eys in the treasury of the State of Florida not otherwise appropriated, as payment to C. A. Carson, F. E. Harris, Fred L. Stringer, J. R. Parrott, F. M. Simonton, and E. D. Beggs, as the surviving members of the Board of Trustees of the University of Florida, for the deficiency in completing a dormitory for the University of Florida, to take the place of Foster Hall, which had been destroyed by fire; and the Comptroller is hereby directed to draw his warrant upon the Treasurer of the State of Florida to the order of C. A. Carson, F. E. Harris, Fred L. Stringer, J. R. Parrott, F. M. Simonton, and E. D. Beggs, as the surviving members of the Board of Trustees of the University of Florida, for the said sum of six thousand two hundred twenty-eight and 90-100 dollars.

Sec. 2. This Act shall take effect from the date of its approval.

Approved June 4, 1909.

CHAPTER 5881—(NO. 12).

AN ACT Requiring Teachers' Summer Training Schools and Making Appropriations Therefor.

Whereas, The value of the public school system is measured by the character of the teachers employed; and

Whereas, Teachers' Summer Training Schools are recognized as among the most potent means of improving teachers, and as being the form of normal instruction which reaches the largest number of teachers, and hence whose benefits are most widespread; therefore—

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

Section 1. That the sum of four thousand dollars for the year 1909, and four thousand dollars for the year 1910, or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of maintaining such Teachers' and Summer Training Schools, provided impartially for teachers of both races, at the location of the University of the State of Florida, and the Florida Female College, for white teachers, and at the location of the Colored Normal School for colored teachers. These schools to be taught by such instructors as the State Superintendent of Public Instruction may appoint, and to be held at such times as he may designate.

Section 2. The Comptroller is hereby authorized to draw warrants upon the requisition of the State Superintendent of Public Instruction, out of any funds in the Treasury, not otherwise appropriated, for the amounts appropriated in Section 1 of this Act.

Section 3. It shall be the duty of the State Superintendent of Public Instruction to submit a report to the next General Assembly showing the number and location of schools conducted by means of this appropriation, the number of teachers attending each by race and sex, the conductors of each school with number of the days' service rendered by each, and the amount paid each; and to submit vouchers for every dollar paid out from this fund.

Section 4. All laws in conflict with this Act are hereby repealed.

Section 5. This Act shall take effect upon its passage and approval by the Governor.

Approved May 22, 1909.

CHAPTER 5882—(NO. 13).

AN ACT to Provide for the Improvement of the Grounds of the Governor's Mansion, and to Make Such Other Improvements and Repairs at the Mansion as May Be Advisable, and to Make an Appropriation Therefor.

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

Section 1. That the sum of three thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any moneys in the Treasury to the credit of the Governor's Mansion Fund, for the improvement and beautification of the grounds surrounding and belonging to the Governor's Mansion, and to make such improvements or repairs at the Governor's Mansion as may be deemed advisable or necessary by the Governor.

Section 2. That payments under this appropriation shall be made upon warrants drawn by the Comptroller upon the Treasurer upon vouchers approved by the Governor.

Section 3. That this Act shall take effect immediately upon its approval by the Governor.

Approved June 5, 1909.

CHAPTER 5883—(NO. 14).

AN ACT to Appropriate the Sum of Thirty Dollars for the Payment of the Services of the Assistant Secretary of the Senate for the Period of Five Days after the Adjournment of the Legislature, to Assist the Secretary of Senate in His Duties.

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

Section 1. That the sum of thirty dollars is hereby appropriated out of the funds of the Treasury that may be available for the payment of such expenses, and that the same be paid to John G. Collins, as Assistant Secretary of the Senate for services for five days after the adjournment of the Legislature, to assist the Secretary of the Senate in the discharge of his official duties as such for that period, and that the Comptroller be authorized to draw his warrant on the Treasurer for the payment of the same upon receipt of the Assistant Secretary, and certificate of the Secretary of the Senate that the time of the Assistant Secretary was so employed.

Sec. 2. This Act shall take effect immediately upon its passage and approval by the Governor.

Approved June 5, 1909.

CHAPTER 5884—(NO. 15).

AN ACT to Provide for the Levy of Taxes for the Years 1909 and 1910.

