

Tuesday, April 17, 1923

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, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Taylor, Wells, Wicker—32.

A quorum present.

Prayer by the Chaplin.

Reading of the Journal was dispensed with.

The daily Journal of April 16 was corrected and, as corrected, was approved.

REPORT OF ENROLLING COMMITTEE.

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

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

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

(Senate Bill No. 60):

An Act to legalize and validate the proceedings for the issuance of Bonds of the city of West Tampa, Florida; in the amount of \$65,000, for the purpose of refunding \$60,000 of Bonds of said City and funding the floating indebtedness thereof, which Bonds were voted at a Special

Election held in said City on January 4, 1923, and to authorize a change in the denomination of said Bonds and a modification of the Decree validating the same.

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

Very respectfully,

R. H. ROWE,
Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

Also—

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

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate

Sir:

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

(House Bill No. 100:)

An Act to Repeal Chapter 6671 of the Laws of Florida, Acts of 1913, "Being an Act to abolish the present Municipality of Bushnell, Sumter County, Florida, and to establish, organize and constitute a Municipality to be known and designated as the City of Bushnell, and to define its Territorial Boundaries, and to provide for its Jurisdiction, Powers and Privileges," and to organize and establish a New City Government for the City of Bushnell, Sumter County, Florida, and to define its Territorial Boundaries and to provide for its Jurisdiction, Powers and Privileges.

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

Very respectfully,

R. H. ROWE,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

Also—

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

Senate Chamber,
Tallahassee, Fla., April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

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

(Senate Bill No. 59):

An Act to authorize the Board of County Commissioners of Hillsborough County, Florida, to sell Block sixty-four (64) according to the General Map of the Town of Tampa, recorded in the office of the Clerk of the Circuit Court of Hillsborough County, Florida, in Plat Book one (1) on page seven (7).

Also—

(Senate Bill No. 58):

An Act to validate certain improvement certificates and bonds of the City of Clearwater, Florida.

Also—

(Senate Bill No. 17):

An Act to legalize, ratify, confirm and validate the acts and proceedings of the Town of Avon Park, Highlands County, Florida, and its Town Council, officers and agents, relating to the issuance of Municipal Street Bonds in the sum of sixty thousand dollars (\$60,000.00); Park Bonds in the sum of five thousand dollars (\$5,000.00); Refunding Bonds in the sum of ten thousand dollars (\$10,000.00), all in accordance with Ordinance No. 74, adopted by the Town Council on the 8th day of March, A. D. 1922, and the acts and ordinances passed in pursuance thereof.

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

Very respectfully,

R. H. ROWE,

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

Also—

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

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

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

(Senate Bill No. 40):

An Act to validate the issuance and sale of \$3,000,000 road bonds of Hillsborough County, Florida, voted and provided for at an election held in the said County on August 1, A. D. 1922, and more particularly described in the Resolution of the Board of County Commissioners of said County adopted on the date of June 26th, 1922, said bonds being dated July 1st, 1922, and all proceedings for the issuance of said bonds, and including the sale and delivery thereof.

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

Very respectfully,

R. H. ROWE,

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

Also—

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

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

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

(Senate Bill No. 61):

An Act to validate and ratify the establishment of Lake Mango Drainage District, Hillsborough County, Florida, and the issuance and sale of certain bonds by said district.

Also—

(Senate Bill No. 18):

An Act to amend Section 8 of Chapter No. 7131 of the Acts of the Legislature of the State of Florida for the year 1915, being An Act entitled "An Act granting additional rights, powers, and privileges to the Town of Avon Park, DeSoto County, Florida, in addition to its present town charter, and prescribing a method for the issuance of bonds in said town, and amending in certain respects its present charter, and ratifying the present assessment of taxes in said town."

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

Very respectfully,

R. H. ROWE,

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

Also—

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

Senate Chamber,
Tallahassee, Fla., April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

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

(Senate Bill No. 12):

An Act for the Relief of W. B. Brinkley, of Columbia County, Florida.

