

furniture and wearing apparel to make true and correct return thereof to the Tax Collector of the County where such person resides; that the return shall truly show fifty per cent of the actual cash value of the said property and each item thereof; and that any person willfully failing or refusing to make such return shall be deemed guilty of a misdemeanor and making it especially the duty of the Sheriff to institute prosecutions against all persons violating the statute.

#### VARIANCES.

I suggest the passage of an Act which will provide that variances between the allegations of an indictment and information and the proof offered upon the trial, which in the judgment of the trial court do not prejudice the defendant in his defense, shall be deemed harmless error and of no effect upon the merits of the case, and the result thereof shall not be disturbed by reason of such variance.

#### WIFE DESERTION OR NON-SUPPORT.

I recommend the passage of an Act which will prohibit any Committing Magistrate from issuing a warrant charging wife desertion or non-support, without the approval of issuance of such warrant by the Prosecuting Attorney, whose duty it would become to prosecute such charge upon trial. This recommendation is made because, I have learned from experience that a great many women go before Committing Magistrates and swear out warrants against their husbands upon these charges, and when the husband has been arrested at considerable costs to the County, the wife fails to testify to such state of facts as will warrant a conviction. In fact in many cases she refuses to testify at all.

#### WITNESSES.

I suggest the passage of an Act providing for the payment of fees to witnesses who reside beyond the limits of the State of Florida, when required to attend Courts in behalf of the State in criminal prosecutions.

I also suggest the passage of an Act which will authorize Committing Magistrates to require witnesses in

capital cases to enter into bond with two good and sufficient sureties, conditioned upon their appearance at the time required by the Court in all capital cases, and to provide for the estreature and collection of the amount of the bond.

Respectfully submitted,  
RIVERS H. BUFORD,  
*Attorney-General.*

Mr. Hulley was excused from attendance upon the body on April 7.

Mr. Bradshaw was excused from attendance until Tuesday, April 12.

Mr. Johnson moved that the Senate do now adjourn until tomorrow at 11 o'clock A. M.

Which was agreed to.

Thereupon the Senate stood adjourned until 11 o'clock A. M., Thursday, April 7.

**Thursday, April 7, 1921**

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Anderson, Butler, Calkins, Campbell, Cooper, Crosby, Eaton, Epperson, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, Mapoles, Overstreet, Plympton, Rowe, Roland, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—30.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 6 was corrected as follows: On page 10, at bottom of said page, the name of S. W. Anderson is hereby added to the Committee on Education, the said name having been omitted in the Journal of April 5th on such committee, and the said Journal as corrected was approved.

## REPORTS OF COMMITTEES.

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

Senate Chamber.  
Tallahassee, Fla., April 7, 1921.

*Hon. W. A. MacWilliams,*  
*President of the Senate.*

Sir:

Your Committee on Rules would respectfully report, and do hereby recommend, that the rules of the Senate of the 1919 session be adopted and become the rules of the Senate of this session, 1921, with the following amendments:

That Section 1 of Rule 4 be amended to read as follows:

## COMMITTEES.

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

On Audit and Control of Legislative Expenditures, to consist of five members.

On Rules and Proceedings, to consist of five members.

On Capitol, State Buildings and Grounds, to consist of five members.

On Miscellaneous Legislation, to consist of nine members.

On Pensions, to consist of five members.

On Banking, to consist of five members.

On Public Utilities, to consist of five members.

On Military Affairs, to consist of five members.

On Uniform Legislation, to consist of five members.

On Public Printing, to consist of five members.

On Corporations, to consist of five members.

On State Institutions, to consist of five members.

On Mining and Mineral Resources, to consist of five members.

On County Organizations, to consist of five members.

On Privileges and Elections, to consist of five members.  
On Constitutional Amendments, to consist of five members.

On Insurance, to consist of five members.

On Game and Fisheries, to consist of seven members.

On Equal Suffrage, to consist of five members.

On Cities and Towns, to consist of five members.

On Prisons and Convicts, to consist of five members.

On Education, to consist of seven members.

On Agriculture and Forestry, to consist of five members.

On Temperance, to consist of five members.

On Public Roads and Highways, to consist of nine members.

On Drainage, to consist of five members.

On Commerce and Navigation, to consist of seven members.

On Organized Labor, to consist of five members.

On Finance and Taxation, to consist of seven members.

On Claims, to consist of five members.

On Public Health, to consist of five members.

On Engrossed Bills, to consist of five members.

On Enrolled Bills, to consist of five members.

On Judiciary A, to consist of nine members.

On Judiciary B, to consist of nine members.

On Executive Communications, to consist of five members.

On Appropriations, to consist of nine members.

Also to amend the Joint Rules of the Session of the Senate of 1919 by inserting the following as Section Five:

"That the Committee of the Senate on Enrolled Bills and the Committee of the House on Enrolled Bills shall constitute a Joint Committee on Enrolled Bills, and to renumber the sections of said Joint Rules, making Section Five of said printed rules to read as Rule Six, and Rule Six to read Rule Seven, and Rule Seven to read Rule Eight, and Rule Eight to read Rule Nine."

Your Committee would respectfully recommend that 250 copies of said rules as hereby amended be printed, and that such rules as printed shall contain a list of the Committee Assignments of this Session.

Respectfully submitted,

J. B. JOHNSON,  
Chairman of Committee.

Mr. Johnson moved that the foregoing report be adopted.

Which was agreed to.

And the same became the order of the Senate.

Mr. Stokes, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber.  
Tallahassee, Fla., April 7th, 1921.

*Hon. W. A. MacWilliams,  
President of the Senate.*

*Sir:*

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 1—

A Joint Resolution proposing an Amendment to Section 10, of Article 12, of the Constitution of the State of Florida, relating to Education.

Have had the same under consideration, and return it without recommendation.

Very respectfully,

JOHN P. STOKES,  
Chairman of Committee.

And Senate Joint Resolution No. 1, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Stokes, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber.  
Tallahassee, Fla., April 7th, 1921.

*Hon. W. A. MacWilliams,  
President of the Senate.*

*Sir:*

Your Committee on Constitutional Amendments, to whom was referred—

Senate Joint Resolution No. 9:

A Joint Resolution proposing an Amendment to Article V of the Constitution of the State of Florida, relating to the Judiciary.

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

Very respectfully,

JOHN P. STOKES,  
Chairman of Committee.

And Senate Joint Resolution No. 9, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber.  
Tallahassee, Fla., April 7th, 1921.

*Hon. W. A. MacWilliams,  
President of the Senate.*

*Sir:*

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 2:

To be entitled An Act to provide for the registration of births in the several Counties of the State of Florida, fixing the fees and compensations of the County Judge for carrying out the provisions of this Act, and imposing penalties for failure to comply with the provisions hereof.

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

Very respectfully,

THEO. T. TURNBULL,  
Chairman of Committee.

And Senate Bill No. 2, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber.  
Tallahassee, Fla., April 7th, 1921.

*Hon. W. A. MacWilliams,*  
*President of the Senate.*

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 6:

A bill to be entitled An Act to provide for the recording of Deeds and Patents issued by the United States Government, and photographic copies thereof, and to provide for their use and the use of certified copies of the record thereof in evidence in the Courts of Florida.

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

Very respectfully,  
THEO. T. TURNBULL,  
Chairman of Committee.

And Senate Bill No. 6, contained in the above report, was placed on the calendar of bills on second reading.

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

Senate Chamber.  
Tallahassee, Fla., April 7th, 1921.

*Hon. W. A. MacWilliams,*  
*President of the Senate.*

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 3:

A bill to be entitled An Act to amend Sections 5122 and 5123 of Revised General Statutes of Florida defining grand and petit larceny and fixing penalties for violations thereof.

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

Very respectfully,  
THEO. T. TURNBULL,  
Chairman of Committee.

And Senate Bill No. 3, contained in the above report, was placed on the calendar of bills on second reading.

#### INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS.

Mr. Wells offered the following Senate Resolution:

By Mr. Wells—

Senate Resolution No. 2:

Resolved, That when any Senator shall desire a copy of the Revised General Statutes of the State of Florida, for his use during the session, he shall make a requisition for the same in writing to the Sergeant-at-Arms of the Senate for the same. The Secretary of State shall furnish such copy upon such requisition, taking the receipt of the Sergeant-at-Arms therefor, and the Sergeant-at-Arms shall deliver the same to the Senator making the requisition, taking his receipt for the same.

Which was read.

Mr. Wells moved to adopt the Resolution.

Which was agreed to.

#### INTRODUCTION OF BILLS.

By Mr. Wells—

Senate Bill No. 10:

A bill to be entitled An Act relating to the enrollment and publishing of bills, memorials and resolutions.

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

By Mr. Malone—

Senate Bill No. 11:

A bill to be entitled "An Act relating to special officers for the protection and safety of common carriers, their passengers and employees, and the property of such carriers, passengers and employees, and providing for the ap-

pointment, powers, duties, qualifications, tenure, removal and compensation of such special officers.”

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

By Mr. Johnson—

Senate Bill No. 12:

A bill to be entitled An Act to amend Section 1120 of the Revised General Statutes of the State of Florida of 1920, relating to drainage, tax book evidence of matters contained, suits to enforce liens, sales of land, notice of suit, form, proceeds of sale.

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

By Mr. Malone—

Senate Bill No. 13:

A bill to be entitled An Act for the relief of W. M. Holloway, Tallahassee, Florida.

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

By Mr. Overstreet—

Senate Bill No. 14:

A bill to be entitled An Act to fix the times for holding the regular terms of the Circuit Court of the Seventeenth Judicial Circuit.

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

By Mr. Overstreet—

Senate Bill No. 15:

A bill to be entitled An Act to fix the times for holding the regular terms of the Criminal Court of Record of Orange County.

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

By Mr. Overstreet—

Senate Bill No. 16:

A bill to be entitled An Act to confer further municipal power on the City of Orlando.

Which was read the first time by its title.

Mr. Overstreet moved that the rules be waived and that Senate Bill No. 16 be placed on the Calendar of Bills on the second reading without reference.

Which was agreed to by a two-thirds vote.

And the bill was placed on the Calendar of Bills on the second reading without reference.

By Mr. Rowe—

Senate Bill No. 17:

A bill to be entitled An Act to amend Sections 3405 and 3411 of the Revised General Statutes of Florida, relating to attachments in aid of foreclosure of mortgages on personal property, and to the giving of bond in attachments.

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

By Mr. Weaver—

Senate Bill No. 18:

A bill to be entitled An Act to create a Sinking Fund, a Sinking Fund Commission, to provide for the payment of the public debt of the State of Florida and for carrying out the provisions of this Act.

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

By Mr. Weaver—

Senate Bill No. 19:

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

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., April 7, 1921.

*Hon. W. A. MacWilliams,*  
*President of the Senate.*

Sir:

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

## House Concurrent Resolution No. 1:

Providing for a Joint Committee to investigate and report upon the affairs of the State Road Department.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,  
B. A. MEGINNISS,  
Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 1, contained in the above message, was read the first time by its title and was laid over under the rules.

## CONSIDERATION OF BILLS ON SECOND READING.

On motion, the bills reported upon at this morning's session were taken up by the Senate and considered.

## Senate Joint Resolution No. 1:

A Joint Resolution proposing an amendment to Section 10 of Article XII of the Constitution of the State of Florida, Relating to Education.

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

There being no amendment offered—

Senate Joint Resolution No. 1 was, under the rule, placed on the Calendar of Bills on third reading.

## Senate Joint Resolution No. 9:

A Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida, relative to the Judiciary Department.

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

There being no amendment offered—

Senate Joint Resolution No. 9 was, under the rule, placed on the Calendar of Bills on third reading.

A message from the Governor, containing matters of executive consideration, was received.

A message from the State Auditor was received and the message and documents accompanying were duly filed.

Mr. Calkins moved that the Senate do now proceed to the consideration of the Governor's communication in executive session.

Which was agreed to.

And at 11:25 o'clock A. M. the doors were closed and the Senate went into executive session.

At 11:32 A. M. the doors of the chamber were opened. The President in the chair.

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

Mr. President, Messrs. Anderson, Butler, Calkins, Campbell, Cooper, Crosby, Eaton, Epperson, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, Mapoles, Overstreet, Plympton, Rowe, Roland, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—30.

A quorum present.

Mr. Stokes moved that the Senate do now adjourn till tomorrow morning at 11 o'clock.

Which was agreed to.

Thereupon the Senate stood adjourned until 11 o'clock A. M. Friday, April 8, 1921.

Friday, April 8, 1921

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Anderson, Butler, Calkins, Campbell, Cooper, Crosby, Eaton, Epperson, Hulley, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, Mapoles, Overstreet, Plympton, Rowe, Roland, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—31.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The daily Journal of April 7 was corrected, as follows: