"It would affect five dealers, putting three entirely out of business. It would affect two hundred fishermen. It would render entirely useless \$25,000 worth of property."

"These fish come out of the sea, and there is no point where they can be caught profitably until they reach the narrow river where these two counties begin. We have invested a considerable amount of money in lands, docks and other purposes for the catching of these fish at that point."

"Had the bill excepted the St. Johns River, which is a National Highway, it would not have interfered so much with commercial fisheries. In its present form it is a calamity to the fishing interests of this section of the State."

"At Volusia Bar, just in the Northern end of Volusia County, our herring fisheries are established. These herring are caught with seines, and cannot be caught otherwise at a profit. As you will know, herring are very cheap fish. You can buy them at one cent a piece, and to catch these fish in a gill net, would be prohibitory. Besides you will note that the law is designed especially to close up the St. Johns River in that vicinity."

"This river is not a local proposition. The Representatives of Duval, Orange and other counties did not know the purport of this Bill, otherwise, they would have opposed it. There was no mention of this bill made in the Times-Union until after it was finally passed."

"The herring fisheries in Lake and Volusia Counties are really the only profitable herring fisheries in the State. Fisheries at these points during the herring season catch anywhere from twenty to fifty barrels of herring daily. We also catch a few shad in our herring seines, but the catch of shad is not very heavy."

"As I wrote you before, after Senator Perkins failed to get a bill passed prohibiting seining in the entire State, he then introduced this bill. Through either over-

sight, or for some special reason, the papers did not publish a single word about it. We were not advised that the bill was up for consideration, until it had already passed the Senate and House. We were unable to advise our Representative in reference to it, also some other Representatives, who have the fish interests of the State at heart. It seems to me that a bill of this kind should not be passed as a local measure, without investigation."

"I believe it is all right for counties, as a purely county matter, to close up small lakes and creeks in these counties as their people want it; but the closing of a large river like the St. Johns, is a state wide proposition, and not a local proposition."

This bill was evidently considered and treated as a local bill, as it was read the first time in the Senate May 23rd, read second and third times and passed May 24th; read first time in the House May 25th, and read second and third time and passed May 26th. In neither house was it referred to a committee. Those opposed to the measure, therefore, had no opportunity of presenting their protest to members of the Legislature.

This bill passed the Senate in a flash. This bill passed the House in a flash. This bill is put to sleep, at least until the next Legislature, in a flash of this pen.

Very respectfully,

ALBERT W. GILCHRIST,
Governor.

Upon the question shall the Bill pass, the veto of the Governor to the contrary notwithstanding.

The roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Blitch, Brown, Carney, Cone, Conrad, Cooper, Culpepper, Hudson, Johnson, L'Engle, Lindsey, Malone, McGeachy, McClellan, Roddenbery, Watson, Wilson, Zim—20.

Nays—None.

So the Act receiving the necessary two-thirds vote was passed, title as stated, the veto of the Governor to the contrary notwithstanding.

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

48—S.

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

Passed Session of 1911.

Vetoed by the Governor.

Was taken up and the Act was read.

The Governor's objection thereto was read as follows:

State of Florida,
Executive Department.
Tallahassee, June 7, 1911.

Hon. H. Clay Crawford,
Secretary of State.

My Dear Sir:

In pursuance of Section 28, Article III. of the State Constitution, I have the honor to hand you herewith for filing the following Bill passed by the Legislature of 1911, to which my approval is withheld for the reasons stated herein:

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

This Bill changes the pension act of 1909 by permitting to draw pensions certain soldiers "who performed service in actual line of duty for a period" instead of "who performed service in actual line of duty for a period of not less than one year," thus striking out the limiting clause of "not less than one year." Under this Bill, anyone who enlisted for but a few minutes, performed guard duty, or drew rations, would be entitled to a pension. There were many who were enlisted but who were discharged with practically no service. I submit that the placing of such on the pension roll is not fair to those soldiers who actually rendered substantial service during those trying times.

In the Act of 1909 appears the following: "And who was a bona fide citizen of this State continuously since 1895." This Bill strikes out that clause and substitutes therefor "and who has been a bona fide citizen of this State continuously for the full term of ten years next to

and preceding his application for such pension." I understand it was argued in the Legislature that the fixing of the time in the Act of 1909, requiring continuous residence since 1895 was arbitrary. The Legislature evidently thought that those who had been citizens continuously since 1895 had done much toward the development of the State and were therefore more entitled to receive a pension than those who had come later. However, the fixing of the ten year limit of continuous citizenship is also arbitrary.

This Bill also amends the Act of 1909 by adding thereto the following: "Provided, further, That any person who enlisted from this State and who is a bona fide resident of this State when this Act becomes a law, and whose service entitles him to a pension under the provision of this Act, shall be entitled to the emoluments of this Section." In my opinion, this is worthy of approval.

It will appear that this Bill does not change the condition of a widow which, according to Section 3 of the Act of 1909 must have "continuously resided in this State since 1895." If it were just to make more liberal conditions for a soldier or sailor, the application of the same scale of justice would apply more forcefully to that of the widow.

Florida is now paying more liberal pensions than any other Confederate State. Virginia appropriates \$425,000 for pensions, the rate being \$24, \$25, \$36, \$65 and \$150 per annum. The number of pensioners is unknown to me. North Carolina has 1,700 pensioners, appropriating \$500,000, the rate being \$26, \$48, \$60 and \$72. South Carolina paid in 1908 \$252,343.60 to 18,833 pensioners, the rate being \$21.20, \$27.08, \$48, \$72 and \$96. In 1907 Georgia paid \$932,685.55 to 15,607 pensioners, the rate being \$36, \$45 and \$60. In 1910 Florida paid \$644,606.52 to 5,905 pensioners, the rate being \$100, \$120, \$125 and \$150, a four-mill tax being assessed for the same. Alabama appropriates \$400,000 annually for pensions, the pensioners receiving \$50, \$60, \$80 and \$100 per annum. Tennessee appropriates \$300,000 for 6,100 pensioners, the average pension received being \$61.47. Mississippi appropriates \$400,000 for pensions, pensions being from \$37.55 to \$125 per annum. Arkansas pays \$540,000 to 8,781 pensioners,

rate \$17.50 to \$70. Louisiana pays \$250,000 to 3,900 pensioners, rate \$68 to \$80. Texas appropriates \$500,000 for 8,050 pensioners, the rate being \$50 per annum.

For State purposes the Legislature now raises a four-mill tax for pensions, one mill for school purposes, one mill for common schools, one-half mill for State Board of Health and two mills for general revenue, total seven and a half mills. No Legislature has seemed willing to increase the millage to over 7½ mills. The Legislature of 1911 has made a liberal appropriation from the general revenue fund. Every appropriation, however, is subject to the operations of Chapter 5603, Acts of 1907.

"Section 1. That no board, department officer, commission or committee or other person or persons charged under the provisions of any act of the Legislature with the expenditure of any money payable out of the general revenue fund shall make any contract or incur any obligation for the payment of any sum out of the treasury of the State of Florida, except for the salaries of public officers and other current expenses of the State, except expenses of operation of schools, without first ascertaining from the Board of Commissioners of State Institutions that the funds necessary to meet such payments will be available when the same shall become due and payable and constitute a charge against the State."

"Sec. 2. Appropriations made for school purposes under any act of the Legislature shall be payable out of the first funds available under the provisions of this Act, after payment of the salaries of public officers and other current expenses as hereinbefore provided, and the moneys for such appropriations shall be available as fast as they come in without waiting for the whole amount of any such appropriation to be received into the Treasury."

