

Sarasota County are hereby authorized and empowered to provide for payment of the interest and sinking fund necessary for the payment of the outstanding bonds on the said Special Road and Bridge districts in the same manner as is provided by the Laws of Florida for the assessment and collection of taxes for the payment of the principal and sinking fund of bonds issued under the General Laws of the State of Florida for the building of hard-surfaced roads.

Mr. Malone moved to adopt the amendment.

Which was agreed to.

And the amendment was adopted.

Mr. Wilson moved to indefinitely postpone Senate Bill No. 126.

Pending the consideration of which

Mr. Plympton moved to extend the time of adjournment till 1:15 o'clock.

Which was agreed to.

The question was put upon the indefinite postponement of the bill.

The postponement was not agreed to.

And Senate Bill No. 126, as amended, was referred to the Committee on Engrossed Bills.

By unanimous consent—

The Committee on Finance and Taxation introduced—  
Senate Bill No. 266:

A bill to be entitled An Act to provide for the equalization of taxes between counties, creating the position of State Equalizer of Taxes, prescribing his powers and duties, providing for his compensation, creating a State Board of Equalizers, prescribing its powers and duties, enlarging the powers and duties of the State Comptroller in the assessment of certain property, and providing for the making of returns of property for taxation by persons and corporations to the tax assessors of the several counties, and prescribing penalty for failure so to do.

Which was read the first time by its title.

By consent, the bill was placed on the Calendar of Bills on the Second Reading without reference.

Mr. Butler moved that 200 copies of Senate Bill No. 266 be printed for the use of the members of the joint body.

Which was agreed to.

Mr. Singletary was excused until Monday at 4 o'clock P. M.

Mr. Wells and Mr. Bradshaw were excused until Tuesday afternoon at 4 o'clock.

Mr. Weaver moved that the Senate do now adjourn until 4 o'clock P. M. Monday next.

Mr. Rowe moved that the Senate do now adjourn to 3 o'clock P. M. today.

The question was put on the motion of Mr. Weaver.

The motion of Mr. Weaver was agreed to.

Whereupon the Senate, 1:12 o'clock, stood adjourned until 4 o'clock P. M., Monday, May 2, 1921.

**Monday, May 2, 1921**

4:00 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, Lindsey, Lowry, Malone, Overstreet, Plympton, Rowe, Roland, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—28.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of April 29 was dispensed with.

The Journal was corrected and approved.

#### REPORTS OF COMMITTEES.

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

Senate Chamber,  
Tallahassee, Fla., April 30, 1921.

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

*Sir:*

Your Committee on Judiciary A, to whom was referred:

Senate Bill No. 118:

A bill to be entitled An Act to amend Section Seven Hundred Ninety Seven and Section Eight Hundred One of the Revised General Statutes of the State of Florida, fixing the commissions of the Tax Assessors and the Tax Collectors of the several counties in the State of Florida.

Also—

Senate Bill No. 204:

A bill to be entitled An Act to empower the United States of America to acquire lands in the State of Florida by purchase or otherwise for establishing, consolidating and extending national forests, and to grant to the United State of America all rights necessary for the proper control and administration of lands so acquired.

Also—

Senate Bill No. 206:

A bill to be entitled An Act providing for the protection of woodlands and forests in the State of Florida, and matters relating thereto; creating a State Board of Forestry, prescribing its membership, powers and duties, fixing the compensation for the services of its members and vesting in said Board the authority to acquire title to lands by donation, purchase or lease, to adopt and enforce rules and regulations regarding any and all lands acquired by said Board; authorizing counties to appropriate funds for the purpose of co-operating with the State Board of Forestry; providing for the appointment of a State Forester and such other assistants and employees with such powers and on such terms as said Board may deem advisable; levying a license tax on manufacturers of forest products; prescribing penalties for violation of the provisions of this Act, and appropriating moneys out of the State Treasury for carrying out the provisions of this Act.

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

Very respectfully,

THEO. T. TURNBULL,  
Chairman of Committee.

And Senate Bills Nos. 118, 204 and 206, contained in the above report, were placed on the Calendar of Bills on second reading.

Mr. Russell, Chairman of the Committee on State Institutions, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 2, 1921.

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

*Sir:*

Your Committee on State Institutions, to whom was referred—

Senate Bill No. 237:

A bill to be entitled An Act authorizing the Trustees of the Internal Improvement Fund of the State of Florida, and their successors, and the State Board of Education of the State of Florida, and their successors, to sell or lease, together with the privilege of mining and developing the same, any and all phosphate, mineral or metal, petroleum or gas rights or interests owned or reserved by them.