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

Very respectfully,

R. H. ROWE,

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

Mr. Hodges, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 45:

A bill to be entitled An Act to provide for printing statistical reports and making appropriation therefor.

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

Very respectfully,

W. C. HODGES,
Chairman of Committee.

And Senate Bill No. 45, contained in the above report, was placed on the table under the rule.

Mr. Hodges, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir—

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 103:

A bill to be entitled An Act to make an appropriation to pay a portion of the costs of the paving of a street in the City of Gainesville, Florida, known as University avenue, extending from its intersection with the east boundary line of Section 6, Township 10, South, Range 20 East, westerly to its intersection with the west boundary line of said Section where said street abuts upon either side of the lands used for the University of the State of Florida, and belonging to and the title to which is vested in the Board of Education of said State.

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

Very respectfully,

W. C. HODGES,
Chairman of Committee.

And Senate Bill No. 103, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Hodges, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 171:

A bill to be entitled An Act to amend Sections 211, 212, 2124, 2125, 2133, 2134, 2142, 2147, 2151, and 2153 of the Revised General Statutes, pertaining to the Hotel Commissioner and Inspectors, their salaries, powers and duties; the construction, regulation and protection of hotels, apartment houses, rooming houses, restaurants and eating places, their guests and tenants; and the limitation of the expenditures of the Hotel Commission to an amount not to exceed its collections.

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

Very respectfully,
WM. C. HODGES,
Chairman of Committee.

And Senate Bill No. 171, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Hodges, Chairman of the Committee on Appropriations, submitted the following report.

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 188:

A bill to be entitled An Act to further provide for and maintain the Dade Memorial Park and to make appropriation therefor.

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

Very respectfully,
W. C. HODGES,
Chairman of Committee.

And Senate Bill No. 188, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Anderson, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred—

Senate Bill No. 130:

A bill to be entitled An Act to provide for the issuance of duplicate tax certificates where original is lost.

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

Very respectfully,
S. W. ANDERSON,
Chairman of Committee.

And Senate Bill No. 130, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Anderson, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred—

Senate Bill No. 78:

A bill to be entitled An Act to amend Section 711 of the Revised General Statutes of Florida relating to the assessment of real and personal property, to the duties of the tax assessor and to the liability of property for unpaid taxes, and to amend Section 745 of the Revised General Statutes of Florida relating to attachment of personalty in case of removal, and to assessment as a lien on property, and to taxes assessed as a judgment.

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

Very respectfully,
S. W. ANDERSON,
Chairman of Committee.

And Senate Bill No. 78, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Anderson, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred—

Senate Bill No. 116:

A bill to be entitled An Act to amend Section 610 of the Revised General Statutes of Florida, entitled "State Treasurer to Receive and Disburse Certain Funds."

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

Very respectfully,
S. W. ANDERSON,
Chairman of Committee.

And Senate Bill No. 116, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Calkins, Chairman of the Committee on Public Utilities, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 17, 1923.

Hon. T. T. Turnbull,
President of the Senate.

Sir:

Your Committee on Public Utilities, to whom was referred—

Senate Bill No. 144:

A bill to be entitled An Act to amend Section 4630 of Revised Statutes of Florida, relating to the duty of the Railroad Commissioners to adopt rules and regulations requiring railroads to maintain their roadbeds, rights of way, tracks, etc., in a safe condition.

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

Very respectfully,
JAMES E. CALKINS,
Chairman of Committee.

And Senate Bill No. 144, contained in the above report, was placed on the Calendar of Bills on Second Reading.

By unanimous consent the following communication was read:

Tallahassee, Fla., April 17th, 1923.