The Legislature of 1911 appropriated \$131,000 for the State Institutions of higher learning. The last of the appropriations made by Chapter 5602, Acts of 1907, for the benefit of such institutions are being paid off at the present time.

It thus appears that the Legislature makes such appropriations and by failing to increase the millage for

general revenue practically vetoes the prompt payment of the same, through the operation of Chapter 5603, Laws of Florida. It is quite apparent that the excessive millage of four mills for pensions practically ties every development in the State for which appropriation is necessary, making all the appropriations secondary to the objects mentioned in Chapter 5603. This will necessarily be continued until the levy of four mills for pensions is reduced or until the Legislature increases the millage for general revenue more than two mills, thereby increasing the total millage for State purposes exceeding seven and a half mills.

In my judgment the pension Act should be changed, striking off of the roll those who do not need the pension. This could be done by reducing the property qualification from \$5,000 to a smaller amount, and by placing a limitation upon the income for those receiving pensions. Under the present law, there is absolutely no limitation upon the income. The following is given for information: in Virginia, no one is entitled to a pension who has a yearly income of over \$200, and owns property exceeding \$750; in North Carolina the property valuation is fixed at \$500, and the annual income at \$300. I have not the property or income qualifications of pensions in South Carolina, Georgia, Tennessee or Texas. In Alabama the property qualification is \$400, income \$300. In Mississippi the property qualification is \$600. I have not the information as to income qualification. In Arkansas the property qualification is \$400, income \$150. In Louisiana, pensioners must be in indigent circumstances and unable to earn a livelihood by their own labor or skill. In all of these states, limitations as to the value of property and as to the amount of annual income are entirely too small.

The highest pension now paid to any one person in Florida is \$150. I would increase this to \$250 or to \$300 to such as are totally disabled and who actually need the money. I would lower the property qualification from \$5,000 to some lower amount. I would place an income qualification. People who pay much taxes rarely ever object to the pension tax. People who are poor and who pay but a small amount of taxes complain of paying any taxes for the benefit of any one who does

not need the money. Pensions to Confederate Veterans who do not need the money, bring these heroes of the Lost Cause into disrepute.

These amendments to the Pension Law, although called general, are usually drawn to meet a special case of some veteran living in the county of the member of the Legislature who draws the bill. There are but few members of the Legislature who would vote against any pension bill of any nature whatsoever. For instance, this particular bill passed the Senate by a vote of 26 to nothing, and passed the House by a vote of 46 to 14. Some members of the Legislature will vote for any pension bill, although it is not demanded by the veterans at large. Some seem to think that their very political existence depends upon such a yea vote. A little thought would tell them that such a bill is designed, primarily, to place on the pension roll one or two men residing in the county of the introducer of the bill. Every man in Florida is in favor of a pension to worthy Confederate Veterans who need assistance. Such pensions should not be of such an amount as to prevent the State from making appropriations for worthy purposes.

Should the next Legislature see fit to amend the pension laws, I would recommend the enactment of a new law. Under no circumstances would I recommend the passage of a law placing upon the pension roll those who served no specific length of time, as does this bill, or the passage of a bill changing the time by which soldiers and sailors could, on a shorter time of resident, receive pensions, as does this bill, without a corresponding consideration being shown to the widows of such soldiers and sailors.

Very respectfully,

ALBERT W. GILCHRIST,
Governor.

Upon the question, shall the Bill pass, the veto of the Governor to the contrary notwithstanding,

The roll was called and the vote was:

Yea—Senator McLellan—1.

Nays—Mr. President, Senators Adkins, Blicht, Calkins, Carney, Conrad, Cooper, Culpepper, Finlayson, Himes,

Hudson, Igou, Johnson, L'Engle, Lindsey, Malone, McCreary, McGeachy, McLeon, Stringer, Watson, Wells, Zim—23.

The Bill not having received the necessary two-thirds vote, the veto of the Governor was sustained.

"A Bill to be entitled An Act providing for an annual tax to be paid on all dogs, prescribing the manner in which said tax shall be paid, and prescribing the penalty for any violation of this Act."

Passed at the 1911 Session, vetoed by the Governor, and was taken up and read.

Was taken up and read.

Also the following message of objection.

State of Florida,
Executive Department.
Tallahassee, June 7, 1911.

Hon. H. Clay Crawford,
Secretary of State.
Capitol.

Dear Sir:

In pursuance of Section 28, Article III, of the State Constitution, I have the honor to hand you herewith the following Bill passed by the Legislature of 1911, on which my approval is withheld for the reasons herein stated:

"A Bill to be entitled An Act providing for an annual tax to be paid on all dogs, prescribing the manner in which said tax shall be paid and prescribing the penalty for any violation of this Act."

Section 1 provides for the payment of a tax of one dollar per head on each male dog and two dollars per head on each female dog in this State.

Section 2 provides for metal tags.

Section 3 provides for the killing of "any dogs not having attached to them the tax tag for the current year," "thirty days after any annual tax shall have become due on dogs."

Section 5 provides that "all dogs upon which the current dog tax has been paid shall be deemed and held to be personal property," etc.

At the rate of 25 mills on the dollar, a tax of one dollar per head on each male dog is equivalent to a valuation of \$40, the valuation of many 40 acres of land on the tax books. On a female dog, on which the tax is two dollars, it is equivalent to a valuation of \$80. This would be but a small tax to some people. To the bulk of the people, however, owning dogs, it is an excessive tax. It would deprive many of our poorer citizens of the sentinel at home—a watch dog. Dogs are absolutely essential in the procurement of game. This would deprive many people of their storehouse. It would deprive many men, and especially the poorer men, of one of their most faithful friends. It will be remembered that Solomon in all his glory, possessed of a thousand wives, said about the close of his life, "Vanity of vanities—all is vanity." History does not show that he was possessed of one good, faithful dog, or he probably would not have been so despondent. Of all the animal conquests of man, there is no animal more responsive to kind and considerate treatment than is a dog. He will even lick the hand that strikes him. Some dogs are more faithful than some men. It is strange that so faithful and honest a friend as the dog is to man should so often be spoken of in terms of opprobrium and contempt. This Bill contains one good feature—that of making dogs personal property, but only after this excessive tax has been paid on them. Long since should all dogs have been declared personal property. This excessive tax is in contravention of Section 1 of Article IX of the State Constitution:

"Section 1. The Legislature shall provide for a uniform and equal rate of taxation, and shall prescribe such regulations as shall secure a just valuation of all property, both real and personal."

I cannot approve a bill which would deprive so many people, and especially the poorer people, of many of their true and faithful friends.

Very respectfully,

ALBERT W. GILCHRIST.
Governor.

Upon the question shall the Bill pass, the veto of the Governor to the contrary notwithstanding, the vote was:

Yeas—Senators Adkins, Blich, Carney, Conrad, Cooper, Culpepper, Hudson, Igou, Johnson, Lindsey, Malone, McClellan, Roddenbery, Wall, Watson, Wells, Zim—17.

Nays—Mr. President, Senators Brown, Cone, Davis, Finlayson, McCreary, McGeachy, McLeod, Stringer—9.

The Bill not having received the required two-thirds vote, the Act failed to pass and the veto of the Governor was sustained.

BILLS ON THIRD READING.