Also—

Senate Bill No. 142:

A bill to be entitled An Act to repeal Section 210, Revised General Statutes of Florida, 1920, creating a Hotel Commission in the State of Florida; and to repeal Section 211, Revised General Statutes of Florida, 1920, authorizing the appointment of a Hotel Commissioner of the State of Florida; and to Repeal Section 212, Revised General Statutes of Florida, 1920, prescribing the duties of the Hotel Commissioner of the State of Florida; and to Repeal Section 213, Revised General Statutes of Florida, 1920, authorizing the Hotel Commissioner to make rules and regulations; and to repeal Section 214, Revised Gen-

eral Statutes of Florida, 1920, providing for an office for the Hotel Commissioner of the State of Florida; and to amend Section 2127, Revised General Statutes of Florida, 1920, defining the license fees to be paid by hotels and rooming houses; to amend Section 2128, Revised General Statutes of Florida, 1920, pertaining to license fees for restaurants and lunch counters; to amend Section 2129, Revised General Statutes of Florida, 1920, pertaining to application blanks for license for hotels, rooming houses, restaurants and lunch counters; to amend Section 2130, Revised General Statutes of Florida, 1920, relative to the inspection of hotels, rooming houses and restaurants; to amend Section 2131, Revised General Statutes of Florida, 1920, providing for prosecution for violations of laws relative to hotels and restaurants, and defining the duties of Prosecuting Attorneys; to amend Section 2133, Revised General Statutes of Florida, 1920, pertaining to sleeping rooms in hotels and rooming houses; to amend Section 2134, Revised General Statutes of Florida, 1920, defining equipment required for hotels, rooming houses and restaurants in certain cities; to amend Section 2135, Revised General Statutes of Florida, 1920, relative to equipment in cities having no water works; to amend Section 2137, Revised General Statutes of Florida, 1920, pertaining to fire escapes; to amend Section 2140, Revised General Statutes of Florida, 1920, relating to elevators in hotels; to amend Section 2147, Revised General Statutes of Florida, 1920, providing for the appointment and compensation of Hotel Inspectors; to amend Section 2148, Revised General Statutes of Florida, 1920, providing for notice to be served by the Hotel Commissioner; to amend Section 2150, Revised General Statutes of Florida, 1920, pertaining to duties of Prosecuting Attorneys, and providing for mandamus or injunction.

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

Very respectfully,

W. A. RUSSELL,

Chairman of Committee.

And Senate Bills Nos. 237 and 142, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Fla., April 29, 1921.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 100:

A bill to be entitled An Act relating to the sale of swamp, overflowed, sovereignty or any other lands now or hereafter authorized to be sold by the Trustees of the Internal Improvement Fund and to provide for the disposition of the proceeds of such lands.

Also—

Senate Bill No. 224:

A bill to be entitled An Act to amend Section 3629, Article I, Revised General Statutes of Florida, 1920, relating to rights of widow in her husband's estate; dower in lands provided for.

Also—

Senate Bill No. 90:

A bill to be entitled An Act to provide for the monthly deduction of a certain amount from the compensation of teachers on reaching the age of retirement under the provisions of this Act; to provide for the deposit of funds arising from such deductions in the State Treasury; to authorize investment of such funds, and to create a board investment to make an appropriation to carry out the provisions of this Act; to provide for the retirement of such teachers reaching a certain age and to provide for a payment of annuities thereto.

Have carefully examined the same and find them properly engrossed.

Very respectfully,

E. P. WILSON,

Chairman of Committee.

And Senate Bills Nos. 100, 224 and 90, contained in above report, were placed on Calendar of Bills on Second Reading.

Mr. Eaton, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 29, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(House Bill No. 100):

An Act creating Civil Courts of Record in Counties having, or which shall have a population of more than One Hundred Thousand, according to the last preceding Federal Census, or as such Federal Census is hereafter taken; defining and prescribing the powers and jurisdiction of said Court; providing for Judges and Clerks of Civil Courts of Record, and the Jurisdiction of the Supreme Court and Circuit Courts in relation to Civil Courts of Record; abolishing the Civil Court created under the Act approved June 3rd, 1915, and repealing said Act, and also repealing Sections 3310 to 3324, both inclusive, of the Revised General Statutes of Florida, relating to Civil Courts of Record, and also all Acts in conflict herewith.

Beg leave to report that the same have been this day duly presented to the Governor for his approval.

Very respectfully,

O. M. EATON,

Chairman of the Joint Committee on the part of  
the Senate.

Mr. Eaton, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 27, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 129):

An Act authorizing and empowering the Board of Public Instruction for the County of Lake, State of Florida, to issue interest-bearing time warrants for the purpose of providing funds to complete the erection and equipment of a free public high school building in Special Tax School District No. 10, at Eustis, Florida.

Also—

(Senate Bill No. 184):

An Act to legalize, ratify, validate and confirm the action and proceedings of every person, officer and of the Board of County Commissioners of Levy County, Florida, in relation to the issuance and sale of bonds in the sum of \$100,000 for Special Road and Bridge District Number Two of and for Levy County, Florida, as the same were authorize and sold February 8, A. D. 1921.

