

Friday, May 4, 1923

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

The President in the chair.

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

Mr. President, Senators: Anderson, Butler, Calkins, Campbell, Colson, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—30.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of May 3, 1923, was corrected, and, as corrected, was approved.

On page 33, of Thursday's daily Journal, May 3, 1923, after the extension of time for adjournment, add the following after the paragraph "Which was agreed to," to-wit:

Senate Joint Resolution No. 225, as amended, was referred to the Committee On Engrossed Bills.

By Permission:

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

Senate Chamber.

Tallahassee, Fla., May 4, 1923.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading—

Senate Joint Resolution No. 255:

Proposing an amendment of Section 3, of Article 7, of the Constitution of the State of Florida, relating to Census and Apportionment.

Have carefully examined the same, and find same correctly engrossed, and return same herewith.

Very respectfully,

W. J. SINGLETARY,  
Chairman of Committee.

Senate Joint Resolution No. 255:

"Be It Resolved, by the Legislature of the State of Florida:

That the following amendment of Section 3, of Article 7, of the Constitution, of the State of Florida relating to Census and Apportionment, be, and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for approval or rejection at the next General Election of Representatives to be held on the First Tuesday after the first Monday in November, A. D. 1924; That is to say, that Section 3, of Article 7, of the Constitution, of the State of Florida, shall be amended to read as follows:

Section 3. The Legislature that shall meet in regular session, A. D. 1925, and those that shall meet in every ten years thereafter, shall apportion the Representation in the Senate, and shall provide for thirty-eight (38) Senatorial Districts, such Districts to be as nearly equal in population as practical, but no county shall be divided in making such apportionment, and each District shall have one Senator; and, at the same time, the Legislature shall also apportion the Representation in the House of Representatives, and shall allow three (3) Representatives to each of the five most populous counties, and two Representatives to each of the next eighteen more populous counties and one Representative to each of the remain counties of the State at the time of each apportionment. Should the Legislature fail to apportion the Representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session, to apportion the Representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State Census, whichever shall have been taken nearest any apportionment of Representatives in the Sen-

nate and in the House of Representatives, shall control in making any such apportionment.”

Then continue the remainder of said page 33 as follows:

Senate Joint Resolution No. 255 was read a third time in full, with the adopted amendments.

Upon the passage of Senate Joint Resolution No. 255 as amended the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Stokes, Taylor, Wells, Wicker—28.

Nays—Senators Epperson, Mapoles, Singletary—3.

So the bill as amended, passed by the constitutional majority of three-fifths of all the members elected to the Senate of the Session of 1923, title as stated.

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

Mr. Wells moved that when the Senate adjourns that it adjourn until 4 o'clock P. M.

Which was agreed to.

#### 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, May 4, 1923.

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

*Sir:*

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

(House Bill No. 128):

An Act to confer additional powers upon the City of Miami, a Municipal Corporation of the State of Florida, and to amend paragraph (hh) of Section 3; to amend paragraph (j) of Section 3; to amend paragraph (b) of Section

4, and to amend Sections 15, 30, 57 and 81, of the Charter of the City of Miami, adopted by the electors of the City of Miami at an election held May 17, 1921, which Charter was legalized and validated by Chapter 9024 of the Laws of Florida.

Also—

(House Bill No. 483):

An Act to Validate, Approve and Confirm proceedings taken for the levying of Assessments against abutting property owners in the Town of Lake Wales, Polk County, Florida; for the construction of certain street paving, and to validate, approve and confirm the Ordinances and Resolutions providing for the same and all other Acts and proceedings taken by the Council of said Town and City and other officers and agents of said Town and City for and on behalf of the same in connection with the levying of said assessments; to validate, approve and confirm certificates of indebtedness issued against said assessments and said abutting property on account of said street paving, and to validate, approve and confirm the issuance of improvement bonds at the par value of \$80,000.00 of said Town of Lake Wales, Polk County, Florida; issued against said assessments and said certificates of indebtedness; providing for further assessments, certificates and bonds.

Have examined the same and find them correctly enrolled.

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,

R. H. ROWE,

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

The bills contained in the above report have been duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

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

Senate Chamber,  
Tallahassee, Fla., May 4, 1923.

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

*Sir:*

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

(House Bill No. 436.)

An Act to validate and legalize an election held in and for the City of Bartow on the 13th day of December, A. D. 1921; to validate and legalize the charter of the City of Bartow, which was adopted by the electors of said city at said election held on the 13th day of December, A. D. 1921; and to validate and legalize all contracts, municipal assessments, ordinances and resolutions, appointments and election of officers and all other acts which have been done under and by virtue of said charter, and providing a form and method of government for said City of Bartow.

Whereas, on the 13th day of December, A. D. 1921, in accordance with a call duly issued therefor, an election was held in the City of Bartow, pursuant to Chapter 6940 of the Laws of the State of Florida, Acts of 1915, after which election a charter for the said City of Bartow was adopted by the qualified electors of said city, under which said charter officers have been elected and appointed and the municipal government of said city has functioned since the 8th day of March, A. D. 1922; therefore,

Also—

(House Bill No. 484.)

An Act to provide for the assessment and collection of the taxes of the town of Milton, and for the collection of the back taxes and tax sale certificates of said town.

Have examined the same and find them correctly enrolled.

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,

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

The bills contained in the above report were duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

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

Senate Chamber,  
Tallahassee, Fla., May 4, 1923.

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

*Sir:*

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

(House Bill No. 330.)

An Act to amend Sections 25, 77, 79 and 83 of the charter of the town of Pompano, in Broward County, Florida, embraced in Chapter 6754 of the Laws of Florida, Acts of 1913, the same being An Act entitled "An Act to abolish the present municipal government of the Town of Pompano, in Palm Beach County, Florida; to legalize and validate the ordinances of said Town of Pompano and official acts thereunder; to create and establish a new municipality to be known as the Town of Pompano in Palm Beach County, Florida, and to fix and provide its territorial limits, jurisdiction and powers, and the jurisdiction and powers of its officers"; to provide for assessing and collecting taxes in said town and the issuance of tax sale certificates and tax deeds, and to validate bonds issued by said town during the year 1923, and to repeal all other laws and parts of laws relating to or affecting said town in conflict with this Act.

Also—

(House Bill No. 386.)

An Act to provide for the creation of a municipal corporation to be known as the Town of Delray Beach, in Palm Beach County, Florida; to fix and determine the

territorial limits, jurisdiction and powers of said town and jurisdiction and powers of its officers.

Have examined the same and find them correctly enrolled.

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,

R. H. ROWE,

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

The bills contained in the above report were duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

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

Senate Chamber,  
Tallahassee, Fla., May 4, 1923.

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

*Sir:*

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

(House Bill No. 491):

An Act to authorize the Board of Public Instruction for Pinellas County, Florida, to issue and sell interest-bearing time warrants for the purpose of securing money wherewith to pay claims against the said Board arising on account of the maintenance and support of public free schools and to arrange for the County Commissioners to levy an annual tax for the purpose of creating an interest and sinking fund for the payment of the interest on said warrants when due, and to retire the same at their maturity, and to arrange for the investment of said sinking fund, and to provide for the validation of said warrants.

Also—  
(House Bill No. 343):

An Act prohibiting the operation upon or over the hard surfaced highways and public roads of Dade County, Florida, of vehicles, trucks, tractors, implements, log carts, log wagons and trailers, traction engines, trailers and other implements, without rubber or smooth surfaced metal tires, or having tires or supporting surfaces of a character injurious to said roads or the surface thereof, and providing a penalty for violation of such provisions; and providing for the operation of such vehicles by permission of the Board of County Commissioners; and providing for the operation on such roads of such vehicles used for transportation of logs, timber or turpentine products in accordance with rules and regulations of the Board of County Commissioners and for repair of damage done by said vehicles; and providing penalties for violations of such provisions; and providing for recovery of damages and attorneys' fees from persons damaging such roads; and providing for the granting of temporary and permanent injunctions without bond to protect such roads; and defining "Public Roads" as used in this Act; and providing for the issue of writs of Mandamus to compel the repair of damage done to such roads; and providing rules of evidence for civil actions and criminal prosecutions with regard to such roads and damage thereto; and exempting the Federal, State and County Governments from the provisions hereof while building, maintaining or improving such roads; and vesting in the Board of County Commissioners of said County power and authority to make prescribe and promulgate rules and regulations for the protection of and governing traffic on said roads, and thereby to prescribe the weights of such vehicles and implements, and the width and character of the tires or supporting surfaces thereof, which shall be allowed the use of such roads, and generally regulating and governing the traffic on and use of such roads, and providing penalties for violation of such rules and regulations, and providing for the adoption and promulgation thereof, and rules of evidence to prove such rules and regulations; and providing such rules and regulations shall have the force and effect of law; and repealing all laws in conflict herewith, and providing the method by which this Act may be repealed or modified; providing for the validity of all sections and parts hereof not held invalid; and providing when this Act shall take effect.

Have examined the same and find them correctly enrolled.

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,

R. H. ROWE,

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

The bills contained in the above report were duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

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

Senate Chamber.  
Tallahassee, Fla., May 4, 1923.

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

*Sir:*

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

(House Bill No. 467):

An Act to legalize, ratify, validate and confirm the proceedings of the City of Vero, Florida, in issuing bonds for the purpose of erecting a public building for the use of the municipality of the City of Vero; also in issuing bonds for the purpose of constructing, maintaining, or purchasing an electric light engine for the electric light works of the City of Vero; also in issuing bonds for the purpose of grading, paving, hard surfacing, asphaltting and curbing certain streets in the City of Vero.

Whereas, the City Council of the City of Vero, Florida, did on July 12th, 1922, by ordinance, provide for the issuance of \$50,000 in bonds of said City for the following purposes:

For erecting a public building for the use of the municipality of the City of Vero, \$10,000.

For constructing, maintaining, or purchasing an electric light engine for the electric light works of the City of Vero, \$40,000.

Whereas, an election was duly held, the 18th day of August, A. D. 1922, for the purpose of voting on the question whether the above bonds should be issued; and

Whereas, a majority of the votes cast by the qualified electors voting for each purpose separately, was for the issuance of all said bonds; and

Whereas, the City Council of the City of Vero, Florida, did on August 21, 1922, by ordinance, provide for the issuance of \$17,500 in bonds of the said city for the grading, paving, hard surfacing, asphaltting and curbing of certain streets in the City of Vero, in the said ordinance provided; therefore

Have examined the same and find it correctly enrolled.

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,

R. H. ROWE,

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

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

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

Senate Chamber,  
Tallahassee, Florida, May 4, 1923.

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

Sir:

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

(House Bill No. 388):

An Act relating to the Government and Powers of the City of West Palm Beach, Florida; authorizing, ratifying, validating, approving and confirming certain of its Ordinances and resolutions; authorizing, ratifying, approving, validating and confirming certain special assessments levied against property in the City of West Palm Beach, Florida; and authorizing, ratifying, approving and validating certain of its Municipal Bonds.

Also—

(House Bill No. 464):

An Act Ratifying, Validating and Confirming all Acts and proceedings of the City of Fort Lauderdale, in Broward County, Florida; in the improvement by the construction of an open canal for the purpose of draining the lots and lands lying and being situate within the boundaries of the district known and designated as Storm Sewer District Number Six; declaring the same to be a Storm Sewer or other drain within the meaning of the provisions of Section 81, Chapter 8950, Laws of Florida, special acts of 1921; declaring the same to be a public improvement and Legal and Valid; and Ratifying, Validating and Confirming all assessments and certificates of indebtedness heretofore levied and issued or which may hereafter be levied and issued against the lots and lands within said district benefited by the said improvement; and providing that assessments and certificates of indebtedness levied and issued against the lots and lands within said district shall be liens on said lots and lands benefited prior in dignity to all other liens except liens of a like nature.

Have examined the same and find them correctly enrolled.

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,

R. H. ROWE,

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

The bills contained in the above report have been duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1923.

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

Sir:

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

(House Bill No. 418.)

An Act validating certain taxes, assessments and levies in the Town of Coconut Grove, Dade County, Florida, and granting additional powers to the government of the said municipality.

Also—

(House Bill No. 468.)

An Act legalizing, ratifying, validating and confirming street assessments of the City of Vero, Florida.

Also—

(House Bill No. 145.)

An Act to amend Section 7 of Chapter 8702 of the Laws of Florida, relating to the Probation Officer of Hillsborough County.

Also—

(House Bill No. 466.)

An Act defining what are improved highways in the County of Brevard, in the State of Florida; making regulations for the protection of said highways; prescribing the weight of vehicles that may be used and the speed at which they may be operated on said highways; and fixing a penalty for the violation of this Act.

Also—

(House Bill No. 493.)

An Act to ratify, approve, validate and confirm sales of lands in Pinellas Park Drainage District, County of Pinellas, Florida, in foreclosure proceedings and for the collection of delinquent drainage taxes in said district; and to validate, ratify, approve and confirm every and each master's deed issued for and on behalf of said district, and all proceedings taken in connection with the issuance and sale thereof.

Also—

(House Bill No. 105.)

An Act to prohibit and make it unlawful for live stock to run or roam at large within certain territorial limits of Seminole County, Florida; to provide for the impounding and sale of said live stock when found running or roaming at large in violation of this Act; to provide for the recovery of damages suffered by persons or property by reason thereof, and to provide punishment for the owners of such live stock who wilfully and knowingly permit same to run or roam at large within certain territorial limits of Seminole County, Florida.

Beg leave to report that the same have 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. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Florida, May 3, 1923.

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

Sir:

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

(House Bill No. 454):

An Act amending the present charter of the City of Ocala, and the law of the State of Florida applicable thereto, by placing the fire department of said City of Ocala under the supervision of the City Manager of said City, subject to the same conditions and restrictions as the other departments now under the control; authorizing the City Council of the City of Ocala to create an administrative department of said City, and to determine what items shall be included in such department. Further, empowering the City of Ocala to assess all railroad tracks and right-of-ways in the public streets of the City of Ocala for one-third of the cost of paving and improving any street, in which such right-of-way or tracks may be located; empowering the City Council of the City of Ocala to make assessment for white ways and sewerage. Also authorizing the City Council of the City of Ocala to transfer moneys appropriated by the budget for one department to another department of the city for expenditure, when both the City Council and the head of all departments affected thereby consent. Further validating all acts, contracts, ordinances, resolutions and all assessments for taxation, and special assessments for street improvements of said City.

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

Senate Chamber,  
Tallahassee, Florida, May 3, 1923.

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

*Sir:*

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

(House Bill No. 194):

An Act authorizing and empowering the Board of County Commissioners of St. Johns County, Florida, to issue and sell certificates of indebtedness in a sum or sums not to exceed two per cent. of the assessed valuation of the taxable property of said St. Johns County for the year preceding the issue of said certificates of indebtedness, and to provide for the application of the funds derived from each issue and sale of said certificates of indebtedness in constructing, grading, hard surfacing and otherwise improving the public roads of said county, and building of bridges, in said county, and authorizing and empowering the said Board by resolution to provide for payment of interest and raising a sinking fund for payment of said certificates of indebtedness, and authorizing and empowering the said Board to levy annually a tax sufficient for such purposes.

Also—

(House Bill No. 195):

An Act to ratify, confirm and validate the action and proceedings of the Board of County Commissioners of St. Johns County, State of Florida, had and taken pursuant to Chapter 8820, Laws of 1921, in relation to the purchase of the bridge across the Mantanzas river in St. Johns County, Florida, belonging to the St. Johns Electric Company, and the issuance and sale of interest-bearing time coupon warrants to provide funds for the purchase of said bridge.

Beg leave to report that the same have 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. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber.  
Tallahassee, Fla., May 3, 1923.

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

*Sir:*

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

(House Bill No. 389):

An Act relating to the Special Tax School Districts of Palm Beach County, Florida; defining the boundaries of said Special Tax School District; and declaring said Districts as defined by this Act to be legally created and legal Tax School Districts.

Also—

(House Bill No. 38):

An Act providing for the appointment of an additional Circuit Judge in and for the Fourth Judicial Circuit of Florida.

Beg leave to report that the same have 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. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1923.

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

*Sir:*

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

(House Bill No. 483.)

An Act to amend Chapter 6619, Laws of Florida, being An Act entitled "An Act to authorize the County Commissioners of Marion County, State of Florida, to appoint a Superintendent of Public Roads and Bridges, to define their powers and duties in working the county convicts and the laying out of new roads, building and repairing the public roads and bridges of said county by contract and otherwise," by amending Sections 2, 4 and 6, striking out Section 10, and amending Sections 13 and 16.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1923.

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

*Sir:*

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

(House Bill No. 569.)

An Act authorizing and directing the Board of Public Instruction of Citrus County, Florida, to pay to B. O. Bowden, Sheriff of Citrus County, the sum of \$543.75 as money due the said B. O. Bowden for acting as game warden for said county, and directing what funds the same shall be paid out of, and providing further that should the said B. O. Bowden continue to discharge said duties that he shall be paid for future services.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1923.

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

*Sir:*

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

(House Bill No. 437):

An Act ratifying, validating and confirming all acts and proceedings of the City of Fort Lauderdale, in Broward County, Florida, in the improvement by the construction of an open canal for the purpose of draining the lots and lands lying and being situate within the boundaries of the district known and designated as Storm Sewer District Number 8; declaring the same to be a storm sewer or other drain within the meaning of the provisions of Section 81, Chapter 8950, Laws of Florida, Special Acts of 1921; declaring the same to be a public improvement and legal and valid; and ratifying, validating and confirming all assessments and certificates of indebtedness heretofore levied and issued, or which may hereafter be levied and issued against the lots and lands within said district bene-

fited by the said improvement; and providing that assessments and certificates of indebtedness levied and issued against the lots and lands within said district shall be liens on said lots and lands benefited, prior in dignity to all other liens except liens of a like nature.

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

Senate Chamber,  
Tallahassee, Florida, May 3, 1923.

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

*Sir:*

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

(House Bill No. 34):

An Act to abolish the present Municipal Government of the Town of Silver Bluff, in the County of Dade, and State of Florida; and to organize and establish a Town Government for the same: to prescribe its jurisdiction and powers; and to authorize the imposition of penalties for the violation of its ordinances.

Also—

(House Concurrent Resolution No. 10):

Whereas, It has recently been announced that ex-Governor James M. Cox, of Ohio, has purchased the Miami Metropolis, a newspaper at Miami, in this State; and

Whereas, It has been announced that Governor Cox will operate the said paper; and

Whereas, In his announcement of the purchase the Governor stated that his paper will uphold the principles of Jeffersonian Democracy and devote itself to the public interest; Now, therefore

Be it Resolved by the House of Representatives, the Senate concurring, That the Legislature of the State of Florida congratulates the City of Miami, and the people of the State of Florida; that Governor Cox, a Democrat, who has been honored by the highest nomination within the gift of his party, and who has stood for the principles of Jeffersonian Democracy, has become identified with the interests of Miami and of Florida.

Be it further Resolved, That Governor Cox be and he is hereby invited to address the members of the Senate and the House of Representatives in joint session in the hall of the House of Representatives at the hour of eight (8) o'clock P. M. on May 15th, 1923.

Beg leave to report that the same have 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. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Florida, May 3, 1923.

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

*Sir:*

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

(Senate Memorial No. 1):

A memorial to the Interstate Commerce Commission of the United States of America, asking that the American Railway Express Company be required to furnish to strawberry growers of Florida, express refrigerator car service to transport their strawberries to the markets, similar to the service now given the State of Louisiana.

Whereas, there is growth in the State of Florida annually many thousand cars of strawberries; and,

Whereas, the only present method of transporting said strawberries by car load lots is by freight refrigerator cars which are so slow in reaching the markets that the said strawberries decay in transit; and,

Whereas, if the American Railway Express Company is not required to furnish the strawberry growers of Florida express refrigerator cars to transport their strawberries to the markets, the said strawberry growers of Florida will be forced to abandon the growing of strawberries for market, and the State will thereby lose one of its greatest industries; therefore,

Be it Resolved by the Legislature of the State of Florida, that the Interstate Commerce Commission of the United States of America be and is hereby requested to require and order the said American Railway Express Company to furnish the strawberry growers and shippers of Florida a sufficient number of express refrigerator cars to transport and carry their strawberry crop each year to the markets.

Resolved, further, that our Representatives in Congress be and are hereby respectfully requested to use every honorable means to have the Interstate Commerce Commission of the United States of America to order and require the American Railway Express Company to furnish the strawberry growers and shippers of Florida, a sufficient number of express refrigerator cars to transport and carry by express their strawberry crop to the markets annually.

Resolved further, that the Secretary of State be and is hereby instructed to forewith mail a copy of the memorial, under the Great Seal of the State, to the Interstate Commerce Commission of the United States of America and to each of our Senators and Representatives in Congress of the United States.

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

Senate Chamber,  
Tallahassee, Florida, May 3, 1923.

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

Sir:

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

(Senate Concurrent Resolution No. 3):

Whereas, the subject of taxation and tax reform has been generally discussed in the press of the State of Florida and has been called to the attention of this Legislature by the Governor of the State of Florida; and

Whereas, the subject of tax reform can only be adequately handled at this session of the Legislature by Special consideration being given to the matter by joint action of the House and Senate; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, that a Special Committee be appointed which shall consist of five members, of whom two shall be appointed by the President of the Senate and three by the Speaker of the House of Representatives, which Special Committee shall be, and is, hereby charged with the duty of preparing and presenting to this Legislature suitable bills, or Joint Resolutions proposing constitutional amendments having for their object a thorough reform of the tax system of the State of Florida for the relief of the people of the State, and that such measures shall be referred to the Finance and Taxation Committees, who shall make report on the same at the earliest possible date, and such measures when favorably reported by standing committees shall be made special orders on the Calendars of the House and Senate until disposed of.

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

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

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

Senate Chamber,  
Tallahassée, Fla., May 3, 1923.

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

*Sir:*

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

(Senate Concurrent Resolution No. 5):

Whereas, it is necessary that highways of an inter-state character be provided in order that such growth may be fostered and made secure and permanent, and

Whereas, the Federal Government has made provision for aiding the construction of inter-state highways into the State of Florida, and

Whereas, the State Road Department of Florida has not constructed or completed any highway in the State of an inter-state character.

Therefore, Be It Resolved by the Senate, the House of Representatives concurring, that the State Road Department of Florida furnish the Legislature, within ten days, the following information:

1. What roads it intends to construct in the State of Florida of an inter-state character.
2. When it proposes to finish construction of said roads.
3. What work has been done on such roads, what parts of them have been completed, what parts have not been completed, and what is necessary to complete them.
4. What portions of such roads the Federal Government has provided for Federal aid on same.
5. Where each road is located and the time required to finish them, together with amount Federal aid has been allotted.

Be it further Resolved, That a copy of this resolution be immediately furnished to the Chairman of the State Road Department of 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. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1923.

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

*Sir:*

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

(Senate Bill No. 26.)

An Act to amend Sections 6123, 6124, 6125 and 6126 of the Revised General Statutes of Florida, relating to the manner and means of inflicting punishment of death in this State, so as to provide for the infliction of the punishment of death by electrocution.

Also—

(Senate Bill No. 223.)

An Act to authorize the Board of Bond Trustees of Special Road and Bridge District Number One of Alachua County, Florida, to complete certain roads now under construction, build new roads, and to meet State and Federal aid in the construction of State Road Number Two, within said Special Road and Bridge District, to issue bonds to pay for same, and to borrow money thereon pending sale of bonds.

Also—

(Senate Bill No. 86.)

An Act to amend Section 3724 of the Revised General Statutes of the State of Florida, providing that no administration shall be necessary under certain circumstances.

Also—

(Senate Bill No. 49.)

An Act fixing the number of Justices of the Supreme Court at six instead of five and providing for the selection of the additional justice.

Beg leave to report that the same have 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. Rowe, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Florida, May 3, 1923.

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

*Sir:*

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

(Senate Bill No. 16):

An Act authorizing Banks and Trust Companies incorporated under the Laws of Florida to invest to a limited extent in the stock of banks chartered under Act of Congress to do business in this State under an act entitled, "An Act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create government depositories and financial agents for the United States, and for other purposes." Approved July 17, 1916.

Also—

(Senate Bill No. 23):

An Act to provide for the observance of temperance and health day in the public schools of the State of Florida, and for other purposes.

Beg leave to report that the same have 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. MacWilliams, Chairman of the Committee on  
Judiciary A, submitted the following report:

Senate Chamber,  
Tallahassee, Florida, May 3, 1923.

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

*Sir:*

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 312:

A bill to be entitled An Act to amend Section 4955 of the Revised General Statutes of Florida, relating to the fees of inspectors of naval stores for inspecting rosin and turpentine.

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

In Section 1, line 7, before the word "barrel," insert "round."

Very respectfully,

W. A. MacWILLIAMS,  
Chairman of Committee.

And Senate Bill No. 312, with committee amendment, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Florida, May 3, 1923.

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

Sir:

Your Committee on Judiciary A, to whom was referred—  
Senate Bill No. 184:

A bill to be entitled An Act providing for the appointment of an assistant to the Solicitor of Criminal Courts of Record in certain counties.

Also—

Senate Bill No. 217:

A bill to be entitled An Act to provide a simplified method of taking and prosecuting appeals for Municipal Courts and Mayor's Courts to the Circuit Court in this State.

Also—

Senate Bill No. 270:

A bill to be entitled An Act providing a supplemental, additional and alternative method of making local improvements in cities, towns and municipal corporations, authorizing and providing for special assessments for the cost thereof, and authorizing the issuance and sale of bonds of such municipalities, and providing for the creation of a revolving fund and the issuance and sale of bonds therefor.

Also—

Senate Bill No. 351:

A bill to be entitled An Act to make certain deeds and mortgages that have been recorded, through not properly acknowledged, and certified copies thereof, admissible in evidence without proof of execution.

Also—

Senate Bill No. 356:

A bill to be entitled A Curative Act relating to conveyances heretofore made omitting the word "Heirs," but disclosing an intention to convey an estate in fee simple.

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

Very respectfully,

W. A. MacWILLIAMS,

Chairman of Committee.

And Senate Bills Nos. 184, 217, 270, 351, and 356, contained in the above report were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1923.

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

Sir:

Your Committee on Judiciary A, to whom was referred—  
Senate Bill No. 288:

A bill to be entitled An Act fixing the pay of jurors attending the County Judge's Courts in certain Counties of this State, and prescribing the manner in which said jurors shall be summoned.

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

Very respectfully,

W. A. MacWILLIAMS,

Chairman of Committee.

And Senate Bill No. 288, contained in the above report, was placed on the table under the rules.

Mr. Scales, Chairman of the Committee on Game and Fish, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 4, 1922.

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

Sir:

Your Committee on Game and Fish, to whom was referred—

Senate Bill No. 361:

A bill to be entitled An Act to protect fresh water fish in the State of Florida; to provide for the enforcement of this Act and to provide a penalty for the violation of the same.

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

Very respectfully,

J. H. SCALES,  
Chairman of Committee.

And Senate Bill No. 361, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Phillips, Chairman of the Committee on Cities and Towns, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 4, 1922.

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

Sir:

Your Committee on Cities and Towns, to whom was referred—

House Bill No. 235:

A bill to be entitled An Act to validate, approve and confirm all the proceedings heretofore taken by the City of Marianna, Florida, in the contracting, construction, completion and acceptance of the paving and incidental improvements in connection therewith of certain streets and public places of said city, and in the levying of assessments against the abutting property of the streets and public ground so paved, and to validate, approve and

confirm the liens of such assessments, and of the certificates of indebtedness issued upon same as against the abutting property aforesaid, and to validate, approve and confirm the issuance of certain special improvement bonds of said City of Marianna, aggregating \$34,500.00, par value, issued against certain of said assessments and certificates of indebtedness.

Have had the same under consideration, and recommend that it do pass, with the following amendments:

Add to Section 1 the following: "Provided, that this Act shall not affect any suit now pending in any court to test the validity of any of said paving certificates."

Add to Section 2 the following: "Provided, that this Act shall not affect any suit now pending in any court to test the validity of any of said paving certificates."

To be placed on Calendar of Local Bills on Second Reading.

Very respectfully,

W. W. PHILLIPS,  
Chairman of Committee.

And House Bill No. 235, with committee amendments, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Knight, Chairman of the Committee on Judiciary B, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 4, 1923.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

House Bill No. 113:

A bill to be entitled An Act to amend Sections 5157 and 5159, of the Revised General Statutes of Florida, being an Act for the protection of hotels, inn keepers, lodging houses and eating houses.

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

Very respectfully,

D. E. KNIGHT,  
Chairman of Committee.

And House Bill No. 113, contained in the above report was placed on the table under the rule.

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

Senate Chamber,  
Tallahassee, Florida, May 2, 1923.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading—

Senate Bill No. 147:

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

Have carefully examined the same, and find same correctly engrossed, and return same herewith.

Very respectfully,

W. J. SINGLETARY,  
Chairman of Committee.

And Senate Bill No. 147, contained in the above report, was ordered to be certified to the House of Representatives.

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

Senate Chamber,  
Tallahassee, Florida, May 4, 1923.

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

Sir:

Your Committee on Appropriations, to whom was referred—

Senate Bill No. 374:

A bill to be entitled An Act to authorize the Board of Commissioners of State Institutions to pay for material furnished and work done on the State Capitol Building not contemplated when the work of repairing and remodeling the building was begun; to authorize the Board of Commissioners of State Institutions to pay for furniture purchased for the Senate Chamber and House of Representatives and to purchase furniture for Committee Rooms; to provide for additional work of the Capitol Building and for constructing walks, drives and beautifying the Capitol grounds and making an appropriation for the same.

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

Very respectfully,

W. C. HODGES,  
Chairman of Committee.

And Senate Bill No. 374, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Fla., May 4, 1923.

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

*Sir:*

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading—

Senate Bill No. 186:

A bill to be entitled An Act authorizing the Sale and Disposition of Sand and Gravel from certain lands in this State and to provide for the disposition of the funds arising therefrom.

Have carefully examined the same, and find same correctly engrossed, and return same herewith.

Very respectfully,

W. J. SINGLETARY,  
Chairman of Committee.

And Senate Bill No. 186, contained in the above report, was ordered to be certified to the House of Representatives.

#### INTRODUCTION OF BILLS.

By Mr. Butler—

Senate Bill No. 375:

A bill to be entitled An Act assenting to and accepting the provisions of An Act of Congress, approved November 23, 1921, entitled "An Act for the promotion of the Welfare and Hygiene of Maternity and Infancy; to appropriate Money and regulate its expenditure and designating agencies to handle such funds and for other purposes;" to designate the State Board of Health as the Agency to Act as custodian of all funds allotted to the State of Florida by the provisions of said Act and to expend the same through the Child Welfare or Child Hygiene Division of the State Board of Health.

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

By Mr. Overstreet—  
Senate Bill No. 376:

A bill to be entitled An Act to require all trucks propelled by motive power other than muscular power to have attached thereto a mirror and provide a penalty for violation thereof.

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

By Mr. Colson—  
Senate Bill No. 377:

A bill to be entitled An Act to authorize County Boards of Public Instruction to exercise the powers of eminent domain and to thereby acquire real and personal property for school purposes.

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

By Mr. Campbell—  
Senate Bill No. 378:

A bill to be entitled An Act to establish Dade Drainage District in this State and define its boundaries; to create a Board of Supervisors for said district and to define its powers; authorizing the construction of canals, drains, dikes, reservoirs and other works for the reclamation and benefit of the lands embraced in said district, and to levy assessments of taxes upon the lands embraced in such district and to provide for the collection of the same and the sale of lands to enforce the collection of such assessments, and to authorize the Board of Supervisors of said district to borrow money and to issue bonds and dispose of the same to procure money to carry out the provisions of this Act, to prevent injury to any works constructed under this Act, and to provide a penalty for violating such provisions; providing for the joint control and supervision of certain drainage works by Board of Commissioners of Everglades Drainage District, Board of Supervisors of Dade Drainage District, and Board of Supervisors of Southern Drainage District; and to amend Section 2 of Chapter 8871, Laws of Florida, Acts of 1921, and to amend Section 6 of Chapter 8871, Laws of Florida, Acts of 1921.

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. Knight—

Senate Bill No. 379:

A bill to be entitled An Act providing and defining the locality in which bills for divorce may be filed.

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

By Judiciary B Committee—

Senate Bill No. 380:

A bill to be entitled An Act in relation to the duties of prosecuting officers of County Courts, Courts of Record, and Criminal Courts of Record.

Which was read the first time by its title.

And the bill was placed on the Calendar of Bills on the Second Reading without reference.

By Mr. Scales—

Senate Bill No. 381:

A bill to be entitled An Act to define and designate and prescribe the appointment of executors, administrators, guardians and trustees of estates and other interests under the jurisdiction of any court in the State of Florida or otherwise.

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, May 3, 1923.

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

*Sir:*

I am directed by the House of Representatives to return to the Senate, as requested—

Senate Bill No. 133:

A bill to be entitled An Act to amend Section 3 and Section 7 of Chapter 8541 of the Acts of the Legislature for the year 1921, relating to traffic officers and their compensation and term of office.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And the Bill was placed on the Calendar of Bills on the Third Reading, subject to reconsideration of the vote by which it passed the Senate.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., May 3, 1923.

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

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in the Senate Amendment to—

House Bill No. 410:

A bill to be entitled An Act to amend Section 4 of Article 8 of Chapter 5359, Laws of Florida of 1903, organizing a municipal government for the town of Perry, Florida.

Which amendment is as follows:

In the first line of title, following the word "the" add the word "general."

Also, in the first line of Section 1, following the word "the" add the word "general."

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., May 3, 1923.

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

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to—

House Bill No. 409:

A bill to be entitled An Act to amend the Charter of the City of Sarasota, being Chapter 6768, Acts of 1913, Laws of Florida, by amending Section 8, and by adding three additional sections to said Charter to be known as Sections 16 (a), Section 56 and Section 57.

Amendment No. 1. In Section 57 (a), Paragraph C, Line Two, strike out the words "with all," and insert in lieu the following: "to procure information and make recommendations to the council of all facts bearing upon the needs of the city, with regard to recreation grounds, the development and improvement of parks and boulevards, the improvement of water fronts, the extension, opening or closing or widening of streets and avenues or other public ways or places and all other city plans and improvements generally, with all other."

Amendment No. 2. At the end of Section 57 (a), add the following: "Whenever a vacancy occurs by death or resignation or otherwise of any member of said commission, the city council shall have power to appoint immediately a commissioner to fill such unexpired term."

Very respectfully,

**B. A. MEGINNISS,**  
Chief Clerk House of Representatives.

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, May 3, 1923.

*Hon. T. T. Turnbull,*  
*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 Concurrent Resolution No. 11:

Whereas, the importance of improving our waterways will serve a pressing economic necessity; and

Whereas, the making of the Suwannee River navigable for heavier craft by the deepening of same from the mouth to Branford in Suwannee County would develop one of the finest sections of Florida; and

Whereas, the citizens residing in the counties adjacent to and near by said River have organized an association for the purpose of promoting and advocating this proposition, thereby demonstrating their faith and interest in said project; and

Whereas, this would materially lessen freight rates greatly to the benefit of all citizens of said territory; and

Whereas, it is a policy of the Federal Government to deepen rivers and harbors for the development and maintenance of commerce: Therefore, be it

Resolved, that the House of Representatives, the Senate concurring, do hereby memorialize the Congress of the United States to authorize the deepening of the Suwannee River from its mouth to Branford to such depth and width as to enable navigation for such size vessels as Government Engineers determine shall be expedient and practical.

Resolved further, that the Secretary of State be directed to furnish each of our Senators and Representatives in Congress, a copy of this Resolution under the great Seal of the State.

And respectfully requests the concurrence of the Senate thereto.

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

And House Concurrent Resolution No. 11, contained in the above message was read the first time.

Mr. Johnson moved that the rules be waived and House Resolution No. 11 be read a second time.

Which was agreed to by a two-thirds vote.  
House Resolution No. 11 was read a second time.

Mr. Johnson moved the adoption of the Resolution.

Which was agreed to.

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

#### ORDERS OF THE DAY.

##### Senate Bill No. 332:

A bill to be entitled An Act to permit the voluntary resignation and retirement of Justices of the Supreme Court under certain conditions, with pay.

Was taken up in its order and the consideration of the same was temporarily passed over.

##### Senate Bill No. 43:

A bill to be entitled An Act to prohibit corporal punishment to prisoners and prohibiting any department by rule or regulation authorizing the same.

Was taken up in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 425, of 1921, was taken up in its order and the consideration of the same was temporarily passed over.

Mr. Colson moved that Senate Bill No. 7 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

#### BILLS AND JOINT RESOLUTIONS ON THE THIRD READING.

##### 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 in its order and read the third time in full.

Upon the passage of Senate Bill No. 7 the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Eaton, Epperson, Etheredge, Igou, Johnson, Knight, MacWilliams, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Wicker—23.

Nays—Senators Hodges, Lindsey, Stokes, Taylor—4.

So the bill passed, title as stated.

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

Mr. Singletary moved that Senate Bill No. 186 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

##### Senate Bill No. 186:

A bill to be entitled An Act authorizing the sale and disposition of sand and gravel from certain lands in this State and to provide for the disposition of the funds arising.

Was taken up, having already been read the third time.

And placed before the Senate.

By Unanimous Consent—

Mr. Singletary offered the following amendment to Senate Bill 186:

Add at end of Section one the following: "except those lands embraced in Everglades Drainage District.

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

Upon the passage of Senate Bill No. 186 the roll was called and the vote was:

Yeas—Senators Anderson, Campbell, Colson, Eaton, Epperson, Hodges, Igou, Johnson, Lindsey, MacWilliams, Mapoles Mitchell, Phillips, Putnam, Rowe, Shelley, Singletary, Stokes, Wells, Wicker—21.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 2:

A bill to be entitled An Act regulating the issuance of checks, drafts, and orders for the payment of money within the State of Florida and to provide a penalty for the violation of this Act.

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

Upon the passage of Senate Bill No. 2, the roll was called and the vote was:

Yeas—Senators Butler, Campbell, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Wells, Wicker—23.

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. 108, was taken up in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 4:

A bill to be entitled An Act to amend Section 747, Revised General Statutes of Florida, pertaining to taxation and the annual return of railroads, sleeping and parlor car companies, to the property of such Companies for taxation; providing for the assessment of such property when proper return is made, and providing for the apportionment of the assessment of such property to counties and municipalities.

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

The roll was called and the vote was:

Yeas—Senators Anderson, Butler, Campbell, Colson, Etheredge, Hodges, Johnson, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Singletary, Stokes, Taylor, Wells, Wicker—24.

Nays—None.

So the bill passed, title as stated.

Mr. Phillips moved to waive the rules and that House Bill No. 235 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

House Bill No. 235:

A bill to be entitled An Act to validate, approve and confirm all the proceedings heretofore taken by the City of Marianna, Florida, in the contracting, construction, completion and acceptance of the paving and incidental improvements in connection therewith of certain streets and public places of said city, and in the levying of assessments against the abutting property of the streets and public ground so paved, and to validate, approve and confirm the liens of such assessments, and of the certificates of indebtedness issued upon same as against the abutting property aforesaid, and to validate, approve and confirm the issuance of certain special improvement bonds of said City of Marianna, aggregating \$34,500.00, par value, issued against certain of said assessments and certificates of indebtedness.

Was taken up and read a second time in full.

Mr. Phillips offered the following committee amendment to House Bill No. 235:

Add to Section 1, the following: "Provided that this Act shall not affect any suit now pending in any court to test the validity of any of said paving certificates."

Mr. Phillips moved the adoption of the amendment.

Which was not agreed to.

Mr. Phillips offered the following committee amendment:

Add to Section 2 the following: "Provided, that this Act shall not affect any suit now pending in any court to test the validity of any of said paving certificates."

Mr. Phillips moved the adoption of the amendment.

Which was not agreed to.

Mr. Singletary moved that the rules be further waived and that House Bill No. 235 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. 235 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, Colson, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—30.

Nays—None.

So the bill passed, title as stated.

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

By consent—

Mr. MacWilliams introduced—

Senate Bill No. 382:

A bill to be entitled An Act to provide for the registration of dealers in motor vehicles and the issuing to such dealers motor vehicle demonstration tags; also to provide for the transfer of registration of a motor vehicle from a dealer in motor vehicles to the purchaser.

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

By consent—

Mr. Wicker introduced—

Senate Bill No. 383:

A bill to be entitled An Act to amend Section 612 of Revised General Statutes of Florida, providing that the State Board of Control of the State of Florida shall fix a rate of tuition to be charged all non-resident students attending the University of Florida, Florida State College for Women and the Florida Agricultural and Mechanical College, to provide for assessment, collection and disbursement of same.

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

Mr. Calkins moved that Senate Bill No. 231 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 231:

A bill to be entitled An Act to amend Section 6102 of the Revised General Statutes of Florida providing when Grand Jury of another county may indict for crimes committed outside of such county.

Was taken and read a second time in full.

Mr. Calkins offered the following amendment to Senate Bill No. 231:

Strike out Section 2, and insert in lieu thereof the following: "Section 2. That this Act shall take effect upon becoming a law."

Mr. Calkins moved the adoption of the amendment.

Which was agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 231:

Amend title of the bill by adding to the title the following: "And relating to the place of trial."

Mr. Calkins moved the adoption of the amendment.

Which was agreed to.

Mr. Calkins moved that the rules be further waived and that Senate Bill No. 231, as amended, 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. 231, as amended, 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, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wicker—26.

Nays—None.

So the bill passed, title as stated.

And Senate Bill No. 231, which passed the Senate as amended, was ordered to be referred to the Committee on Engrossed Bills, and upon their report to the body to be certified to the House of Representatives.

Mr. Stokes moved that the rules be waived and that Sen-

ate Bill No. 272 be transferred from the General Calendar to the Calendar of Local Bills on Second Reading.

Mr. Wicker moved that Senate Bill 188 be made a special order for Tuesday, May 8, 1923, at 11 o'clock A. M.

Which was agreed to.

Mr. Scales moved that the vote by which House Concurrent Resolution No. 12 was adopted by the Senate be reconsidered.

Which motion went over under the rules.

Mr. Johnson moved that House Concurrent Resolution No. 12 be recalled from House of Representatives.

Which was agreed to.

Mr. Johnson moved that the Senate do now go into executive session.

Which was agreed to.

The Senate Chamber was cleared and the Senate went into executive session at 11:47 o'clock A. M.

The doors of the Chamber were opened at 1:30 P. M. President in the Chair.

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

Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wicker—28.

The following message from the Governor was received and ordered to be spread on the Journal:

State of Florida, Executive Department,  
Tallahassee, May 3, 1923.

*Hon. T. T. Turnbull,*  
*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. 80.)

An Act to amend Section 5470 of the Revised General Statutes of the State of Florida, relative to the proof of the alcoholic content and intoxicating nature of intoxicating liquors and beverages.

Very respectfully,

CARY A. HARDEE,  
Governor.

Executive Department,  
Tallahassee, Florida, May 4, 1923.

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

*Sir:*

I have the honor to inform you that the following Acts, which originated in your honorable body, have been filed with the Secretary of State; same having been in my possession the Constitutional period of time provided in such cases, and have become laws without my approval:

(Senate Bill No. 177):

An Act to divide the County of Highlands into Special Tax School Districts and prescribing the Boundaries thereof.

Also—

(Senate Bill No. 179):

An Act to validate and confirm the action of the Board of County Commissioners of Citrus County in determining that no revision, erasures or changes where necessary on the Registration Books of Citrus County, Florida, in connection with the holding of the Special Bond election on March 6, 1923.

Also—

(Senate Bill No. 194):

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.

Also—

(Senate Bill No. 195):

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, copartners doing business under the firm name and style of Hickey Brothers, and declaring the same to be legal and binding.

Also—

(Senate Bill No. 196):

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.

(Senate Bill No. 197.)

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

(Senate Bill No. 198.)

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.

(Senate Bill No. 221.)

An Act to classify the improved roads in DeSoto County, Florida, to designate the traffic permissible thereon, and to make it a misdemeanor to use said roads for traffic that is not permissible under this Act, and to empower the Board of County Commissioners of said county, on behalf of the county or any Special Road and Bridge District thereof, to recover damages for injury to the roads and bridges in said county.

(Senate Bill No. 233.)

An Act to authorize and empower the County Commissioners of Leon County to issue and sell interest bearing time warrants for the purpose of raising funds with which to alter, remodel, enlarge, repair and refurnish the court house of said county.

Very respectfully,

CARY A. HARDEE,  
Governor.

Mr. Stokes moved that the Senate do now adjourn until 4 o'clock P. M. Monday, May 7.

Upon which Yeas and Nays vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Epper-son, Hodges, Igou, Johnson, Lindsey, Mitchell, Russell, Scales, Shelley, Stokes, Taylor—14.

Nays—Senators Campbell, Colson, Eaton, Etheredge, MacWilliams, Mapoles, Overstreet, Phillips, Putnam, Rowe, Singletary—11.

The Motion of Mr. Stokes was agreed to.

Thereupon the Senate stood adjourned at 1:40 P. M. o'clock Friday, May 5, 1923, to Monday 4 o'clock P. M., May 7, 1923.

#### REMOVAL.

The Senate in Executive Session today sustained the suspension by the Governor, and removal from office of A. W. Turner, Sheriff of Broward County, Fla.