Senate Bill No. 118:

A Bill to be entitled An Act to amend Chapter 5697 of the Acts of 1907, Laws of Florida, the same being An Act to amend Section 270 of the General Statutes of the State of Florida, relating to the nomination of members of Boards of County Commissioners and members.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 118 the vote was:
Yeas—Senators Adkins, Brown, Davis, Donegan, Finlayson, Johnson, L'Engle, McLellan, Wells—9.

Nays—Senators Blich, Cakins, Carney, Cone, Conrad, Cooper, Culpepper, Hudson, Igou, Lindsey, Malone, McCreary, McGeachy, McLeod, Roddenbery, Stringer, Wall, Watson, Wilson, Zim—20.

So the Bill failed to pass.

Senate Bill No. 35

A Bill to be entitled An Act to amend Section 2 of Chapter 5717, Laws of Florida, Acts of 1907, entitled: "An Act to prescribe the terms and conditions upon which foreign corporations for profit may transact business, or acquire, hold or dispose of property in this State."

Was taken up and read the third time in full.

Mr. Donegan moved that Senate Bill No. 35 be informally passed.

Which was agreed to.

Senate Bill No. 50:

A Bill to be entitled An Act to regulate the practice of Appellate Courts in reversing judgments on writs of error.

Was taken up.

Mr. Calkins moved that Senate Bill No. 50 be informally passed over.

Which was agreed to.

BILLS ON SECOND READING.

Senate Bill No. 115:

A Bill to be entitled An Act for the relief of H. E. Murree for loss of fees during his suspension from the office of Sheriff of Lake County.

Committee on Claims reports favorably.

Was taken up and read the second time in full.

And Senate Bill No. 115 was referred to the Committee on Engrossed Bills.

Senate Bill No. 3:

A Bill to be entitled An Act to provide for furnishing the new Supreme Court Building and to grade and otherwise improve the grounds surrounding same.

Committee on Appropriations reports favorably with amendment.

Was taken up and read the second time in full.

The following committee amendment was read:

Strike out the word "steel" wherever it occurs.

Mr. Wells moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 3 was referred to the Committee on Engrossed Bills.

Senate Bill No. 114:

A Bill to be entitled An Act to amend Section 789 of the General Statutes of the State of Florida, relating to elections to determine whether or not any county in the

State shall issue county bonds for the purpose of constructing paved, macadamized or other hard surfaced highways.

Committee on Public Roads and Highways reports favorably with Committee amendments.

Was taken up and read second time in full.

The following Committee Amendment was read:

In Section 1, line 8, strike out "who pay tax on real or personal property," and insert in lieu thereof the following: "who are free holders."

Mr. Wall moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 114 was referred to Committee on Engrossed Bills.

Senate Bill No. 81:

A Bill to be entitled An Act authorizing and empowering the County Commissioners of the several counties of the State to employ a County Engineer and provide for his compensation.

Committee on Public Roads and Highways reports favorably Committee amendment.

Was taken up the second time and read in full.

The Committee offered the following amendment to Senate Bill No. 81:

In Section 1, add at the end of the first sentence the following: "And such County engineer shall have general supervision and control of all road work of the County, subject only to the order of the Board of County Commissioners.

Mr. McCreary moved to adopt the amendment.

Which was agreed to.

And Senate Bill No 81 was referred to the Committee on Engrossed Bills.

Senate Bill No. 69:

A Bill to be entitled An Act directing and authorizing the Board of County Commissioners of the several counties of this State, to provide and place signs on the public

roads of this State and at road-crossings and intersections, and providing for the enforcement of this Act.

Committee on Public Roads and Highways reports favorably.

Which was passed over temporarily.

Was taken up and read the second time in full.

Also the Committee Substitute for Senate Bill No. 69:

A Bill to be entitled An Act directing and authorizing the Board of County Commissioners of the several counties of this State, to provide and place signs on the public roads of this State and at road-crossings and intersections, and for the maintenance of said sign boards, and providing for the enforcement of this Act.

Was taken up and read.

Mr. Blitch moved that the Committee Substitute be adopted in lieu of the original Bill.

Which was agreed to.

And Senate Bill No. 69 was referred to Committee on Engrossed Bills.

Senate Bill No. 5:

A Bill to be entitled An Act to fix the liability of persons, firms and corporations engaged in the telegraph business in certain cases, providing for assessing the damages and granting of new trials in such cases, and to declare illegal and void certain stipulations and provisions in contracts exempting such persons, firms and corporations from liability in certain cases.

Committee on Railroads, Canals and Telegraphs reports favorably.

Was taken up and informally passed over.

Senate Bill No. 121:

A Bill to be entitled An Act to amend Section 2 of Chapter 5943 of the 1909 Laws of Florida relative to the sales of lands vested in the Trustees of the Internal Improvement Fund and the State Board of Education and the publication of notices when certain sales are contemplated.

The Committee on Judiciary B reports favorably.

Which was taken up and passed over temporarily.

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

Mr. Johnson offered the following amendment to Senate Bill No. 121:

In Section 1, line 3, strike out the words, "to-wit."

Mr. Johnson moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 121 was referred to Committee on Engrossed Bills.

Senate Bill No. 153:

A Bill to be entitled An Act to provide for the care of the Olustee Monument, and making an appropriation for such purpose.

Placed on Calendar of Bills on second reading, without reference, the rules being waived.

Was taken up and read the second time in full.

And Senate Bill No. 153 was referred to Committee on Engrossed Bills.

Senate Bill No. 38:

A Bill to be entitled An Act to provide a custodian for the Supreme Court Building and grounds.

The Committee on Capitol Buildings and Grounds reported favorably with amendment.

Was taken up and read the second time in full.

The following Committee amendment was read:
Strike out the last sentence of Section 1.

Mr. Finlayson moved to adopt the amendment.

Which was agreed to.

Senate Bill No. 38 was referred to the Committee on Engrossed Bills.

Senate Bill No. 94:

A Bill to be entitled An Act to prohibit the shipment of spirituous, vinous, malted, fermented or other intoxicating liquors of any kind, when said liquor is intended

by any person interested therein to be received, possessed, and sold in violation of law from places in which the sale of such liquor is authorized by law of the State of Florida, to places in which the sale of such liquors is prohibited by laws of the State of Florida; to authorize the seizure and destruction of such liquor when so shipped, to provide for the seizure and destruction of such intoxicating liquor consigned or shipped from without the State of Florida to places in counties that have or may hereafter vote against the sale of said liquors in accordance with the Constitution and Laws of the State of Florida, whether in original package or otherwise, when said intoxicating liquor so shipped is intended by any person interested therein to be received, possessed, sold, or in any manner used in violation of any law or laws of the State of Florida, and providing for the marking and labeling of all liquors shipped from one place to another in the State of Florida, and prescribing penalties for violations of this Act, and establishing rules of evidence for proceedings under this Act.

The Committee on Temperance reported favorably.

Was taken up and read the second time in full.

Mr. Himes moved that 200 copies of Senate Bill No. 94 be printed, and that it be made a special order of the day for Monday morning and retain its place on Calendar of Bills on second reading.

Senate Bill No. 132:

A Bill to be entitled An Act prohibiting the soliciting of orders for the sale of spirituous, vinous or malt liquors in any county or district of the State of Florida wherein the sale of such liquor is prohibited by law, and prescribing penalties for violations thereof.

Committee on Temperance reports favorably.

Was taken up and passed over temporarily.

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

Mr. Johnson offered the following amendment to Senate Bill No. 132:

At the end of Section 1 add "Provided, That the provisions of this Act shall not apply to United States mail and newspaper advertising."