Also—

(Senate Bill No. 13):

An Act for the relief of W. M. Holloway of Tallahassee, Florida.

Also—

(Senate Bill No. 210):

An Act to authorize the County Commissioners of Marion County, Florida, to levy a special tax for the purpose of providing funds for community welfare work in Marion County, Florida.

Beg leave to report that the same have been this day duly presented to the Governor for his approval.

Very respectfully,

O. M. EATON,

Chairman of the Joint Committee on the Part  
of the Senate.

## INTRODUCTION OF BILLS.

By Mr. Turnbull—

Senate Bill No. 267:

A bill to be entitled An Act relating to notification of holders of record mortgages on lands sold for taxes, of tax sales affecting such mortgaged premises.

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

By Mr. Hulley—

Senate Bill No. 268:

A bill to be entitled An Act to amend Sections 3112 and 3113 of the Revised General Statutes of Florida relating to service of process by publication upon unknown defendants in certain cases, and the making and publication of orders in such cases, so as to provide for service of process by publication upon defendants if living and upon parties claiming interests under them if dead, and the issuance and publication of notice to such defendants, and the entry of decrees pro confesso against, and appointment of guardians ad litem for such defendants, and to provide the manner of, and who may make proof of publication of notice and requiring proof of publication to be recorded.

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

By Mr. Cooper—

Senate Bill No. 269:

A bill to be entitled An Act providing for a Jury District for each of the counties of DeSoto, Charlotte, Hardee, Glades, Highlands, to be qualified jurors for each of said counties for the balance of the year 1921.

Which was read the first time by its title.

Mr. Cooper moved that the rules be waived and Senate Bill No. 269 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 269 was read a second time by its title only.

Mr. Cooper moved that the rules be further waived and that Senate Bill No. 269 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. 269 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, Lowry, Malone, Overstreet, Plympton, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—26.

Nays—None.

So the bill passed, title as stated.

Mr. Cooper moved that the passage of Senate Bill No. 269 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

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

By Mr. Russell—

Senate Bill No. 270:

A bill to be entitled An Act to amend Section 1782 of the Revised General Statutes of the State of Florida, relating to the fees in commitment cases.

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

By Mr. Butler—

Senate Bill No. 271:

A bill to be entitled An Act to amend Section 7 of Chapter 4498 of the Laws of Florida, entitled "An Act to provide for the municipal officers of the City of Jacksonville, a municipal corporation existing in Duval County, Florida; to prescribe their terms of office, provide for their election and appointment and regulate their compensation, and to repeal Chapter 4301 of the Laws of Florida," approved May 27, 1895.

Which was read the first time by its title.

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

By Mr. Bulter—

Senate Bill No. 272:

A bill to be entitled An Act transferring to the Road and Bridge Fund of Duval County, Florida, certain taxes

that were illegally collected to provide for payment of interest and sinking fund on unsold St. Johns River Bridge Bonds.

Which was read the first time by its title.

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

By Mr. Butler—

Senate Bill No. 273:

A bill to be entitled An Act to amend Section 249 of the Revised General Statutes of Florida relating to the appointment of inspectors and clerks of election, and the division of registration books.

Which was read the first time by its title.

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

By Mr. Taylor—

Senate Bill No. 274:

A bill to be entitled An Act to amend Section 60 of the Charter of the City of Clearwater, County of Pinellas, State of Florida, the same being Chapter 7137, Laws of Florida, approved May 27th, 1915, and the amendments thereto, adopted at an election held on the 6th day of July, 1916, in the said City of Clearwater.

Which was read the first time by its title.

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

By Mr. Malone—

Senate Bill No. 275:

A bill to be entitled An Act to prescribe the manner in which persons associated together under a Declaration of Trust may be authorized to do business 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 Judiciary B.

By Mr. Malone—

Senate Bill No. 276:

A bill to be entitled An Act granting a pension to W. D. Frazier.

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

By Mr. Johnson—

Senate Bill No. 277:

A bill to be entitled An Act to declare a lien for unpaid taxes in favor of the State of Florida upon all lands described in certain tax sale certificates now and hereafter held and owned by the State of Florida; to validate certain assessments of taxes, tax sales and tax sale certificates; to provide for the assessment and re-assessment of taxes upon the lands described in certain of said tax sale certificates; to provide for the foreclosure of such liens by suits in equity, and prescribing the powers and duties of certain officers in connection therewith, and for other purposes in relation thereto.

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

By Mr. Malone—

Senate Bill No. 278:

A bill to be entitled An Act amending Section 3111 of the Revised General Statutes of the State of Florida in relation to constructive service.

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

By Mr. Lowry—

Senate Bill No. 279:

A bill to be entitled An Act making appropriations for the support and maintenance of the State Institutions for Higher Education created and required to be maintained by Chapter 5384 of the Laws of Florida, approved June 5th, 1905, now known as the University of Florida, the Florida State College for Women, Florida School for the Deaf and Blind, and the Florida Agricultural and Mechanical College for Negroes; and for the support and maintenance of Summer Schools created by Chapter 6498, Laws of Florida, approved June 5th, 1913.

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

By Mr. Lowry—

Senate Bill No. 280:

A bill to be entitled An Act making an appropriation for the maintenance of the co-operative agricultural extension work between this State and the United States

Department of Agriculture required to be maintained by Chapter 6839, Laws of Florida.

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

By Mr. Lowry—  
Senate Bill No. 281:

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

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

By Mr. Igou—  
Senate Bill No. 282:

A bill to be entitled An Act fixing a license tax upon certain passenger capacity automobiles and other motor driven vehicles for hire.

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

By Mr. Lindsey—  
Senate Bill No. 283:

A bill to be entitled An Act to protect and regulate the birds and wild animals of the State of Florida, to create the Department of Game and Fresh Water Fish and the position of State Game Commissioner, and to define his duties and powers and fixing his compensation.

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

By Mr. Lindsey—  
Senate Bill No. 284:

A bill to be entitled An Act to authorize the counties of the State of Florida to create and constitute Special Road, Bridge and Ferry Districts within said counties; to issue bonds and levy and collect special road and bridge taxes with which to pay for the construction, re-

pair and maintenance of roads, bridges and ferries within said Special Road, Bridge and Ferry Districts.

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

By Mr. Malone—  
Senate Bill No. 285:

A bill to be entitled An Act in relation to special elections for members of the House of Representatives in newly-created counties.

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

#### MESSAGE FROM THE GOVERNOR,

The following message from the Governor was read and ordered spread on the Journal:

State of Florida,  
Executive Department,  
Tallahassee, April 29, 1921.

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

*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. 13):

An Act for the relief of W. M. Holloway, of Tallahassee, Florida.

Very respectfully,

CARY A. HARDEE,  
Governor.

Also—

The following message was read and ordered spread on the Journal:

State of Florida,  
Executive Department,  
Tallahassee, April 29, 1921.

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

*Sir:*

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

(Senate Bill No. 37):

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.

Also—

(Senate Bill No. 110):

An Act providing for the entrance and instruction in the public schools of an adjoining State of pupils from all counties of the State of Florida bordering on the States of Alabama and Georgia, and to prescribe the powers and duties of the Board of Public Instruction of all counties of the State of Florida bordering on the State of Alabama and Georgia with respect thereto.

Very respectfully,

CARY A. HARDEE,  
Governor.

Also—

The following communication from Mr. Dawson, Secretary of the Board of State Institutions, was read and ordered spread on the Journal:

Board of Commissioners of State Institutions,  
Tallahassee, April 30th, 1921.

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

*Dear Sir:*

I have been directed by the Board of Commissioners

of State Institutions to transmit to you the attached copy of a resolution adopted by the Board at its last meeting.

MARION L. DAWSON,  
Secretary to the Board.

Resolved, That the Secretary advise the President of the Senate and the Speaker of the House of Representatives that a special appropriation would be required to pay the expense contemplated by a bill now pending before the Legislature, the purpose of which, when enacted into law, would be to require the State of Florida to furnish a suit of clothes, railroad fare from place of confinement to the home and \$5.00 in cash to each inmate of the Florida Industrial School for Boys at Marianna and to each inmate of the Florida Industrial School for Girls at Ocala upon the discharge of an inmate from either school, and that such expense was not taken into consideration in preparing the budgets for either of these institutions; and to also advise the President of the Senate and the Speaker of the House of Representatives that according to the best information obtainable by this board that the sum of an average of \$25.00 each would be required, and that there is an average of about two hundred and fifty inmates discharged per annum from these institutions, which would require an appropriation of \$6,250.00 for each year and that the Board of Commissioners of State Institutions respectfully suggests that a continuing appropriation be provided by an amendment to the bill as it is now pending.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., April 29, 1921.

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

*Sir:*

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

Senate Bill No. 136:

A bill to be entitled An Act to establish and maintain a branch experiment station in or near Quincy, Gadsden County, Florida, to conduct field research on laboratory problems; to make it the duty of the Board of Control to establish such branch station and to provide for carrying on investigation thereat and appropriating money for the expense thereof.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk, House of Representatives.

And Senate Bill No. 136, contained in the above message, was referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., April 29, 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. 34:

A bill to be entitled An Act to amend Section 5035 of the Revised General Statutes of the State of Florida, entitled "Murder."

Also—

House Bill No. 200:

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

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk, House of Representatives.

