

Thursday, April 17, 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, Blich, Brown, Calkins, Carney, Cone, Cooper, Culpepper, Davis, Donegan, Finlayson, Himes, Hudson, Igou, Johnson, Lindsey, McCreary, McGeachy, McLellan, McLeod, Roddenberry, Stringer, Stokes, Wall, Watson, Wells, Zim—28.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 15th was corrected.

The Journal of April 15th was approved as corrected.

The Journal of the Senate of April 11, 1913, was corrected as follows:

Correct on Page 6 the lines 31, 32, 33, 34, 35, 36, 37 and 38 of printed Journal, the title of Senate Bill No. 40 which read as follows:

By Mr. L'Engle—
Senate Bill No. 40:

A Bill to be entitled An Act to amend Chapter 6240 of the Laws of 1911 of the Laws of 1909 of the Laws of 1907 of the Laws of Florida, being An Act amending Section 775 of the General Statutes of the State of Florida in relation to the compensation of County Commissioners.

To read as follows:

By Mr. L'Engle—
Senate Bill No. 40:

A Bill to be entitled An Act to amend Chapter 6240 of the Laws of 1911 of the Laws of Florida, being "An Act to amend Chapter 5695 of the Laws of 1907 of the Laws of Florida, being An Act amending Section 775 of General Statutes of the State of Florida in relation to the compensation of County Commissioners."

The oath of office was administered to Misses Essie Helvenston and Laura McCord and to Mr. M. H. Umbach official stenographers of the Senate by President of the Senate, Herbert J. Drane, who is also an official of the State of Florida duly authorized to administer oaths.

Reading Secretary Marion was excused until Monday afternoon on account of illness in his family.

REPORTS OF COMMITTEES.

Mr. Finlayson, Chairman of the Committee on Rules and Procedure, submitted the following report:

Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Rules and Procedure beg leave to report an appended copy of rules for the governance of the Senate in both open and executive session. They would recommend the adoption of these rules; and they ask that the time of the Committee shall be extended to report joint rules until they shall have had opportunity to confer with the Rules Committee of the House on the joint rules and as soon thereafter as possible then will report joint rules to the Senate.

Respectfully,

D. A. FINLAYSON,
Chairman.

Rules of the Senate.

RULE I.

DUTIES OF THE PRESIDENT.

1. The President shall take the chair on every Legislative day at the hour to which the Senate shall have adjourned at the last sitting, immediately call the Senate to order and on the appearance of a quorum cause the Journal of the proceedings of the last day's sitting to be read.

2. He shall preserve order and decorum and in case of disturbance or disorderly conduct in the lobby, may cause the same to be cleared.

3. He shall have the general control, except as provided by rule or law, of the Senate Chamber and of the corridors and passages and of the unappropriated rooms in that part of the Capitol assigned to the use of the Senate, until further ordered.

4. He shall sign all addresses, writs, warrants and subpoenas of, or issued by order of, the Senate; and decide the questions of order subject to an appeal by any Senator, on which appeal no Senator shall speak more than once, unless by permission of the Senate. He may speak to points of order in preference to other Senators.

5. He shall rise to put a question, but may state it sitting; and shall put questions in this form, to-wit: "As many as are in favor (as the question may be), say I;" and after the affirmative voice is expressed, "As many as are opposed, say no;" if he doubts, or if a division is called for, the Senate shall divide, those in the affirmative of the question shall first rise from their seats, and then those in the negative, if he still doubts, or a count is required by at least five Senators, he shall name one from each side of the question to tell the Senators in the affirmative and negative; which being reported he shall rise and state the decision.

6. He shall have the right to name any Senator to perform the duties of the chair, but said substitution shall not extend beyond an adjournment, provided, however, that in case of his illness, absence or other inability to discharge his duties, the President pro tem shall discharge the duties in all respect as the President himself might do.

RULE II.

OF THE SENATORS.

1. Every Senator shall be present within the Chamber of the Senate during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he has a direct, personal, or pecuniary interest, in the event of such question, or is excused from voting

by the Senate. Pairs shall be announced by the Clerk after the completion of the roll call, from a written statement sent to the desk by one Senator of the pair announcing how he and the Senator with whom he is paired would vote were they both voting.

RULE III.

QUESTIONS OF PRIVILEGE.

1. Questions of Privilege shall be, first: Those affecting the rights of the Senate collectively, its safety, dignity, and the integrity of its proceedings; second: the rights, reputation and conduct of Senators individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

RULE IV.

COMMITTEES.

1. Unless otherwise specially ordered by the Senate, the President shall appoint, at the commencement of the session the following standing committees, viz:

On the Judiciary, two committees, to consist of eleven members each, to be called A and B respectively.

On Education to consist of five members.

On Finance and Taxation to consist of five members.

On Claims to consist of five members.

On Corporations to consist of five members.

On Capital State Buildings and Grounds to consist of five members.

On County Organization to consist of five members.

On Municipalities to consist of five members.

On Militia to consist of five members.

On Legislative Expenses to consist of five members.

On Agriculture and Forestry to consist of five members.

On Public Printing to consist of five members.

On Engrossed Bills to consist of five members.

On Executive Communications to consist of seven members.

On Banking to consist of five members.

On Railroads, Canals and Telegraphs to consist of five members.

On Public Land and Drainage to consist of five members.

On Privilege and Elections to consist of five members.

On Appropriations to consist of five members.

On Commerce and Navigation to consist of five members.

On Immigration to consist of five members.

On Public Health to consist of five members.

On Constitutional Amendments to consist of five members.

On Temperance to consist of five members.

On Mining and Mineral Resources to consist of five members.

On Game and Fisheries to consist of five members.

On Organized Labor to consist of five members.

On Public Roads and Highways to consist of five members.

On Prisons and Convicts to consist of five members.

On Pensions to consist of five members.

On Attaches to consist of five members.

On Rules and Procedure to consist of five members.

Also the following Joint Standing Committee, viz:

On Enrolled Bills to consist of five members.

2. He shall also appoint all Select and Conference Committees, which shall be ordered by the Senate from time to time.

3. The first named member of the Committee shall be the Chairman; and in his absence, or being excused by the Senate, the next named member, and so on, as often as the case may happen.

4. No committee, except the Committee on Rules and Procedure, shall sit during the meeting of the Senate, without special leave.

5. All applications to the Senate for clerical aid to any committee shall be referred to the Committee on Legislative Expenses for investigation and report whether or not the proposed clerical aid is necessary for the dispatch of the public business.