Mr. Johnson moved to adopt the amendment.

Which was agreed to.

Mr. Adkins offered the following amendment to Senate Bill No. 132:

In Sec. 2, line 21, strike out "and" and insert in lieu thereof the word "or."

Mr. Adkins moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 132 was referred to Committee on Engrossed Bills.

Senate Bill No. 127:

A Bill to be entitled An Act amending Section 3809 of the General Statutes relating to the sale of intoxicating liquor within four miles of school houses.

Committee on Temperance reports favorably.

Was taken up and read the second time in full.

And Senate Bill No. 127 was referred to the Committee on Engrossed Bills.

Senate Bill No. 129:

A Bill to be entitled An Act regulating the hours and times of delivery by common carriers, their agents and employes of spirituous, vinous, malted, fermented or other intoxicating liquors, and in aid of the police powers of the State of Florida and prescribing a penalty for violations thereof.

Committee on Temperance reports favorably.

Was taken up and read the second time in full.

And Senate Bill No. 129 was referred to the Committee on Engrossed Bills.

Senate Bill No. 116:

A Bill to be entitled An Act to aid the Florida Division of Confederate Veterans in erecting in this State a monument or memorial in honor of the Women of the Southern Confederacy, in memory of their heroism, devotion and self-sacrifice during the Civil War, 1861-1865, and making an appropriation therefor.

Committee on Appropriations reports favorably.

Mr. Calkins asked unanimous consent to withdraw Senate Bill No. 116, as the Senate had already passed the House companion bill.

Which was agreed to.

And Senate Bill No. 116 was withdrawn.

Senate Bill No. 131:

A Bill to be entitled An Act authorizing and empowering the several Boards of County Commissioners in the State of Florida to construct, erect, acquire, lease, operate, maintain and control bridges, cross-ways and passage-ways over, along or across water; to acquire property and franchises for such purposes and kindred and subsidiary purposes, and to issue bonds for such purposes, and creating trustees for such bonds and prescribing duties, and to carry into effect the provisions of this Act.

Committee on Public Roads and Highways reports favorably.

Was taken up and temporarily passed.

Senate Bill No. 147:

A Bill to be entitled An Act to amend Section 3676 of the General Statutes of the State of Florida, relating to the obstruction of County and settlement roads.

Committee on Public Roads and Highways reports favorably.

Was taken up and read the second time in full.

And Senate Bill No. 147 was referred to the Committee on Engrossed Bills.

Senate Bill No. 45:

A Bill to be entitled An Act conferring jurisdiction upon Courts of Chancery to issue writs of injunction to restrain, under certain conditions, the discharge of mud,

muddy substances or other sedimentary matters into the creeks, streams or rivers of the State of Florida.

Committee on Mines and Minerals reports favorably.

Was taken up and read the second time in full.

Mr. Himes offered the following amendment to Senate Bill No. 45:

In Section 2 add: "Before any temporary injunction shall be issued under the provisions of this Act, notice of application therefor shall be given to the defendant or defendants, or his, its or their agents or duly constituted representatives.

Mr. Himes moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 45 was referred to Committee on Engrossed Bills.

Mr. Lindsey moved that 200 copies of Senate Bill No. 320 be printed.

Which was agreed to.

Mr. Lindsey moved that Senate Bill No. 320 be made a Special Order for tomorrow morning at nine o'clock.

Mr. Hudson moved as a substitute that Senate Bill No. 320 be made a continued Order of the Day on Calendar of Bills on second reading.

Mr. Cone moved to amend the substitute that Senate Bill No. 320 be made a Special Order for Thursday morning, May 8, at 10 o'clock.

Pending which Mr. Igou moved that the Senate do now adjourn.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow morning at 9 o'clock.

Saturday, May 3, 1913

The Senate met pursuant to adjournment.

The President in the Chair.

49—S.

The roll being called, the following Senators answered to their names:

Mr. President, Senators Adkins, Blitch, Brown, Calkins, Carney, Conrad, Cooper, Davis, Donegan, Finlayson, Himes, Igou, Johnson, Lindsey, Malone, McCreary, McGeachy, McClellan, McLeod, Stringer, Wall, Watson, Wells, Wilson, Zim—26.

Senators Culpepper, L'Engle and Roddenbery were excused from attendance for the day.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 2 was corrected.

The Journal of May 2 was approved as corrected.

Mr. L'Engle was excused from attending on the Senate for to-day and Monday, May 5.

Mr. Morgan, the Journal Secretary, was excused from attendance upon the Senate Monday A. M.

Mr. Marion, reading secretary, was excused from attendance upon the session Monday A. M.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bill, to whom was referred—

Senate Bill No. 54:

A Bill to be entitled An Act for the relief of George A. Clayton as contractor for the Supreme Court Building.

Have had the same under consideration and report same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.

Senate Bill No. 54, contained in the above report, was placed on Calendar of Bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 69:

A Bill to be entitled An Act directing and authorizing the Board of County Commissioners of the several counties of this State to provide and place sign boards on the public roads of this State, and at road crossings and intersections and for the maintenance of said sign boards, and providing for the enforcement of this Act.

Have had the same under consideration and report same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.

Senate Bill No. 69, contained in the above report, was placed on Calendar of Bills on third reading

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 153:

A Bill to be entitled An Act to provide for the care of the Olustee Monument, and making an appropriation for such purpose.

Have had the same under consideration and report same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.

Senate Bill No. 153, contained in the above report, was placed on Calendar of Bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 127:

A Bill to be entitled An Act amending Section 3809 of the General Statutes of Florida relating to the sale of intoxicating liquor within four miles of school houses.

Have had the same under consideration and report same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.

Senate Bill No. 127, contained in the above report, was placed on Calendar of Bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 147:

A Bill to be entitled An Act to amend Section 3676 of the General Statutes of the State of Florida relating to the obstruction of County and settlement roads.

Have had the same under consideration and report same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.

Senate Bill No. 147, contained in the above report, was placed on Calendar of Bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 3, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

The consideration of—

Senate Bill No. 49:

A Bill to be entitled An Act to establish a State Forest Commission; to promote conservation of forest resources of the State; to provide for the proper administration of same; to acquire lands; to prevent and suppress forest fires; and to provide penalties for the violation of this Act.

Have had the same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.

Senate Bill No. 49, contained in the above report, was placed on Calendar of Bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 93:

A Bill to be entitled An Act to encourage, protect, regulate and develop the shell fish industry of the State of Florida, and to increase the revenue of the State of Florida therefrom, by recognizing and declaring the ownership of the State in and to the bottoms or beds of the bodies of streams of water along the coast of the Gulf of Mexico and along the coast of the Atlantic Ocean within the jurisdiction of the State of Florida not heretofore granted or conveyed for the purpose of giving exclusive rights to plant oysters and clams by recognizing and declaring the ownership of the State in and to all reefs and beds of oysters, clam and other shell fish growing naturally thereon; for the protection of those heretofore engaged in the growing of oysters; by creating the office of Shell Fish Commissioner of the State of Florida, and defining his powers and duties; by providing for the leasing of oyster and clam lands belonging to the State; by providing for the licensing, registration and designation of vessels employed in the oyster and clam industry; by levying a special assessment or privilege tax on oysters and clams produced in said waters; and a police license on persons, firms, corporations and vessels engaged in the oyster and clam industry; by providing for the manner of collecting, handling, depositing and disbursing the revenue derived from said industry, and the distribution of the surplus revenues; by providing for the protection and enlargement of the natural oyster and clam reefs and beds of the State, and for the creating of the artificial reefs or beds by authorizing the Counties to make appropriations therefor; by providing such other regulations and provisions as are necessary to properly carry out the objects and purposes of this Act, by providing penalties for the violations of this Act; and by repealing and super-

seding all laws on the same subject matter and in conflict with the provisions of this Act.