Hon. J. Turner Butler,
Hon. F. O. Miller,
Hon. A. Y. Milam,

Present:

Gentlemen:

You are familiar with what I have been trying to do, from time to time, in the way of bringing the people and business interests of Florida into closer and more harmonious relation. Since coming to Tallahassee it has occurred to me that progress along this line would be materially furthered if the members of the Legislature, representing, as they do, every part of the State, could be brought into personal contact by an exchange of visits to the two great sections—South and West Florida.

If you agree with me, and if you consider that my action will not be misunderstood, I shall be pleased if you will, on my behalf and on behalf of the various Chambers of Commerce of South and West Florida that will assist in the entertainment, extend an invitation to the members of the Legislature and their wives to spend this coming week-end—Friday to Monday, April 20th to 23rd—in a visit to the citrus section of South Florida, and, if time permits, to Miami and Palm Beach on the East Coast, and the following week-end—April 27th to 30th—in a trip through West Florida. Should this invitation be accepted, I shall wish to extend it to include representatives of the daily press.

Yours very truly,
W. F. COACHMAN.

Mr. Lindsey offered the following Concurrent Resolution:

Senate Concurrent Resolution No. 2:

A Concurrent Resolution providing for the acceptance of the invitation of Mr. W. F. Coachman, in co-operation with various Chambers of Commerce, to visit certain sections of the State, and to recess for that purpose.

Whereas, an invitation has been extended to the members of the 1923 Legislature and their wives by Mr. W. F. Coachman, in co-operation with various Chambers of Commerce

of the State of Florida, to tour the State in the interest of its progress and development, and

Whereas, such a tour will furnish a means of ascertaining many facts concerning the great resources of the State, and could be made at a time when it is customary for the Legislature to be in recess, therefore, be it

Resolved by the Senate, the House of Representatives concurring, that the invitation of Mr. W. F. Coachman, in co-operation with various Chambers of Commerce, to visit certain parts of the State be accepted.

Be it further resolved, that the Legislature recess at 12 o'clock noon on Friday, April 20th, to convene again at 5:30 P. M., Monday, April 23rd.

Be it further resolved, that a Committee of two members of the Senate and three members of the House be appointed to ascertain the names of the members and their wives who will accept the invitation, and report the names of such members and their wives so accepting to the Senate and the House not later than 11:30 o'clock A. M. Wednesday, the 25th day of April.

Mr. Lindsey moved to waive the rules and that the Resolution be read the second time.

Which was agreed to by a two-thirds vote.

And the Resolution was read the second time.

Mr. Lindsey moved to adopt the Resolution.

Which was agreed to.

The Resolution was adopted and ordered to be immediately certified to the House of Representatives.

The following message from the Governor was received and read.

STATE OF FLORIDA.
EXECUTIVE DEPARTMENT.

Tallahassee, Fla., April 16, 1923.

*Hon. T. T. Turnbull,
President of the Senate,
Capitol.*

Sir:

I have the honor of submitting herewith the report of the Commission, together with their certain bills proposed

by them, as required by Chapter 8463, Acts of the Legislature of 1921, the same being—

“An act providing for the appointment of a Commission to inquire into the most feasible plan for compensation to the soldiers, sailors and marines of the State of Florida in the late war with Germany and to prepare a bill to be submitted to the Legislature of the State of Florida when the same convenes in A. D. 1923.”

Very respectfully,

CARY A. HARDEE,
Governor.

Also the following communication from the Governor was read:

STATE OF FLORIDA,
EXECUTIVE DEPARTMENT.

Tallahassee, Fla., April 16, 1923.

*Hon. T. T. Turnbull,
President of the Senate,
Capitol.*

Sir:

I have the honor to submit herewith the full report of the Commission appointed under the authority of Chapter 8578, Acts of the Legislature of 1921, the same being—

“An Act creating a Commission to be known as the Florida State Commission for Securing the Construction of the Atlantic, Gulf and Mississippi Canal.”

Very respectfully,

CARY A. HARDEE,
Governor.