The chairman of any committee which has been authorized to appoint a clerk shall, as soon as the appointment is made, certify the appointment and the name of the clerk with the date of his appointment to the Chairman of the Committee on Legislative Expenses, and the compensation of such clerk shall begin on the date that such

certificate is filed with the chairman of the latter committee. All expenses incurred by any special committee shall be certified, with the items thereof, under oath, to the Chairman of the Committee on Legislative Expenses, who shall keep on file all certificates made to him under this rule.

RULE V.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

1. Every bill, memorial and resolution shall be sent, endorsed with the name of the Senator introducing it, to the Secretary to be by the President referred, and the title and reference thereof shall be entered on the Journal. Every bill and joint resolution shall be presented in duplicate, fairly written without any erasure or interlineation or the President may refuse it, and the title shall also be placed on the outside cover under the number of the bill or joint resolution.

2. When a bill, resolution or memorial is introduced "by request" these words shall be entered upon the Journal.

3. The original of every bill and joint resolution shall be retained at all times by the Bill Secretary, except when the same may be required by the Committee on Engrossed Bills or it shall be otherwise ordered by the Senate.

RULE VI.

CALENDARS AND REPORTS OF COMMITTEES.

1. There shall be three calendars of business:

(a) A general Calendar on which shall be placed all bills and Joint Resolutions of a general nature, which shall be taken up on their various readings only in regular order, unless otherwise provided by the Committee on Rules and Procedure from time to time by reports and approved by the Senate, or by the Senate on its own motion.

(b) A Special Calendar on which shall be placed all Bills and Joint Resolutions of a local nature, which Bills and Joint Resolutions shall be taken up on their various readings only in regular order at such times as may be from time to time designated by the Committee on Rules and Procedure and approved by the Senate.

(c) A calendar to be known as House Calendar, which Calendar shall commence at such time as may be designated by the Committee on Rules and Procedure with the approval of the Senate, after the establishment of which, all House Bills and House Joint Resolutions certified by the House shall be placed thereon and shall be considered at such time as shall be designated by the Committee on Rules and Procedure and approved by the Senate, or by the Senate on its own motion.

2. All reports of committees on Bills and Joint Resolutions shall be delivered to the Clerk for reference to the proper Calendar under the direction of the President, in accordance with the foregoing clause, and the titles or subjects thereof shall be entered on the Journal and printed in the record together with the fact that the same was reported favorably or unfavorably as the case may be.

3. That Bills and Joint Resolutions reported adversely shall be laid on the table, unless the Committee reporting a Bill or Resolution at the time, or any Senator at any time thereafter shall request its reference to the Calendar, when it shall be referred, as provided in clause one of this Rule; and when such Bill or Resolution is reached on the second reading it shall be the duty of the Chairman of such Committee to move the indefinite postponement of the Bill or Joint Resolution, and in such case the entry in the Journal shall be Mr..... Chairman of the Committee on..... as required by the Rules, moved that..... Bill number..... be indefinitely postponed.

4. The Chairman of each Committee shall notify, in writing, immediately the introducer of each Bill or Joint Resolution of any unfavorable report thereon by his Committee.

5. Every Bill and Resolution referred to a Committee shall be reported back to the Senate within five days from the day of its commitment, unless otherwise ordered by the Senate.

6. Every Committee reporting on a Bill or Joint Resolution shall report in duplicate.

7. Presentation of reports of Committees of conference shall always be in order, except when the Journal is being read while the roll is being called, or the Senate is dividing on any proposition; and there shall accompany every such report a detailed statement sufficiently

explicit to inform the Senate of the effect such amendments or propositions will have upon the measure to which they relate.

RULE VII.

DECORUM AND DEBATE.

1. When any Senator desires to speak or deliver any matter to the Senate, he shall rise at his desk and respectfully address himself to "Mr. President" and, on being recognized, may address the Senate from any place on the floor, and shall confine himself to the question under debate, avoiding personalities.

2. When two or more members rise at once, the President shall name the Senator who is first to speak.

3. If any Senator, in speaking or otherwise, disregards the rules of the Senate, the President shall, or any Senator may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another Senator, to explain, and the Senate shall, if appealed to, decide on the case without debate; if the decision is in favor of the Senator called to order, he shall be at liberty to proceed, but not otherwise; and if the case require it, he shall be liable to censure or such punishment as the Senate may deem proper.

4. No Senator shall speak more than once on one question, to the prevention of any other who has not spoken and is desirous to speak, nor more than twice without obtaining leave of the Senate.

5. While the President is putting a question no member shall walk out or across the hall, nor, when a Senator is speaking, pass between him and the Chair; and during the session of the Senate no Senator shall wear his hat, or remain by the Clerk's desk during the calling of the roll or the counting of the ballots, or smoke upon the floor of the Senate; and the Sergeant-at-Arms is charged with the strict enforcement of this clause.

6. No Senator speaking shall be interrupted by another, but by rising up to call to order, or a question of privilege.

7. After a question is put to vote no Senator shall speak to it.

RULE VIII.

ON THE CALLS OF THE ROLL OF THE SENATE.

1. Upon every roll call the names of the Senators shall be called alphabetically by surname, except where two or more have the same surname, in which case the number of the Senatorial District shall be added. The President's name shall be called at the end of the roll call.

2. In the absence of a quorum, ten Senators, including the President, shall be authorized to compel the attendance of absent Senators. In all calls of the Senate the doors shall be closed, the names of the Senators shall be called by the Secretary, and the absentees noted; and those for whom no sufficient excuse is made, may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured and retained; and the Senate shall determine upon what condition they shall be discharged.

3. On the demand of any Senator, or at the suggestion of the President, the names of Senators sufficient to make a quorum in the hall of the Senate but do not vote shall be noted by the Secretary and recorded in the Journal, and reported to the President with the names of the Senators voting, and be counted and announced in determining the presence of a quorum to do business.

RULE IX.

ON MOTIONS, THEIR PRECEDENCE, ETC.

1. Every motion made to the Senate and entertained by the President shall be reduced to writing on the demand of any member and shall be entered on the Journal with the name of the Senator making it unless it is withdrawn the same day.

2. When a motion has been made, the President shall state it or (if it be in writing) cause it to be read aloud by the Secretary before being debated, and it shall then be in possession of the Senate, and may be withdrawn at any time before a decision or amendment.

3. When any motion or proposition is made, the question "WILL THE SENATE NOW CONSIDER IT?" shall not be put unless demanded by a member.

4. When a question is pending no motion shall be received but

- (a) To adjourn.
- (b) To adjourn to a time certain.
- (c) To take a recess.
- (d) To proceed to the consideration of the Executive business.
- (e) To lay on the table.
- (f) To postpone to a day certain.
- (g) To commit.
- (h) To amend or to substitute.
- (i) To postpone indefinitely.

Which several motions shall have precedence as they stand arranged; and the motions relative to adjournment, to take a recess, to proceed to the consideration of Executive business, to lay on the table, shall be decided without debate, provided, however, that the introducer of the resolution, bill or motion shall be allowed to speak for five minutes, when he desires to discuss the same, or he may divide his time with or may waive his right in favor of some other Senator, before a motion to lay on the table shall be put.

4. When a substitute is offered and taken up for consideration it shall be subject to amendment in the same manner as the original proposition; and the effect of rejection of the substitute as amended, shall be to reinstate the original for consideration.

5. The hour at which the Senate adjourns shall be entered on the Journal.

6. On the demand of any Senator, before the question is put, the question shall be divided if it include propositions so distinct in substance that one being taken away, a substantive proposition shall remain.

7. A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

8. Pending a motion to suspend the rules, the President may entertain one motion that the Senate adjourn,

but after the result thereon is announced he shall not entertain any other dilatory motion until the vote is taken on suspension.

RULE X.

RECONSIDERATION.

1. When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on the next day of the session thereafter, move a reconsideration thereof, and such motion (except during the last seven calendar days of the session) shall be placed first in the orders of the day for the day succeeding that on which the motion is made, and if the Senate shall refuse to consider, or upon reconsideration shall confirm its first decision, no further motion to reconsider shall be in order, unless by unanimous consent.

RULE XI.

OF AMENDMENTS.

1. When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amendment by way of substitute to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon.

2. A motion to strike out the enacting clause of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

3. No bill or joint resolution shall be amended except on second reading, or by unanimous consent.

RULE XII.

ORDER OF BUSINESS AND PROCEDURE.

1. The daily order of business shall be as follows:
 - First: Roll Call.
 - Second: Prayer by Chaplain.
 - Third: Reading of the Journal.

Fourth: Correction and approval of the Journal.

Fifth: Reports of Committees.

Sixth: Introduction of resolutions and considerations of Senate resolutions.

Seventh: Introduction of bills and joint resolutions.

Eighth: Consideration of other resolutions.

Ninth: Messages from the Governor.

Tenth: Messages from the House of Representatives.

Eleventh: Orders of the day.

Twelfth: Consideration of bills and joint resolutions on third reading.

Thirteenth: Consideration of bills and joint resolutions on second reading.

Fourteenth: Miscellaneous business.

Fifteenth: Petitions and memorials.

2. Business on the President's table shall be disposed of as follows:

Messages from the Governor shall be referred to the Appropriate Committee without debate. Reports and communications from the heads of departments, and other communications addressed to the Senate, and bills, resolutions and messages from the House may be referred to the Appropriate Committee in the same manner and with the same right of correction as bills presented by Senators; but Senate bills with House amendments may be at once disposed of as the Senate may determine; and House Bills and House Joint Resolutions substantially the same as Senate Bills and Senate Joint Resolutions favorably reported by a committee of the Senate may be substituted for such Senate Bill or Joint Resolution on motion of any Senator.

3. The unfinished business in which the Senate was engaged at the time of the last adjournment shall have the preference in the orders of the day after motions to reconsider have been disposed of.

4. No Bill or Joint Resolution shall be introduced by a member without special leave, except under the regular order of business, and all Bills and Joint Resolutions when so introduced shall be committed before they are passed to second reading.

5. Any Bill or Resolution shall be read in full at the request of any Senator, unless objection be made, when the question shall be determined by the Senate without debate.

6. No Bill or Joint Resolution shall pass to be engrossed without two several readings on two separate days.

7. All Bills and Joint Resolutions after a second reading shall be committed to the Standing Committee on Engrossed Bills, whose duty it shall be to strictly examine the same, and if found by them to be correctly engrossed, they shall so indorse on the same; Provided, That any Bill or Joint Resolution which has passed second reading without amendment shall be placed on the Calendar of Bills on Third Reading without reference to said Committee, unless the Senate shall order otherwise; and such Bill or Joint Resolution shall be considered as engrossed.

8. No Engrossed Bills or Joint Resolutions shall be amended without the unanimous consent of the members present, and when so amended shall be re-engrossed unless it is otherwise ordered by the Senate, and shall not lose its place on the Calendar.

9. All Resolutions requiring the concurrence of the House of Representatives shall be read to the Senate and lie over one day before final action thereon, unless otherwise ordered by the Senate.

10. All orders or Resolutions requiring information from the Governor, Cabinet Officers, or action of Committee shall be read to the Senate and acted upon as in case of motions, and shall be spread upon the Journals of the Senate.

11. Messages shall be sent to the House of Representatives by the Secretary, who shall previously indorse the final determination of the Senate thereon.

12. Whenever the Senator who introduced any bill or resolution is absent from the Chamber when such bill or resolution is reached in its regular order on any of its readings, such bill or resolution shall be temporarily passed until the return of said Senator, when he shall have the privilege of calling up said bill or resolution out of its regular order on the calendar.

RULE XIII.

CHANGE OR SUSPENSION OF RULES.

1. No rule shall be suspended except by a vote of two-thirds of the members voting, a quorum being present.

RULE XIV.

OF ADMISSION TO THE FLOOR.

1. No person not a member of the Senate shall be allowed inside of the bar while the Senate is in session, except the Senators, the Governor, his Cabinet Officers, ex-Governors, United States Senators, members of the House of Representatives of the United States and of this State, and Judges of the Supreme and Circuit Courts; provided that the President upon the suggestion of any member may invite any person within the bar of the Senate unless objection be made thereto, in which case a vote of the Senate shall be necessary, but in no case shall any record of such admission within the bar of the Senate be made in the Journal.

2. The President may admit to the floor, under such regulation as he may prescribe, stenographers and reporters wishing to take down the debates and proceedings, unless otherwise ordered by the Senate.

RULE XV.

PAY OF WITNESSES.

The rule of paying witnesses subpoenaed to appear before the Senate or either of its committees shall be as follows: For each day a witness shall attend, the sum of two dollars, for each mile he shall travel in coming to and going from the place of examination the sum of five cents each way, but nothing shall be paid for travel when the witness has been summoned at the place of trial.