Have had the same under consideration and report same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.

Senate Bill No. 93, contained in the above report, was placed on Calendar of Bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 314:

A Bill to be entitled An Act to validate and legalize certain funding interest-bearing coupon warrants issued by the Board of Public Instruction of Manatee County, Florida, defined by resolutions passed by the said Board while in session, said Resolutions now being a part of the records of said Board of Public Instruction, said interest-bearing coupon warrants having been issued to borrow money to pay outstanding indebtedness and for the purposes of erecting public school buildings; bearing dates of March 1st, 1912, and August 1st, 1912, and to authorize and empower said Board of Public Instruction to issue additional interest-bearing coupon warrants for the purpose of borrowing money to complete payment for public school buildings now under construction, and to pay any other indebtedness, and to provide for the payment of said interest-bearing coupon warrants.

Have had same under consideration and report same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.

Senate Bill No. 314, contained in the above report, was placed on Calendar of Bills on third reading.

Mr. Wells, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 318:

A Bill to be entitled An Act making an annual appropriation for the University of Florida, at Gainesville, to make up deficit caused by shrinkage of interest on certain bonds.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

A. S. WELLS,
Chairman of Committee.

Senate Bill No. 318, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Wells, Chairman of Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 319:

A Bill to be entitled 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 the Blind, and The Florida Agricultural and Mechanical College for Negroes.

Recommend that it do pass, with the following amendments:

In Section 1, strike out the words and figures "\$428,000.00," and insert in lieu thereof the following: "Four Hundred and Thirty-six Thousand (\$436,000.00) Dollars."

In Section 1, strike out lines 15 and 16, and insert in lieu thereof the following: "For The Florida State College for Women, One Hundred and Forty-eight Thousand (\$148,000.00) Dollars."

Have had the same under consideration and recommend that it do pass.

Very respectfully,

A. S. WELLS,
Chairman of Committee.

Senate Bill No. 319, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Zim, Chairman of Committee on Organized Labor, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Organized Labor, to whom was referred—

Senate Bill No. 250:

A Bill to be entitled An Act for the collection and publication by the Commissioner of Agriculture of information and statistics concerning labor conditions and employes in all branches of industrial pursuits in this State.

Have had the same under consideration and refer it back without recommendation.

Very respectfully,

LEWIS W. ZIM,
Chairman of Committee.

Senate Bill No. 250, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Hudson, Chairman of Committee on Railroads and Telegraph, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Railroads and Telegraph, to whom was referred--

Senate Bill No. 193:

A Bill to be entitled An Act regulating contracts of surety between common carriers and their employes and sureties upon such contracts and fixing penalties for the violation of same.

Have had same under consideration and report same without recommendation.

Very respectfully,

F. M. HUDSON,
Chairman of Committee.

Senate Bill No. 193, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Roddenberry, Chairman of Committee on Game and Fisheries, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Game and Fisheries, to whom was referred--

Senate Bill No. 48:

A Bill to be entitled An Act for the protection of game, animals and fish; to establish the Department of Game and Fish; to declare what shall be game animals and birds; to provide for the appointment of a State Game and Fish Commissioner, and the appointment of Warden and Deputy Wardens; prescribing their duties and their purposes, and to provide penalties for violations of this Act

And your Committee, acting in conjunction with the

Committee on Game and Fisheries of the House of Representatives, thus forming a Joint Committee, have had the same under consideration, and recommend that the accompanying Bills, to-wit:

Joint Committee Substitute A for Senate Bill No. 48:

A Bill to be entitled An Act creating a Department of Game and Fish of the State of Florida, and creating the office of State Game and Fish Commissioner.

And--

Joint Committee Substitute B for Senate Bill No. 48:

A Bill to be entitled An Act to protect game and birds in the State of Florida.

Be substituted in lieu of said Senate Bill No. 48, and occupy its place on the Calendar of Bills on the second reading, and that the said substitute to the said Senate Bill No. 48 do pass.

Very respectfully,

S. P. RODDENBERRY,
Chairman of Committee.

Senate Bill No. 48 A and B, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Watson, Chairman of Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Constitutional Amendments, to whom was referred--

Joint Senate Resolution No. 32:

A Joint Resolution proposing an amendment to Section 9 of Article 9 of the Constitution of the State of Florida, relating to tax exemptions.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,
Y. L. WATSON,
Chairman of Committee.

Senate Resolution No. 32, contained in the above report, under the rule, was laid on the table.

Mr. McGeachy, Chairman of Committee on Privileges and Elections, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 1, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred—

Senate Bill No. 140:

A Bill to be Entitled An Act to enable any qualified elector required by his duties or occupation or from sickness or other causes to be absent from his voting precinct, on the day of any primary election, to cast his vote wherever within the State he may be, providing for the counting of such votes, and prescribing penalties for the violation thereof.

Have had the same under consideration and recommend that it do pass, with amendment.

Very respectfully,
R. A. McGEACHY,
Chairman of Committee.

Senate Bill No. 140, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Hudson, Chairman of Committee on Railroads and Telegraph, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Railroads and Telegraph, to whom was referred—

Senate Bill No. 91:

A Bill to be entitled An Act to regulate the price of freights that shall be charged by railroads for conveying material in car lots to be used in the construction of hard surface roads at any or all points along the lines of railroads that now or that may hereafter operate in this State.

Your Committee on Railroads and Telegraph recommend the following substitute for Senate Bill No. 91:

A Bill to be entitled An Act directing and requiring the Railroad Commissioners to fix and prescribe freight rates on road materials, and permitting certain discriminations in reference thereto.

Have had the same under consideration and recommend that the substitute do pass.

Very respectfully,
F. M. HUDSON,
Chairman of Committee.

Senate Bill No. 91, contained in the above report, was placed on Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 3, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Bill No. 254:

A Bill to be entitled An Act annexing certain territory heretofore a part of Calhoun County to the territory of Bay County, as Bay County is created and established by An Act approved April 24th, 1913, and defining the boundaries thereof.

Have carefully examined the same and find it correctly enrolled.

Very respectfully,
B. H. LINDSEY,
Chairman of Committee Pro Tem.

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

Senate Chamber,
Tallahassee, Fla., May 3, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

Senate Bill No. 254:

A Bill to be entitled An Act annexing certain territory heretofore a part of Calhoun County to the territory of Bay County, as Bay County is created and established by An Act approved April 24th, 1913, and defining the boundaries thereof.

Have carefully examined the same and find it correctly enrolled.

Very respectfully,

B. H. LINDSEY,
Chairman of Committee Pro Tem.

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

Senate Chamber,
Tallahassee, Fla., May 3, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

Senate Bill No. 254:

A Bill to be entitled An Act annexing certain territory heretofore a part of Calhoun County to the territory of Bay County, as Bay County is created and established by An Act approved April 24th, 1913, and defining the boundaries thereof.

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

Very respectfully,

B. H. LINDSEY,
Chairman of Committee Pro Tem.

ENROLLED.

The President announced that he was about to sign—
Senate Bill No. 254:

A Bill to be entitled An Act annexing certain territory heretofore a part of Calhoun County to the territory of Bay County, as Bay County is created and established by An Act approved April 24th, 1913, and defining the boundaries thereof.