Mr. Colson moved to waive the rules and that Senate Bill No. 7 be taken up out of its order and now considered. Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 7:

A bill to be entitled An Act prescribing the number, names, and requirements for certificates of teachers and

for the issuance of certificates; to provide for a system of teachers' examination; to prescribe the duties of County Superintendents relative to conducting of examinations; to provide for a teachers' reading circle course; to give the force of law to the rules and regulations prescribed by the State Board of Education for the execution of the provisions of this Act; and to repeal all laws in conflict with this Act.

Was taken up.

Pending the reading of the bill together with the amendment recommended by the Committee on Appropriations—

Mr. Johnson moved that further consideration of the bill be temporarily deferred; that one hundred copies of the bill, with committee amendments, be printed, and that the bill be made a special order of consideration at 11 o'clock Tuesday, April 24.

Which was agreed to.

And Senate Bill No. 7, with proposed amendment, took its position on the Calendar of Special Orders.

Mr. Calkins offered the following Resolution:

Senate Resolution No. 10:

Be it Resolved by the Senate that Rule 13 of the Rules of the Senate be amended to read as follows:

RULE XIII.

SUSPENSION OF RULES.

1. No rule shall be suspended except by a vote of two-thirds of the members voting, a quorum being present, or unless when otherwise provided by the Constitution or Joint Rules of the two Houses, or by a vote of 17 Senators.

Which was read.

Mr. Calkins moved to adopt the Resolution.

Mr. Johnson moved that the further consideration of the Resolution be deferred and made a special order for Thursday, April 19, for consideration.

The motion was not agreed to.

The question recurred upon the motion of Mr. Calkins to adopt the Resolution.

The Resolution was adopted.

By unanimous consent—
Mr. Colson withdrew Senate Bill No. 102.

By consent—
Senate Bills 75, 76, and 77 were withdrawn from their respective Calendars and were permitted to be withdrawn from the body by Mr. Mitchell, the introducer.

By Consent—
The Committee on Game and Fisheries were discharged from further consideration of Senate Bill No. 100, and by permission Mr. Scales withdrew the Bill from the body.

INTRODUCTION OF BILLS.

By Mr. Johnson—

Senate Bill No. 189:

A bill to be entitled An Act to amend Section One and Seven of Chapter 8411, Acts of the Legislature of 1921, same being entitled An Act Imposing License Tax upon dealers in Gasoline or other like products of Petroleum; providing for report of sales of such commodities to the Comptroller; providing for the disposition of the moneys derived from such Tax and fixing a penalty for the violations hereof.

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

By Mr. Johnson—
Senate Bill No. 190:

A bill to be entitled An Act to amend Section 1292 of the Revised General Statutes of Florida as amended by Chapter 8510 of the Acts of the Legislature of the State of Florida, 1921, relating to game and hunting license.

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

By Mr. Phillips—
Senate Bill No. 191:

A bill to be entitled An Act providing for final discharge of guardians.

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

By Mr. Phillips—

Senate Bill No. 192:

A bill to be entitled An Act authorizing guardians to mortgage the real estate of their wards and fixing conditions under which such real estate may be mortgaged.

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

By Mr. Phillips—

Senate Bill No. 193:

A bill to be entitled An Act making it compulsory for executors and administrators to make certain returns and accounts provided by law, and providing a penalty for failure or neglect to comply therewith, and fixing the duty of the County Judge in such cases.

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

By Mr. Putnam—

Senate Bill No. 194:

A bill to be entitled An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties and levies of taxes by the City of New Smyrna, Volusia County, Florida, for the year A. D. 1922, and authorizing the collection of said taxes in manner provided by law.

Which was read the first time by its title.

Mr. Putnam moved that the rules be waived and Senate Bill No. 194 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 194 was read a second time by its title only.

Mr. Putnam moved that the rules be further waived and that Senate Bill No. 194 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. 194 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Cone, Eaton, Epperson, Johnson, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Shelley, Taylor, Wells, Wicker—24.

Nays—None.

