

Monday, April 11, 1921

4 O'CLOCK P. M.

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, Overstreet, Plympton, Roland, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—29.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Secretary requested the deferment of the correction and approval of the Journal.

Which was granted.

The Secretary noted the correction in the name of the Sergeant-at-Arms of the Senate, his initials being W. N. instead of W. A., as heretofore recorded.

#### REPORTS OF COMMITTEES.

Mr. Wilson, Chairman of the Committee on Engrossed Bills, on the part of the Senate, submitted the following report:

Senate Chamber.

Tallahassee, Fla., April 11, 1921.

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

Sir:

Your Committee on Engrossed Bills to whom was referred—

Senate Bill No. 2:

A bill to be entitled An Act providing for the registration of births in the several counties of the State of Florida, fixing the fees and compensation of County Judges for carrying out the provisions of this Act, and imposing penalties for the refusal or neglect to comply with the provisions hereof.

Have carefully examined the same and find it correctly engrossed.

Very respectfully,

E. P. WILSON,

Chairman of Committee.

And Senate Bill No. 2 was placed on the Calendar of Bills on third reading.

Mr. Cooper, Chairman of the Committee on County Organization, submitted the following report:

Senate Chamber.

Tallahassee, Fla., April 8, 1921.

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

Sir:

Your Committee on County Organization, to whom was referred—

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.

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

Very respectfully,

F. M. COOPER,

Chairman of Committee.

And Senate Bill No. 19, contained in the above report, was placed on the Calendar of Bills on second reading.

## INTRODUCTION OF RESOLUTIONS.

Mr. Singletary offered the following resolution:

By Mr. Singletary—

Senate Concurrent Resolution No. 2:

Whereas, It is the legislative policy of this State to pay officers and employes of the State fixed and definite salaries; and,

Whereas, Under the law as it now exists, the Clerk of the Supreme Court is paid in part by legislative appropriation, but largely by fees from various sources, and is required to report the amount received by him to no one; and,

Whereas, Public moneys are appropriated from the Treasury of the State to pay said officer in part, and other amounts are paid him by citizens of the State in fees, it is proper that the Legislature, before making appropriations for this purpose, should know the amounts received by said Clerk from all other sources; therefore, be it

Resolved, That the Supreme Court be and it is hereby requested to direct its said Clerk to make and promptly supply to this Legislature a statement showing amounts received by him by virtue of his said office as remuneration for his services for each of the calendar years 1919 and 1920 from each of the following sources:

1. All amounts received as per diem or otherwise from appropriations by Legislature.
2. All docket fees and other fees in criminal cases.
3. All docket fees and other fees in civil cases.
4. All fees received for opinions furnished Attorney General for publication.
5. All fees received for opinions furnished publishing houses for publication, with copy of agreement, if any, to furnish same.
6. All fees received from individuals or others for copies of opinions or papers certified or uncertified.
7. All fees received from persons who are admitted to practice in said court.
8. All other amounts received and the source from which received by virtue of his said office as Clerk of said court.
9. The total from all sources for each of said years.

That said amount shall be itemized and certified to under the seal of said court as true and correct.

Which was read the first time and laid over under the rule.

Mr. Wells offered the following resolution:

By Mr. Wells—

Senate Concurrent Resolution No. 3:

Whereas, It has been a general custom during the session of previous Legislatures to appoint various committees, both on the part of the Senate and on the part of the House, to visit the several State institutions and departments, to examine into the same and report back to the Legislature such recommendations as the conditions may warrant; and

Whereas, The traveling expenses and other items of cost expended by such committees have been greatly disproportionate to the value thereof to the taxpayers of the State; and

Whereas, The Executive Department, through the Governor by his message, has communicated to the Legislature very valuable information concerning the condition of the State, and recommended the measures he deemed expedient; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That a joint committee of five—two from the Senate and three from the House—be appointed to visit and examine into the affairs and conditions of all State institutions and departments of the State and report back to the Legislature and to the Governor of the State as soon as possible information upon which expedient action may be taken, and also report such recommendations as the conditions may warrant. Be It Further

Resolved, That the duties of the committee, to be appointed by the provisions of this resolution, shall in no way conflict with the duties of any special committee heretofore appointed at this session of the Legislature.