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

Section 1. That for the purpose of securing an equal and uniform rate of taxation and to pay the appropriations for the current expenses of the State for the years 1909 and 1910 and for interest on the bonded debt for said years, and paying other appropriations by the Legislature, there shall be levied upon the real and personal property of the different counties for the year 1909 a tax of two mills upon the dollar, and for the year 1910 a tax of two mills upon the dollar; and there shall also be levied for each of the years 1909 and 1910 a constitutional school tax of one mill upon the dollar; Provided, That if the Governor shall discover from the aggregate assessment of the property of the State from other sources of revenue the reduction of the two mills tax of either or both of said years will be justified, he is hereby authorized to reduce the same as low as he may deem advisable, and he is hereby empowered to instruct and direct the Tax Collectors to collect only such reduced tax as he may fix as aforesaid.

Sec. 2. The Board of County Commissioners of every county, at a meeting for correcting and reviewing the county assessment, shall, immediately thereafter ascertain and determine the amount of money to be raised by tax for county purposes, including the current expenses, interest on bonded debt, bridges and county buildings, and to meet the expenses, they are hereby authorized to levy a tax of not more than five mills upon the dollar on the real and personal property of the county; and every such determination and levy so made shall be entered at large upon the records of the Board of County Commissioners, and no county shall levy a greater amount for any purpose than five mills for county purposes except as hereinafter provided, and any indebtedness contracted by the County Commissioners of any county in excess of the said amount shall be null and void and no suits shall be prosecuted in any court in this State for the collection of the same; Provided, That the County Commissioners of each county shall levy a tax not to exceed seven mills nor less than three mills on the dollar, on the real and personal property of the county for county school purposes; Provided, further, That the County Commissioners of any county may levy an additional tax not to exceed four mills on the dollar, each year, to pay all outstanding indebtedness and interest thereon; Provided, That nothing in this Act shall be so construed as to prohibit any county wishing to erect a court house or jail, or constructing paved, macadamized or other hard-surfaced highways, from levying the amount of special taxes now allowed by law for that purpose; Provided, further, That the foregoing provision relating to taxes for working roads shall not apply to counties working roads under special laws; Provided, further, That in counties not constructing paved, macadamized or other hard-surfaced roads, as now provided by law, and in counties not working roads under special laws, the County Commissioners of each of such other counties may levy an additional tax not to exceed three mills on the dollar on the real and personal property of the county, the revenue derived therefrom to be used and appropriated by such County Commissioners exclusively for the purpose of constructing paved, macadamized or other hard surfaced roads.

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

Approved June 7, 1909.

CHAPTER 5885—(NO. 16).

AN ACT Creating a State Board of Pensions; Defining Who Shall Receive Pensions, Who Shall Not Receive Pensions, Who Shall be Retained as Pensioners, How Applications Shall be Made, How Pensions Shall be Paid; Duty of County Commissioners in Regard to Pensions; Providing for the Levy of a Pension Tax and Authorizing the State Board of Pensions to Make Regulations to Carry Into Effect the Provisions of This Act.

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

Section 1. That the Governor, Comptroller and the Treasurer of this State are hereby constituted the State Board of Pensions.

Sec. 2. Any person who enlisted and served in the military or naval service of the Confederate States during the war between the States of the United States, and did not desert the Confederate service, and who performed service in actual line of duty for a period of not less than one year, or who was in actual service at the time of the close of said war, unless incapacitated for such duty by reason of wounds received or disease contracted while in line of duty, and whose property valuation, both real and personal (including the property of his wife), does not exceed the sum of five thousand dollars, and who was a bona fide citisen of this State continuously since 1895, shall each receive one hundred dollars per annum, in quarterly payments; all such persons who lost a limb or limbs, an eye or eyes, or who is permanently disabled by reason of wounds or disease to gain a livelihood by manual labor, shall be entitled to receive each per annum, in quarterly payments, the following amounts, to-wit:

For total loss of sight	$150.00
For loss of one eye	125.00
For loss of a foot or leg	125.00
For loss of a hand	125.00
For loss of both hands	150.00
For loss of both feet	150.00
For loss of one hand and one foot of same person	150.00
For personal injuries, disease or age, whereby the person is unable to earn a livelihood by manual labor	120.00
For total disability, as shown by affidavit of two reputable physicians	150.00

Provided, however, That no soldier, sailor or their widows, who were on the pension roll and drawing a pension prior to January 1, 1907, and have not since that time been stricken from said roll for valid reasons, shall be required to make other and further proof if eligible under the provisions of this Act. That the provisions of this Act shall apply to all those who were members of the First Florida Reserves, which was in the service of the State of Florida during the war between the States of the United States.

Sec. 3. The widow of any deceased soldier or sailor who enlisted and served in the military or naval service of the Confederate States during the war between the States of the United States, and did not desert the Confederate service, and who performed service in actual line of duty for a period of not less than one year, unless incapacitated for such duty by reason of death, wounds received or disease contracted while in actual line of duty, and who has not married since the death of said soldier, and whose property, both real and personal, does not exceed the sum of five thousand dollars, shall be entitled to receive the sum of one hundred and twenty dollars per annum, in quarterly payments; **provided**, such widow was married to said soldier or sailor prior to 1895, and has continuously resided in this State since 1895; and also the widow of any deceased person who was at the time of his death drawing a pension from the State under the provisions of this Act, shall be granted a widow's pension upon satisfactory proof of her marriage, her residence in this State, and the death of her husband, and the pension so granted shall date from the death of the widow's husband; **provided**, she file her application within ninety days after the death of her husband; **provided**, such widow is otherwise eligible under the provisions of this Act; **provided further**, that any such widow shall not be required to make out the proof of her husband's service, but any such widow of any such deceased soldier or sailor who would have been entitled to a pension under this Act shall make proof if her said husband shall not have already been upon the pension roll at the time of his death.

Sec. 4. No person receiving a pension from any other State shall be entitled to a pension under this Act.

Sec. 5. The payment of all allowed claims shall be made from the date of the filing of the application in the Pension Department. Any person who drew a pension from the State of Florida at the time of the passage of this Act, and who is entitled to a pension under this Act, shall not be required to make new proof, and shall be paid from the passage of this Act. Payment shall not continue to pensioners during absences from this State of longer duration than twelve months.

Sec. 6. No person who was discharged on account of being under age, or for disability, but who did not re-enlist upon removal of said disability, or upon becoming of the required military age of eighteen years before the termination of the war, shall be entited to a pension under this Act.

Applicants for pensions under this Act shall make oath before an officer authorized to administer oaths and use the seal, stating the company and regiment in or ship upon which he enlisted and served, the date of his enlistment, the date and cause of discharge, his citizenship and rights to the benefits of this Act. He shall furnish the affidavit of a commissioned officer under whom or the affidavits of two comrades with whom he served, or the transcript from the muster rolls from the Adjutant General's Office at Washington to establish the service claimed.

Sec. 7. The Board of County Commissioners of the county in which the applicant resides shall investigate all claims made under this Act, and report upon the application whether or not the pension applied for should be granted.

Sec. 8. The State Board of Pensions shall furnish annually, suitable blanks for making such reports and shall file application for pensions immediately on receipt of same.

Sec. 9. All sums required for the payment of pensions to applicants under the provisions of this Act shall be paid by warrants drawn by the Comptroller on the Treasurer of the State in favor of the applicant for the sum to which he or she may be entitled, out of any moneys in the State Treasury raised by special levy for the payment of pensions as provided in this Act.

Sec. 10. The County Commissioners of each county shall, at least once in each year, examine the pension rolls of their respective counties and ascertain whether or not any person on said pension rolls should be dropped from same by reason of not being entitled to draw pension under the provisions of this Act, and make report of their findings to the State Board of Pensions, who are hereby authorized to drop such pensioners from the list if, in their judgment, the same should be done.

Sec. 11. The State Board of Pensions shall forward to each pensioner a certificate that he is entitled to draw a pension, which shall be **prima facie** evidence to the Clerk of the Circuit Court or any other officer of the county.

Sec. 12. There shall, annually, be assessed and collected a tax of four mills per dollar on all property liable to assessments, which shall constitute a fund for the payment of pensioners, the proceeds of which shall be applied to the payment of pensions.

Sec. 13. That from and after the passage of this Act it shall be lawful for pensioners of this State to have their vouchers approved and signed by either Clerks of the Circuit Court or by Notaries Public, or any other officer authorized by law to administer oaths, having a seal.

Sec. 14. The State Board of Pensions shall prescribe rules and regulations for the carrying out of the provisions of the pension laws of this State, see that laws are complied with, and shall make reports and recommendations to the Governor at least thirty days before the meeting of the Legislature. Said Board shall make rules and regulations for the conduct of their business as they may deem proper, not in conflict with the spirt and purpose of the pension laws. They may employ a clerk at a salary not exceeding five hundred dollars per annum, payable quarterly out of the State Treasury on the certificate of the Chairman of said Board.

Sec. 15. The State Board of Pensions shall by the first day of July, A. D. 1909, or as soon thereafter as practicable, make up and certify to the several Boards of County Commissioners of the several counties of the State a complete and detailed list of all persons who may be residents of the said several respective counties, and who are now drawing a pension from this State, and also all persons who have filed their applications for such pensions and which have not been acted upon and are pending before said Board, and it shall be the duty of the said several Boards of County Commissioners, on receipt of said list or as soon thereafter as practicable, to make careful investigation of said list and make up and certify to the State Board of Pensions a list of all such persons who, in their opinion, are entitled to receive a pension under the provisions of this Act.

Sec. 16. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed.

Sec. 17. This Act shall take effect on July 1, 1909.

Approved June 7, 1909.

CHAPTER 5886—(NO. 17).

AN ACT to Fix the Pay of Certain Committee Clerks Employed by the House of Representatives at the Session of the Legislature of 1909, Whose Services Were Dispensed with, and to Provide for the Payment Thereof.

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

Section 1. That the pay of the Committee Clerks employed by the House of Representatives at the session of the Legislature of 1909, whose services were dispensed with, be fixed at five dollars per day for the time actually employed, and that the services of each of such Clerks shall be certified to by the Committee or Committees for whom employed.

Sec. 2. That the per diem allowed under Section 1 of this Act shall be payable from the appropriations for partial expenses of the Legislature of 1909 heretofore passed, when certified to as provided in Section 1, and approved by the Committee on Legislative Expenses and the Speaker of the House of Representatives and attested by the Chief Clerk.

Sec. 3. That the Comptroller is hereby authorized to draw his warrant on the State Treasurer in payment of the services rendered as provided in this Act, and the State Treasurer is hereby authorized to pay the warrants so drawn.

Sec. 4. That this Act shall take effect immediately upon its passage and approval by the Governor.

Approved April 30, 1909.

CHAPTER 5887—(NO. 18).

AN ACT to Amend Section 2759 of the General Statutes of the State of Florida, Providing for the Issuance of Certificates to Insurance Companies, and Providing Other Prerequisites.

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

Section 1. That Section 2759 of the General Statutes of the State of Florida be, and the same is hereby amended to read as follows:

2759. (2219). **Other Prerequisites—Issue of Certificates.**—No insurance Company, association, firm or individual, not of this State, nor agent nor representative thereof, shall transact any business of insurance in this State, unless such company, association, firm or individual is possessed of at least two hundred and fifty thousand dollars, in value, invested in United States or State bonds, or other bankable interest-bearing stocks issued in the United States, at their market value. Upon complying with the preceding section and furnishing evidence to the satisfaction of the Board of Insurance Commissioners that such company, association, firm or individual has actually invested the amount above stated in such securities as hereinbefore mentioned, the State Treasurer shall issue a certificate thereof, with the authority of such company, association, firm or individual to transact the business of insurance in this State. Insurance companies incorporated under the laws of this State, or any association, firm or individual of the State, however, shall be entitled to such certificate of authority by furnishing evidence to the satisfaction of the said Board that such company, association, firm or individual is possessed of, and has actually invested at least twenty-five thousand dollars in United States or State bonds or other bankable stocks or securities issued in the United States, at their market value, and by otherwise complying with the provisions hereof. The Board of Insurance Commissioners shall, in addition to the certificate hereinbefore provided for, issue a certificate to any insurance company incorporated under the laws of this State, and which shall have previously thereto deposited with the State Treasurer one hundred thousand dollars in United States or State bonds, or other negotiable stocks or securities issued in the United States, at their market value, as a guaranty fund for the security of the policy holders of such company, upon satisfactory evidence to them that such securities to such an amount have been deposited with the State Treasurer. Life insurance companies incorporated or organized under the laws of another State shall be entitled to a certificate to transact the business of insurance in this State by furnishing to the satisfaction of the Board that it is possessed of and has actually invested two hundred thousand dollars in United States bonds, or other bankable or interest-bearing stocks issued in United States at their market value, or in mortgages or unencumbered real estate worth double the amount loaned thereon, inclusive of buildings thereon, and by otherwise complying with the provisions thereof. Insurance Companies insuring live stock or domestic animals, incorporated or organized under the laws of any other State, shall be entitled to such certificate of authority by furnishing evidence to the satisfaction of the Board that such company, association, firm or individual is possessed of, and has total assets of at least two hundred thousand dollars and by otherwise complying with the provisions hereof.

Sec. 2. All laws and parts of laws in conflict with this Act be, and the same are hereby, repealed

Approved June 4, 1909.

CHAPTER 5888—(NO. 19).

AN ACT Prohibiting Fire Insurance Companies from Combining as to What Rate of Commission Shall be Paid by any Other Company to an Agent.

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

Section 1. It shall be unlawful for any fire insurance company, association or partnership doing business in this State, employing an agent who is employed by another fire insurance company, association or partnership, either directly or through any organization or association, to enter into, make or maintain any stipulation or agreement in restraint of or limiting the compensation which said agent may receive from any other fire insurance company, association or partnership. The penalty for any violation of this section shall be a fine of not less than two hundred and fifty dollars nor more than five hundred dollars and the forfeiture of license to do business in this State for a period of twelve months thereafter.

Sec. 2. All laws or parts of laws in conflict herewith be, and the same are hereby, repealed.

Sec. 3. This Act shall take effect immediately upon its passage and approval by the Governor.

Approved June 8, 1909.

CHAPTER 5889—(NO. 20).

AN ACT to Require Fire Insurance Companies to Deposit a Certain Amount in Cash or Securities with the Treasurer of the State of Florida.

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

Section 1. Unless otherwise provided by this Act, every fire insurance company shall deposit with the State Treasurer of this State bonds of the United States, bonds of any of the States of the United States, bonds of the District of Columbia, or bonds of the cities or counties of this State, or cash, to the amount of ten thousand dollars, or a surety bond in the amount of twenty thousand dollars of a surety company authorized to do business in the State of Florida, said bond and company to be approved of by the State Treasurer; the surety company offering such bond agreeing in case of a failure of any fire insurance company so bonded, to deposit immediately with the State Treasurer twenty thousand dollars in cash or marketable securities, to be held by the Treasurer for the protection of all legal claims against such company in this State, as provided in this Act, and the State Treasurer shall give the company making such deposit a reciept for same; Provided That the value of the securities so deposited shall not be less than ten thousand dollars. If any bonds so deposited be registered bonds, the company shall at the time give to the State Treasurer a power of attorney, authorizing him to transfer said bonds, or any part thereof, for the purpose of paying any of the liabilities provided for in this Act. The State Treasurer shall require each such company to make good any depreciation or reduction in value of said securities; and he shall, in the month of September in every year, examine all securities so deposited with him for the purpose of ascertaining whether any of them have depreciated or been reduced in value. The State shall be responsible for the safekeeping of all cash, bonds or other securities deposited with the State Treasurer under this Act. Bonds or other securities deposited with the State Treasurer by any company under this Act shall not, on account of such bonds being in the State, be subject to taxation, but shall be held exclusively and solely for the protection of the policy holders.

Sec. 2. Companies depositing bonds as aforesaid shall have the right to draw the interest on said bonds as the same accrues; and should coupon bonds be deposited under this Act, it shall be the duty of the Treasurer, upon the demand of the company, to surrender the coupons as the same shall become due from any and all such coupon bonds deposited by said company.

Sec. 3. If the said company fail to pay any of its liabilities on said policies, according to the terms of the policy, after the said liabilities shall have been adjusted between the parties in the mode prescribed by the policies, if a mode be prescribed thereby, or after the same shall have been ascertained in any mode agreed upon by the parties or by the judgment or order or decree of a court having jurisdiction, the State Treasurer shall, upon the application of the party to whom the debt or money is due and upon satisfactory proof that the notice therein required to be given said company has been given, proceed to sell at public auction such an amount of the said bonds as will pay the sum due and expenses of sale, and out of the proceeds of the sale pay said sums and expenses; Provided, That the party making said application shall give to the company, or to the agent of the company in this State, twenty days' notice of his intention to apply for sale of said bonds to the State Treasurer; and Provided further, That such company shall be required forthwith to make good any such deficit in the amount of its deposit caused by such sale.

The State Treasurer shall advertise the sale of said bonds for thirty days prior to the date of sale in some paper published in the city of Tallahassee, and shall state in said advertisement the bonds to be sold and the company depositing them, a copy of which shall be mailed by registered letter to said company.

Sec. 4. Upon the bonds deposited as aforesaid with the State Treasurer by any such insurance company, the holders of all policies of said company, who are citizens or residents of this State at such time, shall have a lien for the amount due them, respectively, under or in consequence of such policies, for losses, return premiums or equitable values, and shall be entitled to be paid rateably out of the proceeds of said bonds (if such proceeds be not sufficient to pay all of said policyholders). Whenever any such company depositing bonds as aforesaid shall have become insolvent or bankrupt, or shall have made an assignment for the benefit of its creditors, any holder of such policy shall have the right to begin an action in the Circuit Court of the County of Leon, State of Florida, to enforce the said lien for the benefit of all the holders of such policies. The State Treasurer shall be a party to the suit, and the funds shall be distributed by the Court, but no costs of such action shall be adjudged against the State Treasurer.

Sec. 5. If any company cease to carry on business in this State, and its liabilities, whether fixed or contingent, upon its policies to persons residing in this State, shall have been satisfied or shall have terminated, upon satisfactory evidence of the fact to the State Treasurer he shall deliver to such company the bonds in his possession belonging to it, or such of them as remain after paying the liabilities aforesaid, or if such company shall reduce the amount of its liabilities, both fixed and contingent, upon its policies to persons residing in this State below the value of the bonds in possession of the State Treasurer, he may deliver to such company, a part of such bonds, taking care, however, that the bonds in his possession shall always be equal in value to the liabilities of said company upon its policies to persons residing in this State; or if such company cease to carry on business in this State, and its fixed liabilities for losses and for taxes shall have been satisfied, and the contingent liabilities under its policies shall have been assumed by another company doing business in this State, in case such reinsuring company, if non-resident, had deposited with the State Treasurer bonds not less in value than those of the company proposing to retire, the State Treasurer, upon being satisfied of these facts, shall upon receiving a duly attested copy of the contract between the two companies by which the risks of the retiring company are assumed by the other company, deliver to such company proposing to withdraw the bonds in his possession belonging to it.

Sec. 6. Whenever any fire insurance company shall file an application with the State Treasurer to be admitted to do business in this State, it shall be the duty of the said Treasurer to require of it a compliance with the provisions of this Act before issuing a license for such company to do business in this State.

Any fire insurance company now doing business in this State shall be allowed until October 1st, 1909, to comply with the provisions of this Act, and upon their failure to comply with the provisions of this Act on or before that time, it shall be the duty of the State Treasurer of the State to revoke its license to do business in Florida, and it shall be unlawful for it thereafter to do business in this State until licensed as provided by law.

Approved June 8th, 1909

CHAPTER 5890—(NO. 21).

AN ACT to Amend Section 2756 of the General Statutes of the State of Florida, Providing for the Amount and Par Value of the Capital Stock of Insurance Companies.

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

Section 1. That Section 2756 of the General Statutes of the State of Florida be, and the same is hereby, amended to read as follows:

2756 (2216)—**Amount and Par Value.**—The capital stock of an insurance company incorporated in this State shall not be less than fifty thousand dollars, to be divided into shares of not less than ten dollars each, nor more than one hundred dollars each, payable in lawful money of the United States.

Sec. 2. All laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

Approved June 7, 1909

CHAPTER 5891—(NO. 22.)

AN ACT Amending Section 2674 of the General Statutes of the State of Florida, Providing for the Method of Reduction of the Capital Stock of Corporations for Profit.

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

Section 1. That Section 2674 (2149), method of reduction be, and the same is hereby, amended so as to read as follows:

2674 (2149)—**Method of Reduction.**—Any corporation may reduce its capital stock or reduce the par value of the shares thereof, within the limits allowed by law, by a two-thirds vote of the stock, in the same manner as is provided for the increase of capital stock, with the certificate of the State Comptroller endorsed upon the affidavit that, in his judgment, the ability of the corporation to meet its outstanding indebtedness and liabilities will not be impaired thereby.

Sec. 2. All laws and parts of laws in conflict herewith be, and the same are hereby, repealed.

Approved June 7, 1909.

CHAPTER 5892—(NO. 23).

AN ACT to Amend Section 2677 of the General Statutes of the State of Florida, Relative to the Issuing of Execution Against Stockholders of Corporations.

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

Section 1. That Section 2677 of the General Statutes of the State of Florida, relative to the issuing of execution against stockholders of corporations be amended so as to read as follows:

2677 (2152)—**May Issue Against Stockholders.**—If any execution shall issue against the property or effects of any corporation and there cannot be found whereon to levy, then such execution may be issued against any of the stockholders to an extent equal in amount for so much as may remain unpaid upon their subscription to capital stock and no further.

Approved June 8, 1909.

CHAPTER 5893 (NO. 24).

AN ACT Requiring Railroad Companies and Common Carriers to Furnish Separate Accommodations for the Separation of White and Colored Passengers on Railroads, and Conferring Certain Powers on the Railroad Commissioners of the State of Florida in Relation Thereto.

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

Section 1. All railroad companies and other common carriers doing business in this State shall provide equal separate accommodations for white and colored passengers on railroads, and all white and colored passengerss occupying passenger cars which are operated in this State by any railroad company or other common carrier are hereby required to occupy the respective cars, or divisions of cars, provided for them, so that the white passengers shall occupy only the cars, or divisions of cars, provided for white passengers, and the colored passengers only the cars, or division of cars, provided for colored passengers; Provided, That no railroad shall use divided cars for the separation of the races without the permission of the Railroad Commission, nor any car divided for that purpose in which the divisions are not permanent.

Sec. 2. The Railroad Commissioners of the State of Florida are hereby given power and authority to prescribe reasonable rules and regulations relating to the separation of white and colored passengers in passenger cars being operated in this State by any railroad company or other common carrier.

Sec. 3. If any railroad company or other common carrier shall violate any of the provisions of this Act, or any rule, order or regulation prescribed by the Railroad Commissioners under the authority of this Act, such company or common carrier shall thereby incur a penalty for each such offense of not more than five hundred dollars, to be fixed, imposed and collected by said Railroad Commissioners in the manner provided in Section 2908 of the General Statues of the State of Florida.

Sec. 4. Any white person unlawfully and wilfully occupying, as a passenger, any car or part of car not so set apart and provided for white passengers, and any colored passenger unlawfully and wilfully occupying, as a passenger, any car or part of car not so set apart and provided for colored passengers, shall, upon conviction, be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding six months. Nothing in this Act shall apply to persons lawfully in charge of or under the charge of persons of the other race.

Sec. 5. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 6. This Act shall take effect upon its passage and approval by the Governor.

Approved June 8, 1909.

CHAPTER 5894—(NO. 25).

AN ACT to Require Common Carriers to Pay Claims for Lost or Damaged Freight, Express, Baggage and Overcharges on Freight and Baggage, and Reciprocal Demurrage, Within a Certain Time, and Providing That in the Event a Common Carrier Fails to Pay Said Claim Within Said Time That Such Common Carrier Shall in Certain Cases be Liable for Interest on Said Claim at the Rate of Fifty Per Cent. per Annum, and Shall Also be Liable for a Reasonable Attorney's Fee; and Repealing All Laws in Conflict With the Provisions of This Act (saving all actions and rights of actions heretofore accrued under such repealed laws).

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

Section 1. That it shall be the duty of all common carriers operating within this State, and they are hereby required when any person, his agent or attorney, files with, or presents to them, or any station agent of said common carrier, or where there is no station agent, upon any other agent of such common carrier, his claim for any freight, baggage or express lost or damaged by said common carrier, or for any overcharge made by such common carrier on any freight, baggage or express, or for any reciprocal demurrage, to pay the said claim within sixty days from its filing with, or presentation to, said common carrier or any station agent, or other agent of such common carrier.

Sec. 2. That should any common carrier fail to comply with the provisions of Section one (1) of this Act, then the said common carrier making such failure shall be liable to the claimant for the amount of his claim and fifty per cent. per annum interest on the principal sum of said claim from the date of the filing of the same with, or presentation of the same to, the common carrier, or any station agent or other agent of such common carrier, and when the said claimant shall bring suit and recover judgment for his claim against said common carrier, he shall be allowed the said fifty per cent. per annum, in addition to the principal sum of said claim, and the same shall be allowed in the verdict giving him judgment; Provided, however, That the claimant shall not recover and have judgment for the said fifty per cent. per annum, nor attorney's fees, as provided for in Section 3 of this Act, unless he recovers judgment for a sum which fixes the principal sum of said claim at an amount greater than the amount which said common carrier had offeerd and tendered to the claimant in settlement of his calim before the expiration of said sixty days in which the said common carrier is required to pay such claim under the provisions of Section one (1) of this Act.

Sec. 3. That any common carrier who fails to comply with the provisions of Section one (1) of this Act, shall, in the event that the claimant shall prevail in an action to recover on his claim, be liable for a reasonable attorney's fee, and it shall be the duty of the Court to allow the claimant such reasonable attorney's fee, which shall be fixed by the Court, not to exceed fifteen dollars, if the amount received does not exceed one hundred dollars, and not to exceed fifteen per cent. on any amount recovered greater than the sum of one hundred dollars.

Sec. 4. When any claim arises under the provisions of this Act, and the shipment went, or should have gone, over more than one common carrier's line, the claimant may file his claim with any of said common carriers over whose line said shipment went, or should have gone, and may bring action against either of them for recovery of damages, as herein provided for; Provided, He shall have served said notice on the common carrier he elects to sue.

Sec. 5. All laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby, repealed, saving all actions and rights of actions heretofore accrued under such repealed laws.

Approved June 8, 1909.

CHAPTER 5895—(NO. 26).

AN ACT to Amend Section 2919 of the General Statutes of the State of Florida as to the Allowance of Free or Reduced Rates of Transportation by Common Carriers.

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

Section 1. That Section 2919 of the General Statutes of the State of Florida be, and the same is hereby, amended so as to read as follows:

2919—**When Free or Reduced Rates Are Allowed.**—Nothing in this Chapter contained shall prevent any common carrier subject thereto from granting free passage or free tickets to its own officers and own employees (including pensioners, disabled employees, and persons traveling to accept or leave the employment of such common carrier) and their immediate families dependent upon them; and to its physicians and surgeons, and to its salaried attorney at law, to persons employed on sleeping, parlor, dining or express cars while on duty only, and to baggage soliciting agents, and newsboys while on duty only; to ministers of religion who are engaged in general mission work, traveling secretaries of Railroad Young Men's Christian Associations; Confederate Soldiers going to the State Home for Confederate Soldiers to become inmates thereof, or returning after discharge; to indigent, homeless or destitute persons when transported by charitable societies, and to the necessary agents employed in such transportation, to persons exclusively engaged in charitable or eleemosynary work for the purposes of their work; and to persons injured in wrecks, and the physicians, surgeons, nurses, relatives or friends of such injured persons, to and from the place of the wreck; or from carrying free passengers with the object of providing relief in cases of general epidemic, pestilence or other calamitous visitations in this State; or from the carriage, storage, or handling of property free or at reduced rates for charitable purposes, or to and from fairs and expositions for exhibit thereat, or from giving reduced rates to ministers of religion, or from exchanging free passes with other common carriers for officers and employees and their immediate family dependent upon them, and for their physicians and surgeons, and salaried attorneys aforesaid; or from giving free passage as or reduced rates to persons in charge of live stock shipped from point of shipment to destination and return (or from giving free passes or reduced transportation to the Sheriff of the State without discrimination), or from issuing mileage, excursion or commutation, or round-trip passenger tickets, or from issuing second-class tickets at a lower rate of fare than for first-class tickets for the holders of which second class tickets only second class accommodation shall be allowed.

No free or reduced transportation shall be lawful except as specified in this Section, and all transportation other than free must be paid for in cash.

Any individual violating the provisions of this Section, either by issuing a free pass, or giving a reduced rate unlawfully, or by receiving and using or taking advantage of the same, shall be punished by imprisonment not exceeding six months, or by fine not exceeding one thousand dollars; and any common carrier violating this Section shall be subject to a penalty to be fixed and imposed by the Railroad Commissioners, and enforced as provided in this chapter.

Approved June 7, 1909.

CHAPTER 5896—(NO. 27).

AN ACT to Prohibit Drinking of Intoxicating Liquors of Any Kind on Railway Passenger Trains, or Coaches, or Vestibules Thereof, or Platforms Connected Therewith, While Said Train or Coach, or Vestibules, are in the Service of Passenger Transportation within this State, and Providing a Penalty for the Violation of the Provisions of this Act.

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

Section 1. That it is hereby declared to be unlawful for any person to drink intoxicating liquors of any kind in or upon any railway passenger train or coach, or vestibule thereof, or platform con-