

And Senate Bill No. 48, together with the House amendments thereto, contained in the above message.

By consent was laid over until tomorrow.

Also—

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 14, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 246:

A bill to be entitled "An Act amending Section Nine of Chapter 7676 of the Laws of Florida, Being An Act entitled 'An Act reducing the membership of the City Council of the City of Ocala to five members; providing for their election and recall by the voters of said city at large; providing for the city manager plan of government of said city; further abolishing the present Board of Bond Trustees for said city, and providing for a new board to be known as the sinking fund commission of the City of Ocala, and prescribing the membership of said board, their election, powers and duties; to provide for the issuance of bonds and negotiable securities by said city; defining the corporate limits of said city; providing for the office and election of Mayor for said city, a City Manager, a City Clerk and Assessor of Taxes, Chief of Police, policemen, and such other officers as the Council of said city may provide for; providing for the issuance of special assessment certificates by said city, and for their enforcement and re-assessment; providing for a Recorder's Court in and for said city; and otherwise defining, extending and enlarging the powers of said city, and validating all prior acts thereof."

Very respectfully,

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

And Senate Bill No. 246, contained in the above message, was referred to the Committee on Enrolled Bills.

Mr. Oliver moved that the Senate do now adjourn. Which was agreed to.

And the Senate stood adjourned to 10:30 a. m. Thursday, May 15, 1919.

Thursday, May 15, 1919

The Senate met at 10:30 o'clock A. M., pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Anderson, Andrews, Baker, Bradshaw, Butler, Carlton, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, Johnson, King, Lowry, MacWilliams, Malone, Mathis, McLeod, Moore, Oliver, Plympton, Roland, Rowe, Russell, Singletary, Stokes, Turnbull, Turner, Wilson—32.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 14 was corrected and approved as corrected.

REPORTS OF COMMITTEES.

Mr. Crosby, Chairman of the Committee on Mining and Mineral Resources, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 14, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Mining and Mineral Resources, to whom was referred—

Senate Bill No. 278:

A bill to be entitled An Act to declare the proceeds of phosphate mines, oil wells and mineral deposits to be personal property in this State, and to provide for taxing the same.

Have had the same under consideration and beg to submit the following substitute:

Senate Substitute Bill for Senate Bill No. 278:

A bill to be entitled An Act to declare the product or output of phosphate mines, oil wells and mineral deposits to be personal property in this State, and to provide for taxing the same.

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

Very respectfully,

W. J. CROSBY,
Chairman of Committee.

And Senate Bill No. 278, with proposed substitute, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 14, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

(With Senate amendments adopted May 14, 1919)—

House Bill No. 420:

A bill to be entitled An Act to establish a reservation for the protection and propagation of and to regulate the means and methods of capturing fish in the waters of New Smyrna Inlet, Indian River North, Halifax River, Spruce, Tomoka, Bulow and Smith Creeks and the Bays and Tributary Waters thereof, lying and being in the County of Volusia, State of Florida; to prohibit the use of certain nets and appliances and to provide for the seizure and summary destruction of such nets and appliances; to provide for the payment of a portion of the fines imposed for the violation of the provisions of said Act to the sheriff of said County; to provide penalties for the violation of the provisions of said Act.

Have examined House Bill No. 420 with Senate amendments and find the same correctly engrossed.

Very respectfully,

W. A. McLEOD,
Chairman of Committee.

And House Bill No. 420, contained in the above report, was ordered to be certified to the House of Representatives.

Mr. MacWilliams, Chairman of the Committee on Drainage, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Drainage, to whom was referred—
House Bill No. 415:

A bill to be entitled An Act to amend Chapter 7430 of the Special Acts adopted by the Legislature of Florida, at its 16th Regular Session, entitled An Act Creating Napoleon B. Broward Drainage District; defining its boundaries, prescribing its powers, privileges, duties and liabilities, naming the members of the first Board of Supervisors, designating the officers and agents of said district, providing for the levying of taxes upon the property in said district, and the collection of the same, and the sale of lands to enforce said collection of such taxes, authorizing the Board of Supervisors of said district to borrow money and to issue bonds and dispose of same, to procure money to carry out the provisions of this Act, giving to said district full power to acquire such lands and property as may be necessary and proper for its purposes, and to prevent injury to any works constructed under this Act, and to provide a penalty for violating such provision, approved May 26, 1917, and to increase the powers of said district as to road construction and maintenance and to provide for the obligations of cities, counties, and other political subdivisions in connection with the works of said district, and the manner of payment thereof, and for other incidental purposes.

Also—

House Bill No. 416:

A bill to be entitled An Act to amend Chapter 7599 of the Special Acts adopted by the Legislature of Florida, at its 16th Regular Session, entitled An Act creating the Southern Drainage District, defining its boundaries, prescribing its powers, privileges, duties and liabilities, naming the members of the first Board of Supervisors, designating the officers and agents of said district, providing for the levying of taxes upon the property in said district, and the collection of same, and the sale of lands to enforce said collection of such taxes, authoriz-

ing the Board of Supervisors of said district, to borrow money and to issue bonds and dispose of same, to procure money to carry out the provisions of this Act, giving to said district full power to acquire such lands and property as may be necessary and proper for its purposes, and to prevent injury to any works constructed under this Act, and to provide a penalty for violating such provisions," approved June 8, 1917, and to repeal Chapter 7762, adopted at the Extraordinary Session of the Legislature of the State of Florida, of 1918, approved December 7, 1918, entitled An Act to fix the terms of office and compensation of the Supervisors and Secretary and Treasurer of the Southern Drainage District; providing that Joe Conrad shall also serve as Secretary and L. T. Highleyman as Treasurer of said district; and fixing the salary of the attorney for said board, and to validate the assessment of benefits made under said Chapter 7599, and all action taken by the boards and officers of said district, including the taxes levied against such benefits, and to increase the powers of said district as to road construction and maintenance and to provide for the obligations of cities, counties, and other political subdivisions in connection with the works of said district, and the manner of payment thereof, and for other incidental purposes.

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

Very respectfully,

W. A. MacWILLIAMS,
Chairman of Committee.

And Senate Bills Nos. 415 and 416, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

(With Senate amendment adopted May 14, 1919)—

House Bill No. 108:

A bill to be entitled An Act fixing the compensation of the sheriffs of the several counties of the State of Florida.

Have examined House Bill No. 108, with Senate amendments adopted May 14, 1919, and find it correctly engrossed.

Very respectfully,

W. A. McLEOD,
Chairman of Committee.

And House Bill No. 108, contained in the above report, was placed on the Calendar of Bills on Third Reading.

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

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Claims, to whom was referred—
House Bill No. 617:

A bill to be entitled An Act authorizing and requiring the Clerks of the Circuit Courts of this State to record the certificates of discharge of the soldiers and sailors who enlisted from this State in the Army or Navy of the United States Government during the war with Germany, and providing for the payment of same by the County Commissioners of this State.

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

Very respectfully,

J. B. JOHNSON,
Chairman of Committee.

And House Bill No. 617, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Claims, to whom was referred—

66—S. J.

House Bill No. 81:

A bill to be entitled An Act for the relief of J. E. Peacock, County Solicitor of the Criminal Court of Record in and for Volusia County, Florida, for loss of salary and fees because of his suspension from said office.

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

Very respectfully,

J. B. JOHNSON,
Chairman of Committee.

And House Bill No. 81, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Organized Labor, to whom was referred—

Senate Bill No. 145:

A bill to be entitled An Act providing compensation for certain personal injuries; abolishing certain defenses in certain actions; providing for a tax upon certain insurance companies; creating an Industrial Accident Board, and prescribing rules and regulations relating to compensation for workmen.

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

Very respectfully,

W. A. RUSSELL,
Chairman of Committee.

And Senate Bill No. 145, contained in the above report, was placed on the table under the rule.

PETITIONS AND MEMORIALS.

A petition from citizens of St. Lucie County, urging the passage of House Bill No. 608, was read and ordered filed.

INTRODUCTION OF BILLS.

By Mr. Hughlett—
Senate Bill No. 371:

A bill to be entitled An Act relating to the creation of Sub-Drainage Districts, wholly or partially within the Everglades Drainage District of Florida, the plan of reclamation, taxing and financing the same; to define the powers and duties of the Board of Commissioners of Everglades Drainage District and the Chief Drainage Engineer in relation thereto; to provide for and encourage a closer co-operation between the Everglades Drainage District and such subsidiary districts; and to provide for suspensions and removals therefrom.

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

By Mr. Bradshaw—
Senate Bill No. 372:

A bill to be entitled An Act to regulate the running of trains over the railroads in the State of Florida and to provide penalties for the violation thereof.

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

By Joint Committee on Appropriations—
Senate Bill No. 373:

A bill to be entitled An Act making appropriations for salaries and expenses of the State government for six months of the year 1919, and for the year 1920, and for six months of the year 1921.

Which was read the first time by its title.

Mr. Lowry moved to waive the rules and make Senate Bill 373 a special order for 11 o'clock a. m., Wednesday, May 21.

Which was agreed to by a two-thirds vote.

Mr. Lowry moved that 200 copies of said bill be printed. Which was agreed to.

And it was so ordered.

By Mr. Butler—
Senate Bill No. 374:

A bill to be entitled An Act to validate affidavits and acknowledgments taken in foreign countries by soldiers and sailors before officers authorized by the military laws

of the United States to perform the duties of Notary Public.

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

By Mr. Hulley—

Senate Bill No. 375:

A bill to be entitled An Act to authorize, empower, direct and require the County Commissioners of Volusia County, Florida, and the Bond Trustees of New Smyrna Special Road and Bridge District of Volusia County, Florida, to transfer the sum of \$5,000.00 from the interest fund of said New Smyrna Special Road and Bridge District to the maintenance fund of said New Smyrna Special Road and Bridge District, and to authorize and empower the Board of County Commissioners of Volusia County, Florida, and the Bond Trustees of said New Smyrna Special Road and Bridge District to expend said sum so expended in the repair and maintenance of the public highways of said New Smyrna Special Road and Bridge District.

Which was read the first time by its title.

Mr. Hulley moved that the rules be waived and Senate Bill No. 375 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 375 was read a second time by its title only.

Mr. Hulley moved that the rules be further waived and that Senate Bill No. 375 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 375 was read a third time in full.

Upon call of the roll on the passage of the bill, the vote was:

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

Nays—None.

So the bill passed, title as stated.

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

CONSIDERATION OF OTHER RESOLUTIONS.

House Concurrent Resolution No. 21:

A concurrent resolution urging the State Road Department to make application to the Secretary of Agriculture, at an early date, for the number of motor trucks as may be allowed to the State of Florida, and that it use any funds at its command to pay the expenses of loading and freight charges on such trucks.

Was taken up and read the second time.

The question was put upon the adoption of the resolution.

The resolution was adopted, and the same was ordered to be certified to the House of Representatives.

House Concurrent Resolution No. 23:

A concurrent resolution asking for the repeal of the "Daylight Savings Act."

Was taken up and read the second time.

The question was put upon the adoption of the resolution.

The resolution was adopted, and the same was ordered to be certified to the House of Representatives.

ORDERS OF THE DAY.

House Bill No. 19:

A bill to be entitled An Act creating a State Board of Pensions, defining who shall receive pensions, who shall not receive pensions, who shall be retained as pensioners, how applications shall be made, how pension 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.

Consideration of which had been pending at close of session yesterday.

Was taken up.

The question was put upon the reconsideration of the vote by which the Senate passed House Bill No. 19.

The Senate reconsidered its action upon the passage of House Bill No. 19.

And House Bill No. 19 was put back upon its third reading, pending its passage.

By unanimous consent—

Mr. Moore offered the following amendment to House Bill No. 19, now on its third reading:

In Section 2, line 33, after the word "husband," insert the following: "Provided, that such marriage shall not prevent any widow over the age of forty years of a deceased soldier from drawing a pension under the provisions of this Act if said marriage has been dissolved by death or decree in chancery."

Mr. Moore moved the adoption of the amendment.

Which was agreed to.

By unanimous consent—

Mr. Andrews offered the following amendment to House Bill No. 19, now on its third reading:

In Section 5, line 3, after the word "department" add the following: "Unless the applicant is the widow of a soldier receiving a pension at the time of his death under this Act when payment shall be made to such widow from the date of the death of her husband if her application be filed within ninety days after his death."

Mr. Andrews moved the adoption of the amendment.

Which was agreed to.

Mr. Moore moved to reconsider the vote by which the Senate adopted the amendment offered by himself was adopted.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered its action in adopting said amendment.

By unanimous consent—

Mr. Moore withdrew his amendment.

House Bill No. 19, as amended, was read the third time in full.

And House Bill No. 19, as amended, was put upon its passage.

Upon the passage of House Bill No. 19, as amended by the Senate, the vote was:

Yeas—Mr. President, Senators Anderson, Andrews, Baker, Bradshaw, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, Johnson, King, Lowry, MacWilliams, Malone, Mathis, McLeod, Moore, Oliver, Plympton, Russell, Singletary, Stokes, Turnbull, Turner, Wilson—28.

Nays—None.

So the Bill passed, title as stated.

And House Bill No. 19, as amended and passed by the Senate, was referred to the Committee on Engrossed Bills.

The hour having arrived for the special consideration of Senate Bill No. 254, it was taken up and the consideration of same was informally passed over.

BILLS AND JOINT RESOLUTIONS ON THIRD READING.

Senate Joint Resolution No. 3-A and Senate Bill No. 103 were taken up, and consideration of same informally passed over.

Committee Substitute for Senate Bill No. 167:

A bill to be entitled An Act providing for the protection of game and birds in the State of Florida, providing for the appointment of State Game Warden and for his compensation and prescribing his duties; providing for the employment of Deputy Game Wardens and their compensation; creating a State game fund; making a temporary appropriation to carry out the provisions of this act, and providing for the enforcement thereof.

Was taken up and read the third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 167, the vote was:

Yeas—Senators Anderson, Andrews, Baker, Carlton, Crawford, Crosby, Hughlett, Hulley, Igou, King, Lowry, MacWilliams, Malone, Mathis, Moore, Plympton, Roland, Stokes, Turner—19.

Nays—Mr. President, Senators Bradshaw, Eaton, Johnson, Oliver, Russell, Singletary, Turnbull, Wilson—9.

So the bill passed, title as stated.

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

Mr. Rowe was excused for the morning session on account of committee work.

House Bill No. 157:

A bill to be entitled An Act making unlawful the use of screens, blinds, doors, or anything to obstruct the view

into and through public pool rooms, and providing a penalty and for a forfeit of license for violation of same.

Was taken up and read the third time in full.

Mr. Johnson moved to indefinitely postpone House Bill No. 157.

Which was agreed to.

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

Senate Bill No. 183:

A bill to be entitled An Act making appropriations for the prevention, eradication and control of especially injurious insects, pests and plant diseases, which may have been or may be introduced into the State of Florida, for quarantine and nursery inspection, to be used and expended under the direction of the State Plant Board as herein provided.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 183, the vote was:

Yeas—Mr. President, Senators Butler, Carlton, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, Johnson, King, Lowry, Malone, Roland, Russell, Stokes, Turnbull, Wilson—18.

Nays—Senators Anderson, Andrews, Baker, Bradshaw, Cash, MacWilliams, Mathis, McLeod, Moore, Oliver, Plympton, Singletary, Turner—13.

So the bill passed, title as stated.

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

Senate Bill No. 354:

A bill to be entitled An Act prescribing the liability of an employer to make compensation for injuries received by an employee in performing services arising out of and incidental to his employment in the course of his employer's trade, business or occupation in certain trades, business and occupations; abolishing in certain cases the defenses of assumption of risk, contributory negligence and negligence of a fellow servant in actions for personal injury and death; establishing a schedule of compensation, regulating procedure for the determination of liability and compensation thereunder, and providing for methods for payments of compensation thereunder.

Was taken up.

Mr. Johnson moved to re-commit Senate Bill No. 354 to the Committee on Organized Labor.

Which was agreed to.

And Senate Bill No. 354 was ordered to be so referred.

Mr. Andrews moved to waive the rules and that House Bill No. 19 be immediately certified to the House of Representatives as having passed the Senate.

Which was agreed to by a two-thirds vote.

And it was ordered to be so certified.

House Bill No. 568:

A bill to be entitled An Act to define the ownership in certain islands and marsh, wet, or low lands in or along the St. Johns river in Putnam County, Florida, and to authorize the survey and disposition of the same.

Was taken up and read the third time in full.

Mr. Russell moved that the rules be waived and that further consideration of House Bill No. 568 be informally passed over.

Which was agreed to by a two-thirds vote.

And said further consideration of said bill was informally passed over.

House Bill No. 514:

A bill to be entitled An Act to confer additional powers on the City of Miami and granting certain lands and lands under water to said city for certain purposes.

Was taken up and read the third time in full.

Mr. Johnson moved that the rules be waived and that the further consideration of House Bill No. 514 be informally passed over.

Which was agreed to by a two-thirds vote.

And further consideration of same was informally passed over.

By consent—

Committee Substitute for House Bill No. 108, reported from the Committee on Engrossed Bills this morning, was taken up with the Senate amendments thereto.

And—

Committee Substitute for—

House Bill No. 108:

A bill to be entitled An Act fixing the compensation of sheriffs of the several counties of the State of Florida.

Was read the third time in full, together with Senate amendments thereto.

Upon the passage of the bill the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Andrews, Baker, Carlton, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, Johnson, King, Lowry, MacWilliams, Malone, McLeod, Oliver, Plympton, Roland, Russell, Turnbull, Turner, Wilson—25.

Nays—Senators Bradshaw, Mathis, Moore, Singletary—4.

So the Bill passed, title as stated.

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

Consideration of—

House Bill No. 514:

A bill to be entitled An Act to confer additional powers on the City of Miami and granting certain lands and lands under water to said city for certain purposes.

Was resumed.

Upon the passage of the bill, the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Andrews, Baker, Bradshaw, Carlton, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, Johnson, King, Lowry, MacWilliams, Malone, Mathis, McLeod, Moore, Oliver, Plympton, Roland, Russell, Singletary, Stokes, Turnbull, Turner, Wilson—30.

Nays—None.

So the bill passed, title as stated.

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

CONSIDERATION OF BILLS ON SECOND READING.

Senate Bill No. 101 and Senate Joint Resolution No. 73 were taken up in their order, and consideration of same was informally passed over.

Senate Bill No. 86:

A bill to be entitled An Act to amend Section 1, of Chapter 6824, Laws of Florida, 1915, being "An Act to

make appropriation for the putting and keeping in order of the grounds adjacent and belonging to the site of the Olustee Monument, and for the proper care and protection of the Monument itself; and to provide for the payment of such appropriation."

Was taken up, and was read the second time in full.

There being no amendment offered, Senate Bill No. 86 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 201:

A bill to be entitled "An Act to amend Section 2652 of the General Statutes of the State of Florida, relating to corporation not to transact business until certain requisites complied with, and to prescribe certain duties of the Secretary of State in connection therewith."

Was taken up, and was read the second time in full.

There being no amendment offered, Senate Bill No. 201 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 265:

A bill to be entitled An Act amending Section 3267 and Section 3268 of the General Statutes of the State of Florida, same having reference to the carrying of pistols, repeating rifles and repeating shot guns.

Was taken up, and was read the second time in full.

Mr. Crosby offered the following substitute for Senate Bill No. 265:

A bill to be entitled An Act defining who shall be permitted to carry any automatic or repeating shot gun and under what conditions the same shall be carried; how a license shall be procured for carrying same, and prescribing the penalties from failure to secure such license or carrying such arms without first procuring a license.

Which was read first and second times in full.

Mr. Crosby moved to adopt the substitute in lieu of Senate Bill No. 265.

Which was agreed to.

And the substitute for Senate Bill No. 265 took the place of the original bill.

Substitute for Senate Bill No. 265 was, under the rule, placed on the Calendar of Bills on Third Reading.

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Senate Bill No. 222 was taken up, and on motion of Mr. Stokes, same was recommitted to the Committee on Miscellaneous Legislation.

By Consent—
Mr. Johnson called up—
House Bill No. 568:

A bill to be entitled An Act to define the ownership in certain islands and marshes, wet, or low lands in or along the St. Johns river in Putnam County, Florida, and to authorize the survey and disposition of same

On its third reading
By unanimous consent.

Mr. Johnson offered the following amendment to House Bill No. 568:

In Section 1, lines 7 and 8, strike out the words, Trustees of the Internal Improvement Fund, and insert in lieu thereof the following: State Board of Education.

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

Mr. Johnson offered the following amendment to House Bill No. 568:

In Section 2, line 2, strike out the words, Trustees of the Internal Improvement Fund, and insert in lieu thereof the following: State Board of Education.

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

Mr. Johnson offered the following amendment to House Bill No. 568:

In Section 2, strike out the word, "trustees," and insert in lieu thereof the following: "State Board of Education."

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

Mr. Johnson offered the following amendment to House Bill No. 568:

In Section 2, lines 10 and 11, strike out the words, "in the office of the Secretary of the said trustees, the trustees," and insert in lieu thereof the following: "in the office of the school land department of the State, the State Board of Education."

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

Mr. Johnson offered the following amendment to House Bill No. 568:

In Section 2, line 13, strike out the words, "swamp and overflowed," and insert in lieu thereof the following: "school."

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

Upon the passage of House Bill No. 568, as amended, the vote was:

Yeas—Senators Anderson, Andrews, Baker, Bradshaw, Butler, Carlton, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, Johnson, King, MacWilliams, Malone, Mathis, McLeod, Oliver, Plympton, Roland, Russell, Singletary, Stokes, Turnbull, Turner, Wilson—28.

Nays—None.

So the bill, as amended, passed, title as stated.

And Senate Bill No. 568, as amended and passed, was referred to the Committee on Engrossed Bills.

By unanimous consent—

Mr. MacWilliams called up House Bill No. 415, reported from the Committee this morning; and
House Bill No. 415:

A bill to be entitled An Act to amend Chapter 7430 of the Special Acts adopted by the Legislature of Florida, at its 16th regular session entitled, "An Act creating Napoleon B. Broward Drainage District; defining its boundaries, prescribing its powers, privileges, duties and liabilities, naming the members of the first Board of Supervisors, designating the officers and agents of said district, providing for the levying of taxes upon the property in said district, and the collection of the same, and the sale of lands to enforce said collection of such taxes, authorizing the Board of Supervisors of said district to borrow money and to issue bonds and dispose of same, to procure money to carry out the provisions of this Act, giving to said district full power to acquire such lands and property as may be necessary and proper for its purposes, and to prevent injury to any works constructed under this Act, and to provide a penalty for violating such provision," approved May 26, 1917, and to increase the powers of said district as to road construction and maintenance and to provide for the obligations of cities, counties and other political subdivisions in connection

with the works of said district, and the manner of payment thereof, and for other incidental purposes.

Was taken up.

Mr. MacWilliams moved that the rules be waived and House Bill No. 415 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 415 was read a second time by its title only.

Mr. Hughlett offered the following amendment to House Bill No. 415:

Strike out all of Section 12-A, and insert in lieu thereof the following:

Sec. 12-A. The Board of Supervisors shall proceed with the work under the plan of reclamation in progressive stages by the development of portions of units thereof from time to time with the exception of the first unit hereinafter described. Such units may be defined in and by the plan of reclamation or by separate action of the Board of Supervisors, in which latter case the Board of Supervisors shall certify such action to the court and to the Commissioner, stating the several units and the work to be done under each and every unit thereof. One of said unit developments, which is herein referred to as the arterial unit, may consist of a preliminary or partial reclamation of the entire district by means of main arterial works and protective works, and works incidental thereto. Each of the other units shall consist of such reclamation, whether complete or partial, as may be accomplished by works within a portion of the district bonded as the Board of Supervisors may determine, but the area of the land within which the works of the first of the lateral development units shall be constructed, shall be described by the following boundaries, to-wit:

Beginning at the northeast corner of Section twenty-six (26) in Township forty-nine (49) south, Range forty-one (41) east;

Thence west along the north boundaries of Sections twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29) and thirty (30) to the northwest corner of said Section thirty (30) in Township forty-nine (49) south, Range forty-one (41) east;

Thence to the northeast corner of Section twenty-five (25) in Township forty-nine (49) south, Range forty (40) east;

Thence west on the north boundaries of Sections twenty-five (25), twenty-six (26) and twenty-seven (27) to the northwest corner of said Section twenty-seven (27);

Thence south along the west boundaries of Sections twenty-seven (27) and thirty-four (34) to the southwest corner of Section thirty-four (34) in Township forty-nine (49) south, Range forty (40) east;

Thence continuing south on the west boundaries of Sections three (3), ten (10), fifteen (15), twenty-two (22), twenty-seven (27) and thirty-four (34) in Township fifty (50) south, Range forty (40) east;

Thence continuing south along the west boundaries of Sections three (3), ten (10), fifteen (15), twenty-two (22), twenty-seven (27) and thirty-four (34) in Township fifty-one (51) south, Range forty (40) east;

Thence continuing south along the west boundaries of Sections three (3), ten (10), and fifteen (15) to the southwest corner of Section fifteen (15) in Township fifty-two (52) south, Range forty (40) east;

Thence west along the north boundary of Section twenty-one (21) to the northwest corner of Section twenty-one (21);

Thence south along the west boundaries of Sections twenty-one (21), twenty-eight (28) and thirty-three (33) in Township fifty-two (52) south, Range forty (40) east;

Thence continuing south along the west boundaries of Sections four (4), nine (9), sixteen (16), twenty-one (21), and twenty-eight (28), in Township fifty-three (53) south, Range forty (40) east to the southwest corner of said Section twenty-eight (28);

Thence east along the south boundaries of Sections twenty-eight (28), twenty-seven (27) and twenty-six (26) to the southeast corner of said Section twenty-six (26);

Thence north along the east boundaries of Sections twenty-six (26) twenty-three (23), fourteen (14), eleven (11) and two (2) to the northeast corner of Section two (2) in Township fifty-three (53) south, Range forty (40) east;

Thence from the southwest corner of Section thirty-six (36) in Township fifty-two (52) south, Range forty (40) east, east to the southeast corner of Section thirty-six (36);

Thence to the southwest corner of Section thirty-one (31) in Township fifty-two (52) south, Range forty-one (41) east;

Thence east along the south boundary of said Section thirty-one (31) to the southeast corner of said Section thirty-one (31);

Thence north along the east boundaries of Sections thirty-one (31), thirty (30), nineteen (19), eighteen (18), seven (7), and six (6) in said Township fifty-two (52) south, Range forty-one (41) east;

Thence north along the east boundaries of Sections thirty-one (31), thirty (30), nineteen (19) and eighteen (18) in Township fifty-one (51) south, Range forty-one (41) east, to the northeast corner of Section eighteen (18);

Thence east along the south boundary of Section eight (8) and nine (9) to the southeast corner of Section nine (9);

Thence north along the east boundary of Section nine (9) to the northeast corner of said Section nine (9);

Thence east along the south boundaries of Sections three (3) and two (2) to the southeast corner of Section two (2);

Thence north along the east boundary of Section two (2) to the northeast corner of Section two (2) in said Township fifty-one (51) south, Range forty-one (41) east;

Thence east along the south boundary of Section thirty-six (36), in Township fifty (50) south, Range forty-one (41) east; to the southeast corner of Section thirty-six (36);

Thence north along the east boundaries of Sections thirty-six (36), twenty-five (25), twenty-four (24) and thirteen (13) to the northeast corner of Section thirteen (13);

Thence west along the north boundary of Section thirteen (13) to the northeast corner thereof.

Thence north along the east boundaries of Sections eleven (11) and two (2) to the northeast corner of Section two (2), in Township fifty (50) south, Range forty-one (41) east;

Thence continuing north along the east boundaries of Sections thirty-five (35) and twenty-six (26), in Township forty-nine (49) south, Range forty-one (41) east to the northeast corner of said Section twenty-six (26), the point of beginning first above enumerated.

The lands within which the work of each successive lateral development unit shall be constructed shall be a

composite body or tract, and shall be located by the Board of Supervisors with a view towards economy of drainage, advantageous location with respect to the drainage works of the Everglades Drainage District therefore constructed or in process of construction, and with reference to accessibility from developed territory. Land containing the works of any unit may overlap lands containing the works of any other unit or units, and work upon any and all units may proceed at one time or at different times, except that prior to the first day of January, 1921, no reclamation work shall be undertaken except in the arterial unit and the first of the lateral development units. Any change made in respect to the division into units shall be deemed a change of the plan of reclamation and shall be subject to all of the provisions of this Act with reference to changes in the plan of reclamation. In the performance of the duties imposed upon the Commissioners by earlier sections of the Act, the Commissioners shall appraise the benefits, if any, to each parcel of land or other property through the entire district to accrue from the reclamation under each and every unit separately, and the court in approving and confirming the report of the Commissioners shall likewise determine the benefits so accruing. The appraisal of benefits under each and every unit shall be made at the same time, and the confirmation of benefits under each and every unit shall be made by the court at the same time, but it shall not be necessary to condemn land and other property or to determine the amount of damages to be paid until such land or other property may be needed, or until such damages may be about to result under any unit reclamation. The purposes of the provisions herein made for a progressive plan of unit development include the purpose of postponing until the undertaking of the reclamation under each unit, the levy of the taxes necessary to pay the cost of such reclamation, thereby making the imposition of taxes less burdensome during the period of construction, as well as affording the maximum degree of security to the bonds to be offered by the district, and rendering such bonds saleable to better advantage.

Mr. Huhglett moved to adopt the amendment.

Which was agreed to.

Mr. Hughlett offered the following amendment to House Bill No. 415:

Strike out all of Section 26 and insert in lieu thereof the following:

Section 26. That Section 35 of said Chapter 7430 be and the same is hereby amended to read as follows:

Section 35. The Board of Supervisors shall from time to time have the right to file petitions in the office of the Clerk of the Circuit Court praying the Court (1) to correct any errors or supply any omissions in any proceedings theretofore had before the Court (2) for leave to formulate a new or changed plan of reclamation subject to confirmation by the Court. The two petitions above mentioned may be briefly referred to as (1) "Petition to Correct Errors;" (2) "Petition to Formulate a New Plan." Any or all of said two proceedings may be instituted at the same time or at different times; any or all thereof may be presented to the Court by one petition.

Every petition for leave to formulate a new plan shall allege (1) that the existing plan is insufficient to effect the drainage and reclamation of the district in accordance with the provisions of this Act, or (2) that the existing plan of reclamation is less economical in construction or operation than a new or changed plan which can be adopted and carried out. Every petition to correct errors shall set forth the errors to be corrected and the omission to be supplied. It shall not be necessary to publish any notice for the correction of immaterial errors or the supplying of immaterial omissions and the Court shall make such order therefor as may be just in the premises at any time after the petition is filed.

Whenever a petition to correct errors is filed and the Court directs that notice thereof be given, or to formulate a new plane is filed, the clerk of the court shall give notice by causing publication to be made once each week for four consecutive weeks in a newspaper published in each county within which lands affected by the petition are situate, the first publication to be at least thirty days before the date named therein for showing cause, which notice shall be in substantially the following form:

IN THE CIRCUIT COURT OF.....COUNTY,
FLORIDA.

NOTICE OF DRAINAGE HEARING.

NAPOLEON B. BROWARD DRAINAGE DISTRICT.

NOTICE IS HEREBY GIVEN to all persons and cor-

porations interested in lands, highway and rights-of-way, in Napoleon B. Broward Drainage District, incorporated by Chapter 7430, Laws of Florida, 1917, as well as the lands hereinafter in this notice described, that a petition has been filed by the Board of Supervisors of said district in the office of the Clerk of the Circuit Court ofCounty, praying said Court (here insert prayer or petition), and unless you show cause to the contrary on or before19...., at the Court House in....., such prayer may be granted.

The property within said District affected by said petition is that property described in (here insert "Section 1 of said Act").

The property without said District affected by said petition is the following (here insert description of property outside the District).

First publication....., 19.....

.....
Clerk of Circuit Court.
..... County, Florida.

All person interested in any property within or without the District to be affected by any order of the Court upon any such petition, shall have the right to show cause on or before the date named in said notice, why the prayer of the petition should not be granted, by filing their objections.

The court shall then, or at any adjourned date, hear such petition and objections and dispose of the same in a summary manner. If no objections be filed to the petition to correct errors and omissions complained of should be corrected or supplied, the court shall grant the prayer of the petition and order that such errors be corrected and such omission be supplied, or may continue or adjourn the hearing.

The clerk of the court shall, within ten days after the granting of any petition filed under this section, transmit to the Secretary of the Board of Supervisors a certified copy of the decree entered thereon, and shall at the same time transmit to the clerk of the Circuit Court of each other county in which lands affected by the decree lie, a certified copy of that part of such decree affecting lands in such other county. If leave shall be granted to formulate a new or changed plan of reclama-

tion, the Board of Supervisors shall as soon as practicable cause the Chief Engineer to prepare and report such new or changed plan to the board, which may thereupon adopt the same as a tentative plan subject to confirmation by the court, after which the Secretary shall transmit certified copies thereof to the Clerk of the Circuit Court and the Commissioners to be appointed by the court under this Section, and the Secretary shall give said Commissioners other information, all as required by the Act in connection with the adoption and certification of the original plan of reclamation. If the decree of the court provides for leave to formulate a new or changed plan of reclamation, or if the court shall deem it advisable to receive a report of Commissioners before passing upon the petition to correct errors, the court shall appoint three Commissioners having the qualifications of Commissioners under Section 8 of this Act, whose duties shall be prescribed by the Court, and shall include, in the case of petitions, to formulate a new plan, an investigation and report to the court of their assessment of all benefits to be conferred upon each parcel of land within the district, by reason of carrying out of the plan or reclamation, or such tentative plan as may have been adopted by the Board of Supervisors pursuant to leave given therefor by the court, and also their appraisal of damages and the value of land or easements required to be taken, within or without the district. When the report of Commissioners has been filed with the court, such proceedings, in respect of notice to interested persons of the right to file exceptions and notices of hearing, as well as in respect of the privileges of such interested persons and the practice in setting exceptions for hearing and in respect of hearing the same, and in respect of amendments of the report and of further notice thereof, shall be conducted as is provided for similar proceedings in earlier sections of this Act relative to the assessment of benefits, damages and costs of appropriations, except as otherwise provided in this Section. The notice stating the time for filing exceptions shall state that the report of the Commissioners has been filed and that it affects property within or without the district, as the case may be, by assessment of benefits, damages and costs of appropriation in respect of carrying out a proposed new or changed plan of reclamation, or otherwise, as the case may be.

If no exceptions shall be filed to the report of the Commissioners, or if it be shown upon hearing of all exceptions thereto (1), that the cost of carrying out the existing plan of reclamation (or tentative plan adopted hereunder subject to confirmation by the Court), plus the cost of work already done under the existing plan, will not exceed the benefits which have accrued and will accrue to the lands within the district by carrying out such plan; (2), that the Commissioners' appraisal of such benefits upon each tract or parcel of land within the district is a just appraisal of such benefits ratably between such lands; (3), that just compensation is allowed in said report for land to be appropriated; (4) that proper damages have been assessed in said report for property to be prejudicially affected by carrying out such plan of reclamation, or tentative plan; and, in case a tentative plan has been approved by the Chief Engineer of the district, and (6), that the adoption of such tentative plan as a definite working plan of reclamation will not infringe the right of any purchaser or holder of any bonds under such bonds or under contracts for the sale thereof, made as provided in Section 37 of this Act; then and in such event the court shall approve and confirm said Commissioners report; but if it appear that any exception should be sustained, the court may permit the report to be amended to conform with its findings, and thereupon confirm the same. If the report cannot or shall not change to such an extent as to warrant the court in refusing to sustain such exception, then the court shall refuse to approve the report. But the court, if it finds that such report, or such report as amended should be approved after alterations in any such tentative plan, may permit the Board of Supervisors, with the approval of the Chief Engineer to make such alterations, and may permit the Commissioners to make any necessary amendments of their report, and may then approve the report or the report as so amended. If the court shall refuse to approve the report or amended report, and if the same to be based upon a new or changed plan of reclamation, the court shall refuse to confirm such new or changed plan, and it shall not become effective, and the plan therefore in force shall continue to be the plan of reclamation. If the report be approved, the court shall confirm the tentative plan upon which it was based, and such new or changed plans as so con-

firmed shall be the plan of reclamation. The provisions of this Section for ascertainment of damages and amounts to be paid for appropriation are permissive only, and shall not prevent the Board of Supervisors from compliance in such matters with any law then in force relating to the ascertainment of the amount to be paid for land taken or damaged, for railroad purposes, all as more particularly set forth in that part of this Act relating to the original proceedings of like nature. Notwithstanding the foregoing provisions, the court shall not confirm a new or changed plan of reclamation until after notice to bond holders in accordance with the provisions hereinafter made for such notice. Any holder of bonds heretofore issued shall be deemed a party interested and may file exceptions to the Commissioners' report thereon, but may not file exceptions to the petition to formulate a new plan.

After any contract shall have been entered into for the sale of bonds of the District, then, in order that their security may not be impaired, no new or changed plan of reclamation shall be confirmed. If such change requires a decrease of more than ten per cent in the total amount of benefits assessed or a decrease to an amount less than the tax levied under Section 14 hereof, unless the amount or the decrease is paid in cash.

Except as provided in this Section all the provisions of Section 6 to 12 and 12-A of this Act shall be applicable to the proceedings authorized by this Section.

It shall be the duty of the Clerk of the Circuit Court to transmit a copy of the decree and judgments provided for by this Section to the Secretary of the Board of Supervisors and a copy of such decrees and judgments and reports of Commissioners to the clerk of the Circuit Court of each other county in which lands affected by said report lie, in the same manner and with the same effect as provided for similar action in Section 12 of this Act.

All expenses of the district incurred under this Section shall be paid from the Maintenance Fund.

Mr. Hughlett moved to adopt the amendment.

Which was agreed to.

Mr. Hughlett offered the following amendment to House Bill No. 415:

Strike out all of Section 10, and insert in lieu thereof the following:

"Section 10. That Section 14 of said Chapter 7430 be and the same is hereby amended to read as follows:

Section 14. After the lists of land with the assessed benefits and the decrees and judgments of court have been filed in the office of the clerks of the circuit court, as provide in Section 12 of this Act, then the Board of Supervisors shall, without any unnecessary delay, levy a tax to be termed the Reclamation Tax, which shall be in such sum as the Board of Supervisors may determine necessary to pay the cost of carrying out the Plan of Reclamation as to the unit or units under which work is about to be carried on, and in addition thereto 35% of such cost. From time to time, as work under other units is about to be carried on, the Board of Supervisors shall similarly levy a tax to pay the cost of such other work, and in addition thereto 35% of such cost. Each such levies shall be apportioned and levied on all lands within the District upon which benefits have been assessed for such cost, and shall be in proportion to such benefits and not in excess thereof, but the interest to accrue upon the taxes so levied shall not be considered in determining whether or not such taxes are out of proportion to or in excess of benefits assessed.

The lands within said District held by the Trustees of the Internal Improvement Fund shall be subject to the taxes hereby imposed, and the said Trustees, in furtherance of the trusts upon which the said lands are held are hereby authorized and empowered to pay the same out of any funds in their possession derived from the sale of lands or otherwise, and this provision shall apply also to taxes assessed for preliminary work and expenses as provided in Section 7 of this Act, as amended and to Maintenance Taxes, as well as to the taxes provided for in this Section. The Secretary of the Board of Supervisors, as soon as taxes have been levied pursuant to this Section, shall at the expense of the District prepare a list of all taxes levied in the form of a well-bound book, which book shall be endorsed and named "Drainage Tax Record of Napoleon B. Broward Drainage District," which endorsement shall be printed or written at the top of each page in said book, and shall be signed and certified by the President and Secretary of the Board of Supervisors attested by the seal of the District, and the same shall

thereafter become a permanent record in the office of the Secretary.

The Reclamation Taxes levied pursuant to this Section shall bear interest at such rate not exceeding six per centum per annum, and from such date as may be fixed therefor by resolution of the Board of Supervisors, and shall be computed and paid in each year to the date of delinquency of the tax. But interest shall not begin to run from said date unless at least thirty days prior thereto a notice shall have been published by the Secretary or Treasurer in a newspaper published in each county containing lands of the District, stating that a tax has been levied upon lands within the District under Section 14, of this Act, and referring to the Drainage Tax Record so filed for a description of the land taxed and the amount of the tax, and stating that the tax will bear interest at the rate so fixed from the date so fixed, and that the tax may be paid at the Treasurer's office any time before said date without the payment of interest.

No pledge or other appropriation of any tax levied or to be levied under this Section shall be made, except as follows:

Prior to the issuance of bonds under Section 37 of this Act, and while no contract for the sale of any such bonds is in force, all or any part of the taxes levied under this Section may be pledged to the payment of notes or other obligations to be issued as hereinafter in this Section provided. Upon the authorization of any bonds to be issued under Section 37 of this Act, there shall automatically become and be pledged and appropriated to the payment of such bonds and all bonds that may thereafter be issued under Section 37, and all floating debt created or to be created under this Section, and the interest on all such bonds and floating debt, all of the tax theretofore levied and that may thereafter be levied under this Section.

Prior to the issuance of bonds under Section 37 of this Act, the Board of Supervisors may from time to time issue warrants or negotiable notes or other evidences of debt of the District, all of which shall be termed, "floating indebtedness," in order to distinguish same from the bonded debt hereinafter provided for, in an aggregate amount not exceeding One Million Dollars, payable solely from the Reclamation Tax provided for in this Section, or from the proceeds of bonds to be issued under Section 37 hereof, and may pledge the avails of said Reclama-

tion Tax to the payment of the principal and interest thereof, whether such Reclamation Tax has theretofore been levied or shall thereafter be levied. After the issuance of any bonds under Section 37 of this Act, at which time all floating debt payable from the Reclamation Tax shall be retired, as hereinafter provided, the power to create such floating debt and pledge avails of the Reclamation Tax therefor shall continue, but the amount thereof which may be outstanding at any time shall be limited to five per cent. of the actual amount of bonds issued and the aggregate amount of all such floating debt created after the issuance of bonds, including such debt theretofore paid directly from the Reclamation Tax, or excluding such debt theretofore paid by exchange for or from the proceeds of bonds issued under Section 37 hereof, shall not exceed ten per cent. of the amount of bonds issued. The total amount of such floating debt that may be created after the issuance of any such bonds is further limited to an amount which, when added to the amount of all such bonds theretofore issued, is not more than 85 per cent. of the Reclamation Tax theretofore levied under this Section. Such floating debt shall mature within five years from date, and bear interest not exceeding six per cent. per annum and shall be exchanged at par for valid debt of the District evidenced by contracts for Reclamation work or materials, or by bonds or coupons, or by floating debt created under this Section, or may be sold at not less than ninety cents on the dollar and accrued interest to realize money for the payment of any such valid debt. The proceeds of any such floating debt except that created to pay bonds, coupons and floating debt, shall be placed in the Reclamation Fund. If the moneys in the Sinking Fund shall at any time be insufficient to pay all maturing bonds and interest and floating debt issued hereunder, such bonds and interest shall be a preferential charge upon the Sinking Fund as against such floating debt.

If it should be found at any time that the amount of total tax levied under the provisions of this Section is insufficient to pay the cost of works set out in the plan of Reclamation, or additional works done under the provisions of this Act, the Board of Supervisors may make an additional levy to provide funds to complete the work, provided the total levies of all such tax do not exceed the total amount of benefits assessed.

Mr. Hughlett moved to adopt the amendment.

Which was agreed to.

Mr. Hughlett offered the following amendment to House Bill No. 415:

Strike out all of Section 11 and insert in lieu thereof the following:

Section 11. That Section 15 of said Chapter 7430 be and the same is hereby amended to read as follows:

Section 15. The Board of Supervisors shall each year thereafter determine, order and levy, as the amount of the annual installment of the total taxes levied under the preceding section, such amount as they deem necessary, except that no levy for the year 1919 or the year 1920 shall exceed ten cents per acre, except such levy as may be made for the cost of the work under the first lateral development unit referred to in Section 12-A hereof. The levies made under this section on each tract or parcel shall be in proportion to the levies made under Section 14 hereof against such tract or parcel. If any floating debt issued under Section 14 of this Act, bonds issued under Section 37 hereof, shall mature in the following year, such annual levy must include for their payment an amount which, when added to any surplus of moneys then in the sinking fund over and above the obligations for principal and interest maturing before the 15th day of the following April, shall be at least one and one-half times the principal of all bonds and floating debt maturing in the year beginning with the said 15th day of April. At the same time the Board of Supervisors shall determine, order and levy the annual installment of the Maintenance Tax hereinafter provided for. All of said annual tax levy, both of Reclamation Tax and of Maintenance Tax shall be ascertained by the board and certified by the Secretary, together with the interest upon the Reclamation Tax, not later than November 1st of each year, to the collector of each county in which the taxable lands of said district are situate. Said certificate shall be the warrant and authority to the collector for making demand and collection of such tax and the interest upon the Reclamation Tax, and shall be sufficiently full and complete to evidence to the collector the authority by law by which said levies are made, and the time at which same are due. The certificate shall contain a table or schedule showing, in properly ruled columns—first, the description of the land or property;

second, the amount of the Maintenance Tax levied on each description; third, the amount of the installment of Reclamation Tax levied on each description; fourth, the amount of interest to be collected on Reclamation taxes, which amount shall be computed at the rate and from the date fixed therefor by the Board of Supervisors under the authority of Section 14 hereof to the first day of the following April upon all Reclamation taxes, to the first day of the following April upon all Reclamation Tax levied under Section 14 hereof and not theretofore certified to the collector for collection, plus the Reclamation Tax installment then certified, if any; with other blank columns, in which the collector shall record the amount of the Reclamation Tax, Reclamation Tax interest, and Maintenance Tax paid, the date of payment of such taxes, which must all be collected at the same time from each description, and the names or names of the person or persons paying the same.

The columns in which the Reclamation Tax and Reclamation Tax interest and the Maintenance Tax appeal shall be correctly totaled. The said certificate and table shall be prepared in the form of a well-bound book, which shall be endorsed and named "Drainage Tax Book, Napoleon B. Broward Drainage District, County, Florida, for the year 19—," which endorsement shall also be printed at the top of each page in said book. No property shall be referred to in any such book except property in the county to whose collector such book shall be certified.

If at any time the moneys in the sinking fund shall equal or exceed the amount necessary to pay all outstanding bonds and to the floating debt issued under Section 14 hereof, and the interest thereon up to the time at which said bonds and floating debt are payable by their terms, it shall not be necessary to make the annual levy of Reclamation Tax under this Section, but such levy shall nevertheless be permitted, and any surplus in the sinking fund may be appropriated to any other fund in the discretion of the Board of Supervisors.

Mr. Hughlett moved to adopt the amendment.

Which was agreed to.

Mr. Hughlett offered the following amendment to House Bill No. 415:

At the end of Section 47 add a new Section to be numbered 47-A, to read as follows:

Section 47-A. The better to enable Napoleon B. Broward Drainage District to obtain funds for carrying out the preliminary work of the said district or toward assisting in the permanent financing of the same, the Trustees of the Internal Improvement Fund of this State may upon request of the said District advance against the drainage taxes of the district on the lands of said Trustees such sums or sums from time to time as the Trustees may decide (provided that the amount of such advance in money in any one year shall not exceed the sum of the next succeeding annual installment of drainage taxes of the said District on the said lands.) When such sum or sums are advanced by the said Trustees, the said district shall issue its receipt therefor, and when the tax books for that year shall have been opened to district shall present to the Tax Collector thereof a receipt for the drainage taxes on the lands belonging to said Trustees in an amount equal to the amount advanced by the Trustees plus 3% thereof if such advance was made prior to November 1st of the same year. If such advance be made after November 1st of the year in which said taxes are due, the Trustees shall be entitled to such discount on account of said taxes as is provided by law. The Tax Collector shall issue tax receipts in the amount represented by such advances in the manner regularly provided under other sections of this Act.

Mr. Hughlett moved to adopt the amendment.

Which was agreed to.

Mr. Hughlett offered the following amendment to House Bill 415:

Strike out the first ten lines of Section 28, and insert in lieu thereof the following:

Section 28. That Section 38 of said Chapter 7430 be and the same is hereby amended to read as follows:

Section 38. To maintain and preserve the ditches, drains and other improvements made pursuant to this Act, and to repair and restore the same when needed, and for the purpose of defraying the current expenses of the District, the Board of Supervisors shall, upon the substantial completion of any unit of the plan of Reclamation and annually thereafter on or before the first of —

Mr. Hughlett moved to adopt the amendment.

Which was agreed to.

Mr. Hughlett offered the following amendment to House Bill No. 415:

Amend Section 1 of Chapter 7430, Laws of 1917, relating to the name of a Board of Supervisors, by striking all that portion of said Section beginning with the words, "The Board of Supervisors shall be composed of A. B. Lowe," and insert in lieu thereof the following, to-wit:

"The Board of Supervisors shall be composed of R. O. Watson, of Miami, Florida; M. C. Hardee, of Dania, Florida, and W. C. Kyle, of Ft. Lauderdale, Florida, who are hereby designated and appointed as Supervisors of said Drainage District, and they shall hold said positions for periods of two, three and four years, respectively, beginning the 15th day of June of the year 1919, and all vacancies and expirations on the said Board shall be filled as required by this Act. The salary of each supervisor shall be twenty-four (\$2,400.00) hundred dollars per annum for the first two years, and thereafter the compensation of said Supervisors shall be as hereinafter provided."

Mr. Hughlett moved to adopt the amendment.

Which was agreed to.

Mr. Stokes moved that the hour for recess be advanced 1:35 o'clock p. m.

Which was agreed to.

Mr. Hughlett offered the following amendment to House Bill No. 415:

Add amendment No. 47-B, which shall read as follows, to-wit:

That all judicial proceedings involving this Act shall accord with the General Laws and Rules of practice governing judicial proceedings in Florida, any provisions of this Act to the contrary notwithstanding.

Any clause or section of this Act which for any reason may be declared invalid may be eliminated from this Act, and the remaining portion or portions thereof shall be and remain in force and valid as if such invalid clause or section had not been incorporated therein.

Mr. Hughlett moved to adopt the amendment.

Which was agreed to.

Mr. Hughlett moved that the rules be waived and that House Bill No. 415 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 415 was read a third time in full.

Pending the call of the roll upon the passage of the bill—

Mr. Stokes moved that the Senate do take recess to 3:00 o'clock p. m.
Which was agreed to.
And the Senate took a recess until 3:00 o'clock p. m.

AFTERNOON SESSION

3:00 O'CLOCK.

The Senate met at 3:00 o'clock p. m. in pursuant to recess order.

The President in the chair.

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

Mr. President, Senators Anderson, Andrews, Baker, Butler, Carlton, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, Johnson, King, Lowry, MacWilliams, Mathis, Moore, Oliver, Plympton, Roland, Singletary, Stokes, Turnbull, Turner, Wilson—27.

A quorum present.

By Consent—

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

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 81 (with House Amendments):

A bill to be entitled An Act to repeal Chapter 6073 of the Laws of Florida, the same being An Act to abolish the present municipal government of the Town of Mayport, in Duval County, Florida; to legalize the ordinances of said town and official Acts thereunder; to create and establish the municipality of the City of Mayport, in Duval County, Florida, and to provide its jurisdiction and powers and officers thereof.

Have examined the same and find the House amendments correctly engrossed.

Very respectfully,

W. A. McLEOD,
Chairman of Committee.

And Senate Bill No. 81, contained in the above report, was referred to the Committee on Enrolled Bills.

By consent—

Mr. Malone, Chairman of the Committee on Railroads, Canals and Telegraphs, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Railroads, Canals and Telegraphs, to whom was referred—

Senate Bill No. 95:

A bill to be entitled An Act to amend Section 2887 of the General Statutes of Florida, as amended by Chapter 5625, Acts of 1907, relating to the Clerk of the Railroad Commissioners; salary; place of holding sessions; annual expenditures; how paid.

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

Very respectfully,

WM. H. MALONE,
Chairman of Committee.

And Senate Bill No. 95, contained in the above report, was placed on the Calendar of Bills on Second Reading.

By consent—

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

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Organized Labor, to whom was referred—

Senate Bill No. 354:

A bill to be entitled An Act prescribing the liability of an employer to make compensation for injuries received by an employee in performing services arising out of and incidental to his employment in the course of his employer's trade, business or occupation in certain trades, business and occupations, abolishing in certain cases the defenses of assumption of risk, contributory negligence and negligence of a fellow servant in actions for personal injury and death, establishing a schedule of compensation, regulating procedure for the determination of liability and compensation thereunder and providing for methods for payments of compensation thereunder.

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

Very respectfully,

W. A. RUSSELL,
Chairman of Committee.

And Senate Bill No. 354, contained in the above report, was placed on the Calendar of Bills on Second Reading.

By consent—

Mr. Mathis, Chairman of the Committee on Prisons and Convicts, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Prisons and Convicts, to whom was referred—

Senate Bill No. 127:

A bill to be entitled An Act to amend Section 2 of Chapter 6915 of the Laws of Florida, approved June 4, 1915, entitled "An Act relating to the care, maintenance and hiring of State convicts, and making an appropriation for carrying out the provisions hereof."

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

Very respectfully,

C. C. MATHIS,
Chairman of Committee.

And Senate Bill No. 127, contained in the above report, was placed on the table under the rule.

By consent—

Mr. Mathis, Chairman of the Committee on Prisons and Convicts, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 15, 1919.

Hon. James E. Calkins,
President of the Senate.

Sir:

Your Committee on Prisons and Convicts, to whom was referred—

House Bill No. 267:

A bill to be entitled An Act providing for the care, maintenance and control of State convicts, and providing for the carrying out of the provisions of this Act, and making an appropriation therefor.

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

Very respectfully,

C. C. MATHIS,
Chairman of Committee.

And House Bill No. 267, contained in the above report, was placed on the Calendar of Bills on Second Reading.

The hour for special order for consideration of Committee Substitute for Senate Bills Nos. 193 and 242 having arrived—

Committee Substitute for Senate Bills Nos. 193 and 242:

A bill to be entitled An Act prescribing an annual franchise tax for domestic and foreign corporations and also providing for the forfeiture of the charters of domestic corporations and the cancellation of permits granted to foreign corporations to do business in this State for failure to comply with the terms of this Act.

Was taken up.

Mr. Butler moved that the rules be waived and Senate Bill No. 193 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 193 was read a second time by its title only.

Mr. Butler moved that the rules be waived and Senate Bill No. 242 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 242 was read a second time by its title only.

And Committee Substitute for Senate Bills Nos. 193 and 242 was read the first time by its title.

Mr. Butler moved that the rules be waived and Committee Substitute for Senate Bills Nos. 193 and 242 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bills Nos. 193 and 242 was read a second time by its title only.

Mr. Butler offered the following amendment to Committee substitute for Senate Bills Nos. 193 and 242:

In Section 1, line 12, page 2 of printed Bill, after the words "Apportioned," strike out the words: "To Invest," and insert in lieu thereof the following: "For Investment."

Mr. Butler moved the adoption of the amendment.

Which was agreed to.

Mr. Butler offered the following amendment to Committee Substitute for Senate Bills Nos. 193 and 242:

In Section 2, page 3 of printed Bill, line 10 of Section, after the word "of" insert the following: "National."

Mr. Butler moved the adoption of the amendment.

Which was agreed to.

Mr. Butler moved that the Committee Substitute for Senate Bills Nos. 193 and 242, as amended, be adopted in lieu of Senate Bills Nos. 193 and 242.

Which was agreed to.

And the Committee Substitute took the place of the original bills.

Mr. Butler moved that the rules be waived, and that Committee Substitute for Senate Bills Nos. 193 and 242 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bills Nos. 193 and 242 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Butler, Carlton, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, King, Lowry, MacWilliams, Malone, Mathis, McLeod, Moore, Oliver, Plympton, Roland, Russell, Singletary, Stokes, Turnbull, Turner, Wilson—26.

Nays—Senators Anderson, Andrews, Baker, Bradshaw—4.

So the bill passed, title as stated.

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

Senate Bill No. 291:

A bill to be entitled An Act to amend Section 3766 of the General Statutes of the State of Florida, relating to the taking of food fish with seines, gill-nets or other nets.

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

There being no amendment, offered Senate Bill No. 291 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 276:

A bill to be entitled An Act to authorize the State Board of Education to prescribe a course in military instruction and training in the high schools of the State of Florida.

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

There being no amendment offered, Senate Bill No. 276, was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 243:

A bill to be entitled An Act to amend Sections 9 and 10 of Chapter 6178, Acts of 1911, being An Act entitled, "An Act to create a State School Book Commission, and to procure for use in the public schools of the State of Florida a uniform series of text books, and to define the duties and powers of said Commission, to make preparations for carrying this Act into effect, and providing penalties for violation of same," and to amend Sections 1 and 6 of Chapter 7374, Acts of 1917, being An Act entitled "An Act to amend Sections 2, 3, 13, 14, 18 and 20 of Chapter 6178, Acts of 1911."

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

Mr. Cash offered the following amendment to Senate Bill No. 243:

In Section 1, line 20, strike out the word "solid" at the end of said line and insert in lieu thereof "spherical."

Mr. Cash moved to adopt the amendment.

Which was agreed to.

Mr. Cash offered the following amendment to Senate Bill No. 243.

In Section 2, line 12, after the first word "the" in said line, strike out the word "outside," and insert in lieu thereof the words "inside cover."

Mr. Cash moved to adopt the amendment.

Which was agreed to.

Mr. Cash offered the following amendment to Senate Bill No. 243:

In Section 2, line 31, after the word "sold" add the following: "Under a contract made since Jan. 1, 1919."

Mr. Cash offered the following amendment to Senate Bill No. 243:

In Section 2, line 21, after the word, "sell," add the following:

"Under a contract made since January 1st, 1919."

Mr. Cash moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 243, as amended by the Senate, was referred to the Committee on Engrossed Bills.

Mr. Carlton moved to reconsider the vote by which the Senate passed House Bill No. 612.

Which motion was laid over under the rule.

Senate Bill No. 274:

A bill to be entitled An Act to amend Section 1337, General Statutes of Florida, relating to disqualifications of judges.

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

There being no amendment offered, Senate Bill No. 274 was, under the rule, placed on the Calendar of Bills on Third Reading.

Senate Bill No. 280:

A bill to be entitled An Act requiring contracting parties to procure license before marriage.

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

There being no amendment offered, Senate Bill No. 280 was, under the rule, placed on the Calendar of Bills on Third Reading.

Mr. Carlton moved to waive the rules and to recall House Bill No. 612 from the House of Representatives by the request of the Senate.

Which was agreed to by a two-thirds vote.

And the request was certified to the House of Representatives.

Senate Bill No. 226:

A bill to be entitled An Act relating to the practice of law in the State of Florida and prescribing punishment for the violation of the provisions thereof.

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

There being no amendment offered, Senate Bill No. 226 was, under the rule, placed on the Calendar of Bills on Third Reading.

House Bill No. 324:

A bill to be entitled An Act to authorize, empower and order the Trustees of the Internal Improvement Fund to construct a lock at the point of intersection of the West Palm Beach Canal and the Main County Highway in Palm Beach County, Florida, of size, dimensions, design and construction to correspond with other locks constructed or to be constructed in State canals; and to provide when such lock shall be constructed.

Was taken up and was read a second time in full.

There being no amendment offered, House Bill No. 324 was, under the rule, placed on the Calendar of Bills on Third Reading.

Committee Substitute for House Bill No. 5:

A bill to be entitled An Act to provide hog cholera serum and virus for the suppression of hog cholera in the State of Florida.

Was taken up, and was read the second time in full.

Mr. Johnson moved that the rules be waived and further consideration of House Bill No. 5 be informally passed, and that said bill remain on Calendar of Bills on Second Reading for purpose of amendments.

Which was agreed to by a two-thirds vote.

And was so ordered.

Senate Bill No. 295:

A bill to be entitled An Act to amend Section ten of Chapter 6971, Laws of Florida, entitled An Act concerning building and loan associations.

Was taken up, and was read the second time in full.

Mr. Stokes moved that the rules be waived, and that Senate Bill No. 295 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 295 was read a third time in full. Upon call of the roll on the passage of the bill the vote was:

Yeas—Senators Anderson, Baker, Carlton, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, King, Lowry, MacWilliams, Malone, McLeod, Moore, Oliver, Roland, Singletary, Stokes, Wilson—21.

Nays—None.

So the Bill passed, title as stated.

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

Senate Bill No. 298:

A bill to be entitled An Act to amend Sections 1187, 1188 and 1191 of the General Statutes of Florida, relating to the Florida Hospital for the Insane.

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

The Committee offered the following amendment to Senate Bill No. 298:

In Section 3 add to Section 3 "The compensation of the superintendent shall not exceed three thousand dollars per annum.

Mr. Anderson moved the adoption of the amendment.

Which was agreed to.

Mr. King moved that the rules be waived and that Senate Bill No. 298 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 298 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Anderson, Andrews, Baker, Bradshaw, Butler, Carlton, Cash, Crawford, Crosby, Eaton, Hughlett, Hulley, Igou, King, Lowry, Mathis, McLeod, Oliver, Wilson—20.

Nays—None.

So the Bill as amended passed, title as stated.

And Senate Bill No. 298 as amended by the Senate, was referred to the Committee on Engrossed Bills.

Senate Joint Resolution No. 294:

A joint resolution proposing an amendment to Section 1 of Article IX of the Constitution of the State of Florida, relating to taxation and finance.

Was taken up, and was read the second time in full.

Committee Substitute for Senate Joint Resolution No. 294—

Senate Joint Resolution No. 294:

A joint resolution proposing and amendment to Section 1 of Article IX of the Constitution of the State of Florida, relating to taxation and finance.

Was taken up, and read the first time by its title.

Mr. Carlton moved that the rules be waived and Committee Substitute for Senate Joint Resolution No. 294 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Joint Resolution No. 294 was read a second time in full.

Mr. Carlton moved to adopt the substitute for Senate Joint Resolution No. 294.

Which was agreed to.

And said substitute took the place of the original resolution.

Senate Bill No. 138:

A bill to be entitled An Act to define and punish the offense of obtaining or attempting to obtain any money or property by use of any false or bogus check, token or symbol, or by other means, instrument or device, by a process or method commonly called the confidence game; providing a penalty for use of any building on premises, and providing rules of evidence in such cases and arrests with or without warrants.

Was taken up, and was read the second time in full.

Mr. MacWilliams moved that Senate Bill No. 138 be recommitted to the Committee on Judiciary A.

Which was agreed to.

And Senate Bill No. 138 was referred to Committee on Judiciary A.

Mr. MacWilliams moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned to 10:30 o'clock A. M. Friday, May 16, 1919.