

Wednesday, April 18, 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, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—31.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of April 17th was corrected and, as corrected, was approved.

#### REPORTS OF COMMITTEES.

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

Senate Chamber,  
Tallahassee, Florida, April 18, 1923.

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

*Sir:*

Your Committee on Judiciary A, to whom was referred—  
Senate Bill No. 55:

A bill to be entitled "An Act to provide for safety to life and property in the State of Florida in the construction and use of steam boilers; authorizing the State Board of Engineering Examiners to adopt rules and regulations for boilers used in this State, which will be uniform with rules now in existence in other states, in order to provide for free interchange of boilers between states; to define the

power of the State Board of Engineering Examiners under this act; to provide penalties for the violation of this act, and rules and regulations of the State Board of Engineering Examiner."

Have had the same under consideration and the committee offers the following amendments for adoption:

No. 1. In Section 1, line 3, add after the word: "Boilers" the following: "hereafter brought into the State of Florida."

No. 2. At the end of Section 3 add: "Provided that anything contained in this act shall not apply to locomotive and stationary boilers of railroad companies where the same are regularly inspected."

And with the amendments recommend that it do pass.

Very respectfully,

W. A. MacWILLIAMS,  
Chairman of Committee.

And Senate Bill No. 55, with proposed committee amendments, 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, April 18, 1923.

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

*Sir:*

Your Committee on Judiciary A, to whom was referred—  
Senate Bill No. 121:

A bill to be entitled "An Act to provide that attorneys at law may prepare transcripts of the record for use on any appeal to the Supreme Court; to require the certification of such transcripts by the clerk of the lower court and prescribe his compensation therefor, and prescribe penalties for the violation of this Act."

Also—

Senate Bill No. 141:

A bill to be entitled "An Act to amend Section 363, Revised General Statutes of Florida, 1920, relating to primary elections in municipalities."

Also—

Senate Bill No. 67:

A bill to be entitled "An Act to provide for an additional Circuit Judge for the Thirteenth Judicial Circuit of Florida, and the dispatch of business in said Circuit after such appointment."

Also—

House Bill No. 74:

A bill to be entitled "An Act to remove the disability of certain female minors."

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

Very respectfully,

W. A. MacWILLIAMS,  
Chairman of Committee.

And Senate Bills Nos. 121, 141, 67, and House Bill No. 74, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Fla., April 18, 1923.

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

*Sir:*

Your Committee on Judiciary A, to whom was referred—

House Bill No. 59:

A bill to be entitled An Act to provide for an additional Circuit Judge for the Thirteenth Judicial Circuit of Florida, and to regulate the dispatch of business in said Circuit after such appointment.

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

Very respectfully,  
W. A. McWILLIAMS,  
Chairman of Committee.

And House Bill No. 59, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Fla., April 18, 1923.

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

*Sir:*

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 136:

A bill to be entitled An Act to prohibit games of chance or skill by any person or persons connected with any show, minstrel, carnival, theatrical or other exhibition performing in this State or licensed under provisions of Sections 972 and 973 of the Revised General Statutes of Florida; to prohibit the obscene or indecent shows from exhibiting in this State and providing a penalty for the violation of this Act.

Have had the same under consideration, and the Committee offers the following amendments for adoption:

No. 1. In Section 3, lines 5 and 6, strike out the words "less than thirty days and not."

No. 2. In Section 3, line 4, strike out the words "less than \$25.00 and not."

With the above and amendment recommend that it do pass.

Very respectfully,  
W. A. McWILLIAMS,  
Chairman of Committee.

And Senate Bill No. 136, with proposed Committee amendments, 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, April 18, 1923.

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

*Sir:*

Your Committee on Judiciary A, to whom was referred—  
Senate Bill No. 57:

A bill to be entitled "An Act to amend Sections 2273, 2274, 2275, 2280, 2284, 2286, and 2290, of Chapter 28, of the Revised General Statutes of Florida, entitled "Professional Engineers."

Have had the same under consideration and the committee offer the following amendments for adoption:

No. 1. In Section 1, line 23, strike out the words "and structural works."

No. 2. In Section 1 of line 11 of page 2 strike out the words "any public work involving engineering," and insert in lieu thereof the following: "any public engineering work."

And with the amendments recommend that it do pass.

Very respectfully,

W. A. MacWILLIAMS,  
Chairman of Committee.

And Senate Bill No. 57, with proposed 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, Florida, April 18, 1923.

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

*Sir:*

Your Committee on Judiciary B, to whom was referred—  
Senate Bill No. 175:

A bill to be entitled "An Act requiring the labeling of packages of paint and paint materials; and making the failure to do so a misdemeanor.

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

Very respectfully,

D. E. KNIGHT,  
Chairman of Committee.

And Senate Bill No. 175, 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, Florida, April 18, 1923.