So the bill passed, title as stated.

The rules were waived and the bill was ordered to be certified to the House of Representatives immediately.

By Mr. Putnam—

Senate Bill No. 195:

A bill to be entitled An Act ratifying, validating, confirming and legalizing all contracts, supplemental contracts and agreements in writing between the City of New Smyrna, Volusia County, Florida, and P. E. Hickey, D. P. Hickey, J. R. Hickey, and W. R. Hughes, co-partners doing business under the firm name and style of Hickey Brothers, and declaring the same to be legal and binding.

Which was read the first time by its title.

Mr. Putnam moved that the rules be waived and Senate Bill No. 195 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 195 was read a second time by its title only.

Mr. Putnam moved that the rules be further waived and that Senate Bill No. 195 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. 195 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Cone, Eaton, Epperson, Etheredge, Igou, Johnson, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Shelley, Taylor, Wells—26.

Nays—None.

So the bill passed, title as stated.

The rules were waived by a two-thirds vote, and the bill ordered to be certified to the House of Representatives.

By Mr. Putnam—

Senate Bill No. 196:

A bill to be entitled An Act ratifying, confirming, validating and legalizing each and every of the certificates of indebtedness issued by the City of New Smyrna, Volusia County, Florida, for the purpose of improving the Canal on Canal Street in said city from the concrete bridge on Hillsborough Street to the west end of the present concrete

road on Canal Street and to ratify, confirm, validate and legalize the acts and proceedings of said City of New Smyrna, Volusia County, Florida, its city commission, officials, attorneys and agents relative to the issuance of each and every of the certificates of indebtedness and to perfect all irregularities and to cure all omissions which may exist in and about the issuance of said certificates of indebtedness of the said City of New Smyrna, Volusia County, Florida.

Which was read the first time by its title.

Mr. Putnam moved that the rules be waived and that Senate Bill No. 196 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 196 was read a second time by its title only.

Mr. Putnam moved that the rules be further waived and that Senate Bill No. 196 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. 196 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Cone, Eaton, Epperson, Etheredge, Igou, Johnson, Knabb, Knight, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Shelley, Taylor, Wicker—24.

Nays—None.

So the bill passed, title as stated.

The rules were waived by a two-thirds vote and the bill was ordered to be certified to the House of Representatives immediately.

By Mr. Putnam—

Senate Bill No. 197:

A bill to be entitled An Act ratifying, confirming, validating and legalizing all acts and proceedings of the City of New Smyrna, Volusia County, Florida, its City Commission, officials and agents relative to the issuance of twenty-five thousand (\$25,000.00) dollars interest bearing time warrants or city scrip under Chapter 9033, Laws of Florida, Acts of A. D. 1921, authorizing the same and to ratify, confirm, validate and legalize said interest bearing time

warrants or city scrip issued or to be issued under said Chapter 9033, Laws of Florida, Acts of A. D. 1921.

Which was read the first time by its title.

Mr. Putnam moved that the rules be waived and Senate Bill No. 197 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 197 was read a second time by its title only.

Mr. Putnam moved that the rules be further waived and that Senate Bill No. 197 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. 197 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Cone, Eaton, Epperson, Etheredge, Igou, Johnson, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Shelley, Singletary, Taylor, Wicker—25.

Nays—None.

So the bill passed, title as stated.

The rules were waived by a two thirds vote and the bill was ordered certified to the House of Representatives immediately.

By Mr. Putnam—

Senate Bill No. 198:

A bill to be entitled An Act authorizing the City of New Smyrna, Volusia County, Florida, to furnish electricity to the Village of Coronado Beach, Volusia County, Florida, and to the Village of Hawks Park, Volusia County, Florida, and to other users thereof within a radius of ten miles from the Electric Light Plant as now located in said City, and granting said City the right to construct and maintain Electric Transmission Lines along Public Highways for said purpose.

Which was read the first time by its title.

Mr. Putnam moved that the rules be waived and Senate Bill No. 198 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 198 was read a second time by its title only.

Mr. Putnam moved that the rules be further waived and that Senate Bill No. 198 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. 198 was read a third time in full.

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

Yeas—Mr. President, Senators, Butler, Calkins, Campbell, Cone, Eaton, Epperson, Etheredge, Igou, Johnson, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Shelley, Singletary, Taylor, Wicker—25.

Nays—None.

So the bill passed, title as stated.

The Rules were waived by a two-thirds vote and the Bill was ordered certified to the House of Representatives immediately.

By Mr. Campbell—

Senate Bill No. 199:

A bill to be entitled An Act to amend Section 2854 of the Revised General Statutes of Florida, relating to the Notice of Lis Pendens on property of married women, and providing for the time within which said Notice shall be filed and suit instituted.

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

By Mr. Campbell—

Senate Bill No. 200:

A bill to be entitled An Act to amend Section 3525 of the Revised General Statutes of Florida, relating to Statutory Liens and the provisions applicable to remedies against either real or persons property, providing for attorney's fees to be allowed Plaintiff.

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

By Mr. Campbell—

Senate Bill No. 201:

A bill to be entitled An Act to provide for the subjecting of estates by entreties in equity, for the value of Labor performed and materials furnished in the construction,

alteration or repair of buildings thereon, providing for the filing of a Notice of Lis Pendens against such estates, and providing for the effect of the filing of such Notice and the form thereof, and limiting the time within which such Notice of Lis Pendens may be filed and suit in equity instituted.

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

By Mr. Campbell—

Senate Bill No. 202:

A bill to be entitled An Act to provide that the owner of real and personal property before entering into any contract for improvements or repairs thereon shall require the contractor or contractors, before commencing work to furnish to such owner a bond with sureties in a sum equal to the contract price, which bond shall contain an obligation that such contractor or contractors shall promptly make payment to all persons supplying him or them labor or materials in the prosecution of the work; providing that such bond shall inure to the benefit of all unpaid laborers and materialmen; requiring the owner to furnish a true and correct copy of said bond to such laborers and materialmen, and giving said laborers and materialmen a right of action on said bond in the name of the owner for his or their use and benefit against the contractor or contractors, and sureties, and providing that the certified copy of said bond shall be admissable in evidence to the same effect as though it were the original bond,—and further providing, that where such owner shall, before entering into any such contract for the improvement or repair, of his property, fail to require and take from the contractor or contractors such bond, such owner shall not be entitled to limit his liability to the amount unpaid to the contractor or contractors upon the contract, and authorizing laborers and materialmen to subject the property of the owner to the payment of their claims regardless of the amount or amounts theretofore paid by the owner to the contractor or contractors.

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

By Mr. Scales—

Senate Bill No. 203:

A bill to be entitled An Act for the Relief of S. R. Langston, for certain money paid by him to the State of Florida.

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

Mr. Scales—

Senate Bill No. 204:

A bill to be entitled An Act making appropriation for the payment of premiums charged against the several State properties by the State Fire Insurance Fund under Chapters 7294 and 7902, Laws of Florida, and unpaid; providing for the repayment by the State Fire Insurance Fund to the General Revenue Fund of fire losses paid out of the General Revenue Fund; and authorizing the investment of surplus funds in certain securities.

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

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 6:

Whereas, It is deemed necessary by the House of Representatives of the State of Florida, the Senate concurring, that the legislature have before it certain specific data relating to the operation of the State Road Department, not shown in such form or detail in the Department's report to the Governor, as the Legislature specially desires, therefore—

Be it resolved by the House of Representatives of the State of Florida, the Senate concurring: That the State Road Department, through its proper officials, do furnish to the House of Representatives, and the Senate, a statement in duplicate showing the cost and results of the actual operations of the Department since the adjournment of the Legislature of 1921, to the convening of the Legislature of 1923, under items as follows:

1. The total office expense average per month, excluding salary of the Chairman and engineers.

2. The number of engineers employed, and (a) the amount of salary paid to each, (b) the amount of traveling and other expenses of each, paid by the State.

