

CHAPTER 924—(NO. 55).

AN ACT Changing the Name of the Florida Female College.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That the Florida Female College as at present defined by law be and is hereby changed to and shall be known as the Florida State College for Women.

Section 2. This Act shall go into effect immediately upon its passage and approval by the Governor. Approved May 22, 1909.

CHAPTER 925—(NO. 56).

AN ACT Changing the Name of the Colored Normal School.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That the Colored Normal School as at present defined by law be and is hereby changed to and shall be known as the Florida Agricultural and Mechanical College for Negroes.

Section 2. This Act shall go into effect immediately upon its passage and approval by the Governor. Approved May 22, 1909.

CHAPTER 926—(NO. 57).

AN ACT Changing the Name of the University of the State of Florida.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That the University of the State of Florida as at present defined by law be and is hereby changed to and shall be known as the University of Florida.

Section 2. This Act shall go into effect immediately upon its passage and approval by the Governor. Approved May 22, 1909.

CHAPTER 927—(NO. 58).

AN ACT Changing the Name of the Institute for the Blind, Deaf and Dumb.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That the Institute for the Blind, Deaf and Dumb as at present defined by law be and is hereby changed to and shall be known as the Florida School for the Deaf and the Blind.

Section 2. This Act shall go into effect immediately upon its passage and approval by the Governor. Approved May 22, 1909.

CHAPTER 928—(NO. 59).

AN ACT Making it Unlawful for Any Person or Corporation to Pay the Poll Tax of Any Other Person or Furnish the Money Thereof, or for any Tax Collector to Accept Payment of Poll Taxes from Any Person Other Than the Person Whose Name is on the List and Fixing a Penalty for the Violation Thereof.

Be It Enacted by the Legislature of the State of Florida:

Section 1. It is hereby made unlawful for any person or corporation in this State to pay the poll tax for any other person, or furnish the money to any other person for the purpose of paying such tax for any other person's poll tax; or for any tax collector to accept the payment of poll taxes from any person other than the person whose name is on the list, except that one person may pay the poll tax of another, provided the person paying such poll tax shall at the same time pay a tax duty assessed on property belonging to the person whose poll tax is being paid.

Section 2. That upon the conviction of any person or corporation for the violation of any provision of this act, a fine not more than five hundred dollars, or imprisonment in the county jail for not more than six months, shall be imposed.

Approved June 11, 1909.

CHAPTER 929—(NO. 60).

AN ACT to Require Certain Sworn Statements of Campaign Expenses from Candidates in Primary Elections; Making Certain Requirements in the Form of Ballots Used in Primary Elections; Requiring Certain Duties of Inspectors in and Giving Primary Elections; Providing for the Absentee of Employees from their work on Primary Election Days; Prohibiting Candidates from Making Donations of Things of Value; Prohibiting Persons from Distributing Certain Writing Against any Candidate in the Primary Election; Making Payment of Poll Taxes; Prohibiting Tax Collectors from Receiving Poll Taxes from Persons Other Than the One Owing it; and Providing Penalties for Violations of the Primary Law by Members of Committees, Inspectors and Clerks of Primary Elections, and for the Publication of this Act.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That each and every candidate voted upon in the State and county primaries of this State be and is hereby required to file in the office of the clerk of the circuit court of his county if he is a candidate for a county office, or in the office of the secretary of State if he is a candidate for a national or State office, not less than ten days before the primary in which he is a candidate, a sworn statement in itemized form of his campaign expenses. This statement shall include the names of all the contributors to his campaign fund, whether they be persons or corporations, firms or associations, and their relationship to him by blood, marriage, business or association, political party, or otherwise, and the value in money of any money or other thing of value in payment of poll or capitation tax, or any other tax, or for any other purpose, either by a check, draft or any other method of payment, or any tax collector issuing a poll tax receipt without payment in advance thereof, other than the person whose poll or capitation tax is to be paid, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than three months; Provided, That nothing in this act shall be construed to prevent any person paying, or any tax collector from collecting, the poll tax in the primaries herein provided for, that such poll or capitation tax shall be paid not later than the second Saturday in the month preceding the month in which such primary is held.

Section 2. At the time the last statement required in Section 1 of this act is given, another statement shall be furnished to the clerk of the circuit court of his county, or in the office of the secretary of State, giving the names of his political workers and telling for what consideration, if any, such work was done, the term "political workers" to refer to those who left for a time or part of a time their ordinary avocations to further his candidacy. This statement shall be filed in the office of the clerk of the circuit court of his county, or in the office of the secretary of State, according to whether candidate furnishing it was a candidate for a county or a national or a State office.

Section 3. At the same time that sworn statement required in Section 1 of this act is furnished each and every candidate for a county or State office in the primaries hereinbefore mentioned, shall in the office of the clerk of the circuit court of his county or in the office of the secretary of State, according to whether he is a candidate for a county, or national or a State office, another statement giving the names of all those persons to whom loans were made during his candidacy, and the amount of such loans, and whether they were made on interest.

Section 4. All the statements hereinabove required except the one to be furnished before the primary in which candidate furnishing it is voted upon, may be sworn to at one time, and shall be given and filed on the same day and date.

Section 5. Any candidate refusing or wilfully failing to obey any of the provisions of this act shall be punished by a fine not to exceed five hundred dollars, and shall not be eligible to vote at the next general election, or his name presented as a candidate of any party for the office of United States senator to the next succeeding legislature, according to whether he is a candidate for a State or county office, or for a national office, as the case may be.

Section 6. The ballots required for any primary election shall be prepared as follows: The official heading or caption of the ballot shall be printed at the top of the ballot. There shall be printed below the caption a perforated facsimile of the signature of the chairman of the State executive committee.

Above the caption of each ballot there shall be two stubs, with a perforation between them, and with a perforation line between the lower stub and the top of the ballot. On each of the said

stubs shall be printed the following words: "Official Ballot, Number —" with sufficient space beneath said words for the writing of one line.

Section 7. As to the size of type, quality of paper and in all other respects not herein specially provided for, the ballots shall be in conformity with the present requirements of law.

Section 8. Before any ballot is delivered to any voter one of the inspectors shall write the consecutive number of the ballot in the blank space on each of the stubs after the word "Number." He shall also write upon the upper stub the name of the voter to whom the ballot is delivered, and the name of the precinct to which he is assigned. The inspector shall then detach and retain the upper stub with the name of the voter written thereon, thereupon the voter shall retire to the booth and mark his ticket preparatory to depositing it in the ballot-box. After the voter has marked his ballot he shall so fold it as to leave the stub visible and in such position that it may be detached without unfolding. When the prepared ballot is returned, the inspector shall compare it with the stub he has retained and shall examine the back of the folded ballot for the perforated signature of the chairman of the State executive committee, and if he finds it to be the same ballot delivered to the voter he shall detach and retain the remaining stub and the voter shall then deposit his folded ballot in the ballot-box. But if the marked ballot returned by the voter proves to be a different one from the one delivered to him, the inspector shall then and there search the person of the voter proferring such ballot, and if the original ballot is found on or about his person, shall take same into their possession and discharge said voter from the polling place without permitting him to vote. Inspectors of primary elections are hereby clothed with such police powers as may be necessary to carry out the provisions of this section. Any voter who attempts to vote a substituted ballot shall be deemed guilty of a felony, and upon conviction thereof, shall be imprisoned in the State prison for not more than two years.

Section 9. Any person entitled to vote at any primary held under this act shall, on the day of such primary, be entitled to absent himself from any office or employment in which he is then engaged or employed for a necessary and reasonable period of time between the time of opening and closing the polls, and such primary elector shall not, because of absenting himself, be liable to any penalty.

Section 10. No person who is a candidate for any office, or who has made known his intention of becoming a candidate, shall donate, contribute or give away, or promise or agree to do so, or encourage any other person to do so for him, any money, intoxicating liquor, or any other thing of value to any person, association or corporation, in an attempt to directly or indirectly influence any person's vote, or influence for or against any candidate. This section shall be construed so as to embrace churches, schools and any and all charitable organizations.

Section 11. It shall be and is hereby declared a misdemeanor for any person to attempt to give or distribute on the day of the primary at or near any polling place any cards, pictures, literature, or other writing against any candidate in the primary.

Section 12. Each inspector of the primary designated to deliver the ballot-box to the clerk, or to the clerk of the circuit court, shall be paid a per diem of three dollars, in making such delivery, and no additional sum shall be paid for mileage.

Section 13. If any person whose vote is challenged, or any witness sworn under the provisions of this act, or any officer who shall have taken any oath pursuant to the laws of this State, shall wilfully and corruptly swear falsely, he shall be deemed guilty of perjury and, on conviction thereof, shall be punished accordingly.

Section 14. Whoever votes more than once at any primary, or offers to vote after having once voted at such primary, or knowing that he is not a qualified elector at a primary, wilfully votes at such primary, shall be fined not more than \$1,000 or be imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

Section 15. Any person who shall give, lend, solicit, request, demand or receive, directly or indirectly, any money, intoxicating liquor, or any other thing of value, or any promise or agreement, whatsoever, or the promise thereof, either to influence a vote or under pretense of being used to procure the vote of any other person or persons, or to be used at any poll or other place prior to or on the day of any primary election, for or against any candidate for office, shall be deemed guilty of the infamous crime of bribery and, upon conviction thereof in any court of record, shall be sentenced to disfranchisement by the judge of such court for a term of not more than ten years; and to the county jail for not less than one year; and for the second conviction of an offender under this section, the first being alleged and proven, such offender shall be, by sentence of the court, forever thereafter disfranchised and deprived of his right to vote at a primary in this State, and to be imprisoned in the State penitentiary not more than five years. Prosecutions may be had under this section by indictment by the grand jury, or by information in a criminal court of record, and the effect of a sentence of disfranchisement in either of said courts, both having jurisdiction of offenses hereunder, shall be to deprive such person sentenced of the right to vote at any primary in this State for a period of time fixed by the court where such person shall be convicted under this section.

Solicitations of any person for a loan or gift of money or the purchase of anything of value, or any other subterfuge, shall be deemed a violation of the provisions of this section.

This section shall so as to embrace any payment or attempt to pay, or solicitation or acceptance of the payment of any poll or capitation tax, or the loan of money therefor, whether it be for the express purpose of influencing any voter or not.

Section 16. Any tax collector or person acting under his authority or direction, who receives or permits to be received any money or other thing of value in payment of poll or capitation tax, or any other tax, or for any other purpose, either by a check, draft or any other method of payment, or any tax collector issuing a poll tax receipt without payment in advance thereof, other than the person whose poll or capitation tax is to be paid, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment in the county jail for not more than three months; Provided, That nothing in this act shall be construed to prevent any person paying, or any tax collector from collecting, the poll tax in the primaries herein provided for, that such poll or capitation tax shall be paid not later than the second Saturday in the month preceding the month in which such primary is held.

Section 17. If any person whose duty it is to canvass the returns or to make or tabulate a statement thereof who shall be deemed guilty of fraud, corruption or misbehavior or of violating any of the laws of this State, in making or tabulating or making the tabulated statement thereof, he shall, upon conviction thereof, be fined not more than \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

Section 18. Whoever shall wilfully and wrongfully take or carry away from the place where it has been deposited for deposit, or attempt to falsify or change any primary ballot, poll tax, tally sheet or ballot box, or any name or figure thereon or thereon, he shall, upon conviction thereof, be fined not more than \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

Section 19. Any person or member of any committee or any primary inspector, clerk or other officer who is guilty of stealing, wilfully and wrongfully breaking, destroying, mutilating, defacing, or unlawfully moving or securing or detaining the whole or any part of any ballot box, or any record, primary poll book, tally-sheet, or copy thereof, oath, returns, or any other paper or document provided for by the laws of this State, or who shall fraudulently make any entry, erasure or alteration therein, shall be deemed guilty of a misdemeanor and, upon conviction thereof, he shall be fined not more than \$1,000, or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

Section 20. If any person shall commit any act prohibited herein or refrain from doing any act or duty required by the law to be done, or if any person shall in any manner be guilty of a violation of any of the provisions of this act, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined in the sum of not more than \$1,000 or imprisoned in the county jail not exceeding one year, or both, in the discretion of the court.

Section 21. As soon as possible after the passage and approval of this act, and not longer than nine days after it shall become a law, the secretary of State shall cause to be printed, in sheet form, with paper cover, 2,000 copies of this act, and shall distribute them free to the chairman of the executive committees of all political parties

that had a regular ticket voted for at the last general election on demand of the said chairman of the executive committees of said political parties.

Section 22. All laws and parts of laws in conflict with this act, whether herein specifically mentioned or not, be and the same are hereby repealed.

Section 23. This act shall take effect immediately upon its passage and approval by the Governor. Approved June 11, 1909.

CHAPTER 930—(NO. 61).

AN ACT to Amend Sections 666, 669, 670, 671, 672, 673, 674, 675, 678, 679, 680, 682, 683, 684, 686, 687, 688, 689, 690, 692, 693, 695, 700, 703, 704, 707, 708, 713, 720, 721, 722, 723, 724, 725, 726, 729, 731, 732, 736, 737, 743, 745, and 748 of the General Statutes of the State of Florida, Relating to the Militia and Naval Organizations of the State.

Be It Enacted by the Legislature of the State of Florida:

Section 1. That Section 666 of the General Statutes of the State of Florida, be, and the same is hereby amended so as to read as follows:

666—How Called Out.—Whenever any call is made by the President to repel invasion from any foreign nation, to suppress rebellion against the Government of the United States, or to execute the laws of the Union in any part thereof; or whenever necessary to preserve the public peace, to execute the laws of the State, to suppress insurrection or to repel invasion, the Governor shall call out the whole or as much of the militia of the State as the public necessity demands; Provided, That in the event of such call, or such necessity arising, the National Guard of Florida, as then organized, shall be the first troops to be called into actual service. Whenever become necessary to call out any portion of the reserve militia, the Governor may appoint the number by draft according to the population of the several counties of the State, or otherwise, and shall notify the Sheriff of each county from which any draft is so required, of the number of persons he is to furnish. Upon the requisition of the Governor being received by the Sheriff he shall immediately notify the Clerk of the Circuit Court of the County or in case of the absence of such Clerk, or his inability to act, then his legally authorized deputy or deputies, who shall repair to the office of said Clerk, and in public copy from the assessor's roll of such county, by name or number, persons who are returned as liable for military duty; such names, or their corresponding numbers, shall be placed on slips of paper of the same size and appearance, as nearly as practicable, which slips so noted and numbered shall be placed in a box suitable for the purpose and the number required to fill such draft or requisition, drawn therefrom by the Clerk. All persons so drawn and liable to perform duty shall be determined to be legally held to serve in the manner and for the time specified in the requisition, and the Sheriff shall notify the persons so drafted, orally or in writing, at what time and place they shall appear. The Sheriff shall make return to the Clerk of all persons drawn who could not be found, and the Clerk shall then draw as many additional names as may be required to complete the draft, and continue in like manner until the draft is completed.

Section 2. That Section 669 of the General Statutes of the State of Florida, be, and the same is hereby amended so as to read as follows:

669—The Governor's Staff.—The Staff of the Governor shall consist of The Adjutant General, The Quartermaster, The Chief of Staff, The Chief of each of the several staff departments, and such number of aids, not to exceed five, as may be detailed from the several staff corps and departments and from the line; Provided, That such detail as aid shall not operate as relieving the officers so detailed from the corps, department or department of the staff, and that the number of aids shall not exceed five, and that the detail of all aids shall terminate upon the expiration of the term of office of the Governor upon whose staff they are so detailed, and forty days thereafter, or from any duty connected therewith, except at such times as their services may be exclusively required by the Governor, and that the detail of all aids shall terminate upon the expiration of the term of office of the Governor upon whose staff they are so detailed, and forty days thereafter, or from any duty connected 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