And House Bill No. 34, contained in the foregoing message, was read the first time by its title and referred to the Committee on Judiciary A.

And House Bill No. 200, contained in the foregoing message, was read the first time by its title and referred to the Committee on Judiciary A.

Mr. Turnbull moved to waive the rules and that all matter pertaining to the action of the Senate on the concurrence of the Senate to House Amendment to Senate Joint Resolution No. 139 be expunged from the Journal of Thursday, April 28, 1921, being lines 32, 33, 34, 35, 36, 37 and 38 of Page 16 of said Journal.

Which was agreed to by a two-thirds vote.

By a two-thirds vote the rules were waived and the Senate rescinded its action upon the adoption of the House amendment to Senate Joint Resolution No. 139.

The question was then put: Will the Senate concur in the House amendment to Senate Joint Resolution No. 139? Which amendment is as follows:

In Section 3, Line 6, following the word "Representatives," strike out the following:

To each of the four counties having the larger population, as determined by the preceding Federal Census, there shall be apportioned three Representatives; to each of the next ten counties having the next larger population there shall be apportioned two Representatives, as determined by the preceding Federal Census; to each of the remaining counties there shall be apportioned one representative. No county shall have more than three Representatives.

And insert in lieu thereof the following:

The counties having one hundred thousand or more population shall have four Representatives each; the counties having thirty thousand and not more than one hundred thousand population shall have three Representatives each; the counties having ten thousand five hundred and not more than thirty thousand population shall have two Representatives each. All counties having less than ten thousand five hundred population shall have one Representative each. The basis of apportionment, as provided for in this amendment, shall be the Federal Census

next preceding the apportionment made by the Legislature.

Upon which the roll was called and the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Campbell, Crosby, Eaton, Hulley, Johnson, Lindsey, Lowry, Malone, Overstreet, Plympton, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wilson—22.

Nays—Messrs. Epperson and Igou—2.

So the House amendment to Senate Joint Resolution No. 139 was adopted by the constitutional three-fifths vote of all the members elected to the Senate.

And Senate Joint Resolution No. 139, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

#### CONSIDERATION OF OTHER RESOLUTIONS.

Senate Concurrent Resolution No. 5:

Relating to a Constitutional Convention—

Was taken up and read the second time again, and its consideration was passed informally.

#### ORDERS OF THE DAY.

House Concurrent Resolution No. 5:

Relative to a loan of three small boats and equipment from the United States Government to the State of Florida.

Was taken up in its order and read and its consideration was informally passed.

#### BILLS ON THIRD READING.

Senate Bill No. 461:

A bill to be entitled An Act to amend Section 2807 of the General Statutes of the State of Florida of 1906, relating to grants of rights of way through State lands to railroad and canal companies.

Was taken up and read.

The veto of the Governor to said bill was read as follows:

June 10th, 1919.

*Hon. H. Clay Crawford,*  
*Secretary of State,*  
*Capitol.*

*Dear Sir:*

In pursuance of the authority vested in the Governor under the provisions of Section 28 of Article 3 of the Constitution of Florida, I transmit herewith, with my objections thereto, Senate Bill No. 461, which originated in the Senate at its regular session in 1919, the same being:

"An Act to amend Section 2807 of the General Statutes of the State of Florida of 1906, relating to grants of right-of-way through State lands to railroad and canal companies."

My objections to this bill are as follows:

1. To grant to every railroad or canal company which shall have located or constructed its road or canal through any reclaimed State lands, or reclaimed lands held or owned by the State in its sovereign capacity, would be to grant to such companies a privilege and interest of great value, and would be conveying, without compensation, lands upon which the State has expended large sums of money, and would make it possible for these lands to be greatly depleted in acreage. I do not think that it would be wise to in any way affect the great interests of the State has in the reclaimed State lands or reclaimed lands owned and held by the State without due and proper compensation therefor.

For the above reason I withhold my approval from said bill.

Very respectfully,

SIDNEY J. CATTS,  
Governor.

Mr. Singletary moved that the further consideration of the bill, with the Governor's veto, be deferred till tomorrow.

Which was agreed to.

Senate Bill No. 20 was taken up in its order and the consideration of the same was temporarily passed over.

## Senate Bill No. 28:

A bill to be entitled An Act amending Sections 3003 and 3004 of the Revised General Statutes of Florida, fixing the compensation of the Circuit Judges and providing for the payment of their traveling expenses.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 28, the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Campbell, Cooper, Eaton, Hulley, Igou, Johnson, Lowry, Malone, Overstreet, Plympton, Rowe, Russell, Shelley, Stokes, Taylor, Turnbull, Weaver, Wilson—22.

Nays—Messrs. Crosby, Epperson, Lindsey, Singletary Wells—5.

So the bill passed, title as stated.