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

*Sir:*

Your Committee on Judiciary B, to whom was referred—  
Senate Bill No. 186:

A bill to be entitled An Act to authorize 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 had the same under consideration, and recommend that it do pass.

Very respectfully,

D. E. KNIGHT,  
Chairman of Committee.

And Senate Bill No. 186, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Fla., April 18, 1923.

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

*Sir:*

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 170:

A bill to be entitled An Act to fix the compensation of County Commissioners in certain counties.

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

Very respectfully,  
D. E. KNIGHT,  
Chairman of Committee.

And Senate Bill No. 170, contained in the above report, was placed on the table under the rule.

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

Senate Chamber,  
Tallahassee, Fla., April 18, 1923.

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

*Sir:*

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 200:

A bill to be entitled An Act to amend Section 3225 of the Revised General Statutes of Florida, relating to Statutory Liens and the provisions applicable to remedies against either real or personal property, providing for attorney's fees to be allowed plaintiff.

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

Very respectfully,  
D. E. KNIGHT,  
Chairman of Committee.

And Senate Bill No. 200, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Campbell, Chairman of the Committee on Drainage, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 18, 1923.

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

*Sir:*

Your Committee on Drainage, to whom was referred—  
Senate Bill No. 167:

A bill to be entitled An Act relating to certain Drainage Tax Certificates held by the Board of Drainage Commissioners, pursuant to the provisions of Chapter 5377 of the Acts of 1905, as amended by Chapter 5709, of the Acts of 1907, and the Board of Commissioners of Everglades Drainage District, pursuant to the provisions of Chapter 6456, of the Acts of 1913, Laws of Florida, and Acts amendatory thereof.

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

Very respectfully,  
CAMPBELL,  
Chairman of Committee.

And Senate Bill No. 167, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. J. H. Scales, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 18, 1923.

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

*Sir:*

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

Senate Bill No. 187:

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

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

Very respectfully,  
J. H. SCALES,  
Chairman of Committee.

And Senate Bill No. 187, contained in the above report, was placed on the Calendar of Bills on Second Reading.

#### INTRODUCTION OF RESOLUTIONS.

Mr. Stokes offered the following Resolution—

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 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 measure, when reported by such committee, shall be a special order on the Calendar of the House and Senate until disposed of.

Which was read the first time.

Mr. Stokes moved that the rules be waived and Senate Concurrent Resolution No. 4 be read a second time.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 4 was read a second time.

Mr. Stokes moved to adopt the Resolution.

Which was agreed to.

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

#### INTRODUCTION OF BILLS.

By Mr. Shelley—

Senate Bill No. 205:

A bill to be entitled An Act to protect and encourage the shell fish industry of the State of Florida.

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

Mr. Shelley moved that 200 copies of Senate Bill No. 205 be printed.

Which was agreed to.

By Mr. Butler—

Senate Bill No. 206:

A bill to be entitled An Act to prohibit the giving of free passage or free tickets by common carriers, and prescribing a penalty for the violation thereof.

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

By Mr. Igou—

Senate Bill No. 207:

A bill to be entitled An Act to amend Sections 3516 and 3517 of the Revised General Statutes of Florida, relating to the priority and acquisition of statutory liens.

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

By Mr. Igou—

Senate Bill No. 208:

A bill to be entitled An Act to provide for the subjecting of estates by entireties 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 estate, 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 A.

Senate Bill No. 209:

By Mr. Igou—

A bill to be entitled An Act to amend Sections 3518 and 3520 of the Revised General Statutes of Florida, relating to the acquisition and enforcement of statutory liens against persons not in privity with the owner, and providing that the owner of the property require of the contractor or contractors a bond with sureties, in order to limit the liability of such owner to persons performing labor or furnishing materials to the owner, to the amount due by the owner to the contractor, prescribing that said bond shall contain an obligation that the contractor or contractors shall promptly make payments to all persons supplying him or them labor and materials in the prosecution of the work provided for in the contract, and providing that such bond shall inure to the benefit of all unpaid laborers and material-men, providing for suit on such bond by such persons, providing that no irregularities or defects in the form or in the execution of the bond, or of alterations in the plans and specifications or the terms of the contract between the owner and the contractor or contractors shall affect the rights of unpaid laborers or material-men thereon, and further providing that in case the owner shall fail, neglect or refuse to obtain such a bond before the commencement of the work, or in the event the bond prove inadequate, uncollectable or insufficient for the protection of all persons supplying the owner labor and materials in the prosecution of the work, or should the owner neglect or refuse to furnish a copy of said bond to any material-man or laborer that any such laborer or material-man shall be entitled to subject the property of

the owner to the full 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 A.

By Mr. Igou—

Senate Bill No. 210:

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 suits instituted.

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

By Mr. Igou—

Senate Bill No. 211:

A bill to be entitled An Act to amend Sections 3525 and 3530 of the Revised General Statutes of Florida, relating to statutory liens and the provisions applicable to remedies against either real or personal property.

