

## SECRETARY'S CERTIFICATE

Under the authority vested in me, as Secretary of the Senate by Senate Resolution No. 56, which reads as follows:

Senate Resolution No. 12:

Which was adopted by the Senate on Dec. 6, 1918, and which reads as follows:

Senate Resolution No. 12:

Be it Resolved, That the Secretary of the Senate be and he is hereby directed and authorized to correct the last three days Journals of the Senate, and to file said Journals, with their corrections, together with the other corrected daily Senate Journals, for this session, with the Secretary of State, duly signed by the President upon filing said daily Journal. Be it further

Resolved, That the Secretary of the Senate be empowered, be required, and he is hereby instructed, to make a list of corrections of all Senate Daily Journals of this extraordinary session certifying to the correctness of said corrections over his signature, and to file the said list of corrections with the Secretary of State, and with the bound Journals of all the daily sessions, and such list and corrections shall be a part of the Journal history.

I hereby certify that the above corrections could not be printed in the body of the final and bound Journal of the Proceedings of the Senate, as the forms of same had already gone to the press and were worked up in order to facilitate the indexing of same, and that the above Errata sheet constitutes the correction of the printed bound Journal, as far as could be detected by the Secretary, to make it agree with the true history of the Senate proceedings. I also certify that the Journals of December 5th, 6th and 7th, have been corrected and approved by the President of the Senate and myself, as Secretary of the body, and that a copy of each day's proceedings of the Senate, known as the Daily Journal of the Senate, duly signed by the President of the Senate and attested by myself as Secretary, have, with said daily corrections, been filed with the Secretary of State.

CHARLES A. FINLEY,  
Secretary of the Senate.

## JOURNAL OF THE SENATE.

The extraordinary session of the Legislature of the State of Florida under the Proclamation of the Governor issued November 15, 1918, directing the body to convene at the Capitol in Tallahassee on November 25, A. D. 1918.

**Monday, November 25, 1918.**

The Senate convened in Extraordinary Session at 12 o'clock noon and was called to order by Hon. John B. Johnson, President of the Senate.

Prayer by Rev. S. W. Lawler.

The following proclamation from the Governor was read:

STATE OF FLORIDA,  
EXECUTIVE DEPARTMENT.

*To All and Singular the Senators and Members of the House of Representatives of the State of Florida:*

WHEREAS, The electors of Florida on November 5th, 1918, adopted an amendment to Article XIX of the State Constitution, which amendment provides that "The manufacture, sale, barter or exchange of all alcoholic or intoxicating liquors and beverages, whether spirituous, vinous or malt, are hereby forever prohibited in the State of Florida, except alcohol for medical, scientific or mechanical purposes, and wine for sacramental purposes, the sale of which alcohol and wine for the purposes aforesaid, shall be regulated by law. The Legislature shall enact suitable laws for the enforcement of the provisions of this Article. This Article shall go into effect on the first day of January, A. D. 1919."

AND WHEREAS, There are no effective statutes forbidding the transportation of intoxicating liquors into and in this State;

AND WHEREAS, In the absence of such statutes violations of the prohibition laws cannot be effectively enforced as contemplated by the Constitution;

AND WHEREAS, The unprecedented conditions now incident to the close of the greatest of all wars make it imperative that the people of this State be protected from an increase in crime and from the evils and grievous wrongs that will inevitably flow from the unrestricted handling and transportation of intoxicating liquors, after the Constitutional amendment becomes effective on January 1st, 1919, and before action can be taken after the convening of the regular session of the Legislature in April, 1919;

AND WHEREAS, The revenue laws relating to automobiles, as judiciously construed, will cause a loss to the State of perhaps \$35,000.00 or more for the ensuing year, in addition to the losses this year, if not remedied before January 1st, 1919;

AND WHEREAS, The labor conditions in this State imperatively require legislative action so as to secure adequate labor now indispensable to the planting and cultivation of crops and of other essential enterprises that will be irrevocably lost if not provided for before the regular session of the Legislature in April, 1919;

AND WHEREAS, The Federal Government invites and urgently requests the prompt and effective cooperation of the State in providing encouraging regulations to induce soldiers returning from the War and others to become permanent residents of this State for their welfare and for the development of the vast resources of the State;

AND WHEREAS, moderate appropriations are at present essential to provide the unfortunate wards of the State, now in the several public institutions of the State, with suitable subsistence for their health and comfort;

AND WHEREAS, The unprecedented conditions which necessitate immediate legislative action upon these matters also make it my duty to exercise the executive authority vested only in the Governor to call the Legislature of the State in extraordinary session;

Now, therefore, I, Sidney J. Catts, Governor of the State of Florida, by virtue of the power and authority

vested in me by the Constitution, do hereby convene the Legislature of the State of Florida in extra session, at the Capitol, in Tallahassee, on November 25th, 1918, for the purpose of considering the enactment of laws on the above subject, and such other subjects as the welfare of the State may require, and the Constitution of the State permits.

IN WITNESS WHEREOF, I have hereunto set my hand, and have caused the Great Seal of the State of Florida to be affixed hereunto. Done at the Capitol, this the 15th day of November, A. D. 1918, and of the Independence of the United States, the one hundred and forty-third year.

SIDNEY J. CATTS,  
Governor.

By the Governor, Attest:  
H. CLAY CRAWFORD,  
Secretary of State.

Secretary Charles A. Finley called the roll of the hold-over Senators, and the following answered to their names:

District No. 1—W. A. McLeod.  
District No. 3—John L. Moore.  
District No. 5—H. L. Oliver.  
District No. 7—Oscar M. Eaton.  
District No. 9—John E. King.  
District No. 11—Doyle E. Carlton.  
District No. 13—W. L. Hughlett.  
District No. 17—J. B. Johnson.  
District No. 21—J. W. Turner.  
District No. 23—W. M. Igou.  
District No. 29—W. E. Baker.  
District No. 31—W. A. MacWilliams.

The President instructed the Secretary to call the names of the newly elected members. The roll of the newly elected members was called from the list certified to the body by the Secretary of State, and the following answered to their names:

District No. 2—John P. Stokes.  
District No. 4—W. J. Singletary.  
District No. 6—S. W. Anderson.  
District No. 8—D. M. Lowry.  
District No. 10—R. H. Rowe.

District No. 12—W. T. Cash.  
 District No. 14—M. L. Plympton.  
 District No. 16—James E. Calkins.  
 District No. 18—J. Turner Butler.  
 District No. 20—W. J. Crosby.  
 District No. 22—T. T. Turnbull.  
 District No. 24—W. H. Malone.  
 District No. 26—W. A. Russell.  
 District No. 28—Lincoln Hulley.  
 District No. 30—John Bradshaw.  
 District No. 32—D. G. Roland.

Chief Justice Jefferson B. Browne administered the oath of office to the newly elected Senators, and they took their seats.

Mr. Moore moved the election of the following attaches for the extraordinary session:

Assistant Secretary—A. J. Holworthy.  
 Bill Secretary—R. H. Mickler.  
 Enrolling Secretary—W. B. Gray.  
 Journal Secretary—Miss Edna Williams.  
 Sergeant-at-Arms—F. C. Coles.  
 Messenger—Curtis Rutherford.  
 Chaplain—Rev. S. W. Lawler.  
 Doorkeeper—J. C. Joyner.  
 Janitor—F. H. Sutton.  
 Pages—Marion Goggans, Russell De Grove, Natie Bien.  
 Stenographers—Miss Genevieve Choate, Miss Lois Dame,

Which was agreed to.

The oath of office was administered to the foregoing attaches by Hon. John L. Moore, an officer of the State qualified to administer oaths.

Mr. MacWilliams moved that the President appoint a committee of three to notify the Governor that the Senate is duly organized and ready for business, which was agreed to, and the President appointed Messrs. MacWilliams, Carleton and Oliver as said committee.

The committee asked for and obtained permission to retire and perform their duty.

Mr. Igou moved that a committee of three be appointed to notify the House of Representatives that the Senate is duly organized and ready for business.

Which was agreed to.

And the President appointed Messrs. Igou, Hulley and Butler as said committee.

The committee asked for and obtained permission to retire and perform this duty.

The committee to wait upon the Governor appeared at the bar of the Senate and announced that they had notified the Governor that the Senate was organized and asked to be discharged.

Which was granted.

Mr. MacWilliams moved that the Rules governing the session of 1917, with the exception of Rule 4 of such Rules, relating to the appointment of standing committees, and with the addition of a new Rule to be known as 14 1-2, as follows:

“Section 1. There shall be filed with the Secretary of State the daily Journal of the Senate, said Journal to be signed by the Presiding Officer and Secretary of the Senate.”

Which was unanimously agreed to and said Rules adopted.

The Senate committee appointed to wait upon the House of Representatives and notify them that the Senate was duly organized and ready for business appeared at the bar of the Senate and stated they had performed the duty and asked to be discharged.

Which was granted.

A committee of three from the House of Representatives appeared at the bar of the Senate and announced to the Senate that the House of Representatives was duly organized and ready for business.

#### INTRODUCTION OF RESOLUTIONS.

Mr. MacWilliams offered the following:

Senate Concurrent Resolution No. 1:

Whereas, The Governor has called the Legislature into extraordinary session and has specified in the call for same four matters for legislative action, said matters being:

1. Passage of an act to prohibit shipment into the

State of alcoholic beverages after January 1, 1919, on which date the constitutional amendment for statewide prohibition becomes effective.

2. Amendments to the automobile tax laws so as to gain more revenue for the State and provide maintenance for State highways, without which Florida would lose an immense amount of Federal aid for roads.

3. An act or resolution for co-operation with the Federal government in settling returned soldiers on farms in this State.

4. An act making sufficient provision and appropriation for the several institutions of the State, presumably the Industrial School for Boys in particular.

And Whereas, It is wise and proper in the interest of economy that the business of this session be expedited to the need that the expense of this session shall not be a greater burden upon the taxpayers than is absolutely necessary under the call for its convening; therefore, be it

Resolved by the Senate, the House of Representatives concurring, that there be constituted four joint committees, five members on each committee on the part of the Senate and five members on the part of the House, said committees to be known as:

Committee on Temperance,  
Committee on Finance and Taxation,  
Committee on Immigration,  
Committee on State Institutions.

To whom shall be referred such portions of the message of the Governor as should be properly considered by said committees with instructions to report committee bills covering said subjects if the said committees determine a bill or bills should be reported, and in the event a bill or bills be reported, then the Committees on Temperance and Finance and Taxation shall first report to the Senate and the Committees on Immigration and State Institutions shall report to the House, and be it further

Resolved, That a committee similarly constituted and appointed as the said foregoing committees shall be appointed, to be known as the Committee on Miscellaneous Legislation, to whom shall be referred all measures not embraced in the subject matter of the Governor's call,

and the Governor's further messages, if any, suggesting additional proposed legislation.

Which was read the first time.

Mr. MacWilliams moved that the rules be waived, and that Senate Concurrent Resolution No. 1 be taken up and considered at once.

Which was agreed to by a two-third vote, and

The Resolution was read the second time.

Mr. MacWilliams moved to adopt the resolution.

Which was agreed to, and

The same was ordered to be certified to the House of Representatives immediately.

Mr. Butler offered the following resolution:

Senate Concurrent Resolution No. 2:

Whereas, The Department of the Interior of the United States is desirous of assisting returning soldiers in securing profitable positions and engaging in productive occupations, especially those relating to farming, dairying and stock-raising, which will upbuild the resources of the nation; and,

Whereas, The State of Florida has large undeveloped areas which are suitable for these purposes, and the fertility of the soil and climatic conditions are such as to command the favorable consideration of said Department; and

Whereas, The State of Florida is in hearty accord with this movement and is willing to cooperate with said Department in carrying out its said objects; and,

Whereas, The Governor of the State of Florida has called a special session of the Legislature for the purpose of enacting suitable and proper laws for assisting said Department in carrying out said plans, and the Legislature is now considering the enacting of said laws; therefore be it

Resolved by the Senate, the House of Representatives concurring, That the Honorable Franklin K. Lane, Secretary of the Interior, be, and he is hereby cordially invited to address the Legislature at the earliest date practicable in reference to the enacting of such laws;

Resolved further, That the Secretary of State immediately telegraph these resolutions to the Secretary of the Interior.

Which was read the first time.

Mr. Butler moved that the rules be waived, and that Senate Concurrent Resolution No. 2, be taken up and considered at once.

Which was agreed to by a two-third vote, and

The Resolution was read the second time.

Mr. Butler moved to adopt the Resolution.

Which was agreed to, and

The same was ordered to be certified to the House of Representatives immediately.

Mr. MacWilliams moved that the Senate do now take a recess until 4 o'clock p. m.

Which was agreed to.

And the Senate took a recess until said hour.

AFTERNOON SESSION, NOVEMBER 25, 1918,  
4 O'CLOCK.

The Senate reconvened pursuant to the recess order.

The President in the chair.

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

Mr. President, Senators Anderson, Baker, Bradshaw, Butler, Calkins, Carlton, Cash, Crosby, Eaton, Hughlett, Hulley, Igou, King, Lowry, MacWilliams, Malone, McLeod, Moore, Oliver, Plympton, Roland, Rowe, Russell, Singletary, Stokes, Turnbull, Turner, Wilson—29.

A quorum present.

The President announced the appointment of the following committees, according to the Resolution adopted this morning:

COMMITTEE ON TEMPERANCE.

Doyle E. Carlton, Chairman.

John P. Stokes.

D. G. Roland.

Oscar M. Eaton.

John W. Turner.

COMMITTEE ON FINANCE AND TAXATION.

T. T. Turnbull, Chairman.

M. L. Plympton.

J. E. King.

W. J. Singletary.

W. T. Cash.

COMMITTEE ON IMMIGRATION

J. Turner Butler, Chairman.

John Bradshaw.

D. M. Lowry.

W. J. Crosby.

W. A. McLeod.

COMMITTEE ON STATE INSTITUTIONS.

W. L. Hughlett, Chairman.

W. A. Russell.

A. M. Wilson.

S. W. Anderson.

W. E. Baker.

COMMITTEE ON MISCELLANEOUS MATTERS

W. A. MacWilliams, Chairman.

Lincoln Hulley.

W. H. Malone.

R. H. Rowe.

H. L. Oliver.

Mr. MacWilliams offered the following Resolution:

Senate Resolution No. 1:

"Resolved, The President shall appoint a Committee on Legislative Expenses to consist of five members."

Which was read.

Mr. MacWilliams moved to adopt the resolution

Which was agreed to.

Mr. Hughlett moved that 300 copies of the Senate Journal be printed daily for the use of the members of both houses and various departments.

Which was agreed to and so ordered.

The following message from the Governor was received:  
 State of Florida,  
 Executive Chamber,  
 Tallahassee, Nov. 25, 1918.

*Hon. John B. Johnson,  
 President of the Senate.*

*Sir:*

I desire to call to your attention the fact that the Congress of the United States has forwarded to this State the National Prohibition Amendment for ratification or rejection by the Legislature of this State.

If the Legislature deems it advisable, I would be pleased to see the said amendment considered by the Legislature at this extraordinary session.

Respectfully,  
 SIDNEY J. CATTS,  
 Governor.

The message was read and ordered spread upon the Journal.

Also the following message from the Governor was ordered to be read:

S T A T E O F F L O R I D A .  
 OFFICE OF THE GOVERNOR.

Tallahassee, Florida,  
 November 21, 1918.

*To the Senate and the House of Representatives:*

I have called this extraordinary session of the Legislature for the purpose of enacting laws which I deem absolutely necessary to be passed at this time and call your attention to the following recommendations:

PROHIBITION LAW TO PREVENT INTOXICATING LIQUORS BEING SHIPPED INTO THE STATE

The first law which will claim your attention is one to prevent the shipping in of large quantities of liquors and beverages, whether spirituous, vinous or malt, as can be done under the present conditions. While the electors of Florida, on November 5th, 1918, adopted an amendment to Article XIX of the State Constitution, which

amendment provides, that the manufacture, sale, barter, or exchange of all alcoholic, intoxicating liquors or beverages were to be prohibited in the State forever, the over-ruling of the one quart a month law, by the decision of the Supreme Court, leaves the matter of shipping into the State of Florida free and open to any and all persons who desire to do so as far as the State laws are concerned. It is true that the Webb-Kenyon Act and the Reed Amendment passed by Congress, regulates the shipping in of intoxicating liquors and beverages, as far as the United States Government is concerned; but the authorities of the State of Florida have no jurisdiction over the liquors thus shipped into this State, and to allow immense quantities thereof to come into the State between now and April 1st, untrammelled, will so pollute the morals of the people of the State, that I, as Governor, have called you together to pass a law effective at once to prevent the shipping of liquor into the State, or from one County to another. I, therefore, most earnestly request you to enact such a law.

AUTOMOBILE LICENSE TAX LAWS

The second matter to which I call your attention is that relating to automobile license taxes. As judiciously construed, a loss of \$35,000.00 to the State for this year, and in addition, the same, or a larger amount next year will result, if not remedied before January 1st, 1919.

Under the practical or departmental construction of Chapter 7275, the Comptroller collected a registration fee of \$12.00 on all machines of more than 25, and not over 40, horsepower, regardless of seating capacity. After the law had been in practical operation for six months or more, under this construction, the Supreme Court, by a divided Court, adopted a different view, making the seating capacity the test in certain instances, instead of horsepower. The effect of this decision is to bring a large number of expensive and high powered cars within the smaller classification, discriminating against persons owning small cars and destroying the uniformity of horsepower classification, which I am advised obtains in practically all States.

Under the operation of the Statute, as construed by

the Court, a seven passenger car of less than 25 horsepower, has too many passenger to go in the B class and not sufficient horsepower to be registered under Series C, making it doubtful whether any law is applicable to a machine of this classification. If it was the intention of the Legislature to use horsepower as the rule by which registrations were to be measured, as I believe to be the case, it is necessary that this be made clear by amending the law to overcome the effect of the decision of the Supreme Court and thereby render unnecessary an appropriation of not less than \$35,000.00 to refund to these persons from whom the larger registration fees were collected in 1918, and prevent a loss of at least \$35,000.00, or more, in 1919, unless action is taken now, as the license taxes are due January 1st, 1919.

#### FARM LABOR LAW AND PROTECTION OF AGRICULTURE, DAIRYING AND TRUCKING IN FLORIDA

The next measure to which I invite your attention is in regard to the labor conditions in the State of Florida, brought on by the War, resulting in drawing the labor from the farms to factories and Shipbuilding Plants. It is not only the duty of the citizens of Florida to produce all the food and feed stuffs necessary for our own people, but it is our duty to produce a surplus to aid the starving millions in Europe.

#### FEDERAL GOVERNMENT AND THE STATE OF FLORIDA COOPERATING TO INDUCE SOLDIERS AND SAILORS TO SETTLE IN FLORIDA

Florida is fortunate in being the first State to have a session of the Legislature after the close of the Great World War. The Federal Government invites cooperation of the State of Florida, in providing means to induce Soldiers and Sailors, returning from the war, to become citizens of this State. The Department of the Interior has sent its agents to confer with the Trustees of the Internal Improvement Fund on this subject.

In order that you may obtain full information in re-

gard to this proposed plan, which will mean so much to Florida, I respectfully suggest that you invite Hon. Franklin K. Lane, Secretary of the Interior, to address the Joint Assembly on this subject.

#### APPROPRIATIONS FOR THE STATE INSTITUTIONS

There has been great increase in the cost of all commodities, food, clothing, fuel, labor, and everything that goes into the detail of operating the State Institutions. As a result of this condition, the appropriation for the Boys' Industrial School at Marianna, and the Florida Hospital for Insane at Chattahoochee, will be exhausted before the end of this fiscal year, and leave a deficit.

I respectfully suggest that the conditions at all of the State Institutions be investigated by a large joint committee from your Honorable Body.

Respectfully submitted,

SIDNEY J. CATTS,  
Governor.

Mr. Malone moved that the further reading of the Governor's message be dispensed with and that the same be spread upon the Journal:

Which was agreed to.

Mr. Stokes reported that Senator Mathis, of the 25th District, was ill at his hotel and unable to attend today's session.

The illness of Messrs. Andrews and Crawford was also reported.

Mr. Calkins moved that the Senate adjourn until 9 o'clock a. m. Tuesday, November 26.

Which was agreed to.

Thereupon the Senate stood adjourned until 9 o'clock a. m. Tuesday, November 26.

**Tuesday, November 26, 1918.**

The Senate met pursuant to adjournment  
The President in the chair.

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