Which was read the first time and laid over under the rules.

## INTRODUCTION OF BILLS.

By Mr. Eaton—

Senate Bill No. 32:

A bill to be entitled An Act authorizing the Town of Haines City in Polk County, Florida, to assess property for taxes at its cash value and providing a method for collecting delinquent taxes; limiting rate of taxation in said town, and declaring taxes levied on real estate to be a lien thereon; authorizing and providing a method for said Town to assess upon abutting property the cost of public improvements, and the issuance of certificates of indebtedness therefor, and the issuance of improvement bonds on such certificates; validating certificates of indebtedness to be issued, providing a method of enforcing lien of same; authorizing the issuance of bonds of said Town for certain municipal improvements, and providing a method for the issuance of same; providing for a Board of bond trustees in said Town and prescribing their method of selection and duties; vesting the title to streets and public places in the Town and authorizing the Town to improve same; and to authorize the said Town to have made maps and plats of the Town, and to purchase or condemn lands for public parks, and to give said Town control over water fronts.

Which was read the first time by its title only.

Mr. Eaton moved that the rules be waived and Senate Bill No. 32 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 32 was read a second time by its title only.

Mr. Eaton moved that the rules be further waived and that Senate Bill No. 32 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. 32 was read a third time in full.

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

Yeas—Mr. President, Messrs. Anderson, Butler, Campbell, Cooper, Crosby, Eaton, Epperson, Hulley, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, Over-

street, Plympton, Rowe, Roland, Russell, Shelley, Single-  
tary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson  
—30.

Nays—None.

So the bill passed, title as stated.

By Mr. Igou—

Senate Bill No. 33:

A bill to be entitled An Act providing for the appointment, and prescribing the duties and compensation, of official court reporters in this State.

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

By Mr. Campbell—

Senate Bill No. 34:

A bill to be entitled An Act to cede unto the Florida Federation of Women's Clubs certain additional lands situated in Township fifty-eight (58) south, Range thirty-seven (37) east, in Dade County, Florida.

Which was read the first time by its title and referred to the Committee on Capital, State Buildings and Grounds.

By Mr. Campbell—

Senate Bill No. 35:

A bill to be entitled An Act to appropriate moneys for the upkeep and maintenance and beautification of the Royal Palm State Park.

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

By Mr. Campbell—

Senate Bill No. 36:

A bill to be entitled An Act providing that informan-  
ties or irregularities not affecting the substantial justice  
of the tax itself, or assessments of real property in wrong  
name, shall not invalidate the tax nor the sale of real  
estate for taxes levied thereon.

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

By Mr. Taylor—  
Senate Bill No. 37:

A bill to be entitled An Act to further regulate the business of banking in the State of Florida and to regulate the charge for exchange by banks and to regulate the protest of checks.

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

By Mr. Taylor—  
Senate Bill No. 38:

A bill to be entitled An Act to amend Section 2 and Section 4 of Chapter 7601, Acts of 1917, as amended by Chapter 7835, Acts of 1919, entitled "An Act to encourage and secure the construction of one or more lines of railway and toll bridge across Tampa Bay or Old Tampa Bay and to grant a right of way over and authorize the filling in of the submerged and other lands belonging to the State of Florida in, upon, or adjacent to the waters of Tampa Bay or Old Tampa Bay for the use of any common carrier undertaking the construction of such line or lines of railway and toll bridge and granting the right to construct buildings, wharves, docks and depots thereon in connection with, and as a part of the facilities of any such common carrier constructing or maintaining such line or lines of railway and toll bridge."

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

By Mr. Taylor—  
Senate Bill No. 39:

A bill to be entitled An Act to organize a County Court in the County of Pinellas, to provide for a Prosecuting Attorney for said County, to provide for the term of said Court, to provide for the trial and continuance of all cases pending in the present County Court of said County, to provide for the salary of the Judge and the Prosecuting Attorney of said Court, and to provide for a Clerk and his compensation of said Court, and to prescribe the rules and practices of said Court.