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

By Mr. Colson—

Senate Bill No. 212:

A bill to be entitled An Act validating and confirming the tax levies of the City of Archer, in Alachua County, State of Florida, and validating and confirming the ordinances of the said City of Archer, relative to the assessment and collection of taxes and providing a method of enforcing the collection of taxes due and to become due to said City of Archer.

Which was read the first time by its title.

Mr. Colson moved that the rules be waived and Senate Bill No. 212 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 212 was read a second time by its title only.

Mr. Colson moved that the rules be further waived and that Senate Bill No. 212 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. 212 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, Cone, Eaton, Epperson, Etheredge, Igou, Johnson, Knabb, Knight, Lindsey, Malone, Mapoles, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Taylor, Wells, Wicker—28.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Johnson—

Senate Bill No. 213:

A bill to be entitled An Act to amend Section 777 of the Revised General Statutes of Florida relating to notice of application for tax deed.

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

By Mr. Butler—

Senate Joint Resolution No. 214:

A Joint Resolution proposing an amendment to Article VIII of the Constitution of the State of Florida, relative to cities and counties.

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

By Mr. Butler—

Senate Bill No. 215:

A bill to be entitled An Act to provide that persons in possession of merchandise for purpose of sale, or as security for advances or in whose names merchandise shall be shipped, shall be deemed the true owners thereof, so far as to give validity to certain contracts concerning such merchandise, to provide certain duties of shippers and providing a penalty therefor, to entitle the pledgee or consignee of such merchandise to a lien thereon, and providing for the enforcement of such lien.

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

By Mr. Lindsey—

Senate Bill No. 216:

A bill to be entitled An Act to amend Section 1534 (789) Revised General Statutes of Florida, relating to the call for election in county bond issues for public highways and fixing the qualification of the electors in such elections.

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

By Mr. Taylor—

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 Mayors' Courts to the Circuit Court in this State.

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

By Mr. Taylor—

Senate Bill No. 218:

A bill to be entitled An Act to amend Section 2830 of the Revised General Statutes of Florida relating to the obtaining of possession of property levied upon under execution by third persons claiming the same.

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

By Mr. Taylor—

Senate Bill No. 219:

A bill to be entitled An Act concerning declaratory judgments and decrees and to make uniform the laws relating thereto.

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

By Mr. Cone—

Senate Bill No. 220:

A bill to be entitled An Act to provide Cholera Serum and Virus for the suppression of Hog Cholera in the State of Florida, and to provide for the purchase thereof by the Live Stock Sanitary Board, the method of distribution and making appropriation therefor.

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

By Mr. Etheredge—  
Senate Bill No. 221:

A bill to be entitled 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.

Which was read the first time by its title.

Mr. Etheredge moved that Senate Bill No. 221 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 221 was read a second time by its title only.

Mr. Etheredge moved that the rules be further waived and that Senate Bill No. 221 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. 221 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, Cone, Eaton, Epperson, Etheredge, Igou, Johnson, Knight, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Russell, Shelley, Singletary, Taylor, Wells, Wicker—26.

Nays—None.

So the bill passed, title as stated.

By Mr. Campbell—  
Senate Bill No. 222:

A bill to be entitled An Act to license and regulate the business of making loans in sums of three hundred dollars (\$300) or less, secured or unsecured, at a greater rate of interest than ten (10) per centum per annum, prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan.

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

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., April 17, 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—  
Senate Bill No. 25:

A bill to be entitled An Act to give and grant to the Park Wood Lumber Company, a corporation, its successors and assigns, the consent and authority of the State of Florida to construct one more bridge over the canal from St. Andrews Bay to the Apalachicola River for the purpose of conveying logs and timber from its lands on the west side of said canal to its mill at Port St. Joe, Florida.

Very respectfully,

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

And Senate Bill No. 25 contained in the above message was read the first time by its title and referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., April 17, 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 Bill No. 393:

A bill to be entitled An Act to validate and confirm proceedings taken for levying of assessments against abutting property owners in the City of Wauchula, Hardee County, Florida, for the construction of certain street paving, and to validate, approve and confirm the ordinance providing for the same and all other acts and proceedings taken by the Council of said City and other officers and agents of said 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 respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And House Bill No. 393, contained in the above message, was read by its title and placed on the Calendar of Local Bills on the Second Reading.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., April 16, 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 Bill No. 251:

A bill to be entitled An Act to validate tax levies heretofore made in this State and to provide that when lands are actually assessed in the name of the owner thereof, that the levy under such assessment shall not be held invalid because of the fact that the owner thereof has not made return of the property assessed to the tax assessor or other assessing authority.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And House Bill No. 251, contained in the above message, was read the first time by its title and referred to the Committee on Finance and Taxation.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, April 18, 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 Bill No. 412:

A bill to be entitled An Act to legalize and validate an election held in the City of Lakeland, Polk County, Florida, on the 1st day of August, 1922, in pursuance to Sections 1971 to 1985, both inclusive, of the 1920 Revised General Statutes of Florida, at which election amendments to the charter of the City of Lakeland, Polk County, Florida, were adopted; and to validate said amendments to said charter. And to validate all contracts, municipal assessments, election and appointment of officers, and all acts done under and by virtue of said amendments to said charter.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

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

And House Bill No. 412, contained in the above message, was read the first time by its title and was placed on the Calendar of Local Bills on the Second Reading.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, April 18, 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 Bill No. 51:

A bill to be entitled An Act to grant a pension to Elizabeth D. Mattox, of Quincy, Florida.

Also—

House Bill No. 19:

A bill to be entitled An Act to amend Section 2323, Revised General Statutes of Florida, 1920, relating to commitments by probation officer.

Also—

House Bill No. 103:

A bill to be entitled An Act to create and establish a Children's Code Commission, to provide for the appointment of the members thereof, their terms of office, prescribe their powers and duties, and providing for the making of their report and its transmission to the Legislature.

And respectfully requests the concurrence of the Senate thereto.

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

And House Bill No. 51, contained in the above message, was read the first time by its title and referred to the Committee on Pensions.

And House Bill No. 19 was read the first time by its title and was referred to the Committee on Judiciary A.

And House Bill No. 103 was read the first time by its title and was referred to the Committee on Education.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., April 18, 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 Bill No. 144:

A bill to be entitled An Act to amend Section One of Article Four of Chapter 5084 "(No. 200)," Laws of Florida, approved May 22, 1901, relating to the City Charter of the City of Port Tampa.

Also—

House Bill No. 151:

A bill to be entitled An Act affecting the government, the jurisdiction, powers and duties of the City of Tampa.

Also—

House Bill No. 158:

A bill to be entitled An Act to amend the charter of the City of Tampa, and otherwise affecting its government, jurisdiction and powers.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,  
B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills Nos. 144, 151 and 158, contained in the above message, were read the first time by their titles and were placed on the Calendar of Local Bills on Second Reading.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, April 18, 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 Bill No. 285:

A bill to be entitled An Act to Repeal Chapter 8854 of the Special Laws of the State of Florida, Acts of 1921, Being An Act entitled, "An Act to Prescribe the Open and Closed Season for the Hunting of Squirrels in Wakulla County, Florida, and Providing a Penalty for the Violation of This Act."

Also—

House Bill No. 292:

A bill to be entitled An Act for the relief of L. M. Stroup, Game Warden of Lee County, and to authorize and empower the Board of County Commissioners of Lee County, Florida, to pay the sums herein mentioned.

Also—

House Bill No. 303:

A bill to be entitled An Act to prohibit the running or roaming at large of live stock in a certain portion of Lake County; to provide penalties for the violations of this Act and to provide that owners of property damaged or destroyed by live stock running or roaming at large may recover damages for such injury or destruction.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 285, contained in the above message, was read the first time by its title and was placed on the Calendar of Local Bills on the Second Reading.

And House Bill No. 303 was read the first time by its title and was referred to the Committee on Judiciary A.

And House Bill No. 292, contained in the above message, was read the first time by its title.

Mr. Malone moved that the rules be waived and House Bill No. 292 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 292 was read a second time by its title only.

Mr. Malone moved that the rules be further waived and that House Bill No. 292 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. 292 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, Cone, Eaton, Epperson, Hodges, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Phillips, Putnam, Rowe, Russell, Shelley, Singleary, Stokes, Taylor, Wells, Wicker—27.

Nays—None.

So the bill passed, title as stated.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., April 18, 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 Bill No. 26:

A bill to be entitled An Act to amend Sections 8, 9, 18, and 20, Chapter 8002, Laws of Florida, entitled, "An Act to provide for the method and manner of opening, establishing, building, constructing and maintaining public roads and bridges in the County of Calhoun, State of Florida, and providing punishment for the violations of the provisions hereof."

And respectfully requests the concurrence of the Senate thereto.

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

And House Bill No. 26, contained in the above message, was read the first time by its title and placed on the Calendar of Local Bills on the Second Reading.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, April 18; 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 Bill No. 276:

A bill to be entitled An Act to prescribe the open and closed season for the hunting of squirrels in Liberty County, Florida, and providing a penalty for the violation of this Act.

Also—

House Bill No. 278:

A bill to be entitled An Act to abolish the present municipality of Mulberry, in Polk County, Florida; to create and establish a new municipality to be known as "City of Mulberry," in Polk County, Florida; to legalize and validate the ordinances of said municipality of Mulberry and official acts thereunder, and to adopt the same as the ordinances of said "City of Mulberry;" to prescribe the time of limitation of actions on certain suits; to fix and provide the territorial limits, jurisdiction and powers of said "City of Mulberry," in Polk County, Florida, and the jurisdiction and powers of its officers, and to provide for a referendum on the question of the voters' acceptance or rejection of this charter.