Senator Crosby explains his vote on Senate Bill No. 28 as follows:

"I vote "No" on this bill, but would have voted "Yes" if the amendment to make the salary \$4,500 and \$300.00 traveling expenses had been adopted."

And Senate Bill No. 28 was ordered to be certified to the House of Representatives.

## Senate Bill No. 29:

A bill to be entitled An Act amending Section 2960 of the Revised General Statutes of Florida and fixing the compensation of the Justices of the Supreme Court of Florida.

Was taken up and read the third time in full.

Mr. Campbell moved that the consideration of Senate Bill No. 29 be deferred, and that the bill be passed informally.

Which was not agreed to.

Upon the passage of Senate Bill No. 29 the vote was:

Yeas—Messrs. Anderson, Butler, Calkins, Campbell, Cooper, Eaton, Hulley, Igou, Johnson, Lowry, Overstreet, Plympton, Russell, Shelley, Stokes, Turnbull, Weaver, Wilson—18.

Nays—Mr. President, Messrs. Crosby, Epperson, Lindsey, Malone, Rowe, Singletary, Taylor, Wells—9.

So the bill passed, title as stated.

Senator Crosby explains his vote on Senate Bill No. 29 as follows:

I vote "No," but would have voted "Yes" if the amendment to make the salary \$5,000.00 had been adopted.

Senator Malone offers the following explanation to his vote on Senate Bill No. 29 in relation to the increase of compensation for Justices of the Supreme Court:

I vote "No" for the reason that the bill contains an unjustifiable rebuke to the Justices from one branch of the government to another, in that the bill intimates the Justices take vacations, thereby neglecting their duties. In my judgment, no such condition exists. I am in favor of an increase in salaries for the Justices. Their ability, fairness and impartiality deserve the highest consideration at the hands of the Legislature; their devotion and personal sacrifice deserve the increase in salary, but should not be given grudgingly and with indignities.

W. H. MALONE.

And Senate Bill No. 29 was ordered to be certified to the House of Representatives.

Senate Bill No. 166 was taken up in its order and the consideration of the same was temporarily passed over.

By Permission—

Mr. Eaton, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 29, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(House Bill No. 69):

An Act to provide for the creation of a budget commission, the preparation and review of estimates for expenditures and revenue, and to establish a budget system for all State's expenditures, and to make an appropriation for the expenses thereof.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,  
O. M. EATON,

Chairman of the Joint Committee on the Part of the Senate.

The bill contained in the above report was duly signed by the President and the Secretary of the Senate in open session and ordered referred to the Chairman of the Joint Committee on the part of the Senate to be conveyed to the Governor for his approval.

By Permission—

Mr. Eaton, Chairman of the Joint Committee on Enrolled Bills, on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 28, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 490):

An Act providing for the appointment of a Town Marshal of the Town of DeFuniak Springs, Florida, for his suspension or removal from office, and relating to the powers and duties of the Mayor and Town Council of the Town of DeFuniak Springs, Florida, in connection therewith.

Beg leave to report that the same have been this day duly presented to the Secretary of State.

Very respectfully,  
O. M. EATON,

Chairman of the Joint Committee on the Part of the Senate.

By permission—

Mr. Eaton, Chairman of the Joint Committee on En-

rolled Bills, or the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 27, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 212):

An Act to legalize and validate the election held in Special Road and Bridge District No. 7 in Okaloosa County, Florida, on the 17th day of March, A. D. 1921, and to legalize and validate the issue of Special Road and Bridge District No. 7 bonds voted at said election, and to authorize the Board of County Commissioners of Okaloosa County, Florida, to levy and assess a special tax upon all the taxable property of said district for the payment of principal and interest of such bonds voted in said district, and to validate the establishment of said district.

Also—

(Senate Bill No. 213):

An Act to authorize and empower the Board of County Commissioners of Lee County, Florida, to improve, grade and hard surface that certain road, and to construct bridges and culverts thereon which may be located and surveyed out in Special Road and Bridge District No. 3, of Lee County, Florida; to issue and sell interest-bearing time warrants not to exceed the sum of fifty thousand (\$50,000.00) dollars; to use the proceeds thereof for the construction of such road, bridges and culverts and for the purpose of further improving and hard surfacing of the road in Special Road and Bridge District No. 3, of Lee County, Florida, and being a part of Tamiami Trail; to provide for the levy and collection of a special tax against the taxable property in said Special Road and Bridge District for the purpose of paying the interest on such time warrants and to provide a sinking fund for the redemptions thereon at maturity; and for the purpose of

road and bridge construction in case such time warrants are not sold.

Also—

(Senate Bill No. 234):

An Act to abolish Special Road and Bridge District No. 8, in Clay County, Florida.

Also—

(Senate Bill No. 211):

An Act authorizing and empowering the Board of County Commissioners of Marion County, Florida, to appropriate and expend not exceeding two thousand dollars out of the funds of said county for publicity purposes.