The Act was therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Senate Chamber,
Tallahassee, Fla., May 3, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

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

Senate Bill No. 254:

A Bill to be entitled An Act annexing certain territory heretofore a part of Calhoun County to the territory of Bay County, as Bay County is created and established by An Act approved April 24th, 1913, and defining the boundaries thereof.

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

Very respectfully,

B. H. LINDSEY,
Chairman of Committee Pro Tem.

INTRODUCTION OF RESOLUTIONS.

Mr. Blich offered the following—
Senate Resolution No. 33:

Be it Resolved by the Senate that a suitable locker, with good and sufficient locking device be procured for the Committee on Engrossed Bills, for the purpose of keeping safely bills to be enrolled and engrossed.

Which was read.

Mr. Johnson moved that the resolution be adopted.
Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Brown—
Senate Bill No. 339:

A Bill to be entitled An Act requiring the Judge of the Circuit Court and the Judge of the Criminal Court of Record to charge the jury upon the sentence which may be imposed for the crime or degree of crime of which persons being tried may be convicted.

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

By Mr. McCreary —
Senate Bill No. 340:

A Bill to be entitled An Act prescribing the manner and conditions upon which all species of catfish may be taken from the fresh water lakes and streams of the State of Florida, and declaring the ownership thereof, and providing a penalty for violation of the provisions of this Act.

Which was read the first time by its title and referred to the Committee on Game and Fisheries.

By Mr. Conrad (By Request)—
Senate Bill No. 341:

A Bill to be entitled An Act prescribing the fees for examination of banks, banking and trust companies, providing for the compensation of bank examiners and for an additional examiner.

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

By Mr. Lindsey—
Senate Bill No. 342:

A Bill to be entitled An Act to cancel all outstanding and unredeemed tax certificates of land sold for taxes in Holmes County, Florida, prior to January 8, A. D. 1902.

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

By Mr. Wall—
Senate Bill No. 343:

A Bill to be entitled An Act for the relief of the own-

ers of certain real estate in Florahome Drainage District, in Putnam County, Florida.

Which was read the first time by its title and referred to the Committee on Canals and Drainage.

By Mr. Wall—
Senate Bill No. 344:

A Bill to be entitled An Act to amend Section 1 of Chapter 6297 of the Laws of Florida, being An Act entitled "An Act relating to the drainage and reclamation of certain lands in Putnam County, Florida; establishing a drainage district; creating a Board of Drainage Commissioners, and prescribing its powers and duties; establishing a drainage system by the cutting of canals and constructing and maintaining canals and levees for the purpose of drainage; levying a drainage tax, relating to the assessment of lands to be drained and benefited; the collection of necessary funds by assessment of benefits and taxation of lands within said drainage district for the drainage and improvement of said lands, and for the exercise of the right of eminent domain," approved June 3, 1911.

Which was read the first time by its title and referred to the Committee on Canals and Drainage.

By Mr. Lindsey—
Senate Bill No. 345:

A Bill to be entitled An Act providing for the annexation of part of Bay County, formerly Washington County, of the State of Florida, to the County of Walton, and for the government thereof.

Which was read the first time by its title.

Mr. Lindsey moved that the rules be waived and that Senate Bill No. 345 be advanced to the Special Calendar of Bills on the second reading without reference.

Which was agreed to by a two-thirds vote.

And the Bill was placed on the Special Calendar of Bills on the second reading without reference.

By Mr. Blich—
Senate Bill No. 346:

A Bill to be entitled An Act to prescribe the time, with-

in which suits or actions may be begun to enforce the collection of a policy of insurance, to provide for the bringing of a second action and to forbid any impairment of the right by contract.

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

By Mr. Wall—
Senate Bill No. 347:

A Bill to be entitled An Act relative to the collection of fees and perquisites in State offices.

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

By Mr. McGeachy—
Senate Bill No. 348:

A Bill to be entitled An Act to amend Section 1264 of the General statutes of the State of Florida, relating how commercial fertilizer and feed stuffs shall be labeled before being sold or imported into the State of Florida.

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

By Mr. McGeachy—
Senate Bill No. 349:

A Bill to be entitled An Act to amend Section 1271 of the General Statutes of the State of Florida relating to the manner of securing analysis of commercial fertilizer or feed stuffs from the State Chemist of the State of Florida and the value of such certificates of analysis as evidence in the courts of this State.

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

By Mr. Himes (by request).
Senate Bill No. 350:

A Bill to be entitled An Act relating to the jurisdiction and powers of the City of Plant City, a municipal corporation in Hillsboro County, Florida, and to provide for the creation of the office of Municipal Judge for said city, and to prescribe his jurisdiction and powers; to provide that the salary or compensation of any official of

said city shall not be changed during his term of office, and to vest the Mayor of the city with authority and power to appoint certain police for said city for a limited time, and to vest the mayor of the city with authority and power to suspend any police of said city for a limited time and under certain conditions, and for other purposes.

Which was read the first time by its title.

Mr. Himes moved that the rules be waived and that Senate Bill No. 350 be advanced to the Special Calendar of Bills on the second reading without reference.

Which was agreed to by a two-thirds vote.

And the Bill was placed on the Special Calendar of Bills on the second reading without reference.

By Mr. McLeod—
Senate Bill No. 351:

A Bill to be entitled An Act to amend 5885, Laws of Florida, entitled An Act creating a State Board of Pensions; defining who shall receive pensions, who shall not receive pensions, who shall be retained as pensioners, how application shall be made, how pensions shall be paid; duty of County Commissioners in regard to pensions; providing for the levy of pension tax and authorizing the State Board of Pensions to make regulations to carry into effect the provisions of this Act.

Which was read the first time by its title.

Mr. McLeod moved that the rules be waived and that Senate Bill No. 351 be advanced to the Calendar of Bills on the second reading without reference.

Which was agreed to by a two-thirds vote.

And the bill was placed on the Calendar of Bills on the second reading without reference.

Mr. Wells moved that 200 copies of Senate Bill No. 160 be ordered printed.

Which was agreed to.

Mr. Wells moved that Senate Bill No. 226 be recalled from the Committee on Finance and Taxation.

Mr. Malone moved as a substitute to the motion that

the Committee be given further time to consider Senate Bill No. 226.

Which was not agreed to.

Mr. Himes moved that the Committee be excused from the Senate Chamber in order to now consider Senate Bill No. 226.

Mr. Johnson moved as a substitute to the motion that the Chairman of the Committee be instructed to return Senate Bill No. 226 to the Senate.

Which was agreed to.

Mr. Wells moved that Senate Bill No. 226, recalled from the Committee on Finance and Taxation, be placed on Calendar of Bills on second reading.

Which was agreed to.

And Senate Bill No. 226 was ordered placed on Calendar of Bills on second reading.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
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. 198:

A Bill to be entitled An Act to provide a penalty for coercing or influencing or making demands upon, or requiring of employes, servants, laborers and persons seeking employment.

Also—

House Bill No. 203:

A Bill to be entitled An Act to admit to record patents of the United States conveying land and admitting in evidence certified copies of the same.

Also—

House Bill No. 282:

A Bill to be entitled An Act prohibiting the unauthorized wearing or using of badges, insignia or uniforms of certain orders and societies, and to prescribe penalties therefor.

Also—

Senate Bill No. 254:

A Bill to be entitled An Act annexing certain territory heretofore a part of Calhoun County to the territory of Bay County, as Bay County is created and established by An Act approved April 24th, 1913, and defining the boundaries thereof.