Also—

House Bill No. 283:

A bill to be entitled An Act to abolish the present municipal government of the town of Daytona Beach, in the County of Volusia and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Daytona Beach, and to define its territorial boundaries, and to provide for its jurisdiction, purpose and privileges.

Also—

House Bill No. 284:

A bill to be entitled An Act to prohibit the hunting, chasing or killing of fox in Sumter County, Florida; and to provide a penalty for violation of this Act.

And respectfully requests the concurrence of the Senate thereto.

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

And House Bills Nos. 276 and 278, contained in the above message, were read the first time by their titles and were placed on the Calendar of Local Bills on the Second Reading.

And House Bill No. 283 contained in the foregoing message, was read the first time by its title.

Mr. Putnam moved that the rules be waived and House Bill No. 283 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 283 was read a second time by its title only.

Mr. Putnam moved that the rules be further waived and that House Bill No. 283 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. 283 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, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, 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 immediately.

And House Bill No. 284, contained in the foregoing message was read the first time by its title and placed on the Calendar of Local Bills on the Second Reading.

By consent—

Mr. Putnam withdrew Senate Bill No. 140 from the Calendar and from further consideration.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., April 18, 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 Concurrent Resolution No. 5:

Whereas, by Senate Concurrent Resolution No. 1, a Select Committee has been appointed to investigate the death of one Martin Tabert in a county lease convict camp, and

Whereas, there have been charged other instances of cruelty in county convict lease camps, which other instances should likewise be investigated; now, therefore,

Be it resolved by the House of Representatives, the Senate concurring therein, That the Select Committee appointed by the House and Senate to investigate the death of Martin Tabert, be instructed, empowered and directed to make its inquiry cover every other instance in the State of Florida where it has been publicly charged cruelty to convicts has occurred in county convict lease camps, particularly the instance alleged to have occurred at Macclenny, in Baker County, Florida.

Which amendment is as follows—

“At the end of the resolution add the following: and such investigations may extend to any camp of State convicts within the State.”

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., April 18, 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 Bill No. 232:

A bill to be entitled An Act to legalize and validate all acts and proceedings heretofore done and had by the Town Council, Tax Assessor, Tax Collector, and all other Town Officials of the town of Zolfo, Florida, in connection with or relating to, the assessment, levy and collection of taxes, either general or special; and providing that no future assessment or levy shall be void or invalid on account of any irregularity, omission, or formal defect in proceedings relating thereto.

Also—

House Bill No. 239:

A bill to be entitled An Act to amend Section Eleven (11) of Chapter 8318, Laws of Florida 1919, entitled An Act to abolish the present municipal government of Okeechobee in Okeechobee County Florida, to legalize and validate the ordinances of said city, of Okeechobee, and all official acts thereunder, to create and establish a new municipality, to be known as the City of Okeechobee, in Okeechobee County, Florida, and to fix and provide its territorial limits, jurisdiction and powers, and the jurisdiction

and powers of its officers. Also repealing all laws in conflict therewith.

Also—

House Bill No. 240:

A bill to be entitled An Act to authorize the town of Center Hill, in Sumter County, Florida, to prohibit the running at large, in the said town of Center Hill, Florida, Sumter County, of horses, cows, hogs, and other animals, and to provide for enforcement of such ordinance.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 232 contained in the above message was read the first time by its title.

Mr. Etheredge moved that the rules be waived and House Bill No. 232 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 232 was read a second time by its title only.

Mr. Etheredge moved that the rules be further waived and that House Bill No. 232 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. 232 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, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Phillips, Putnam, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—29.

Nays—None.

So the bill passed, title as stated.

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

And House Bills Nos. 239 and 240, contained in the foregoing message, were read the first time by their titles and were placed on the Calendar of Local Bills on the Second Reading.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Fla., April 18, 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—  
Senate Bill No. 69:

A bill to be entitled An Act ratifying, validating, confirming and legalizing special assessments made by the town of Dunedin, Pinellas County, Florida, prior to January 1st, A. D. 1923.

Also—

Senate Bill No. 70:

A bill to be entitled An Act to amend Sections thirteen and fifteen of Chapter 7147 of the Acts of the Legislature of the State of Florida of 1915, prescribing the time for the holding of general elections in the town of Dunedin, Florida, and prescribing the qualifications of electors at such general elections, and to prescribe what shall constitute the fiscal year of said town.

Also—

Senate Bill No. 106:

A bill to be entitled An Act to repeal An Act for the protection of fur-bearing animals in the County of Okaloosa, State of Florida, and to provide a license tax for hunting such animals within the said county, and the money arising be placed in the school funds of said county, and providing a penalty for violation of the provisions of this Act.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bills Nos. 69, 70 and 106, contained in the above message, were read the first time by their titles and referred to the Committee on Engrossed Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, April 18, 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—  
Senate Bill No. 39:

A bill to be entitled An Act to amend the charter of the City of Tampa.

Also—

Senate Bill No. 52:

A Bill to be entitled An Act validating and confirming assessment made on real estate by the city of Chipley, Florida, for street improvements, and validating and confirming the provisions of the ordinances making such assessments, and validating and confirming the issuance of \$28,000 of improvement bonds by said city of Chipley, providing for the payment of said bonds, and authorizing the issuance of additional bonds and providing a method of enforcing the payment of said assessments.

Also—

Senate Bill No. 50:

A bill to be entitled An Act enlarging the powers of the City of Chipley, a municipal corporation, and prescribing its powers and privileges relating to the pavement of its streets and construction of sidewalks, and providing for the cost of the same.

Also—

Senate Bill No. 51:

A Bill to be entitled An Act relating to the revenue of the city of Chipley, Florida, and providing for an annual budget, and granting to said city the power to borrow money and authorizing said city to issue \$20,000.00 of time warrants for the purpose of paying certain indebtedness

and for certain improvements, and providing for the levy and collection of taxes by said city, and validating the levies made for taxes by said city for the years 1920, 1921 and 1922, and validating the assessment rolls for said years, and providing a method for the collection of taxes for said years.

Very respectfully,

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

And Senate Bills Nos. 39, 52, 50 and 51, contained in the above message, were read the first time by their titles and referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,  
Tallahassee, Florida, April 18, 1922.

*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 indefinitely postponed—

Senate Concurrent Resolution No. 3:

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 House not later than 11:30 o'clock a. m., Wednesday, the 25th day of April.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

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

##### Senate Bill No. 46:

A bill to be entitled An Act regulating the summons of petit jurors in circuit, criminal and county courts, and the summons of grand jurors in the circuit court, amending Section 2787 of the Revised General Statutes of Florida, with certain exceptions.

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

By unanimous consent—

Mr. Mapoles offered the following amendment to the bill now on its passage:

Make Section 4 read as follows: Section 4. Nothing in this Act shall be construed to apply to counties of twelve thousand persons or less, according to the last Federal census.

And make Section 4 of the bill Section 5, and Section 5 Section 6.

Mr. Mapoles moved the adoption of the amendment.

Which was not agreed to.

Upon call of the roll on Senate Bill No. 46 the vote was:

Yeas—Mr. President, Senators Butler, Calkins, Colson, Cone, Epperson, Hodges, Igou, Johnson, Knight, Lindsey, Malone, Phillips, Putnam, Rowe, Russell, Singletary, Wells, Wicker—19.

Nays—Anderson, Campbell, Eaton, Etheredge, Knabb, Mapoles, Mitchell, Overstreet, Shelley, Taylor—10.

So the bill passed, title as stated.

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

##### Senate Bill No. 22:

A bill to be entitled An Act to revive and continue in effect an appropriation made by Chapter 6830, Laws of Florida, Acts of 1915, providing for teacher-training departments in high schools, and making an appropriation therefor.

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

Upon the passage of Senate Bill No. 22 the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Shelley, Singletary, Taylor, Wells, Wicker—28.

Nays—None.

So the bill passed, title as stated.

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

##### Senate Bill No. 30:

A bill to be entitled An Act providing for scholarships at each of the two State Institutions of Higher Learning from the various counties of the State, and making appropriations therefor.

Was taken up in its order.

Mr. Colson moved that further consideration of the bill be informally passed over.

Which was agreed to.

##### Senate Bill No. 53:

A bill to be entitled An Act to regulate the practice of chiropractic; to create and provide for the appointment of a board of chiropractic examiners; to define the powers and duties of said board, and to provide a penalty for violation of the provisions of this Act.

Was taken up in its order.

And the consideration of same was informally passed over.

## Senate Bill No. 16:

A bill to be entitled 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 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.

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

Upon the passage of Senate Bill No. 16 the roll was called and the vote was:

Yeas—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, Shelley, Singletary, Taylor, Wells, Wicker—29.

Nays—None.

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

## Senate Bill No. 79:

A bill to be entitled An Act to authorize the Board of Commissioners of State Institutions to purchase suitable electric fans and have the same installed in the Senate Chamber and in the Hall of the House of Representatives and in the galleries incident to each in the Capitol building of the State of Florida, and to make appropriation for the same.

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

Upon the passage of Senate Bill No. 79 the roll was called and the vote was:

Yeas—Senators Butler, Campbell, Eaton, Etheredge, Johnson, Knabb, Overstreet, Russell, Shelley, Taylor—10.

Nays—Mr. President, Senators Anderson, Calkins, Cone, Epperson, Hodges, Igou, Knight, Lindsey, Malone, Mapoles, Mitchell, Phillips, Putnam, Rowe, Singletary, Wells, Wicker—18.

So the bill failed to pass.

## Senate Bill No. 15:

A bill to be entitled An Act to prohibit the running at large of hogs in that certain territory in Lake County, Florida, described as follows, to-wit: All that part of Township Eighteen South, Range Twenty-five East, lying east of the Ocklawaha River and Lake Griffin, and all that part of Township Nineteen South, Range Twenty-five East, lying north and west of Lake Harris, Dead River and Lake Eustis, except Sections Seventeen, Nineteen, Twenty, Twenty-nine, Thirty-one and Thirty-two, in the County of Lake, State of Florida, and providing penalties for the violation of the same.

Was taken from the Calendar of Bills on the Third Reading and referred to the Committee on Enrolled Bills.

## Senate Bill No. 80:

A bill to be entitled 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.

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

Upon the passage of Senate Bill No. 80 the roll was called and the vote was:

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

Nays—Senators Hodges, Johnson, Shelley—3.

So the bill passed, title as stated.

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

## CONSIDERATION OF VETOED BILLS.

(Senate Bill No. 131):

"An Act with respect to the effect of the plea of not guilty in actions for tort."

Passed the Legislature of 1921 and vetoed by the Governor, together with the Governor's objections thereto, as follows:

Pursuant to authority vested in me as Governor, under provisions of Section 28 of Article 12 of the Constitution of Florida, I transmit herewith to you with my objections thereto, Senate Bill No. 131, the same having originated in the State Senate at its regular session in 1921, and being entitled as follows:

"A bill to be entitled An Act with Respect to the Effect of the Plea of Not Guilty in Actions for Tort."

My objections to this measure are as follows:

1. The bill proposes to narrow the limits by which evidence in jury trials may be introduced under the general plea of "not guilty." Its effect would be to make more technical the pleadings in actions where such plea would now be appropriate. I am opposed to this policy in our judicial procedure and believe the opposite view should obtain. I see no substantial advantage to be obtained by this narrowing of plea of not guilty. The proposed measure would require special pleas to support the evidence now admissible under the plea of not guilty.

2. The practitioners at the bar are familiar with the decisions of our courts. And with the law of the country affecting the availability of particular pleas, and where no constructive service could be performed through change by legislative enactment, then the law-making body should not attempt it.

For the reasons herein assigned, I have withheld my approval from the measure.

Very respectfully,

CARY A. HARDEE,

Governor.

Was taken up in special order and with the Governor's objections thereto was read.

And further consideration of same was passed over informally.

Senate Bill No. 137:

A bill to be entitled An Act granting pension to James Sims, of Columbia County, Florida.

Was taken up in its special order and read the third time in full, together with the Governor's objections thereto, which was read as follows:

STATE OF FLORIDA.  
EXECUTIVE DEPARTMENT.

Tallahassee, Fla., June 14, 1921.

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

Dear Sir:

Pursuant to authority vested in me as Governor, under provisions of Section 28 of Article 12 of the Constitution of Florida, I transmit herewith to you with my objections thereto, Senate Bill No. 137, the same having originated in the State Senate at its regular session in 1921, and being entitled as follows:

"A bill to be entitled An Act providing for the State Board of Pensions to pay Thos. W. Anderson, an aged Confederate soldier, the sum of twenty-five dollars per month during his natural life out of the pension funds of the State of Florida, and to place him on the pension roll."

My objection to this bill is as follows:

1. The bill in its preamble shows that the beneficiary named herein did not remain loyal to the cause of the Confederacy, but before the close of the war, took the oath of allegiance to the Federal Government, thus deserting the cause for the service of which the bill seeks to pension him. It has all along been the recognized and established policy of the State not to pension any Confederate soldier who deserted the Confederate cause. This policy of the State is in keeping with my views and in my opinion, should be maintained.

For the reason herein assigned, I have withheld my approval from the measure.

Very respectfully,

CARY A. HARDEE,

Governor.

The question was put: "Shall the Bill pass the objections of the Governor to the contrary notwithstanding?"

The roll was called and the vote was:

Yeas—Senators Knight, Malone, Mapoles, Phillips—4.

Nays—Mr. President, Senators Anderson, Butler, Camp-

bell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Lindsey, MacWilliams, Mitchell, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—25.

So the bill failed to pass the Senate over the objection of the Governor.

Mr. Mapoles moved to waive the rules and take up out of its order Senate Bill No. 425 under the Special Order of Vetoed Bill for consideration.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 425 was taken up and read, together with the Governor's objection thereto, which reads as follows:

STATE OF FLORIDA,  
EXECUTIVE DEPARTMENT.

Tallahassee, Florida, June 14, 1921.

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

Dear Sir:

Pursuant to authority vested in me as Governor, under provisions of Section 28 of Article 12 of the Constitution of Florida, I transmit herewith to you with my objections thereto, Senate Bill No. 425, the same having originated in the State Senate at its regular session in 1921, and being entitled as follows:

"A bill to be entitled An Act to abolish the present corporation of the town of Crestview, Okaloosa County, Florida, and to establish a municipality of the town of Crestview, Okaloosa County, Florida, and to provide for its territorial limits, its jurisdiction, powers, privileges and immunities; to appoint municipal officers and define their duties and powers."

My objections to this measure are as follows:

1. The changes in the present Charter of the Town of Crestview as embodied in the proposed bill, were not passed upon and considered by the people living within said town. The City Council of said Town of Crestview have unanimously condemned the measure and along with

great numbers of reputable citizens and taxpayers residing therein, have requested that the same do not become a law.

2. Section 39 of said Act among other things, contains a provision that "no person shall be eligible to hold any elective office of the town unless he shall possess the qualifications of an elector and be a tax payer on real and personal property situated in the town." The foregoing would restrict the holding of any office in the municipality to such persons as were tax payers on both real and personal property. I submit that such a provision is not in keeping with the traditional governmental policy of this country. One might own a great deal of personal property on which he pays taxes but the provision of this Act would preclude his holding office because he did not own real estate. One might live in the town of Crestview and own a great deal of real estate on which he was paying taxes and yet, would be precluded from holding office, if perchance, he owned no personal property.

For the reasons herein assigned, I have withheld my approval of the measure.

Very respectfully,  
CARY A. HARDEE,  
Governor.

The question was put "Shall the bill pass, the objections of the Governor thereto to the contrary notwithstanding?"

The roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Campbell, Colson, Cone, Eaton, Hodges, Igou, Johnson, Knabb, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Phillips, Putnam, Russell, Shelley, Stokes, Taylor, Wells, Wicker—24.

Nays—Senators Epperson, Etheredge.

So the bill passed the Senate by the constitutional two-thirds majority of all the members elected to the Senate.

By Consent—

The Senate recurred to the consideration of Senate Bill No. 30:

A bill to be entitled An Act providing for scholarships at each of the two State Institutions of Higher Learning from the various counties of the State, and making appropriations therefor.

Which was taken up and read the third time in full.

Upon the passage of Senate Bill No. 30 the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Hodges, Igou, Johnson, Knabb, Lindsey, Malone, Mitchell, Overstreet, Phillips, Putnam, Russell, Scales, Shelley, Taylor, Wells, Wicker—22.

Nays—Senators Knight, Mapoles, Rowe, Singletary—4.  
So the bill passed, title as stated.

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

The President announced the following committees:

Committee on J. F. Poore, County Commissioner, District No. 2, Santa Rosa County—

Senator W. C. Hodges, of 8th District.

Senator W. A. Russell, of 26th District.

Senator H. G. Putnam, of 28th District.

Committee on R. C. Baker, Sheriff Palm Beach County—

Senator Jas. E. Calkins, of 16th District.

Senator M. O. Overstreet, of 19th District.

Senator J. H. Colson, of 32d District.

Committee on J. R. Johnson, County Judge, St. Lucie County—

Senator J. H. Scales, of 12th District.

Senator W. J. Epperson, of 21st District.

Senator H. H. Wells, of 25th District.

Committee on Fred Pine, Solicitor Criminal Court of Record, Dade County—

Senator S. W. Anderson, of 6th District.

Senator N. J. Wickers, of 20th District.

Senator W. A. MacWilliams, of 31st District.

The hour of adjournment having arrived—

Mr. Taylor moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned until eleven o'clock a. m. Thursday, April 19th, 1923.

Thursday, April 19, 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, Mitchell, Overstreet, Phillips, Putnam, Rowe, MacWilliams, Russell, Scales, Shelley, Singletary, Taylor, Wells, Wicker—29.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of April 18th was corrected and, as corrected, was approved.

The daily Journal of Friday, April 13th, on page 17, lines 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of said page were by action of the Senate corrected to read as follows and the correction was ordered to be spread in this day's record of proceedings:

By Mr. Campbell—

"A bill to be entitled An Act to amend Sections 1164 and 1178 of the Revised General Statutes of Florida, as amended by Chapter 8413 of the Acts of 1921, Laws of Florida, said section relating to the creation of the Everglades Drainage District of the State of Florida, defining its boundaries, prescribing its powers and duties and authorizing the levy and collection of taxes and imposing assessments upon the lands in the said district, and issuing bonds for the purpose of draining and reclaiming the said lands and carrying into effect the provisions of the said Act."

Upon request, Senate Bill No. 24, which had been reported adversely by the Committee on Constitutional Amendments, was restored to the Calendar.