Which was read the first time by its title and placed on the Calendar of Local Bills on the second reading without reference.

By Mr. Taylor—  
Senate Bill No. 40:

A bill to be entitled An Act to validate, ratify and confirm a certain deed, or conveyance of real estate executed by the chairman of the Board of County Commissioners of Pinellas County, Florida, to the trustees of the Clearwater Presbyterian Church and to authorize the Board of County Commissioners of Pinellas County, Florida, to execute and deliver to the trustees of the Presbyterian Church of Clearwater, Florida, a good and sufficient deed to said property.

Which was read the first time by its title only.

Mr. Taylor moved that the rules be waived and Senate Bill No. 40 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 40 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that Senate Bill No. 40 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. 40 was read a third time in full.

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

Yeas—Mr. President, Messrs. Anderson, Butler, Campbell, Cooper, Crosb, Eaton, Epperson, Hulley, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, Plympton, Rowe, Roland, Russell, Shelly, Singletary, Taylor, Turnbull, Weaver, Wells, Wilson—28.

Nays—None.

So the bill passed, title as stated.

By Mr. Taylor—  
Senate Bill No. 41:

A bill to be entitled An Act to authorize the Board of County Commissioners of Pinellas County, Florida, to sell and dispose of certain real estate in said County and the property of said Pinellas County, and to make the necessary conveyances and accept settlement therefor.

Which was read the first time by its title and was placed on the Calendar of Local Bills on the second reading without reference.

By Mr. Taylor—  
Senate Bill No. 42:

A bill to be entitled An Act to validate and legalize the judgments, sentences, orders, rulings and acts of the County Court of Pinellas County, Florida, since the 27th day of May, A. D. 1913.

Which was read the first time by its title and placed on the Calendar of Local Bills on the second reading without reference.

By Mr. Russell—  
Senate Bill No. 43:

A bill to be entitled An Act relating to concealing personal property from the owner and providing a penalty therefor.

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

By Mr. Hulley—  
Senate Bill No. 44:

A bill to be entitled An Act fixing the rate of interest on \$450,000 Daytona (Florida) paving and drainage bonds, issue of 1919, voted at the special election held in said city on August 19, 1919; fixing the price at which said bonds may be sold, and legalizing, confirming and validating said bonds and all proceedings taken in connection with the issuance thereof.

Which was read the first time by its title.

Mr. Hulley moved that the rules be waived and Senate Bill No. 44 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 44 was read a second time by its title only.

Mr. Hulley moved that the rules be further waived and that Senate bill No. 44 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. 44 was read a third time in full.

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

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Campbell, Cooper, Crosby, Eaton, Epperson, Hulley, Igou, Johnson, Knabb, Knight, Lowry, Malone, Overstreet, Plympton, Rowe, Roland, Russell, Shel-

ey, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—29.

Nays—None.

So the bill passed, title as stated.

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

By unanimous consent—

Mr. Johnson offered the following resolution:

By Committee on Rules—

Senate Resolution No. 4:

Resolved, That, except in cases of emergency, all bills of local nature, upon their introduction, shall be placed on the Calendar of Local Bills on second reading.

Which was read.

Mr. Johnson moved the adoption of the resolution.

Which was agreed to.

And the Resolution was adopted.

By Mr. Igou—

Senate Bill No. 45:

A bill to be entitled An Act to amend Section 144, Article V, Revised General Statutes of Florida.

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

By Mr. Igou—

Senate Bill No. 46:

A bill to be entitled An Act to amend Section 8 of Chapter 6155 of the Laws of Florida, entitled, "An Act for the incorporation, powers, duties and liabilities of trust and security companies and to regulate the same," approved June 5, 1911.

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

By Mr. Wilson—

Senate Bill No. 47:

A bill to be entitled An Act to authorize the Board of Public Instruction for Pasco County, Florida, to issue interest-bearing time warrants in an amount not exceeding thirty-five thousand dollars, for the purpose of funding certain outstanding indebtedness of said board.

Which was read the first time by its title.

Mr. Wilson moved that the rules be waived and Senate Bill No. 47 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 47 was read a second time by its title only.

Mr. Wilson moved that the rules be further waived and that Senate Bill No. 47 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. 47 was read a third time in full.

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

Yeas—Mr. President, Messrs. Anderson, Calkins, Campbell, Cooper, Crosby, Eaton, Epperson, Hulley, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, Overstreet, Plympton, Rowe, Roland, Russell Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—29.

Nays—None.

So the bill passed, title as stated, and same was ordered to be certified to the House of Representatives immediately.

By Mr. Knight—  
Senate Bill No. 48:

A bill to be entitled An Act to amend Sections 1 and 2 of Chapter 7833, Acts of 1919, entitled "An Act providing for the care, maintenance and control of the State convicts, and providing for the carrying out of the provisions of this Act and making an appropriation therefor. Approved May 24th, 1919."

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

By Mr. Wells—  
Senate Bill No. 49:

A bill to be entitled An Act to require that all railroad companies, or persons or person operating any railroad or railway in the State of Florida for the purpose of hauling, handling or transporting passengers, to erect, construct and maintain suitable passenger sheds in certain towns and cities along its line of railroad, and grating to the Railroad Commission of the State of Florida jurisdiction of the provisions of this Act.

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

By Mr. Igou—  
Senate Bill No. 50:

A bill to be entitled An Act to amend Section 4134 of the Revised General Statutes of Florida, 1920, relative to qualifications of directors of State banks.

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

By Mr. Cooper—  
Senate Bill No. 51:

A bill to be entitled An Act to divide the County of DeSoto, and to create and establish the Counties of Hardee, Highlands, Glades and Charlotte from portions of DeSoto County, and providing for the organization and government thereof.

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

By the Committee on Appropriations—  
Senate Bill No. 52:

A bill to be entitled An Act to provide for the enlargement, alteration and repair of the Capitol Building, and making an appropriation for such purpose.

Which was read the first time by its title.

Mr. Lowry, Chairman of the Committee on Appropriations, moved that the rules be waived and that Senate Bill No. 52 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. Lindsey—  
Senate Bill No. 53:

A bill to be entitled An Act to amend Section 889 of the Revised General Statutes relating to the payment of license taxes by Express Companies doing business in this State.

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

By Mr. Malone—

Senate Joint Resolution No. 54:

A joint resolution proposing an amendment to Section 3 of Article XVI of the Constitution of the State of Florida, relating to the time of the payment of salaries of State officers.

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

By Mr. Singletary—

Senate Bill No. 55:

A bill to be entitled An Act to abolish the State Board of Control, created by Chapter 5384, Laws of Florida, Acts of 1905, and to prescribe certain powers and duties to be had and exercised by the State Board of Education of the State of Florida.

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

By Mr. Singletary—

Senate Bill No. 56:

A bill to be entitled An Act to repeal Section 1986, Revised General Statutes of Florida, 1920, pertaining to the appointment of members of the State Board of Health, and to repeal Section 1987, Revised General Statutes of Florida, 1920, regulating the times of meeting of the State Board of Health, and to repeal Section 1989, Revised General Statutes of Florida, 1920, providing for the election of a president and health officer of the State Board of Health, and repealing Section 1990, Revised General Statutes of Florida, 1920, defining the term of office of each member of the State Board of Health, and to organize and constitute the State Board of Health of the State of Florida, and to provide for the payment of the State Health Officer of the State of Florida and to fix his salary.

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

By Mr. Singletary—

Senate Bill No. 57:

A bill to be entitled An Act to amend Sections 1, 2, 3 and 4, Chapter 7315, Laws of Florida, Acts of 1917, An Act creating a marketing bureau of the State of Flor-

ida, and creating the office of State Marketing Commissioner.

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

By Mr. Stokes—

Senate Bill No. 58:

A bill to be entitled An Act to provide for examination and issuance of second grade life certificates to school teachers in the public schools of the State of Florida.

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

By Mr. Stokes—

Senate Joint Resolution No. 59:

A Joint Resolution proposing an amendment to Section 13, Article 4, Constitution of the State of Florida, relating to the Executive Department.

Which was read the first time and referred to the Committee on Constitutional Amendments.

By Mr. Epperson—

Senate Bill No. 60:

A bill to be entitled An Act to protect and regulate the birds and wild animals of the State of Florida, to abolish the position of Shell Fish Commissioner and create the Department of Fish and Game and the position of State Fish and Game Commissioner.

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

By Mr. Epperson—

Senate Bill No. 61:

A bill to be entitled An Act to protect and regulate the fresh water fishing industries of the State of Florida.

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

By Mr. Epperson—

Senate Bill No. 62:

A bill to be entitled An Act to provide for the establishment of a floating fish hatchery in the State of Florida.

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

By Mr. Epperson—  
Senate Bill No. 63:

A bill to be entitled An Act to amend Section 1238 and 1239 of the Revised General Statutes of the State of Florida, relating to shell fish.

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

By Mr. Wells—

Senate Bill No. 64:

A bill to be entitled An Act to amend Sections 2101, 2102, 2104, 2105, 2106, 2107, 2108, 2111, 2114, 2117, 2118, 5552, 5553, 5554 and 5555 of the Revised General Statutes of Florida, relating to the State Live Stock Sanitary Board, and the prevention and suppression of contagious diseases of cattle, hogs, etc., and to repeal Section 5556 of the Revised General Statutes of Florida, relating to the same subject.

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

By Mr. Epperson—

Senate Bill No. 65:

A bill to be entitled An Act to amend Section 5827 of the Revised General Statutes of the State of Florida, relating to the protection and regulation of salt water fishing industry of the State of Florida.

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., April 11, 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 passed—

House Bill No. 91:

A bill to be entitled An Act to amend Sections 8, 46, 48 and 52 of Chapter 6733 of the Laws of Florida, Acts of 1913, being entitled, "An Act to abolish the present Municipal Government of the Town of Macclenny, in the County of Baker and State of Florida, and to establish, organize and constitute a Municipality to be known and designated as Macclenny, and to define its territorial boundary and to provide for its jurisdiction, power and privileges."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk, House of Representatives.

And House Bill No. 91, contained in the above message, was read the first time by its title.

Mr. Knight moved that the rules be waived and House Bill No. 91 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 91 was read a second time by its title only.

Mr. Knight moved that the rules be further waived and that House Bill No. 91 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. 91 was read a third time in full.

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

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Cooper, Crosby, Eaton, Epperson, Hulley, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, Overstreet, Plympton, Rowe, Roland, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson.—27.

Nays—None.

So the Bill passed, title as stated.

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

## CONSIDERATION OF OTHER RESOLUTIONS.

## House Concurrent Resolution No. 2:

Providing for the appointment of a joint committee for the purpose of inquiring into the affairs of the various departments of State, ascertaining those offices and positions which may with propriety, and in the interest of efficient, economical administration be abolished, combined or consolidated, and providing for the report of said committee.

Was taken up in its order and read the second time.

Mr. Taylor moved to adopt the resolution.

Which was agreed to.

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

## BILLS ON SECOND READING.

## House Bill No. 4:

A bill to be entitled An Act to legalize, ratify, confirm and validate the acts, proceedings, contracts and agreements of the Board of County Commissioners of Brevard County, Florida, in connection with the issuance of three hundred thousand dollars (\$300,000.00) bonds of said county for the purpose of constructing highways and bridges therein, and the election held in said county on January 6, 1920, upon the question of the issuance of said bonds, also legalizing, ratifying, confirming and validating said three hundred thousand (\$300,000.00) dollars bonds authorized to be issued.

Was taken up and read in its order.

On motion of Mr. Singletary, the further consideration of the Bill was informally passed over.

## MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida,  
Executive Department,  
Tallahassee, Fla., April 8, 1921.

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

*Sir:*

I have the honor to inform you that I have approved the following Act, which originated in your Honorable Body, and have caused the same to be filed in the office of Secretary of State:

(Senate Bill No. 7):

An Act regulating the payment of the per diem and mileage and expenses of members of the Legislature and the per diem of employees of the Legislature.

Very respectfully,

CARY A. HARDEE,  
Governor.

And the same was ordered to be spread on the Journal.

Also—

The following communication from the Governor was read:

State of Florida,  
Executive Department,  
Tallahassee, April 9, 1921.

*Hon. Frank E. Jennings,*  
*Speaker House of Representatives.*

*Sir:*

On the 24th day of February of the present year I was advised that the National Government would be pleased to tender to the State of Florida, for use as a floating fish hatchery, a boat suitable for such purpose.

8—S. J.

The Senators representing Florida in Congress, in conference with Hon. Josephus Daniels, the Secretary of the Navy, arranged with the Navy Department for an indefinite loan to the State of Florida of the boat in question. It became necessary, if such offer was to be accepted, that certain details incident to its acceptance be arranged, such as securing additional equipment also taking charge of the boat, temporarily, under proper watch care. I sent a representative to Washington to arrange the details and the boat is now in the possession of an agent of the State, ready for use by the State, if you desire its acceptance. It is about one hundred and sixty feet long, is equipped with all necessary machinery and is reported to be in good condition.

As the head of the State Government, I felt it my duty to make all necessary arrangements and to accept the boat, pending the meeting of the Legislature, which was so shortly to convene. Likewise, I feel it my duty now to call the same to your attention and to place before you all the facts regarding the matter. The Bureau of Fisheries is anxious to be of all possible assistance to the State in the development of the fishing industry, as is evidenced by copy of letter hereto attached. If you accept the loan of the boat by the Government, it will no doubt remain in the possession of the State indefinitely, and would perhaps not be requisitioned by the Government except in case of war or some great national emergency. Practically, it would become a permanent asset of the State; but inasmuch as the legal title would remain in the National Government, it could be surrendered back to the Government if the State should at any time desire to do so. If accepted, an appropriation of several thousand dollars will be necessary for its maintenance and for the institution and development of the hatchery. I suggest that the matter be referred to your fisheries committee for consideration, and that they invite the counsel of men possessed of intimate knowledge of the subject. Upon due consideration of the matter, I would be pleased to have you pass a concurrent resolution, either accepting or declining, as the case may be, the proffered loan of the boat.

Very respectfully,  
**CARY A. HARDEE,**  
 Governor.

Department of Commerce,  
 Bureau of Fisheries,  
 Washington,  
 March 31, 1921.

Address all communications  
 Commissioner of Fisheries,  
 Washington, D. C.

*Hon. Cary A. Hardee,*  
*Governor of Florida,*  
*Tallahassee, Florida.*

*My Dear Sir:*

This office is informally advised of plans that are under way in Florida for inaugurating fish-cultural work and for presenting to the Legislature the needs of the State in the matter of protection for the important fresh-water fishes, whose maintenance means much for the material prosperity of Florida.

The Bureau of Fisheries is greatly interested in the welfare of the fisheries of your State, and desires to assist in every feasible way in having the industry placed on a permanent basis that will result in the assurance of a substantial revenue to the State, the preservation of your marine and fresh-water resources, and increased attraction for anglers from other States. In former years this Bureau did considerable work in and for the State, and, among other things, undertook the hatching of shad on the St. Johns River. The perpetuation of the run of this fish in that stream is of very great importance, and our interest is such that we are willing actively to co-operate with the State authorities in laying the foundation for regular shad-hatching operations. To this end, if so requested by you, we are ready to detail expert assistance for enabling the State to install suitable equipment for hatching shad and to continue that assistance during the initial operations. We are likewise desirous of co-operating with the State in experimental work, which it is hoped may lead to practical results in increasing, by artificial means, the supply of sturgeon in the Suwannee and other rivers.