RULE XVI.

MESSAGES.

Messages received from the House and the Governor

giving notice of bills passed or approved, shall be entered in the Journal of the day's proceedings.

RULE XVII.

PRINTING.

No bill, order, resolution, or other matter for the use of the Senate, shall be printed without the special order of the Senate.

RULE XVIII.

TIME OF DAILY SESSIONS.

Senate shall meet daily, except Sunday and the hours of convening shall be ten o'clock A. M. and four o'clock P. M., all unless otherwise ordered by the Senate.

RULE XIX.

ATTACHES.

The Messenger, Doorkeeper, Janitor and Pages shall be under the supervision and control of the Sergeant-at-Arms, and all attaches except as otherwise ordered by the Senate shall be under the supervision and control of the Committee on Attaches.

RULE XX.

JEFFERSON'S MANUAL.

The rules of parliamentary practice comprised in Jefferson's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing Rules and Orders of the Senate, or the Joint Rules of the Senate and House of Representatives.

RULE XXI.

OF THE JOURNAL.

It shall be the duty of the Recording Secretary of the

Senate to bind together one copy of the Journals of each day, after they shall have been approved by the Senate, and prepare an index upon forms to be furnished by the Attorney General's office, and said Journal shall be the official one of the Senate; that such index shall be plainly written or typed, and the Recording Secretary shall have twelve days after the Senate adjourns for completing the index.

RULES GOVERNING EXECUTIVE SESSION.

Rule 1. Where nominations shall be made by the Governor to the Senate, they shall, unless otherwise ordered by the Senate, lie over for action until the day succeeding the day upon which they were made; and the final question on every nomination shall be: "Will the Senate advise and consent to this nomination?" Which question shall not be put on the day on which the nomination is received.

Rule 2. Nominations neither approved nor rejected during the session at which they are made, shall not be acted upon at any succeeding session without again being made by the Governor; and if the Senate shall adjourn *sine die*, all nominations pending and not finally acted upon at the time of taking such adjournment, shall be returned to the Governor and shall not be acted upon afterwards, unless again submitted to the Senate by the Governor, and all motions pending to reconsider a vote upon a nomination shall fail on such adjournment.

Rule 3. All information or remarks concerning the character or qualifications, or the vote upon the confirmation of any person nominated by the Governor to office, shall be kept a secret; but the fact that a nomination has been made shall not be regarded as a secret after the time has expired when a motion to reconsider may be made, and it shall be considered a breach of privilege for any Senator to break this rule.

Rule 4. When acting on executive business the Chamber shall be cleared of all persons except the Secretary of the Senate, who shall be sworn to keep the secrets of the Senate.

Rule 5. The Legislative proceedings and executive proceedings of the Senate shall be kept in separate books.

Rule 6. Nominations approved or definitely acted upon by the Senate shall not be returned by the Secretary of the Senate to the Governor until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

Rule 7. No transcript of the executive records shall be furnished unless by special order of the Senate.

Rule 8. All confidential communications made by the Governor shall be by the members and officers of the Senate kept secret.

Rule 9. Communications from the Governor as to the suspension or removal of officers shall be considered in executive session, and, unless otherwise ordered, shall lie over for action to the executive session next succeeding that at which they are laid before the Senate.

Mr. Finlayson, Chairman of the Committee on Rules and Procedure, moved that the Rules for the government of the Senate, contained in the foregoing report, be read and amended by sections:

Which was agreed to.

Rule 1 was read.

Rule 11 was read.

Rule 111 was read.

Rule IV was read.

Rule V was read.

Mr. Davis offered the following amendment to paragraph 3, Rule V:

Strike out the words "the Committee on Engrossed Bills," and insert in lieu thereof the following: "Any committee."

Mr. Davis moved to adopt the amendment.

Which was agreed to.

Mr. Stringer offered the following amendment:

Strike out the words "in duplicate" in line 6 of Section 1 of Rule V.

Mr. Stringer moved to adopt the amendment.

Which was agreed to.

Mr. Stringer offered the following amendment:

Strike out the words "the original of" in line 1 of Section 3 of Rule V. and make the word "every" commence with a capital letter.

Mr. Stringer moved to adopt the amendment.

Which was withdrawn.

Mr. Zim offered the following amendment:

Strike out all after the first sentence ending with Journal in Rule V. Section one.

Mr. Zim moved to adopt the amendment:

Which was withdrawn.

Mr. Johnson offered the following amendment to Rule V.

Strike out Section 3 of said Rule.

Mr. Johnson moved to adopt the Amendment.

Which was agreed to.

Rule VI was read.

Mr. Cone offered the following amendment:

At the end of Section 5, Rule VI, Page Six, add the following:

"Provided the Senate may recall a Bill or a Joint Resolution from a Committee at any time and have same placed on the Senate Calendar."

Mr. Cone moved to adopt the amendment.

Which was agreed to.

Rule VII was read.

Rule VIII was read.

Mr. Calkins offered the following amendment to Rule VIII:

In Section 2 after the number 2 strike out the words "in the absence of a quorum, ten Senators, including the President, shall be authorized to compel the attendance of absent Senators."

Mr. Calkins moved to adopt the amendment.

Which was agreed to.

Rule IX was read.

Rule X was read.

Mr. Hudson offered the following amendment to Rule X:

In Section 1, line 7, strike out "motion is made," and insert in lieu thereof the following: "Original question was decided."

Mr. Hudson moved to adopt the amendment.
Which was agreed to.
Rule XI was read.

Mr. Cone offered the following amendment:
Strike out the words "One Amendment," in line 5, Section One, Rule II, and insert in lieu thereof the words, "Other Amendments."

Mr. Cone moved to adopt the amendment.
Which was not agreed to.

Rule XII. was read.
Rule XIII. was read.
Rule XIV. was read.
Rule XV. was read.
Rule XVI. was read.
Rule XVII. was read.
Rule XVIII. was read.

Mr. Cone offered the following amendment to Section One of Rule X, Page 9.

Strike out the words, "or on the next day of the session thereafter," in line 3, Section One, Rule X, Page 9.

Mr. Cone moved to adopt the amendment.
Which was withdrawn.

President Pro-Tem Johnson in the Chair.

Mr. Calkins offered the following amendment:
Add after the word present the following "or by a vote of 17 Senators."

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

Rule XIX. was read.
Rule XX. was read.

Rule XXI was read:

The Rules governing Executive Sessions were read:

Mr. Finlayson moved to adopt the rules as a whole as read and amended.

Which was agreed to.

And the Rules as offered by the Committee on Rules and Procedure and amended by the Senate were adopted.

Mr. Hudson, Chairman of the Committee on Railroads

and Telegraph requested that the committee be granted until tomorrow to consider Senate Bill No. 5.

Mr. Stokes moved that the request be granted.
Which was agreed to.

REPORTS OF COMMITTEES.

Mr. Johnson, Chairman of Committee on Legislative Expense, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 17, 1913.

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

Sir:

Your Committee on Legislative Expense, to whom was referred—

Senate Resolution No. 22—

"Resolved, That Judiciary Committee B be and is hereby authorized to employ a Clerk to serve said Committee, and also when not engaged in such duties to perform such other clerical service as the Committee on Legislative Expense may direct.

Have had the same under consideration and recommend that same be adopted.

Very respectfully,

J. B. JOHNSON,
Chairman of Committee.

Mr. Himes moved that the report be adopted.
Which was agreed to.

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

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

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

Senate Bill No. 82:

A Bill to be entitled An Act for the protection and preservation of the robin and prescribing a penalty for any violation thereof.

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

Very respectfully,

S. R. RODENBERRY,
Chairman of Committee.

Senate Bill No. 82, contained in the above report, was ordered placed on Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Game and Fisheries, 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 superseding all laws on the same subject matter and in conflict with the provisions of this Act.

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

Very respectfully,

S. P. RODENBERRY,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 119:

A Bill to be entitled An Act relating to election of United States Senators and to the appointment of such Senators when vacancies happen in the representation of this State in the Senate of the Congress of the United States.

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

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

Senate Bill No. 119, contained in the above report, was ordered placed on Calendar Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 17, 1913.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 96:

A Bill to be entitled An Act providing for attorney's fees in certain actions in this State, in law and equity.

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

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

Senate Bill No. 96, contained in the above report, was ordered placed on Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

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 Florida, relating to the nomination of members of Board of County Commissioners and members of Public Instruction of the several Counties of this State.

Have had the same under consideration and recommend that it do pass without recommendation.

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

Senate Bill No. 118, contained in the above report, was ordered placed on Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 52:

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

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

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

Senate Bill No. 52, contained in the above report, was ordered placed on Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 97:

A Bill to be entitled An Act fixing the penalty for writing or composing and sending or procuring the sending of letters or inscribed communications threatening to kill or do bodily harm.

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

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

Senate Bill No. 97, contained in the above report, was ordered placed on Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 124:

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

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

Very respectfully,

A. Z. ADKINS,
Chairman of Committee.

And Senate Bill No. 124, contained in the above report,

was ordered placed on Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Engrossed Bills to whom was referred—

Senate Bill No. 65:

A Bill to be entitled An Act to provide for the stamping out and preventing of pests which become a public menace, and making appropriation for such purpose.

Have had the same under consideration and report the same correctly Engrossed.

Very respectfully,

A. J. McLELLAN,
Chairman of Committee.

Senate Bill No. 65, contained in the above report, was placed on Calendar of Bills on Third Reading.

Mr. Wall, Chairman of Committee on Agriculture and Forestry, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Agriculture and Forestry, 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 forest fires; and to provide penalties for the violation of this Act.

Have had the same under consideration and report it without recommendation.

Very respectfully,

J. P. WALL,
Chairman of Committee.

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

Mr. Carney, Chairman of Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 17th, 1913.

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

Sir:

Your Committee on Claims, to whom was referred—

Senate Bill No. 115:

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

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

Very respectfully,

E. L. CARNEY,
Chairman of Committee.

Senate Bill No. 115, contained in the above report, was ordered placed on Calendar of Bills on second reading.

Mr. Davis, Chairman of Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 17th, 1913.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 14:

A Bill to be entitled An Act defining the liability of accommodation makers, sureties and accommodation endorsers on promissory notes and other negotiable instruments and providing the manner in which they may be sued.

The Committee on Judiciary B offer a substitute for Senate Bill No. 14, to-wit:

"A Bill to be entitled An Act authorizing the maker or makers of promissory notes or other negotiable instruments, and endorsers, sureties, guarantors or other persons secondarily liable thereon to be sued in one and the same action."

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

Very respectfully,

CHAS. E. DAVIS,
Chairman of Committee.

Senate Bill No. 14 and Committee Substitute for same, contained in the above report, were placed on Calendar of Bills on Second Reading.

Mr. Davis, Chairman of Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 17, 1913.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 89:

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

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

Very respectfully,

CHAS. E. DAVIS,
Chairman of Committee.

Senate Bill No. 89, contained in the above report, was ordered placed on Calendar of Bills on second reading.

Mr. Himes, Chairman of Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 16, 1913.

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

Sir:

Your Committee on Finance and Taxation to whom was referred—

Senate Bill No. 21:

A Bill to be entitled An Act providing for issuing a certificate of authority to insurance companies insuring only live stock or other domestic animals.

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

Very respectfully,

W. F. HIME,
Chairman of Committee.

Senate Bill No. 21, with committee amendment, 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., April 17, 1913.

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

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill 110:

A Bill to be entitled 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.

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

A. S. WELLS,
Chairman of Committee.

Senate Bill No. 110, 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., April 17, 1913.

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

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 98:

A Bill to be entitled 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.

With the following Amendment:

Strike out the words and figures "Thirty-six Hundred (3600)" wherever they occur in the Bill and insert in lieu thereof the following: "Thirty-five Hundred (3500)."

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

Very respectfully,

A. S. WELLS,
Chairman of Committee.

Senate Bill No. 98, with the committee amendments, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Davis, Chairman of Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 17th, 1913.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 92:

A Bill to be entitled An Act to define domestic and foreign investment companies; to provide for the regulation and supervision of same; to provide conditions and terms under which corporations, foreign and domestic, can sell to persons in Florida, stock and other securities; to place such investment companies under the jurisdiction of the Comptroller and Attorney General, and to prescribe for the Comptroller and Attorney General cer-

tain duties and powers; to provide for a review of their decisions by the Railroad Commission of the State of Florida; to provide for the service of process thereon; to provide for the registration of agents selling securities of such investment companies, and to provide penalties for the violations of the terms of this Act, and for other purposes.

Have had the same under consideration and recommend that it do pass, and recommend that 200 copies of the bill be printed.

Very respectfully,
CHAS. E. DAVIS,
Chairman of Committee.

Senate Bill No. 92, contained in the above report, was placed on Calendar of Bills on Second Reading.