Also—

(Senate Bill No. 241):

An Act fixing and defining the territorial limits and boundary of the Twelfth Judicial Circuit, and fixing the time for holding two terms of court during each year in each of the counties of said Circuit.

Beg leave to report that the same have been this day duly presented to the Governor for his approval.

Very respectfully,

O. M. EATON,

Chairman of the Joint Committee on the Part of the Senate.

By Permission—

Mr. Eaton, Chairman of the Joint Committee on Enrolled Bills, on the Part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 27, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 216):

An Act to ratify, approve, validate and confirm the report of the Commissioners of the Naples Drainage Dis-

trict in Lee County, Florida, making the assessment of benefits and damages against the properties in said district, the levy of the total tax and the annual installment tax for the year 1920 by the Board of Supervisors of said district, the issuance of bonds to the amount of thirty-three thousand four hundred (\$33,400.00) dollars; making such bonds as issued a lien against the properties in the said district so assessed for benefits; and to validate, ratify, approve and confirm all and every of the proceedings had and taken, for and on behalf of the said district by the Board of Supervisors or any other officer or agent of the said district.

Also—

(Committee Substitute for Senate Bill No. 57):

An Act to amend Section 1315, Revised General Statutes of Florida, 1920; Section 1316, Revised General Statutes of Florida, 1920; Section 1317, Revised General Statutes of Florida, 1920; Section 1318, Revised General Statutes of Florida, 1920; Section 1325, Revised General Statutes of Florida, 1920; all relating to the Marketing Bureau of the State of Florida, and to repeal Section 1324, Revised General Statutes of Florida, 1920, providing for an executive committee of the Marketing Bureau of the State of Florida.

Beg leave to report that the same have been this day duly presented to the Governor for his approval.

Very respectfully,

O. M. EATON,

Chairman of the Joint Committee on the Part of the Senate.

By Permission—

Mr. Eaton, Chairman of the Joint Committee on Enrolled Bills, on the Part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 27, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 217):

An Act to authorize and empower the Board of County Commissioners of Lee County, Florida, to receive and hold title to lands which may be acquired by the Board for the County of Lee, State of Florida, to be used for park and parkway purposes; and to levy, order assessed and collected, a special tax of not exceeding one mill on the dollar on all taxable property in the County of Lee to be used for the purpose of improving such parks and parkways by the planting of trees, shrubs, grass, and to do all other things which shall have for its purpose the beautifying of such parks, and the parkways along the public highways of the county.

Also—

(Senate Bill No. 215):

An Act to authorize the Board of County Commissioners of Lee County, Florida, in their discretion, to levy, order assessed and collected a special tax of not exceeding ten mills on the dollar against all the taxable property in the respective special road and bridge districts of the said county, for the purpose of repairing and maintaining the public roads and bridges in the respective special road and bridge districts, of Lee County, Florida.

Also—

(Senate Bill No. 214):

An Act making it lawful for the County Commissioners of Monroe County, Florida, to receive certain compensation and expenses incurred in the inspection of roads in the county in addition to the compensation now authorized by law.

Beg leave to report that the same have been this day duly presented to the Governor for his approval.

Very respectfully,

O. M. EATON,

Chairman of the Joint Committee on the Part of the Senate.

By permission—

Mr. Eaton, Chairman of the Joint Committee on Enrolled Bills, on the Part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 28, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

(Senate Bill No. 198):

An Act to authorize committees of the Legislature to subpoena witnesses; to administer oaths; to compel by duces tecum the production of documentary evidence, and to provide a penalty for swearing falsely before such Legislative Committees.

Also—

(Senate Bill No. 91):

An Act to amend Sections 1444 and 1445 of the Revised General Statutes of Florida, relating to pensions.

Beg leave to report that the same have been this day duly presented to the Governor for his approval.

Very respectfully,

O. M. EATON,

Chairman of the Joint Committee on the Part of the Senate.

By permission—

Mr. Eaton, Chairman of the Joint Committee on Enrolled Bills, on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 29, 1921.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:

(House Bill No. 69):

An Act to provide for the creation of a Budget Commission, the preparation and review of estimates for ex-

penditures and revenue, and to establish a budget system for all State expenditures, and to make an appropriation for the expenses thereof.

Beg leave to report that the same have been this day duly presented to the Governor for his approval.

Very respectfully,

O. M. EATON,

Chairman of the Joint Committee on the Part of the Senate.

#### CONSIDERATION OF BILLS ON SECOND READING.

##### Senate Bill No. 77:

A bill to be entitled An Act to consolidate the auditing and examination of State and County finances; to provide for the auditing and examination under the direction and supervision of the Governor and Comptroller of all accounts, books, records, warrants, papers and transaction of all State officials and of the officers of the several Counties of the State; to provide for reports of the same to be made to the Governor and Comptroller; to confer the necessary powers and authority for carrying out the purposes and provisions of this Act; to make appropriations therefor; to repeal Sections 188, 189, 190, 191, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202 and 204 of the Revised General Statutes of the State of Florida, creating the offices of State Auditor and Assistant State Auditor, and prescribing their duties and powers; to repeal all laws in conflict with the provisions of this Act, and to provide penalties for the violation of any of the provisions of this Act.

Was taken up and read a second time in full.

Mr. Russell offered the following amendment to Senate Bill No. 77:

Strike out all of Section 14 and insert the following in lieu thereof:

Section 14: There shall be appointed by the Governor, with the consent of the Comptroller, competent and discreet Auditors and Examiners, not to exceed four in number, for the purpose of carrying out the provisions of this Act, and who shall hold their commission at the pleasure of the Governor. The salary of such Auditors shall be three thousand dollars per annum. The actual and neces-

sary traveling expenses incurred by the Auditors and Examiners employed for the purpose of carrying out the provisions of this Act, shall be allowed and paid upon the approval of the Comptroller, except traveling expenses incurred by the Auditors or Examiners when an investigation under the direction and supervision of the Governor as provided by the terms of this Act, in which case such traveling expenses shall be allowed and paid only after approval by the Governor.

Mr. Russell moved the adoption of the amendment.

Which was agreed to.

Mr. Russell offered the following amendment to Senate Bill No. 77:

In Section 16, strike out the words and figures "Eighteen Thousand Dollars" and insert in lieu thereof the following: "Fifteen Thousand Dollars."

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

Mr. Lindsey offered a Substitute for Senate Bill No. 77, with the following title:

Substitute for Senate Bill No. 77:

A bill to be entitled An Act to consolidate the auditing and examination of State and County finances; to provide for the auditing and examination under the direction and supervision of the Governor and State Auditor of all accounts, books, records, warrants, papers and transactions of all State officials, and of the officers of the several counties of the State; to provide for reports of the same to be made to the Governor and State Auditor; to confer the necessary powers and authority for carrying out the purposes and provisions of this Act; to make appropriations therefor; to repeal Sections 197, 198, 199, 202, 203, 204 and 205 of the Revised General Statutes of the State of Florida creating the offices of Assistant State Auditors, and prescribing their duties and powers; to repeal all laws in conflict with the provisions of this Act; and to provide penalties for the violation of any of the provisions of this Act.

Which was read the first time by its title.

Mr. Lindsey moved that the rules be waived and Substitute for Senate Bill No. 77 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Substitute for Senate Bill No. 77 was read a second time in full.

Mr. Lindsey moved to adopt the substitute.

Mr. Anderson moved that the consideration of the bill and the substitute therefor be informally passed.

Which was agreed to.

The point of order was raised that the time for adjournment had arrived.

The point of order was sustained.

Therefore, at 6:30 P. M., the Senate stood adjourned until 11 o'clock A. M. Tuesday, May 3, 1921.

Tuesday, May 3, 1921

11 O'CLOCK A. 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, Lindsey, Lowry, Malone, Overstreet, Plympton, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Turnbull, Weaver, Wells, Wilson—28.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 2 was dispensed with.

The Daily Journal of Monday, May 2, 1921, is hereby corrected, on page 10 of said Journal, and on lines 15 and 16 of said Journal, as follows: Strike out lines 15 and 16 of page 10 of said Journal and insert in lieu thereof the following, to-wit:

A bill to be entitled An Act to prescribe the manner in which persons associated together under a declaration of trust may be authorized to do business in the State of Florida, and to provide penalties for the violation thereof.

On page 22, on line 16 of said page, of Daily Journal of May 2, 1921, the words "Governor for his approval" in

said line are hereby stricken out and the words "Secretary of State" are hereby inserted in lieu thereof.

In line 5, of page 17, of the Daily Journal of May 2, 1921, the word "amend" is hereby made to read "amendment."

Messrs. Wells and Calkins were excused from attendance on the body this a. m. to attend a Joint Committee of Senate and House, of which they are a part.

#### REPORTS OF COMMITTEES.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1921.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 126:

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

Have had the same under consideration, and find the same correctly engrossed.

Very respectfully,

E. P. WILSON,  
Chairman of Committee.

And Senate Bill No. 126, contained in the above report, was placed on the Calendar of Bills on third reading.

#### INTRODUCTION OF BILLS.

By Mr. Campbell—

Senate Bill No. 286:

A bill to be entitled An Act providing for the establishment of an Agricultural Experiment Station or Stations in the Everglades of Florida; to provide lands and funds therefor and to define the powers and duties of the Trustees of the Internal Improvement Fund, the State Board of Education of Florida, and the Board of Control in re-