Having in view the probability of the establishment of a federal fish hatchery in Florida at no very distant date, and taking cognizance of the requests that the Bureau receives for fresh-water fish for stocking various waters in the State, I take the liberty to invite your attention to the following provision of the law affecting the activities of this Bureau and to suggest that, in order to avoid inconvenience and save time, you may wish to bring the matter to the attention of the Legislature for such action as it may deem appropriate:

"Appropriations herein or hereafter made for propagation of food fishes shall not be expended for hatching or planting fish or eggs in any State in which, in the judgment of the Secretary of Commerce, there are not adequate laws for the protection of fishes, nor in any State in which the United States Commissioner of Fisheries and his duly authorized agents are not accorded full and free right to conduct fish-cultural operations, and all fishing and other operations necessary therefor, in such manner and at such times as is considered necessary and proper by the said Commissioner or his agents."

Respectfully yours,

(Signed) H. M. SMITH,  
Commissioner of Fisheries.

A message from the Secretary of State was received.

#### BILLS ON THIRD READING.

##### Senate Bill No. 3:

A bill to be entitled An Act to amend Section 5122, Revised General Statutes of Florida, and Section 5123, Revised General Statutes of Florida, defining the offenses of grand larceny and petit larceny and fixing the penalty for the violation of same.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 3 the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Campbell, Crosby, Eaton, Epperson, Hulley, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, Overstreet, Plympton, Rowe, Roland, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson.—28.

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. 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.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 6 the vote was:

Yeas—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.—29.

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. 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.

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

There being no amendment offered, Senate Bill No. 14 was, under the rule, placed on the Calendar of Bills on third reading.

##### 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.

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

There being no amendment offered, Senate Bill No. 15 was, under the rules, placed on the Calendar of Bills on third reading.

## 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 of mortgages on personal, and to the giving of bond in attachments.

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

Mr. Stokes offered the following amendment to Senate Bill No. 17:

In Section 1, Line 6, after the word "property," insert the following: "in chancery or at law."

Mr. Stokes moved to adopt the amendment.

Which was agreed to.

Mr. Stokes offered the following amendment to Senate Bill No. 17:

After Paragraph 4 insert an additional paragraph as follows:

"And the Plaintiff or Plaintiffs or Complainant or Complainants, as the case may be, shall give bond as in other cases of attachment, and such writs of attachment shall be subject to motion to dissolve as other writs of attachment."

Mr. Stokes moved to adopt the amendment.

Which was agreed to.

And Senate Bill No. 17, as amended, was referred to the Committee on Engrossed Bills.

By request of Mr. Johnson, Senate Bill No. 5, which had been laid on the table from an unfavorable report, was restored to the calendar.

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

Which was agreed to.

Thereupon the Senate at 5:45 o'clock P. M. adjourned until eleven (11) o'clock A. M. Tuesday, April 12, 1921.

Tuesday, April 12, 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, Bradshaw, Butler, Calkins, Campbell, Cooper, Crosby, Eaton, Epperson, Hulley, Igou, Johnson, Knabb, Knight, Lindsey, Lowry, Malone, 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 Journal of April 8 was corrected as follows:

On page 3, the 8th line, the word "Erenst" was made to read "Ernest."

On page 5, line 24, the word "shall" is hereby inserted between the words "it" and "adjourn;" and on line 23 the word "do" between words "Senate" and "adjourn" is hereby stricken out; and the word "adjourn" in the same line is hereby made to read "adjourns."

On page 9 insert the following between lines 5 and 6:

#### CONSIDERATION OF OTHER RESOLUTIONS.

House Concurrent Resolution No. 1:

Providing for a joint committee to investigate and report upon the affairs of the State Road Department.

Was taken up in its order and read the second time in full.

The question was put upon the adoption of the resolution.

And the resolution was adopted.

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

On page 18, between lines 11 and 12, insert the following as a part of the proceedings in the Senate on Friday, April 8, 1921: