

Wednesday, April 25, 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, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wicker—30.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of April 24th was corrected and, as corrected, was approved.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Florida, April 25, 1923.

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

Sir:

Your Committee on Judiciary A, to whom was referred—

Senate Bill No. 281:

A bill to be entitled An Act relating to the powers of the State Board of Education of the State of Florida, and to authorize said State Board of Education to exchange lands of or belonging to said State Board of Education or lands held by the State of Florida for educational purposes for

other lands belonging to private owners or the Trustees of the Internal Improvement Fund or any other public body, and to agree upon the terms of such exchange, including the payment or receipt of any sum deemed necessary to equalize the values of such exchanged property and to execute and deliver and receive deeds of conveyances for said purposes; and to confirm and ratify similar transactions, exchanges and conveyances heretofore executed or received by said Board of Education.

Also—

Senate Bill No. 296:

A bill to be entitled An Act to amend Section 4658, Revised General Statutes of Florida, relating to free or reduced transportation by common carriers.

Also—

Senate Bill No. 113:

A bill to be entitled An Act to permit corporations not for profit, heretofore incorporated under special or private Acts of the Legislature, to merge their corporate existence into and to adopt new charters and become corporations not for profit under the laws of the State prescribing the rights, powers, privileges, franchises, immunities and liabilities of corporations not for profit; and to provide for the property and liabilities of said corporations.

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

Very respectfully,

R. H. ROWE,

Acting Chairman of Committee.

And Senate Bills Nos. 281, 296 and 113, contained in the above report, were 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., April 25, 1923.

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

Sir:

Your Committee on Judiciary B, to whom was referred—
Senate Bill No. 256:

A bill to be entitled An Act regulating the Salaries of Clerks and Employees in the Executive Departments of the State Government.

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. 256, contained in the above report, was placed on the table under the rule.

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

Senate Chamber,
Tallahassee, Fla., April 25, 1923.

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

Sir:

Your Committee on Judiciary B, to whom was referred—
Senate Bill No. 286:

A bill to be entitled An Act providing for the Transmission of Original Exhibits to Appellate Courts.

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

Very respectfully,

D. E. KNIGHT,
Chairman of Committee.

And Senate Bill No. 286, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Cone, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 24, 1923.

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

Sir:

Your Committee on Public Health, to whom was referred—

Senate Bill No. 63:

A bill to be entitled An Act to regulate the practice of Naturopathy in the State of Florida; to create and provide for the appointment of a Board of Naturopathic Examiners; to define the powers and duties of said Board and to provide a penalty for the violation of the provisions of this Act.

Have had the same under consideration, and report same back to the Senate without recommendation.

Very respectfully,

DR. D. N. CONE,
Chairman of Committee.

And Senate Bill No. 63, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Malone moved that the Senate do now go into Executive Session.

Which was agreed to.

Thereupon the Senate chamber and galleries were duly cleared, the doors of the chamber closing at 11:05 o'clock A. M.

The doors of the chamber were opened at 11:20 A. M.

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, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Wicker—27.

INTRODUCTION OF RESOLUTIONS.

Mr. Knight offered the following :

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 in the State of Louisiana.

Whereas, There is grown 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 forthwith 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.

Which was read the first time.

Mr. Knight moved to waive the rules and that Senate Memorial No. 1 be read the second time.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 1 was read a second time in full.

Mr. Knight moved to adopt the memorial.

Which was agreed to.

The adoption of the Memorial was ordered to be certified to the House of Representatives immediately.

Mr. Lindsey offered the following—

Senate Memorial No. 2:

A Memorial to the Congress of the United States in regard to Immigrants, and requesting the enactment of a law requiring all aliens in the United States to be registered.

Whereas, The United States of America has been for many years the land of hope and an asylum for those of other lands who have been attracted to the wonderful opportunities afforded the industrious; and

Whereas, Many of those have found in this Country a form of Government based on the rule of the people by representatives, grounded upon a firm basis by means of the Constitution of the United States, and

Whereas, A large majority of those aliens who have been granted full rights of citizenship have been found loyal and devoted to the Constitution, and

Whereas, It is apparent that in recent days many aliens have entered the United States with false conceptions of our system of Government of liberty under the law and seek to undermine and wreck the foundations of our system of Government, and

Whereas the State of Florida because of its immense coast and proximity to foreign islands and countries, has been invaded by many aliens, who seek to enter and remain in the United States in violation of law and with intent to attack the Government of the United States and the States, and

Whereas, it has come to the knowledge of the Legislature of the State of Florida that many of those who have clandestinely and unlawfully entered the United States are deficient in their knowledge of the fundamental prin-

cipals of our Government and many are inclined to ideas and maxims contrary to our future happiness, and prosperity and a continuance of good government.

Be it resolved by the Legislature of the State of Florida, That the Congress of the United States be requested to enact legislation to restrict immigration to those peoples who are favorably inclined to our system of Government and as to those who have lawfully entered the United States and have not yet attained their full rights of citizenship, be advised and instructed in the principals of this Government and that all persons who are aliens within the United States, and who may hereafter lawfully enter the United States be required to register and under reasonable regulations, such aliens be required from time to time, to report their presence and give an account of themselves and occupations, so that their conduct and their disposition towards the perpetuity of the Government of the United States may be determined by proper authority and their fitness to remain within and enjoy the benefits of this Government may be properly ascertained.

And be it further resolved, that the Secretary of the State of Florida, be and is hereby directed to mail a copy of this Resolution to the President of the United States Senate, and the Speaker of the House of Representatives, and to each of the United States Senators, and each of the Congressmen from Florida.

Which was read the first time.

Mr. Lindsey moved to waive the rules and that Senate Memorial No. 2 be read the second time.

Which was agreed to by two-thirds vote.

And Senate Memorial No. 2 was read a second time in full.

Mr. Lindsey moved to adopt the Memorial.

Which was agreed to.

The adoption of the Memorial was ordered to be certified to the House of Representatives immediately.

Mr. Campbell offered the following—

Senate Memorial No. 3:

A Memorial to the Congress of the United States, requesting the Federal Government to take over and keep in repair the Florida Coast Line Canal and Inter-coastal Waterway, extending from Jacksonville, Florida, to Miami, Florida.

Whereas, By various Acts of the Legislature of this State, the Florida Coast Line Canal and Transportation Company, the said Company being the owner of the Inter-coastal waterway extending from Jacksonville to Miami, Florida, and better known as Florida Coast Line Canal, has from time to time had deeded to it over one million acres of swamp and overflowed lands; and

Whereas, Under the Statutes of this State granting such lands, Florida Coast Line and Transportation Company was required and did obligate itself to maintain the said Canal at a minimum width of fifty (50) feet and a minimum depth of five (5) feet at mean low water at all times and places; and

Whereas, By Act of the Legislature of Florida, that portion of the Florida Coast Line Canal, from a point at or near what is known as the "Haulover" in Brevard County, Florida, to a point at or near Jupiter Inlet, has been taken over and is now maintained by the Federal Government; and

Whereas, The Florida Coast Line Canal and Transportation Company has disposed of all the lands acquired by it from the State of Florida by virtue of its construction of the said Canal, and the said Canal has not for a long time past been maintained at statutory specifications; and

Whereas, The said Florida Coast Line Canal, if maintained and kept up to statutory specifications, would be a great and paying artery of commerce and would be ranked as one of the main waterways of the Country; and

Whereas, It is the function of the Federal Government to control and keep up such waterways; therefore,

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

That our Senators and Representatives in the Congress of the United States be, and they are hereby requested to prepare and introduce a bill in Congress, looking to the acquirement on the part of the Federal Government of the Florida Coast Line Canal, and having the said Canal in its entirety declared a waterway of the United States, and that it be kept up and maintained as such by the Federal Government; and

Be It Further Resolved that the Secretary of the State be, and he is hereby requested to furnish each of our Senators and Representatives in Congress a certified copy of this Memorial.

Which was read the first time.

Mr. Campbell moved to waive the rules and that Senate Memorial No. 3 be read the second time.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 3 was read a second time in full.

Mr. Campbell moved to adopt the Memorial.

Which was agreed to.

The adoption of the Memorial was ordered to be certified to the House of Representatives immediately.

Mr. Knabb moved to waive the rules and that Senate Bill No. 185, of 1921, objected to by the Governor, be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

(Senate Bill No. 185):

“An Act to make an appropriation for the putting and keeping in order of the grounds adjacent and belonging to the site of the Olustee Monument, and for the proper care and protection of the monument itself; and for the erection of a care-taker's house; and to provide for payment of such appropriation.”

My objections to this bill are as follows:

1. The bill now under consideration makes an appropriation of \$5,000.00 for the erection of a caretaker's house and for the proper protection and care of the monument erected on the Olustee Battle Field and dedicated on the twenty-third day of October, A. D. 1912.

I am in sympathy with the fine sentiment on the part of our people which seeks to preserve by appropriate monuments and proper markings, places of interest in different sections of the State which have been scenes of great events in the history of the State. They are educational in character and their tendency is evidently to keep alive in the minds of posterity a proper regard for the great achievements of our fathers; also to preserve to those who come after us a spirit of veneration for the history and traditions of the State.

Several measures have been passed by the recent session of the Legislature making adequate appropriations to preserve, by monuments and otherwise, these places of interest above referred to. I have approved them and in doing so, feel that the funds thus employed will serve no doubt a noble purpose.

We should not, however, let a sentimentality, however noble, lead us on to impracticable things. The monument erected on the Olustee Battle Field a good many years ago is situated in a very sparsely settled section of the State. The Legislature saw the necessity of making some provision for its care and for beautifying the small plot of ground enclosed around the monument. Accordingly, the sum of \$400.00 annually was thus appropriated for this purpose. This would seem ample and practical. The instant measure would go further and appropriate \$5,000.00 to build a caretaker's home near the monument. I do not believe this a practical expenditure. I see no necessity for the erection of such building nor for the expenditure of such sum of moneys as is contemplated. The measure under consideration does not provide any funds or means for the support of, or the salary of, the care taker. It evidently follows that the building of a caretaker's home without making provision for the support of a caretaker is a useless expenditure.

2. If the construction of a home is authorized at this particular place, then there is no reason why one should not be authorized at all the other places in Florida which have been of sufficient historical interest to induce the Legislature to provide monuments or which might in the future induce them to make such provision. It inevitably follows that if we begin this policy, it is only a question of a few years before the State will have saddled upon it a large aggregate expenditure for what seems to me are impracticable purposes.

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

Very respectfully,

(Signed) CARY A. HARDEE,

Was taken up for consideration and was read together with the Governor's objections thereto:

The question was put, “Shall the bill pass, the Governor's objections thereto to the contrary notwithstanding?”

The roll was called and the vote was:

Yeas—None.

Nays—Mr. President, Senators Anderson, Butler, Campbell, Colson, Cone, Epperson, Etheredge, Hodges, Igou, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Shelley, Singletery, Wicker—24.

So the bill failed to pass over the Governor's objections. Mr. Knight moved that the Senate do now go into executive session.

Which was agreed to.

The chamber and galleries having been duly cleared, the doors closed at 11:58 o'clock a. m.

The doors of the chamber were opened at 12:03 o'clock p. m.

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

Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Epperson, Etheredge, Hodges, Igou, Knabb, Knight, Lindsey, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Wicker—27.

A quorum present.

Mr. Colson moved to waive the rules and that Senate Bill No. 7 be recalled from the Committee on Engrossed Bills.

Which was agreed to by two-thirds vote.

And Senate Bill No. 7, as amended, was placed before the Senate for consideration.

Mr. Colson moved that the Senate do reconsider the vote by which the amendment offered by Mr. Malone was agreed to. Which amendment reads as follows:

In Section 6, line 2, of printed bill, after the word "meeting" add the following: "any one of."

Mr. Colson moved that the rules be waived and that the Senate do now proceed to the consideration of the motion to reconsider.

Which was agreed to by two-thirds vote.

The question was put upon the motion to reconsider and the Senate reconsidered the adoption of the amendment.

By Unanimous Consent—

Mr. Malone was permitted to withdraw the said amendment.

And, Senate Bill No. 7, as previously amended by the Senate was referred to the Committee on Engrossed Bills.

By Consent—

Mr. Mitchell withdrew Senate Bill 261 from the consideration of the Senate.

Mr. Scales moved that Senate Bill No. 204 be recalled from the Committee on Insurance and be referred to the Committee on Education.

Which was agreed to.

And the bill was so referred.

Senate Bill No. 262 was referred to the Committee on Education upon the request of Mr. Wicker and the consent of the Senate.

INTRODUCTION OF BILLS.

By Senator Knight—

Senate Bill No. 305:

A bill to be entitled An Act providing for the sale and issuance of Bonds in the sum of thirty-five thousand dollars by the Board of Public Instruction for the County of Union, State of Florida, to fund the outstanding indebtedness of the said Board of Public Instruction, and providing for a sinking fund with which to pay the principal and interest on said Bonds as same matures, and specifying what interest said Bonds are to bear and date of maturity of same.

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. 306:

A bill to be entitled An Act providing for the sale and issuance of bonds in the sum of forty thousand dollars by the Board of Public Instruction for the County of Bradford, State of Florida, to fund the outstanding indebtedness of the said Board of Public Instruction, and providing for a sinking fund with which to pay the principal and interest on said bonds as same matures, and specifying what interest the said bonds are to bear and date of maturity of the same.

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. Russell—

Senate Bill No. 307:

A bill to be entitled An Act to increase the pension of Admiral A. O. Wright, United Confederate Veteran.

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

By Mr. Knabb—

Senate Bill No. 308:

A bill to be entitled An Act to authorize the construction of a caretaker's home on the grounds of the Olustee Monument, at Olustee, Florida, and to make an appropriation to pay for the same.

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

By Senator Campbell—

Senate Bill No. 309:

A bill to be entitled An Act to amend Sections 794 and 795 of the Revised General Statutes of Florida, for the year 1920, relating to the rights of purchasers at tax sales.

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

By Senator Campbell—

Senate Bill No. 310:

A bill to be entitled An Act relating to the Evidence necessary to defeat or to set aside title obtained under sale for Taxes.

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

By Senator Campbell—

Senate Bill No. 311:

A bill to be entitled An Act providing for the foreclosure of tax liens.

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

By Senator Butler—

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.

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

By Judiciary A Committee—

Senate Bill No. 313:

A bill to be entitled An Act to provide that any title, interest, lien or claim to real property acquired during the progress of the erection or repair of any building or other improvements thereon, shall be subject and subordinate to any lien that may have or shall thereafter accrue in favor of any person or persons who may have or shall thereafter furnish any materials or perform any labor used in the erection or completion of said building or other improvements or repairs.

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

By Senator Lindsey—

Senate Bill No. 314:

A bill to be entitled An Act to amend Sections One and Two of Chapter 7833, Acts of 1919, entitled "An Act Providing for the care, Maintenance and Control of the State Convicts, and Providing for the Carrying out of the Provisions of this Act, and Making an Appropriation therefor, Approved May 24, 1919," as amended by Chapter 8423, Acts of 1921, Approved May 16, 1921, and to repeal all laws in conflict with this Act.

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

By Mr. Malone—

Senate Bill No. 315:

A bill to be entitled An Act to authorize foreign corporations to act as executors or testamentary trustees, or both, in this State when heretofore or hereafter appointed such executor or trustee by the last will and testament of a citizen or resident of this State.

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

The following communication from the Governor was read and ordered to be spread on the Journal, on motion of Mr. Cone:

STATE OF FLORIDA.
EXECUTIVE DEPARTMENT.

Tallahassee, Florida, April 25, 1923.

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

Sir:

The Circuit Judges of the State were called in conference at Tallahassee on the 4th of last November for consideration of such recommendations as they might care to make to the Legislature. I felt that coming together the conference would furnish an opportunity for discussion among themselves as to the various views entertained by individual judges affecting proposed new laws, as well as needed changes in our present laws and procedure. Their findings and recommendations under the circumstances would naturally go to the Legislature with more dignity and power. From what higher source could our Legislature look for counsel in the necessary changes in legal procedure than to the Circuit Judges of the State?

The Judges entered heartily into the spirit of the conference, and resulting from their common counsel, certain recommendations were made and delivered to me, with the understanding that they would be placed before the Legislature for consideration.

I have the honor to transmit herewith the report which the Judges have been good enough to make and, while I shall not attempt to call your attention to each and every of them, I have felt impelled to especially refer to their recommendation affecting two subjects:

First, I feel that the method by which jurors are selected should be given your serious consideration. The Judges have suggested the appointment of a commission in each county to be appointed by the Governor for the purpose of selecting names for the jury box, and while the Judges did not recommend it, I am disposed to feel that

such jury commission, if provided for, should be appointed upon the recommendation of the Circuit Judges.

Second, I wish also to especially refer to the need for some revision of our law effecting the disqualification of Judges. The law as it now stands is entirely too liberal in this regard. Any litigant upon making affidavit that he feels the Judge is not impartial can disqualify the presiding Judge. Certainly no biased or disqualified Judge should attempt to act in any given case where such feeling exists. On the other hand I do not feel that a Judge should be disqualified simply because some litigant, without any evidence to support his claim, is willing to make affidavit of disqualification. The practical effect of the law as it now stands is that frequently litigants will resort to a disqualification of the Judge in order to obtain continuances and for various other reasons that are unconscionable and immoral. As a result of such a practice I have been forced to assign Circuit Judges in large number of cases, most of which cases the presiding Judge was not disqualified and was perfectly fair, free and impartial between parties to the cause. The funds for the payment of the traveling expenses of Circuit Judges when holding terms of Court outside of their own Circuits and which has heretofore been amply sufficient, is now exhausted and I am having to hold such expenses of the Judges until a new appropriation is available on July 1st.

In my opinion, it is a situation that you cannot afford to ignore and some reasonable method should be adopted by yourselves looking toward an equitable administration of the law.

While I have especially referred to the above matters considered by the Judges' Conference, I do not minimize other recommendations which they have been good enough to make and I hope that you will give all of them that consideration which their importance deserves and for that purpose the full record is herewith transmitted.

Respectfully submitted,

CARY A. HARDEE,
Governor.

CONSIDERATION OF OTHER RESOLUTIONS.

Senate Concurrent Resolution No. 5:

Whereas, it is necessary that highways of an interstate 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 interstate 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 interstate 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 interstate 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.

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

Mr. Phillips moved to adopt the Resolution.

Which was agreed to.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES|

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., April 24, 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. 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.

Together with the following amendment:

In Section 1, line 15, after the word "is," insert the words, "or is."

And Senate Bill No. 80, together with the amendments of the House of Representatives thereto, as contained in the foregoing message, was placed before the Senate for consideration.

Mr. Mitchell moved that the Senate do concur to House Amendment contained in the above message.

Which was agreed to.

And the bill as amended was referred to Committee on Engrossed Bills.

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 24, 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. 8:

Whereas, the State is called upon to make large expenditures annually for its Eleemosynary Institutions which are developing and growing rapidly, and

Whereas, it is usual to have these institutions visited by Joint Legislative Committees to ascertain the need and conditions thereof, therefore be it.

Resolved by the House of Representatives, the Senate concurring, that a Joint Committee of five, consisting of two members from the Senate and three from the House, be appointed to visit the State Hospital at Chattahoochee, and the Florida Industrial School for Boys at Marianna, with request to report not later than May 1.

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 of 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 congratulate 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 Jefferson Democracy, has become identified with the interests of Miami and 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 at the hour of eight (8) o'clock P. M. on May 15th, 1923.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Concurrent Resolutions Nos. 8 and 10, contained in the above message, were read the first time by their titles and were laid over under the rule.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., April 24, 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—

Committee Substitute for—

House Bill No. 102:

A bill to be entitled An Act to prohibit the using of any conveyance for the illegal transportation of intoxicating liquors without the written consent of the owner and without the written consent of any person holding a valid lien upon such vehicle.

Also—

Committee Substitute for—

House Bill No. 20:

A bill to be entitled An Act to prohibit any person from having in his or her possession any deadly weapon while engaged in the violation of any of the prohibition laws of this State or of the United States.

Also—

Committee Substitute for—
House Bill No. 227:

A bill to be entitled An Act relative to the possession of Intoxicating Liquors and determining the burden of proof in such cases.

Also—

Committee Substitute for—
House Bill No. 97:

A bill to be entitled An Act to amend Section 5481 and Section 5475 of the Revised General Statutes of Florida, relative to seizure of liquors, property, and keeping records of same.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills Nos. 102, 20, 227 and 97, contained in the above message were read the first time by their titles and were referred to the Committee on Temperance.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., April 25, 1923.

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

Sir:

House Bill No. 180:

A bill to be entitled An Act to compel sheriffs, deputy sheriffs and other police officers of the State of Florida to dispose of all intoxicating liquors coming under their possession in the manner provided by law; to prohibit any sheriff, deputy sheriff or other police officers in this State from drinking, selling or giving away any intoxicating liquor which may have been seized under the pro-

visions of the prohibition law of the State of Florida, and to provide penalties for the violation of this law.

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

Also—

Committee Substitute for—
House Bills Nos. 24 and 108:

A bill to be entitled An Act to prohibit the manufacture, or sale, of poisonous adulterations in liquor intended for beverage purposes, and to punish the offense, and declaring the presumption that all intoxicating liquors are poisonous.

An respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills Nos. 180, and Committee Substitute for 24 and 108, contained in the above message were read the first time by their titles and referred to the Committee on Temperance.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, April 25, 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. 474:

A bill to be entitled An Act to incorporate and establish a Municipal Government for the Town of Citra, in Marion County, Florida, provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said Town.

And respectfully requests the concurrence of the Senate thereto.

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

And House Bill No. 474, contained in the above message was read the first time by its title and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, April 25, 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. 486:

A bill to be entitled An Act to Legalize, Ratify, Confirm and Validate the Acts and proceedings of the Board of Commissioners of the City of Pensacola, Florida, in connection with the issuance of Fifty Thousand Dollars (\$50,000) certificates of indebtedness of said City, authorized by Ordinance No. 13, Series No. 12, passed by said Board of Commissioners January 29, 1923, also Legalizing, Ratifying, Confirming and Validating said certificates of indebtedness and declaring same to be general obligations of the City of Pensacola, Florida.

Also—
House Bill No. 488:

A bill to be entitled An Act to abolish the present Municipal Government of the City of Leesburg; to Legalize the Ordinance of said City and all official Acts thereunder; to create and establish the Municipality of the City of Leesburg, in Lake County, Florida, and to provide its Jurisdiction and Powers and Officers thereof.

Also—
House Bill No. 489:

A bill to be entitled An Act to extend the Corporate limits of the Town of Eustis, Lake County, Florida, and to give the said Town of Eustis Jurisdiction over the Territory embraced in said extension.

Also—
House Bill No. 490:

A bill to be entitled An Act to legalize and validate a Special Bond Election held in the Town of Tavares, Lake County, Florida, on the 17th day of February, 1920, for the purpose of submitting to the qualified electors of said Town the question of the Issuance of Bonds to the amount of Thirty Thousand Dollars for the purpose of paving and improving certain streets in said Town; and to legalize and validate the issuance, sale and delivery of said bonds, and all acts and proceedings taken by the Town Council and officers of said Town with reference thereto.

And respectfully requests the concurrence of the Senate thereto.

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

And House Bills Nos. 486, 488, 489, and 490, 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.

Mr. Etheredge moved that when the Senate adjourns today it shall adjourn to 8 o'clock P. M. for the consideration of local bills only.

Which was agreed to, and so ordered.

Mr. Malone moved that Senate Bill No. 131 be taken from the General Calendar and be placed on the Calendar of Local Bills.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 131, took its position 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 25, 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. 360:

A bill to be entitled An Act to authorize sheriffs, deputy sheriffs and other public officers in this State to seize any property which may be found unlawfully in the possession of any person lawfully arrested and to seize any property that may be found unlawfully being, or unlawfully being used at any place, or in any house, building, or structure, which is, then and there being lawfully seized by such officers.

Also—

House Bill No. 261:

A bill to be entitled An Act to define first and second offense violations of the prohibition laws of Florida in certain cases; to prescribe a rule of evidence in the prosecution of cases under second offense prosecutions; to provide for the punishment of offenders who possess, manufacture, sell, barter, give or exchange, or transport, in the night time, prohibited intoxicating liquor or liquors, and to prescribe penalties therefor; to define the duties of Judges, Grand Juries and Prosecuting Attorneys in reference to the enforcement 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. 360 and 261, contained in the above message, were read the first time by their titles and referred to the Committee on Temperance.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., April 25, 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. 302:

A bill to be entitled An Act providing for the establishment of a Planning Commission in the City of Leesburg, Lake County, Florida, and prescribing the powers and duties of such commission.

Also—

House Bill No. 394:

A bill to be entitled An Act authorizing and empowering the County Commissioners of Seminole County, Florida, to transfer certain funds in the Tick Eradication Fund of Seminole County, Florida, to the Road and Bridge Fund of Seminole County, Florida.

Also—

House Bill No. 413:

A bill to be entitled An Act to authorize, empower and direct the Board of County Commissioners of Broward County, Florida, to buy a hospital, or to buy real estate to be used as a hospital site, and to erect, own, equip, maintain and operate, or cause to be operated a County Hospital for said county, and to provide a method or methods by taxation or otherwise for raising funds to pay the cost and expenses of buying said hospital or hospital site and erecting, owning, equipping, maintaining and operating or causing to be operated said hospital; and to provide for the issuance of interest-bearing warrants of said county or other evidences of indebtedness not exceeding eighteen thousand (\$18,000.00) dollars for the purpose of borrowing money to carry into effect the objects of this Act.

Also—

House Bill No. 418:

A bill to be entitled 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.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills Nos. 302, 394, 413 and 418, 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.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, April 25, 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. 422:

A bill to be entitled An Act to authorize the town of Mayo, Florida, to borrow money and to issue interest bearing warrants or notes therefor, for the purpose of building or repairing the streets of said town.

Also—

House Bill No. 425:

A bill to be entitled An Act to amend Section 3 and Section 9 of Chapter 6067, Acts of 1909, Laws of Florida, entitled "An Act to provide a municipal government for the town of Lee, in Madison County, Florida.

Also—

House Bill No. 434:

A bill to be entitled An Act providing a closed season for deer and wild turkey in Sarasota County, Florida, and to authorize the County Commissioners of Sarasota County to appropriate funds for the enforcement of this Act.

Also—

House Bill No. 437:

A bill to be entitled 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 eight; 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.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills Nos. 422, 425, 434 and 437, 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, Fla., April 25, 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. 464:

A bill to be entitled 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.

Also—

House Bill No. 466:

A bill to be entitled An Act defining what are improved highways in the County of Brevard, in 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; fixing a penalty for the violation of this Act.

Also—

House Bill No. 467:

A bill to be entitled 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.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills Nos. 464, 466 and 467, contained in the above message were read the first time by their titles and placed on Calendar of Local Bills on Second Reading.

Also following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, April 25, 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. 468:

A bill to be entitled An Act Legalizing, Ratifying, Validating, confirming street assessments of the City of Vero, Florida.

Also—

House Bill No. 473:

A bill to be 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 Con-

victs and the laying out of New Roads, Building and repairing Public Roads and bridges of said County by contract and otherwise, "by amending Sections 3, 4, and 6, striking out Section 10, and amending Section 13 and 16."

Also—

House Bill No. 483:

A bill to be entitled 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.

Also—

House Bill No. 484:

A bill to be entitled 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.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills 468, 473, 483 and 484, 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.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., April 25, 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 returned, as requested by the Senate—

Senate Bill No. 235:

A bill to be entitled 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 county at an 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.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bill No. 235, contained in the above message, was placed before the Senate, and the consideration of same was informally passed over.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., April 25, 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. 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.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bill No. 221, 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 25, 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. 491:

A bill to be entitled 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. 492:

A bill to be entitled An Act to ratify, approve, validate and confirm sales of lands in Lake Largo-Cross Bayou Drainage District, County of Pinellas, Florida, in foreclosure proceedings 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. 493:

A bill to be entitled An Act to ratify, approve, validate and confirm sales of lands in Pinellas Park Drainage District, County of Pinellas, Florida, in foreclosure proceedings 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.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Hous Bills Nos. 491, 492 and 493, contained in the above message, were read the first time by their titles and 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, Fla., April 25, 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. 454:

A bill to be entitled An Act amending the present charter of the City of Ocala, and the Laws 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 his 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 rights-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.

Also—

House Bill No. 127:

A bill to be entitled An Act to provide for the taking of a State Census of the Counties of Broward, Dade and Monroe.

And respectfully requests the concurrence of the Senate thereto.

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

And House Bills Nos. 454 and 127, 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 without reference.

ORDERS OF THE DAY.

Senate Bill No. 53 was taken up in order and the consideration of the same was temporarily passed over.

Senate Bill No. 5 was taken up in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 43 was taken up in its order and the consideration of the same was temporarily passed over.

CONSIDERATION OF BILLS ON THIRD READING.

Senate Bill No. 2 was taken up in its order and the consideration of the same was temporarily passed over.

House Bill No. 38 was taken up in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 64 was taken up in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 108 was taken up in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 4 was taken in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 84:

A bill to be entitled An Act to amend Section 5071, of the Revised General Statutes of Florida, relating to cruelty to children.

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

Upon the passage of Senate Bill No. 84 the roll was called and the vote was:

Yeas—Senators Anderson, Calkins, Campbell, Colson, Cone, Hodges, Igou, Knabb, Knight, Lindsey, Malone, Mitchell, Overstreet, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Wicker—20.

Nays—Mr. President, Senators Epperson, Mapoles—3.
So the bill passed, title as stated.

Senate Bill No. 86:

A bill to be entitled 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.

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

Upon the passage of Senate Bill No. 86, the roll was called and the vote was:

Yeas—Mr. President, Senators, Anderson, Campbell, Colson, Cone, Epperson, Hodges, Igou, Knabb, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Singletary, Stokes, Wicker—22.

Nays—Senators, Butler, Malone, Shelley—3.

So the bill passed, title as stated.

Mr. Anderson moved that the Senate do now adjourn. Which was agreed to.

Thereupon the Senate took a recess until 8 o'clock P. M. this day.

NIGHT SESSION.

The Senate met at 8 o'clock P. M. pursuant to recess order.

The President in the chair.

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

Mr. President, Senators, Anderson, Butler, Campbell, Colson, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knight, Mapoles, Mitchell, Overstreet, Putnam, Russell, Shelley, Stokes, Taylor, Wicker—21.

A quorum present.

Mr. Etheredge moved that Senate Bill No. 131 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 131:

A bill to be entitled An Act to amend Section One of Chapter 8540 of the Acts of 1921, Laws of Florida, relating to the duties of Pilot Commissioner, the examination and number of pilots.

Mr. Etheredge moved that the rules be waived and Senate Bill No. 131, be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 131 was read a second time by its title only.

Mr. Taylor moved to waive the rules and that the further consideration of Senate Bill be informally passed over.

Which was agreed to by two-thirds vote.

By Consent—

By Senator Mitchell—

Senate Bill No. 316:

A bill to be entitled An Act to ratify, approve, confirm and validate the actions of the Board of County Commissioners of Citrus County, Florida, in passing resolutions calling the election, publishing notice of election, examining and revising the registration books, and giving notice of same, printing of ballots, holding of election, canvassing the returns and declaring the results, appointing trustees, providing for a sinking fund, the suit filed and decree entered validating bonds, the form of bond adopted, time and place of payment, and each and every step taken by the Board of County Commissioners and County Officers concerning the issuance and sale of seven hundred and fifty (750) county bonds of the County of Citrus in the denomination of one thousand (\$1,000.00) dollars for the purpose of constructing a system of paved, macadamized or other hard surfaced highways in said Citrus County, Florida.

Which was read the first time by its title.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 316 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 316 was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 316 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. 316 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, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Russell, Shelley, Stokes, Taylor, Wicker—21.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Mitchell—

Senate Bill No. 317:

A bill to be entitled An Act to authorize the Board of County Commissioners of Pasco County, Florida, to borrow in any year eighty per centum of their budget for that year, and to pay interest on money so borrowed.

Which was read the first time by its title.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 317 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 317 was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 317 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. 317 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, Campbell, Colson, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Russell, Shelley, Stokes, Taylor, Wicker—23.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Mitchell—

Senate Bill No. 318:

A bill to be entitled An Act to authorize the Board of County Commissioners of Pasco County, Florida, to issue interest-bearing negotiable time warrants of and for Highlands Special Road and Bridge District of said county in the amount of one hundred and seventy-five thousand dollars, and prescribing the purposes for which

said warrants or the proceeds of the sale thereof shall be used.

Which was read the first time by its title.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 318 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 318 was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 318 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. 318 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, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Russell, Shelley, Stokes, Taylor, Wicker—21.

Nays—None.

So the bill passed, title as stated.

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

By Senator Mitchell—

Senate Bill No. 319:

A bill to be entitled An Act to provide for and regulate the making of special assessments against abutting property as authorized by Section 7 of Chapter 8154, Laws of Florida, being "An Act to authorize the Board of County Commissioners of Pasco County, Florida, to organize and constitute a special road and bridge district, to authorize such district to assume and pay off the outstanding indebtedness of other special road and bridge districts included within its boundaries; providing for the appointment of banks as bond trustees for such district; and repealing all conflicting laws and parts of laws"; authorizing the issuance of certificates of indebtedness upon such special assessments; fixing the time of payment of such certificates; and repealing all conflicting laws and parts of laws.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 319 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 319 was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 319 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. 319 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, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Russell, Shelley, Stokes, Taylor, Wells, Wicker—21.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 37 was taken up in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 72 was taken up in its order and the consideration of the same was temporarily passed over.

By consent—

By Mr. Wicker—

Senate Bill No. 320:

A bill to be entitled An Act to protect the fox in Sumter County, Florida.

Which was read the first time by its title.

Mr. Wicker moved that the rules be waived and Senate Bill No. 320 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 320 was read a second time by its title only.

Mr. Wicker moved that the rules be further waived and that Senate Bill No. 320 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. 320 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, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Taylor, Wicker—20.

Nays—None.

So the bill passed, title as stated.

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

By permission, Mr. Wicker Senate Bill No. 123 from the Calendar.

By Mr. Taylor—

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.

Was taken up.

Mr. Taylor moved that the rules be waived and Senate Bill No. 133 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 133 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that Senate Bill No. 133 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. 133 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, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—22.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 182:

A bill to be entitled An Act amending Section 3047 of the Revised General Statutes of Florida, fixing the dates of the terms of Court of the Sixth Judicial Circuit in and for the State of Florida.

Mr. Taylor moved that the rules be waived and Senate Bill No. 183, be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 182, was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and

that Senate Bill No. 182, 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. 182, 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, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—22.

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. 257:

A bill to be entitled An Act to Prohibit Catching or taking of Oswego Bass from the Waters of Homosassa River and Its Tributaries in the County of Citrus, State of Florida, by the use of Seines, Gill-nets, Haul-nets, Baskets, or by any other kind of Nets or Devices except hook and line; to prohibit the selling of Oswego Bass Fish, commonly known as Black Bass, and to declare a closed season; to prohibit catching or taking of said Oswego Bass Fish, commonly known as Black Bass, from the waters of said river and its tributaries from the 30th day of January to the 15th day of April during each and every year; and to prohibit the selling of said fish weighing less than one pound at any time; to prescribe that its violation shall be deemed a misdemeanor and shall be punished by General Law.

Was taken up.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 257, be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 257, was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 257 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. 257 was read a third time in full.

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

Yeas—Mr. President, Senators, Butler, Campbell, Colson, Eaton, Etheredge, Hodges, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—22.

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. 258:

A bill to be entitled An Act to Abolish and Discontinue Special Tax School District No. 4 commonly known as Fort Cooper District of Citrus County, Florida, to add the territory embraced therein to Special Tax School District No. 3, commonly known as Inverness District and Special Tax School District No. 13, commonly known as Floral City District, all of Citrus County, Florida; to fix the boundaries of said Special Tax School Districts Nos. 3 and 13; to provide for Trustees and for the levying, assessing and collecting of taxes in said Districts and the general government of same.

Was taken up.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 258 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 258 was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 258 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. 258 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, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—22.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 259:

A bill to be entitled An Act to designate the boundaries and limits of Special Tax School Districts No. 1, commonly known as Lecanto District; No. 8, commonly known as Crystal River District, all of Citrus County, Florida, and No. 9, commonly known as Citronelle District; to provide for trustees and the assessing and collecting of taxes in said districts as hereinafter mentioned.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 259 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 259 was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 259 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. 259 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, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor—22.

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. 260:

A bill to be entitled An Act to prohibit the catching or taking fish in certain parts of the waters of Crystal River, and its tributaries, in the County of Citrus, State of Florida, by use of seines, gill-nets, haul-nets, or by any other kind of nets or devices, except hook and line; to prohibit the selling of large-mouth bass, or Oswego bass, commonly known as black bass, and prescribe the limit and number of said Oswego bass that may be caught in any one day with hook and line, and to declare a closed season, and to prohibit the catching of such Oswego bass during the months of March and April in each and every year, and to prescribe that its violation shall be deemed a misdemeanor, and shall be punished by general laws.

Was taken up.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 260 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 260 was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 260 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. 260 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, Campbell, Colson, Eaton, Etheredge, Hodges, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—22.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 261:

A bill to be entitled An Act authorizing the Board of County Commissioners of Citrus County, Florida, to employ a publicity agent, to accept contributions for publicity purposes, and to levy a tax to support the same.

Was taken up.

Mr. Mitchell moved that the rules be waived and Senate Bill No. 261 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 261 was read a second time by its title only.

Mr. Mitchell moved that the rules be further waived and that Senate Bill No. 261 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. 261 was read a third time in full.

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

Yeas—Mr. President, Senators, Butler, Calkins, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—20.

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. 62:

A bill to be entitled An Act to amend Section 7 of Chapter 8702 of the Laws of Florida.

Was taken up.

Mr. Taylor moved that Senate Bill 62 be substituted by House Bill No. 145.

Which was agreed to.

And House Bill No. 145 took the place of the Senate Bill No. 62 on the Calendar.

Mr. Taylor moved that the rules be waived and House Bill No. 145 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 145 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that House Bill No. 145 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. 145 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 Calkins, Campbell, Colson, Eaton, Etheredge, Igou, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—20.

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. 299:

A bill to be entitled An Act to amend Section Two of Chapter 8962 of the Laws of Florida, being An Act authorizing the town of Haines City, in Polk County, Florida, to assess property for taxes at its cash value and providing a method for collecting taxes.

Was taken up.

Mr. Eaton moved that the rules be waived and Senate Bill No. 299 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 299 was read a second time by its title only.

Mr. Eaton moved that the rules be further waived and that Senate Bill No. 299 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. 299 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 Calkins, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—19.

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. 298:

A bill to be entitled An Act to amend Section 2 of Chapter 8233, Special Acts of the Legislature 1919 relating to authority to levy taxes; Section 14 and 15 of Chapter 7132, Special Acts of the Legislature 1915, relating to paving curbing and grading streets, special assessments and the issuance of certificates of indebtedness; Section 19 of said Chapter 7132 relating to foreclosure of liens, and Sections 52, 54, 55 and 56 of said Chapter 7132 relating to bond trustees.

Was taken up.

Mr. Eaton moved that the rules be waived and Senate Bill No. 298 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 298 was read a second time by its title only.

Mr. Eaton moved that the rules be further waived and that Senate Bill No. 298 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. 298 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 Calkins, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles,

Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—19.

Nays—None.

So the bill passed, title as stated.

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

Mr. Knight moved that Senate Bill No. 305 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 305:

A bill to be entitled An Act providing for the sale and issuance of bonds in the sum of thirty-five thousand dollars by the Board of Public Instruction for the County of Union, State of Florida, to fund the outstanding indebtedness of said Board of Public Instruction, and providing for a sinking fund with which to pay the principal and interest on said bonds as same matures, and specifying what interest said bonds are to bear and date of maturity of same.

Was taken up.

Mr. Knight moved that the rules be waived and Senate Bill No. 305 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 305 was read a second time by its title only.

Mr. Knight moved that the rules be further waived and that Senate Bill No. 305 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. 305 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 Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Shelley, Stokes, Taylor, Wicker—18.

Nays—None.

So the bill passed, title as stated.

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

Mr. Knight moved that Senate Bill No. 306 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 306:

A bill to be entitled An Act providing for the sale and issuance of bonds in the sum of forty thousand dollars by the Board of Public Instruction for the County of Bradford, State of Florida, to fund the outstanding indebtedness of the said Board of Public Instruction and providing for a sinking fund with which to pay the principal and interest on said bonds as same matures, and specifying that interest the said bonds are to bear and date of maturity of the same.

Was taken up.

Mr. Knight moved that the rules be waived and Senate Bill No. 306 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 306 was read a second time by its title only.

Mr. Knight moved that the rules be further waived and that Senate Bill No. 306 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. 306 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, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—17.

Nays—None.

So the bill passed, title as stated.

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

Senate Bills Nos. 235 and 204 were taken up in their order and the consideration of the same was temporarily passed over.

And—

House Bill No. 204:

A bill to be entitled An Act to authorize the Board of Public Instruction of Hillsborough County, Florida, to procure a loan of not exceeding Two Hundred Thousand

Dollars (\$200,000.00) and pay interest thereon at a rate not exceeding seven per cent. (7%) per annum, for the purpose of enlarging the High School building belonging to said Board, located in the City of Tampa, and wherein is maintained the County High School for said Hillsborough County, and for the purpose of furnishing such enlargement of said High School building; to authorize said Board in order to procure said loan, to issue and sell not exceeding Two Hundred Thousand Dollars (\$200,000.00) in principal amount of interest bearing coupon warrants; to make provision for a sinking fund for the retirement of said warrants and the interest to become due thereon; to regulate the expenditure of the sum derived from the sale of said warrants; and to provide for the validation of said warrants.

Was taken up.

Mr. Taylor moved that the rules be waived and House Bill No. 204 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 204 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that House Bill No. 204 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. 204 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 Campbell, Colson, Eaton, Etheredge Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—17.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 196 was taken up in its order and the consideration of the same was temporarily passed over.

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.

Was taken up.

Mr. Taylor moved that the rules be waived and House Bill No. 144 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 144 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that House Bill No. 144 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. 144 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 Calkins, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Stokes, Taylor, Wicker—18.

Nays—None.

So the Bill passed, title as stated.

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

House Bills Nos. 276, 285 and 284 were taken up in their order and the consideration of the same was temporarily passed over.

House Bill No. 128:

A bill to be entitled 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.

Was taken up.

Mr. Campbell moved that the rules be waived and House Bill No. 128 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 128 was read a second time by its title only.

Mr. Campbell moved that the rules be further waived and that House Bill No. 128 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. 128 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 Calkins, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—18.

Nays—None.

So the bill passed, title as stated.

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

House Bills Nos. 319 and 400 were taken up in their order and the consideration of the same was temporarily passed over.

House Bill No. 388:

A bill to be entitled An Act relating to the Government and Powers of the City of West Palm Beach; authorizing, ratifying, validating 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.

Was taken up.

Mr. Campbell moved that the rules be waived and House Bill No. 388 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 388 was read a second time by its title only.

Mr. Campbell moved that the rules be further waived and that House Bill No. 388 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. 388 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 Calkins, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—18.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 389:

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

Was taken up.

Mr. Campbell moved that the rules be waived and House Bill No. 389 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 389 was read a second time by its title only.

Mr. Campbell moved that the rules be further waived and that House Bill No. 389 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. 389 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 Calkins, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—18.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Lake, of Seminole—

House Bill No. 395:

A bill to be entitled An Act to protect the fish in the rivers, creeks, canals and inside waters of Seminole County, Florida.

Was taken up.

Mr. Overstreet moved that the rules be waived and House Bill No. 395 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 395 was read a second time by its title only.

Mr. Overstreet moved that the rules be further waived and that House Bill No. 395 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. 395 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, Calkins, Campbell, Colson, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—18.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 435 was taken up in its order and the consideration of the same was temporarily passed over.

House Bill No. 386:

A bill to be entitled 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 the jurisdiction and powers of its officers.

Was taken up.

Mr. Campbell moved that the rules be waived and House Bill No. 386 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 386 was read a second time by its title only.

Mr. Campbell moved that the rules be further waived and that House Bill No. 386 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. 386 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 Calkins, Campbell,

Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—17.

Nays—None.

So the bill passed, title as stated.

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

Mr. Mapoles moved that House Bill No. 378 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 378:

A bill to be entitled An Act authorizing the Board of County Commissioners of Santa Rosa County, Florida; to invest certain funds of said County in certain securities.

Was taken up.

Mr. Mapoles moved that the rules be waived and House Bill No. 378 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 378 was read a second time by its title only.

Mr. Mapoles moved that the rules be further waived and that House Bill No. 378 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. 378 was read the second time by its

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

Yeas—Mr. President, Senators Calkins, Campbell, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—17.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 387 was taken up in its order and the consideration of the same was temporarily passed over.

House Bill No. 363:

A bill to be entitled An Act authorizing the Board of County Commissioners of Hillsborough County, Florida,

to levy annually a special tax not exceeding one-half ($\frac{1}{2}$) mill upon the dollar on all of the property in said county subject to taxation to acquire, develop and maintain a Demonstration Farm for the Encouragement and Protection of Agriculture and Live Stock in said County, and to provide for the maintenance thereof.

Was taken up.

Mr. Taylor moved that the rules be waived and House Bill No. 363 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 363 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that House Bill No. 363 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. 363 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 Calkins, Campbell, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—17.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 379:

A bill to be entitled An Act to provide for the payment of moneys due by persons in Santa Rosa County, Florida; in lieu of labor on the public roads of said County, prescribing certain discounts therefrom under certain circumstances, and prescribing certain duties of the Tax Collector of said county in connection therewith.

Was taken up.

Mr. Mapoles moved that the rules be waived and House bill No. 379 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 379 was read a second time by its title only.

Mr. Mapoles moved that the rules be further waived and that House Bill No. 379 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. 379 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 Calkins, Campbell, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—17.

Nays—None.

So the bill passed, title as stated.

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

And—

House Bill No. 346:

A bill to be entitled An Act to organize and establish a County Court for Glades County, Florida, to prescribe to provide for the appointment of a judge and prosecuting Attorney.

Was taken up.

Mr. Etheredge moved that the rules be waived and House Bill No. 346 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 346 was read a second time by its title only.

Mr. Etheredge offered the following amendment to House Bill No. 346:

In Section 3, line 1 and 2, strike out the words "be an Attorney at law authorized to practice in the Courts of the State of Florida and shall."

Mr. Etheredge moved the adoption of the amendment.

The amendment was agreed to.

Mr. Etheredge moved that the rules be further waived and that House Bill No. 346, as amended, 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. 346, 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 Calkins, Campbell, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—17.

Nays—None.

So the bill passed, title as stated.

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

House Bills Nos. 367 and 291 were taken up in their order and the consideration of the same was temporarily passed over.

House Bill No. 340:

A bill to be entitled An Act creating a fund to be known as the Pension Fund for the Police Department of the City of Tampa.

Was taken up.

Mr. Taylor moved that the rules be waived and House Bill No. 340 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 340 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that House Bill No. 340 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. 340 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 Calkins, Campbell, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—17.

Nays—None.

So the bill passed, title as stated.

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

House Bill No. 343:

A bill to be entitled 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 this act may be repealed or modified providing for the validity of all sections and parts hereof not held valid; and providing when this Act shall take effect.

Was taken up.

Mr. Campbell moved that the rules be waived and House Bill No. 343 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 343 was read a second time by its title only.

Pending the further consideration of the bill, the question was raised as to a quorum being present.

The question was raised as to a quorum being present. Whereupon the roll was called and the following Senators answered to their names:

Yeas—Mr. President, Senators Calkins, Campbell, Eaton, Etheredge, Johnson, Knight, Lindsey, Mapoles, Mitchell, Putnam, Rowe, Russell, Stokes, Taylor, Wicker—16.
Not a quorum present.

Mr. Taylor moved that the Senate do now adjourn. Which was agreed to.

Whereupon the Senate, at 9:36 o'clock P. M., stood adjourned until 11 o'clock A. M., Thursday, April 26, 1923.

Thursday, April 26, 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, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—32.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of April 25th was corrected and, as corrected, was approved.

REPORTS OF COMMITTEES.

Mr. Lindsey, Chairman of the Committee on Insurance, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 26, 1923.

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

Sir:

Your Committee on Insurance, to whom was referred—
Senate Bill No. 204:

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

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

Very respectfully,

B. H. LINDSEY,
Chairman of Committee.

And Senate Bill No. 204, 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., April 25, 1923.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading in both Senate and House—

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.