3. The number of miles of road (excluding bridges) actually begun and completed, and (a) the cost per mile, exclusive of engineering expenses, (b) engineering expenses per mile.

4. The number of miles of road constructed and completed by the Department in each county of the State, specifying (a) the mileage of each separate type of road, where more than one type constructed, (b) the average cost per mile of each type, exclusive of engineering fees, (c) the engineering expenses per mile of each type, in each county, (d) the method of construction, whether by contract, convict labor or both, (e) the number of convicts and the cost of maintenance in each county project, (f) the amount contributed or donated by each county and how expended.

5. The amount of excess over original contract price, if any, actually paid by the Department, on each road project built, with brief statement of the reasons for such excess payment.

6. The number of bridges built on State Highways and their location, and (a) the type and length of bridges, (b) the cost of each exclusive of engineering expenses, (c) cost of engineering expenses on each bridge.

7. The excess over original contract price paid for the completion of each bridge, if any, briefly stating reasons, why the excess was incurred or allowed.

Resolved further, That such data be furnished to the House of Representatives, and the Senate, in as short time as possible, not exceeding fifteen days from the passage and certification hereof to the State Road Department.

Resolved further, That a certified copy hereof be made and furnished forthwith to the Chairman of the State Road Department.

Was taken up and read the second time.

Mr. Malone moved that the rules be waived and that the Resolution be referred to an appropriate Committee.

Mr. Lindsey moved to adopt the Resolution.

The Resolution was adopted and the action of the Senate was ordered to be certified to the House of Representatives.

Mr. Campbell moved that the hour of adjournment be extended twenty minutes.

Which was agreed to.

The following Communication from the Governor was read:

STATE OF FLORIDA.
EXECUTIVE DEPARTMENT.

Tallahassee, April 16, 1923.

Hon. T. T. Turnbull,
President of the Senate,
Capitol.

Sir:

I have the honor to submit herewith the full report of the Commission appointed under the authority of Chapter 8578, Acts of the Legislature of 1921, the same being, "An Act creating a Commission to be known as the Florida State Commission for securing the construction of the Atlantic, Gulf and Mississippi Canal."

Very respectfully,
CARY A. HARDEE,
Governor.

Which, together with the documents attached, were referred to the Committee on Commerce and Navigation.

Also the following communication from the Governor was read:

STATE OF FLORIDA.
EXECUTIVE DEPARTMENT.

Tallahassee, Fla., April 16, 1923.

Hon. T. T. Turnbull,
President of the Senate,
Capitol.

Sir:

I have the honor of submitting herewith the report of the Commission, together with certain bills proposed by them, as required by Chapter 8463, Acts of the Legislature of 1921, the same being—
"An Act providing for the appointment of a Commission

to inquire into the most feasible plan for compensation to the soldiers, sailors and marines of the State of Florida in the late war with Germany and to prepare a bill to be submitted to the legislature of the State of Florida when the same convenes in A. D. 1923."

Very respectfully,

CARY A. HARDEE,
Governor.

Which together with attached document, were referred to the Committee on Military Affairs.

On motion of Mr. Campbell the Senate met in Executive Session, the doors closing at 12:55 o'clock P. M.

The doors of the Senate Chamber were opened at 1:30 o'clock P. M.

The President in the chair.

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

Mr. President, Senators Anderson, Butler, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—31.

A quorum present.

Mr. Mapoles moved that the Senate do now take a recess until 3:30 o'clock this afternoon, and that the afternoon session be devoted to the consideration of local bills.

The motion was not agreed to.

The hour of adjournment (1 o'clock P. M.) having arrived, the Senate stood adjourned until eleven o'clock A. M. Wednesday, April 18, 1923.