Also—

House Bill No. 55:

A Bill to be entitled An Act relative to the leasing, the working, the care, the guarding and the maintenance of State convicts; to the establishment of a State Prison and State Prison Farm and the maintenance thereof; to the working of State convicts on country roads; to prescribe the duties and powers of certain State and county officers and boards in connection with the prison system; to fix certain penalties; to provide for the manner of the distribution of the funds arising from the hire or labor of State convicts; and making appropriations for the purpose of carrying out the provisions of this Act.

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. 198, contained in the above mes-

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

And House Bill No. 203, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary A.

And House Bill No. 282, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary A.

And Senate Bill No. 254, contained in the above message, was read the first time by its title and was referred to the Committee on Enrolled Bills.

And House Bill No. 55, contained in the above message, was read the first time by its title and was referred to the Committee on Prisons and Convicts.

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

House of Representatives,
Tallahassee, Fla., May 2, 1913.

Hon. H. J. Drane,
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. 185:

A Bill to be entitled An Act to prohibit the employment or service of minors in certain cases, and fixing a penalty for the violation of the same.

Also—

House Bill No. 190:

A Bill to be entitled An Act regulating contracts of surety between common carriers and their employes, and sureties upon such contracts, and fixing penalties for violation of said Act.

Also—

House Bill No. 26:

A Bill to be entitled An Act to provide for the taking of testimony by Court Reporters, in preliminary hearings of homicide cases, and to provide for the payment of the cost of taking such testimony and transcribing the same.

Also—

House Bill No. 88:

A Bill to be entitled An Act to prescribe the manner of election of United States Senators in this State.

Also—

House Bill No. 132:

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

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

And House Bill No. 190, contained in the above message, was read the first time by its title and was referred to the Committee on Corporations.

And House Bill No. 26, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary B.

And House Bill No. 88, contained in the above message, was read the first time by its title and was referred to the Committee on Primaries and Elections.

And House Bill No. 132, contained in the above message, was read the first time by its title and was placed upon Senate Calendar of Bills on second reading without reference.

ORDERS OF THE DAY.

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

Passed Session of 1911. Vetoed by the Governor.

Was taken up and read.

The Governor's objection thereto was read as follows:

State of Florida,
Executive Department,
Tallahassee, June 8, 1911.

Hon. H. Clay Crawford,
Secretary of State.

Sir:

In pursuance of the provisions of Section 28 of Article 3 of the State Constitution, I have the honor to hand you herewith for filing the following bill, passed by the Legislature of 1911, from which my approval is withheld for the reasons stated below:

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

On June 5, 1911, I approved An Act entitled as follows:

"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."

In such act fixing the time for holding the terms of the Circuit Court in all of the circuits the identical time for the terms in the Fourth Circuit prescribed by the bill herewith transmitted were fixed. It is considered unnecessary to cumber the record by re-enacting the same provision of law in a separate act.

Very respectfully,

ALBERT W. GILHRICST,
Governor.

Upon the question, "Shall the bill pass, the veto of the Governor to the contrary notwithstanding?"

The roll was called and the vote was:

Yeas—None.

Nays—Senators Adkins, Blitch, Brown, Calkins, Carney, Conrad, Cooper, Davis, Donegan, Finlayson, Himes, Johnson, Lindsey, Malone, McCreary, McGeachy, McLellan, McLeod, Stringer, Wall, Watson, Wells, Zim—23.

So the Bill, not having received the required two-thirds vote, failed to pass, and the veto of the Governor was sustained.

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

Passed Session 1911. Vetoed by the Governor.

Was taken up and read.

The Governor's objection thereto was read as follows:

State of Florida, Executive Department,
Tallahassee, June 8, 1911.

Hon. H. Clay Crawford,
Secretary of State.

Sir:

In pursuance of the provisions of Section 28 of Article 3 of the State Constitution I have the honor to hand you herewith for filing the following Bill passed by the Legislature of 1911 from which my approval is withheld of the reasons stated below:

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

The enacting clause of this Bill is as follows:

Section 1. Therefore, be it enacted by the Legislature.

The enacting clause, therefore, varies from the form prescribed by the Constitution, which makes the Bill fatally defective.

It may be stated that this Bill is practically a duplicate of another Bill which was enacted by the Legislature and has recently been approved by me. Such other Bill was in correct form and accomplished the purpose for which the measure her transmitted was proposed.

Very respectfully,

ALBERT W. GILCHRIST,
Governor.

Upon the question, "shall the Bill pass, the veto of the Governor to the contrary notwithstanding?"

The roll was called and the vote was:

Yeas—None.

Nays—Senators Adkins, Blitch, Brown, Calkins, Carney, Conrad, Davis, Finlayson, Himes, Igou, Lindsey, Malone, McCreary, McGeachy, McClellan, McLeod, Stringer, Wall, Watson, Wells, Zim—21.

The Bill not having received the required two-thirds vote, the Act failed to pass and the veto of the Governor was sustained.

An Act to permit the registered voters of Election District Number Twenty-Five of Marion County, Florida, to decide whether hogs shall be allowed to run at large in said District.

Passed Session of 1911. Vetoed by the Governor.

Was taken up and read.

The Governor's objection thereto was read as follows:

State of Florida,
Executive Department,
Tallahassee, June 8, 1911.

Hon. H. Clay Crawford,
Secretary of State.

Sir:

In pursuance of the provisions of Section 28 of Article 3 of the State Constitution, I have the honor to hand you herewith for filing the following bill passed by

the Legislature of 1911 from which my approval is withheld for the reason stated below:

An Act to permit the registered voters of Election District Number Twenty-Five of Marion County, Florida, to decide whether hogs shall be allowed to run at large in said District.

Section 8 of this Bill is as follows:

"Section 8: Any owner or owners of any hog or hogs in said district whether the owner or owners reside in the district or not, who shall, after said district has, by the whole or a majority of the legal voters thereof, decided that hogs may not run at large therein, allow any such hogs to them belonging to run at large in said district, the owner or owners of such hog or hogs shall be liable at law for any and all damages caused by reason of such hog or hogs running at large (contrary to this Act), and shall be liable to a fine of not to exceed fifty dollars, or imprisonment not to exceed ninety days."

This provision in the bill constitutes a violation of Section 20 of Article 3 of the State Constitution, that "The Legislature shall not pass special or local laws * * * for the punishment of crime or misdemeanor."

In the recent case of Harper vs. Galloway, 58 Fla. 255, and Snowden vs. Brown, 60 Fla. 212, the Supreme Court of Florida has passed upon acts of the Legislature, being local acts, prescribing penalties for the violation of the provisions thereof.

The Court has declared such to be unconstitutional. This is such a Bill. It is, therefore, in violation of Section 20 of Article 3 of the Constitution.

Very respectfully,

ALBERT W. GILCHRIST,
Governor.

Upon the question, "shall the Bill pass, the veto of the Governor to the contrary notwithstanding?"

The roll was called and the vote was:

Yeas—None.

Nays—Senators Adkins, Blicht, Calkins, Carney, Davis, Finlayson, Igou, Johnson, Lindsey, Malone, McCreary, McGeachy, McClellan, McLeod, Stringer, Wall, Watson, Wells, Zim—19.

The Bill not having received the necessary two-thirds vote, the Bill failed to pass and the veto of the Governor was sustained.

Pending at adjournment on yesterday:

The motion of Mr. Cone to amend the substitute offered by Mr. Hudson for the motion made by Mr. Lindsey, which was as follows:

“To make Senate Bill No. 320, a Special Order of the Day for 10 o'clock, A. M., on Thursday, May 8th, 1913.

The question was then put upon the motion of Mr. Cone that Senate Bill No. 320 be made a Special Order of the Day for 10 o'clock, A. M., on Thursday, May 8th, 1913.

And it was agreed to and Senate Bill No. 320 was made a Special Order for 10 o'clock, A. M., Thursday, May 8th, 1913.

Senate Bill No. 90:

A Bill to be entitled An Act to provide for the punishment of desertion of wife, or wife and children.

Was taken up and passed over temporarily and continued in its order.

BILLS ON THIRD READING.

By Mr. Donegan—

Senate Bill No. 35:

A Bill to be entitled An Act to amend Section 2 of Chapter 5717, Laws of Florida, Acts of 1907, entitled “An Act to prescribe the terms and conditions upon which foreign corporations for profit may transact business, or acquire, hold or dispose of property in this State.”

Committee on Corporations reports favorably.

Was taken up and passed over temporarily.

Senate Bill No. 50:

A Bill to be entitled An Act to regulate the practice of Appellate Courts in reversing judgments on writs of error.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 50, the vote was:

Yeas—Senators Blicht, Calkins, Carney, Conrad, Cooper, Finlayson, McLeod, Wall, Watson, Zim—10.

Nays—Mr. President, Senators Adkins, Brown, Davis, Himes, Johnson, Lindsey, Malone, McCreary, McGeachy, Stringer, Wells—11.

So the bill failed to pass, title as stated.

Upon Motion of Mr. McLeod.

The Senate went into executive session.

The doors closed at 10:45 A. M.

The doors opened at 10:55 A. M.

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

Present—Mr. President, Senators Adkins, Blicht, Brown, Calkins, Carney, Conrad, Cooper, Davis, Donegan, Finlayson, Himes, Johnson, Lindsey, Malone, McCreary, McGeachy, McLeod, Stringer, Wall, Watson, Wells, Zim—23.

A quorum present.

Mr. Finlayson moved that the Senate proceed to the regular order of business.

Which was agreed to.

Upon motion of Mr. Wells, Senator Watson was excused from attendance upon the Senate for Monday.

Senate Bill No. 54:

A Bill to be entitled An Act for the relief of George

A. Clayton as contractor for the Supreme Court Building.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 54, the vote was:

Yeas—Mr. President, Senators Adkins, Blitch, Calkins, Carney, Conrad, Cooper, Davis, Donegan, Finlayson, Himes, Johnson, Lindsey, Malone, McCreary, McGeachy, McClellan, McLeod, Stringer, Watson, Wells, Zim—22.

Nays—None.

So the Bill passed, title as stated.

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

Mr. Adkins moved that the vote by which Senate Bill No. 50 failed to pass be reconsidered.

Which went over under the rule.

Mr. Adkins moved that House Bill No. 156 be recommitted to the Committee on Judiciary A.

Which was agreed to.

BILLS ON SECOND READING.

By Mr. Calkins—
Senate Bill No. 131:

A Bill to be entitled An Act authorizing and empowering the several Boards of County Commissioners in the State of Florida to construct, erect, acquire, lease, operate, maintain and control bridges, cross-ways and passage-ways over, along or across water; to acquire property and franchises for such purposes and kindred and subsidiary purposes, and to issue bonds for such purposes, and creating trustees for such bonds and prescribing duties, and to carry into effect the provisions of this Act.

Was taken up.

Mr. Calkins moved that House Bill No. 1 be substituted in lieu of Senate Bill No. 131.

Which was agreed to.

Mr. Himes moved as a substitute that the Bill be passed over temporarily until Monday, and retain its place on Calendar of Bills on second reading, owing to the absence of Senator L'Engle.

Further consideration of the Bill was passed over temporarily.

By Mr. Malone—
Senate Bill No. 1:

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

The Committee on County Organization reported favorably.

Was taken up and read the second time in full.

Mr. Malone offered the following amendment to Senate Bill No. 1:

In Section 1, line 7, after the word "charterer" and insert in lieu thereof the following: "or any marine underwriters or any agent or representative of any marine underwriters."

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

Mr. Calkins offered the following amendment to Senate Bill No. 1:

Insert after the word "office" at the end of Section 1 the following: "Provided that the provisions of this Act shall not apply to ports having a population of six thousand inhabitants or less."

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

And Senate Bill No. 1 was referred to the Committee on Engrossed Bills.

Mr. Himes moved that the Senate do now adjourn.

Mr. Calkins moved that the Senate rescind its action of yesterday relative to adjournment at noon.

Mr. Calkins withdrew his motion.

The motion then recurred upon the motion that the Senate do now adjourn.

Which was agreed to.

Thereupon the Senate stood adjourned until 9 o'clock Monday morning, May 5th, 1913.

CONFIRMATIONS.

Mallory F. Horne, of Jasper, Florida, to be Circuit Judge of the Third Judicial Circuit for the remainder of the term expiring June 9th, 1917.

D. F. Jones, of Chipley, Florida, to be Circuit Judge for the Ninth Judicial Circuit for the term expiring June 9th, 1917.

D. Stuart Gillis, of DeFuniak Springs, Florida, to be Judge of the Criminal Court of Record for Walton County for the remainder of the term expiring June 8th, 1915.

Lee J. Gibson, of Tampa, Florida, to be Judge of the Criminal Court of Record for Hillsboro County for four years from the 18th day of May, 1913.

William H. Jackson, of Tampa, Florida, to be County Solicitor for Hillsboro County for a term of four years from the 28th day of May, 1913.

Clark Monroe, of Pensacola, Florida, to be Judge of the Criminal Court of Record for Escambia County, for a term of four years from the 18th day of May, 1913.

George W. Walker, of Quincy, Florida, to be State Attorney for the Second Judicial Circuit for a term of four years from the 23rd day of May, 1913.

H. Stafford Caldwell, of Jasper, Florida, to be State Attorney for the Third Judicial Circuit for a term of four years from the 29th day of August, 1913.

William A. Hallows, Jr., of Jacksonville, Florida, to be State Attorney for the Fourth Judicial Circuit for a term of four years from the 11th day of July, 1913.

Cary P. Landis, of DeLand, Florida, to be State Attorney for the Seventh Judicial Circuit for a term of four years from the 8th day of June, 1913.

Monday, May 5, 1913

The Senate met pursuant to adjournment.

The President in the Chair.

The roll being called the following Senators answered to their names:

Mr. President, Senators Adkins, Brown, Calkins, Carney, Cone, Conrad, Cooper, Davis, Finlayson, Himes, Hudson, Igou, Johnson, Malone, McCreary, McGeachy, McClellan, Stringer, Stokes, Wall, Wells, Zim—23.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 3 was corrected.

The Journal of May 3 was approved as corrected.

The Secretary called attention to the fact that the report of the Committee on Engrossed Bills on Senate Bill No. 49 and the attending order of placement on the Calendar, to-wit:

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

Senate Chamber,
Tallahassee, Fla., May 1, 1913.

Hon. H. J. Drane,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 49:

A Bill to be entitled An Act to establish a State Forest Commission; to promote conservation of forest resources of the State; to provide for the proper administration of same; to acquire lands; to prevent and suppress fires; and to provide penalties for the violation of this Act.

Have had the same under consideration and report same properly engrossed.

Very respectfully,

A. J. McCLELLAN,
Chairman of Committee.