Mr. Davis, Chairman of Committee on Judiciary B, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 17, 1913.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 72:

A Bill to be entitled An Act to amend Section 1571 of the General Statutes of the State of Florida relating to the selection, qualification and method of securing jurors in the courts of this State.

Your Committee on Judiciary B offer the following amendment:

Amend Section One of Bill by inserting at the beginning of the first paragraph: "1571. Selection of lists and further qualifications."

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

Very respectfully,
CHAS. E. DAVIS,
Chairman of Committee.

Senate Bill No. 72, with the committee amendment, contained in the above report, was placed on Calendar of Bills on second reading.

Mr. Davis moved that 200 copies of Senate Bill No. 92 and 200 copies of Senate Bill No. 52 be printed.

Which was agreed to.

Mr. Wall moved that the Senate do now take a recess until 4 o'clock this afternoon.

Which was agreed to.

Thereupon the Senate at 1 o'clock P. M. took a recess until 4 o'clock P. M. this day.

AFTERNOON SESSION—4 P. M.

The Senate met at 4 o'clock P. M., pursuant to the recess order.

The President in the Chair.

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

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

A quorum present.

Mr. Himes offered the following—
Senate Resolution No. 20:

Be it Resolved, by the Senate, That the President shall appoint a Special Committee of five Senators who are members of the bar, and to such Committee shall be referred all Bills relative to pleading and practice before the courts of this State.

Mr. Himes withdrew the Resolution.
Which was withdrawn.

Mr. Hudson offered the following—
Senate Resolution No. 23:

That the Sergeant-at-Arms be instructed to mail daily the Journals of the Senate to each of the United States Senators and Congressmen from Florida, who are now attending Congress in session in Washington.

Mr. Hudson moved that the Resolution be adopted.
Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Blitch—
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.

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

By Mr. Zim—
Senate Bill No. 130:

A Bill to be entitled An Act to provide for the better protection and preservation of the forests, fish and game of this State, and for the proper enforcement of the laws relating to same; for the appointment of County Forest, Fish and Game Wardens and fixing their terms of office; for the creation of a separate county forest, fish and game fund; fixing the compensation of the County Forest, Fish and Game Wardens and the manner in which each shall be paid; defining the powers and duties of the County Forest, Fish and Game Wardens, and prescribing penalties for neglect of duties; and providing for an appropriation to give effect to this Act.

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

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.

Which was read the first time by its title and referred to the Committee on Public Roads and Highways.

By Mr. Johnson—
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.

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

By Mr. McClellan—
Senate Bill No. 133:

A Bill to be entitled An Act to organize a County Court in and for Calhoun County; to prescribe the terms thereof; and to provide for the appointment of a Prosecuting Attorney and for his compensation and for that of the Judge of said Court.

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

By Mr. Cooper—
Senate Bill No. 134:

A Bill to be entitled An Act to amend Section 21 of Chapter 5537 "Laws of Florida, 1905," pertaining to charter of the Town of Punta Gorda, Florida, and authorizing the issuance of bonds as therein set forth.

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

By Mr. Calkins—
Senate Bill No. 135:

A Bill to be entitled An Act to authorize the employment of an experienced indexer to supervise and assist in the indexing of the Journals of the Legislature.

Which was read the first time by its title.

Mr. Calkins moved that the rules be waived and that Senate Bill No. 135 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And—
Senate Bill No. 135 was read a second time by its title.

Mr. Calkins moved that the rules be further waived and that Senate Bill No. 135 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

Was read a third time in full.

Upon the passage of Senate Bill No. 135 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Blitch, Brown, Calkins, Carney, Cooper, Donegan, Finlayson, Himes, Hudson, Igou, Johnson, L'Engle, Lindsey, Malone, McCreary, McGeachy, McLellan, McLeod, Roddenberry, Stringer, Wall, Watson, Wilson, Zim—27.

So the Bill passed, title as stated.

Mr. Calkins moved that the Rules be waived and Senate Bill No. 135 be immediately certified to the House.

Which was agreed to.

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

By Mr. Zim—

Senate Bill No. 136:

A Bill to be entitled An Act constituting eight hours as a legal day's work by persons employed or hereafter employed by or in behalf of the State of Florida, or any County, City, Township or other municipality in said State.

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

By Mr. Cone—

Senate Bill No. 137:

A Bill to be entitled An Act permitting common carriers to issue franks to their regular employes and employes of other common carriers.

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

By Mr. Himes (By Request)—

Senate Bill No. 138:

A Bill to be entitled An Act to authorize cities and towns to levy a special tax for publicity purposes.

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

By Mr. McGeachy—

Senate Bill No. 139:

A Bill to be entitled An Act to protect material men, artisans, mechanics and laborers for material furnished or labor performed on any buildings, improvements, fixtures or articles on which they have furnished any material or performed any labor, and requiring any owner or original contractor on such buildings, improvements, fixtures or articles whatsoever, to see that all material furnished and labor performed on any such buildings, improvements, fixtures or articles have been fully paid for at a just and reasonable valuation before such contractor shall receive his pay for performing any service under the terms of his contract, and giving a first lien to material men, artisans, mechanics and laborers against such buildings, improvements, fixtures or articles for which they have furnished material, or upon which they have performed labor, and a lien against the land on which such buildings are located, and making the owner of such buildings, improvements, fixtures or articles liable for the value of all materials furnished and labor done, and fixing the time and prescribing the method for filing liens, and repealing all laws in conflict herewith.

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

By Mr. Stokes (by Request)—

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.

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

By Mr. Stokes—

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 busi-

ness or acquire, hold or dispose of property in this State."

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

By Mr. Stokes—
Senate Bill No. 142:

A Bill to be entitled An Act authorizing County Commissioners, in their discretion, to employ a private detective to assist the State's Attorney in the detection and punishment of crime, prescribing the duties of such detective and providing for his compensation.

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

By Mr. Stokes—
Senate Bill No. 143:

A Bill to be entitled An Act to amend Chapter 5597, Laws of Florida, 1907, imposing licenses and other taxes, providing for the payment thereof, and prescribing penalties for doing business without a license, or other failure to comply with the provisions thereof.

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

By Mr. Himes—
Senate Bill No. 144:

A Bill to be entitled An Act to authorize married women to incorporate and become stockholders in associations organized and incorporated for benevolent, charitable and educational purposes, and validating such incorporations by married women and to authorize married women to hold property as trustees for associations incorporated and organized for benevolent, charitable and educational purposes.

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

By Mr. Brown (By Request)—
Senate Bill No. 145:

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

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

By Mr. Adkins—
Senate Bill No. 146:

A Bill to be entitled An Act to prescribe the powers, duties and compensation of Bond Trustees for special road and bridge districts in Bradford County, that may be appointed by the Board of County Commissioners of said County under the provisions of Chapter 6208, Laws of Florida, Act of 1911.

Which was read the first time by its title.

Mr. Adkins moved that the rules be waived, and that Senate Bill No. 146 be advanced to the Calendar of Local 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. Culpepper—
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.

Which was read the first time by its title and referred to the Committee on Public Roads and Highways.

By Mr. Stokes—
Senate Bill No. 148:

A Bill to be entitled An Act to exempt blind persons from the payment of Municipal, County and State taxes to a certain amount.

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

By Mr. Culpepper—
Senate Bill No. 149:

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

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

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida,
Executive Chamber,
Tallahassee, April 16, 1913.

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

Sir:

I have the honor to transmit herewith for the consideration of your Honorable Body the report of the Board of Trustees having in charge the erection of a monument or memorial in honor of the Women of Florida and of the South in memory of their heroism, devotion and self-sacrifice during the Civil War, provided for by Chapter 6142, Acts of 1911.

It gives me pleasure to heartily concur in the recommendations made by the Board.

Very respectfully,
PARK TRAMMELL,
Governor.

Mr. Calkins moved that the message be spread on the Journal.

Which was agreed to.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

House of Representatives,
Tallahassee, Fla., April 17, 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 adopted—

House Bill No. 56:

A Bill to be entitled An Act, providing for the creation of Bay County, in the State of Florida, and for the organization and government thereof.

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

Mr. Hudson moved that the rules be waived and that House Bill No. 56 be read a second time by its title only. Which was agreed to by a two-thirds vote.

And House Bill No. 56 was read a second time by its title.

Mr. Hudson moved that the rules be further waived and that House Bill No. 56 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 56—

Was read a third time in full.

Upon the passage of House Bill No. 56, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Blitch, Brown, Carney, Conrad, Cooper, Culpepper, Davis, Donegan, Finlayson, Himes, Hudson, Johnson, L'Engle, Lindsey, Malone, McCreary, McGeachy, McLellan, McLeod, Roddenberry, Stringer, Stokes, Watson, Wells, Wilson, Zim—28. Nays—Wall.

So the bill passed, title as stated.

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

Mr. Adkins explains his vote as follows:

I vote I because it was made an issue in the campaign by the Representatives and Senator who represent that district, and who were elected upon that issue.

A. Z. ADKINS,

Mr. McCreary of the 32nd District, made the following explanation of his vote upon House Bill No. 56:

Mr. President: I shall vote yea on this Bill because the Senator representing the district favors the division of Washington County, showing him the same courtesy I would expect from him should I favor or oppose the division of Alachua County.

House of Representatives,
Tallahassee, Fla., April 17, 1913.

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

Sir:

I am directed by the House of Representatives to in-

from the Senate that the House of Representatives has passed—

House Bill No. 103:

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 the assessing of 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.

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. 103, contained in the above message, was read the first time by its title and referred to the Committee on Railroads and Telegraphs.

Mr. Stokes moved that 200 copies of the Bill be printed. Which was agreed to.

House of Representatives,
Tallahassee, Fla., April 16, 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 adopted—

House Concurrent Resolution No. 10:

That Judge C. B. Parkhill be and is hereby invited to address the Senate and House jointly in this House Friday night at 8:00 P. M., on the needs for a new constitutional convention.

Also—

House Concurrent Resolution No. 8:

A Concurrent Resolution requesting the trustees of the Internal Improvement Fund to furnish the House and Senate with a detailed statement of the conditions of the work of reclaiming the Everglades, etc.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And House Concurrent Resolutions Nos. 10 and 8, contained in the above message, was read the first time and went over under the rule.

House of Representatives,
Tallahassee, Fla., April 17, 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 adopted—

House Concurrent Resolution No. 11:

Be it Resolved by the House of Representatives, the Senate concurring, that a Joint Committee be appointed consisting of the respective Judiciary Committees of the House of Representatives and the Senate, to whom shall be referred the proposed Bill relating to Pleading, Practice and Procedure in the Courts of this State.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

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

And House Concurrent Resolution No. 11 contained in the above message was read the first time.

Mr. Davis moved that the rules be waived and that House Concurrent Resolution No. 11 be read a second time.

Which was agreed to by a two-thirds vote.

And—

House Concurrent Resolution No. 11 was read a second time.

Mr. Davis moved that the rules be further waived and that the Senate concur in the Resolution.

Which was agreed to by a two-thirds vote.

BILLS ON SECOND READING.

By Mr. L'Engle—
Senate Bill No. 40:

A Bill to be entitled An Act to amend Chapter 6240 of the Laws of 1911 of the Laws of Florida, being "An Act to amend Chapter 5695 of the Laws of 1907 of the Laws of Florida, being An Act amending Section 775 of General

Statutes of the State of Florida in relation to the compensation of County Commissioners."

Committee on County Organization reports favorably.

Was taken up and read the second time in full.

Mr. Malone moved that the bill be put back on second reading and 200 copies printed.

Which was agreed to.

Mr. McClellan, by consent, withdrew Senate Bill No. 23.

By Mr. Cooper—
Senate Bill No. 27:

A Bill to be entitled An Act providing for the creation of Trabue County, in the State of Florida, and for the organization and government thereof.

Committee on County Organization reports favorably.

Was taken up.

Mr. Johnson moved that the rules be waived and that Senate Bill No. 27 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 27 was read a second time by its title.

Mr. Johnson moved that the rules be further waived and that Senate Bill No. 27 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 27.

Was read a third time in full.

Upon the passage of Senate Bill No. 27 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Blich, Brown, Calkins, Carney, Conrad, Cooper, Culpepper, Davis, Donegan, Hudson, Igon, Johnson, L'Engle, Lindsey, Malone, McCreary, McGeachy, McClellan, McLeod, Roddenberry, Stringer, Stokes, Watson, Wilson, Zim—27.

Nay—Mr. Cone.

So the Bill passed, title as stated.

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

Mr. Adkins offers the following explanation of his vote.

"I vote I because it was made an issue in the campaign and Senator Cooper was elected upon that issue, which was in favor of creating said new county.

A. Z ADKINS."

Mr. McCreary offers the following explanation of his vote:

Mr. President: I vote yea on this bill because the Senator representing the district favors the division of DeSoto County, showing him the same courtesy I would expect from him should I favor or oppose a bill dividing Alachua County.

By Mr. Hudson—
Senate Bill No. 112:

A Bill to be entitled An Act relating to the admission of attorneys to practice law in the courts of this State.

Committee on Judiciary A reports favorably with amendments thereto.

The following Committee Amendment was read:

In Section 2, line 6, strike out last seven words, and all lines, 7, 8, 9 and 10 of said Section.

Mr. Adkins moved to adopt the amendment.

Which was agreed to.

The following Committee Amendment was read:

Strike out all of Section 3, after the word "oath" in line 7 of said Section.

Mr. Adkins moved to adopt the amendment.

Which was agreed to.

The bill as amended was referred to Committee on Engrossed Bills.

By Mr. L'Engle—
Senate Bill No. 58:

A Bill to be entitled An Act to amend Section 2306 of the General Statutes of the State of Florida, providing for a widow's dower in the lands, tenements and hereditaments of her husband, and to repeal Section 2451 of the General Statutes of Florida relating to the release of a married woman's right of dower in real property.

Committee on Judiciary A reports favorably.

Was taken up and read the second time in full.

Mr. Watson moved to recommit Senate Bill No. 58 to Judiciary A.

Which was agreed to.

By Mr. Hudson—
Senate Bill No. 90:

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

Committee on Judiciary A reports favorably.

Was taken up and read the second time in full.

Senate Bill No. 90 was referred to the Committee on Engrossed Bills.

By Mr. Cooper—
Senate Bill No. 22:

A Bill to be entitled An Act to cure all informalities in the execution of deeds and other instruments conveying real property or any interest therein made prior to the first day of April, A. D. 1913.

Committee on Judiciary A reports unfavorably.

Mr. Adkins, Chairman of the Committee on Judiciary A, as required by the rule, moved to indefinitely postpone Senate Bill No. 22.

Which was agreed to, and the bill was indefinitely postponed.

By Mr. Watson—
Senate Bill No. 100:

A Bill to be entitled An Act requiring that the court in the trial of murder cases shall instruct the jury as to effect a recommendation of mercy will have upon the sentence in convictions of murder in the first degree.

Committee on Judiciary A reports favorably.

Was taken up and read the second time in full.

Mr. Himes offered the following amendment to Senate Bill No. 100:

In Section 1, at its conclusion, add the following:

But such charge shall not be given in any case where the defendant or his counsel requests in writing that such charge be not given.

Mr. Himes moved to adopt the amendment.

Which was not agreed to.

And Senate Bill No. 100 was ordered placed on Calendar of Bills on third reading.

By Mr. Watson—
Senate Bill No. 50:

A Bill to be entitled An Act to regulate the practice

of Appellate Courts in reversing judgment on writs of error.

Committee on Judiciary A reports favorably.

Was taken up and read the second time in full.

Mr. Watson offered the following amendment to the title, which was read—

Add as a prefix to the title of Senate Bill No. 50 "A Bill to be entitled."

Mr. Watson moved to adopt the amendment.

Which was agreed to.

Senate Bill No. 50 was referred to the Committee on Engrossed Bills.

By Mr. Carney (By Request)—
Senate Bill No. 107:

A Bill to be entitled An Act to provide for the hearing of controversies in certain cases without action.

Committee on Judiciary A reports unfavorably.

Mr. Adkins, Chairman of the Committee on Judiciary A, as required by the rule, moved to indefinitely postpone Senate Bill No. 107.

Which was agreed to, and the Bill was indefinitely postponed.

By unanimous consent—

Mr. Malone offered the following—

Senate Resolution No. 22:

Whereas, Thomas R. Cleare was elected Engrossing Secretary of the Senate; and

Whereas, The said Thomas R. Cleare, owing to illness in his family, has not arrived at the Capitol to perform the duties of the said office; therefore, be it

Resolved, That the election of Thomas R. Cleare be rescinded, and that the Committee on Attaches recommend a suitable person for Engrossing Secretary of the Senate.

Which was read the first time.

Mr. Malone moved that the rules be waived, and that the Resolution No. 22 be adopted.

Which was agreed to by a two-thirds vote.

Mr. McLeod was excused from attendance upon the balance of the afternoon session to attend a meeting of

House Committee on Pensions upon motion of Senator Hudson.

The Senate went into executive session.

The doors closed at 5:30 o'clock.

The doors opened at 5:45 o'clock.

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

Mr. President, Senators Adkins, Blich, Brown, Calkins, Carney, Cone, Conrad, Cooper, Culpepper, Davis, Donegan, Finlayson, Himes, Igou, Johnson, L'Engle, Lindsey, Malone, McGeachy, McLellan, Roddenberry, Stringer, Stokes, Wall Watson, Wells, Wilson, Zim—30.

Mr. Culpepper nominated Miss Hopkins Jones, as Engrossing Secretary.

The Secretary was instructed to cast the vote of the Senate.

The Secretary announced the vote of the Senate as follows:

For Engrossing Secretary of the Senate, Miss Hopkins Jones, 31.

Miss Hopkins Jones was declared unanimously elected as Engrossing Secretary of the Senate.

Mr. Wells moved that the Senate do now adjourn until ten o'clock tomorrow morning.

Which was agreed to.

Thereupon the Senate at 5:45 P. M. stood adjourned until ten o'clock A. M., Friday, April 18, 1913.

Friday, April 18, 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, Blich, Brown, Calkins, Carney, Cone, Conrad, Cooper, Culpepper, Davis, Donegan, Finlayson, Himes, Hudson, Igou, Johnson, Lindsey, Malone, McCreary, McGeachy, McLellan, Mc-

Leod, Roddenberry, Stringer, Stokes, Wall, Watson, Wells, Wilson, Zim—28.

Prayer by the Chaplain.

The reading of Journal was dispensed with.

The Journal of April 17th was corrected.

The Journal of April 17th was approved as corrected.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., April 17, 1913.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 60:

A Bill to be entitled An Act to validate all deeds heretofore executed by corporations conveying or intended to convey real estate in the State of Florida that have been admitted to record, where same is defective on account of not having been duly witnessed.

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

Very respectfully,
A. Z. ADKINS,
Chairman of Committee.

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

Senate Chamber,
Tallahassee, Fla., April 17, 1913.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

House Bill No. 163:

A Bill to be entitled An Act defining lobbying, declar-