

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

Yeas—Mr. President, Senators Butler, Calkins, Campbell, Colson, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Putnam, Rowe, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—27.

Nays—None.

So the bill passed, title as stated.

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

Mr. Johnson moved that the Senate do now adjourn.

Which was agreed to.

Thereupon, the Senate, at 6:02 o'clock p. m., stood adjourned to 10 o'clock a. m., Thursday, May 3, 1923.

Thursday, May 3, 1923

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

The President in the chair.

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

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

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of May 2, 1923, was corrected and, as corrected, was approved.

REPORTS OF COMMITTEES.

Mr. Putnam Chairman of the Committee on Prisons and Convicts, submitted the following report:

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

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

Sir:

Your Committee on Prisons and Convicts to whom was referred—

House Bill No. 172:

A bill to be entitled An Act to repeal Sections 6272, 6273, 6274, 6275, 6276, 6277, 6278, 6279, 6280, 6281, 6282, 6283, 6284, 6285, 6286, 6287, 6288, and 6289 of the Re-

vised General Statutes of the State of Florida, providing for the leasing of State prisoners.

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

Very respectfully,
W. G. PUTNAM,
Chairman of Committee.

And House Bill No. 172, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Shelley Chairman of the Committee on Miscellaneous, Legislation, submitted the following report:

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

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

Sir:

Your Committee on Miscellaneous Legislation, to whom was referred—

Senate Bill No. 353:

A bill to be entitled An Act to provide for a State Auditor; to define His powers and duties; to fix His compensation; to make an appropriation to cover His compensation and the expenses of his office; to fix penalties for refusing to submit Books, Records and Moneys to inspection of the State Auditor or any of His assistants, and to Repeal Chapter 8404, Laws of Florida.

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

Very respectfully,
W. O. SHELLEY,
Chairman of Committee.

And Senate Bill No. 353, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Igou, Chairman of the Committee on Roads and Highways, submitted the following report:

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

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

Sir:

Your Committee on Roads and Highways, to whom was referred—

Senate Bill No. 348:

A bill to be entitled An Act relating to toll roads and bridges on State roads, declaring it unlawful for any person, firm or corporation to charge and collect toll for passage over any road or bridges on a State road; making it unlawful to connect any privately owned toll bridge with a State road, where such bridge is located on a detour from the State road, and prescribing penalties for violation of the terms hereof.

Also—

Senate Bill No. 324:

A bill to be entitled An Act to amend Section 1604 of Revised General Statutes of Florida, relating to levy of tax for road and bridge purposes.

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

Very respectfully,
W. M. IGOU,

Chairman of Committee.

And Senate Bills Nos. 348 and 324, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Mr. Igou, Chairman of the Committee on Roads and Highways, submitted the following report:

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

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

Sir:

Your Committee on Roads and Highways, to whom was referred—

Senate Bill No. 94:

A bill to be entitled An Act relating to toll roads and bridges on State roads, declaring it unlawful for any person, firm or corporation to charge and collect toll for passage over any road or bridges on a State road; making it unlawful to collect any privately owned toll bridge with a State road, where such bridge is located on a detour from the State road, and prescribing penalties for violations of the terms hereof.

Also—

Senate Bill No. 160:

A bill to be entitled An Act to amend Section 1006 of Revised General Statutes of Florida, as amended by Chapter 9410, Laws of Florida, Acts of 1921, relating to and defining "solid tires" and "pneumatic tires" on motor driven vehicles used on public streets and highways of this State.

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

Very respectfully,

W. M. IGOU,

Chairman of Committee.

And Senate Bills Nos. 94 and 160, contained in the above report, were placed on the table under the rule.

Mr. Igou, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1923.

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

Sir:

Your Committee on Public Roads and Highways, to whom was referred—

House Bill No. 142:

A bill to be entitled An Act to provide for the paving of the public roads outside the corporate limits of municipalities, and for assessing the costs thereof against abutting property owners in counties of not less than seventy-five (75,000) thousand nor more than one hundred (100,000) thousand, according to the Federal Census of 1920, and giving the Board of County Commissioners of such Counties full power and authority therefor.

Have had same under consideration, and return without recommendation.

Very respectfully,

W. M. IGOU,

Chairman of Committee.

And House Bill No. 142, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. W. H. Malone, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber.

Tallahassee, Fla., May 3, 1923.

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

Sir:

Your Committee on Claims, to whom was referred—
Senate Bill No. 337:

A bill to be entitled An Act for the relief of Joseph J. Jones.

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

Very respectfully,
W. H. MALONE,
Chairman of Committee.

And Senate Bill No. 337, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. W. H. Malone, Chairman of the Committee on Claims, submitted the following report:

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

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

Sir:

Your Committee on Claims, to whom was referred—
Senate Bill No. 203:

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

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

Very respectfully,
W. H. MALONE,
Chairman of Committee.

And Senate Bill No. 203, contained in the above report, was placed on the table under the rule.

REPORT OF ENROLLING COMMITTEE.

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

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

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

Sir:

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

(House Bill No. 473):

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

Have examined the same and find them correctly enrolled.

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

Very respectfully,

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

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

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

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

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

Sir:

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

(House Bill No. 569):

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

Have examined the same and find them correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

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

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

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

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

Sir:

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

(House Bill No. 194):

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

Also—

(House Bill No. 195):

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

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith

present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

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

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

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

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

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

Sir:

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

(House Bill No. 389):

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

Also—

(House Bill No. 38):

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

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith

present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

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

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

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

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

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

Sir:

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

(House Bill No. 418):

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

Also—

(House Bill No. 468):

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

Also—

(House Bill No. 145):

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

Also—

(House Bill No. 466) :

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

Also—

(House Bill No. 493) :

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

Also—

(House Bill No. 105) :

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

Have examined the same and find them correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

The bills contained in the above report have been duly signed by the President and Secretary of the Senate in

open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

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

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

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

Sir:

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

(House Bill No. 454) :

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

Have examined the same and find them correctly enrolled.

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

Very respectfully,
R. H. ROWE,

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

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

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

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

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

Sir:

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

(House Bill No. 437):

An Act ratifying, validating and confirming all acts and proceedings of the City of Fort Lauderdale, in Broward County, Florida, in the improvement by the construction of an open canal for the purpose of draining the lots and lands lying and being situate within the boundaries of the district known and designated as storm sewer district number eight; declaring the same to be a storm sewer or other drain within the meaning of the provisions of Section 31, Chapter 8950, Laws of Florida, Special Acts of 1921; declaring the same to be a public improvement and legal and valid; and ratifying, validating and confirming all assessments and certificates of indebtedness heretofore levied and issued, or which may hereafter be levied and issued against the lots and lands within said district benefited by the said improvement; and providing that assessments and

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

Have examined the same and find them correctly enrolled.

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

Very respectfully,
R. H. ROWE,

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

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

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

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

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

Sir:

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

(House Bill No. 34):

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

Also—

(House Concurrent Resolution No. 10):

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

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

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

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

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

Have examined the same and find them correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

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

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

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

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

Sir:

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

(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 num-

ber 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.

Have examined the same and find it correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

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

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

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

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

Sir:

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

(Senate Concurrent Resolution No. 3):

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

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

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

Have examined the same and find it correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

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

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

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

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

Sir:

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

(Concurrent Resolution No. 5):

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

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

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

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

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

Be it further Resolved, that a copy of this resolution be immediately furnished to the Chairman of the State Road Department of Florida.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith

present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

R. H. ROWE,

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

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

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

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

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

Sir:

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

(Senate Bill No. 26):

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

Also—

(Senate Bill No. 223):

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

Also—

(Senate Bill No. 86):

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

Also—

(Senate Bill No. 49):

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

Have examined the same and find them correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

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

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

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

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

Sir:

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

(Senate Bill No. 16):

An Act authorizing Banks and Trust Companies incorporated under the Laws of Florida to invest to a limited

extent in the Stock of Banks Chartered under Act of Congress to do business in this State under An Act entitled "An Act to provide Capital for Agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States Bonds, to create Government depositories and financial agents for the United States, and for other purposes." Approved July 17, 1916.

Also—

(Senate Bill No. 23):

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

Have examined the same and find them correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

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

REPORT OF COMMITTEE ON ENGROSSED BILLS.

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

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

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

Sir:

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

Senate Bill No. 149:

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

Also—

Senate Bill No. 150:

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

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

Very respectfully,

W. J. SINGLETARY,
Chairman of Committee.

And Senate Bills Nos. 149 and 150, contained in the above report, were ordered to be certified to the House of Representatives.

INTRODUCTION OF BILLS.

By Mr. Campbell—

Senate Bill No. 365:

A bill to be entitled An Act to abolish the present municipal Government of the Town of Riviera, in Palm Beach County, Florida; to legalize and validate the ordinances of said Town of Riviera and official Acts thereunder; to create and establish a new municipality to be known as the Town of Riviera, Palm Beach County, Florida; and to fix and provide its territorial limits, jurisdiction and powers, and the jurisdiction and powers of its officers; and to provide that the said town of Riviera shall not be annexed nor consolidated with any other incorporation, city or town without the consent of two-thirds majority of the

registered voters actually voting at an election to be held in the Said Town of Riviera.

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. Putnam—

Senate Bill No. 366:

A bill to be entitled An Act to repeal Chapter 7143 of the Laws of the State of Florida, (1915), relative to Special Tax by the Town of Daytona Beach, Florida.

Which was read the first time by its title.

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

By Mr. Wells—

Senate Bill No. 367:

A bill to be entitled An Act for the relief of John R. Bridges, of Washington County, Florida.

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

By Mr. Phillips—

Senate Bill No. 368:

A bill to be entitled An Act to provide for the taking of the Census of the State of Florida in the year 1925 and making appropriation therefor.

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

By Mr. Phillips—

Senate Bill No. 369:

A bill to be entitled An Act granting pension under certain conditions to Negroes who were engaged in the service of the State of Florida during the war between the States, and providing for the payment thereof.

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

By Mr. Overstreet—

Senate Bill No. 370:

A bill to be entitled An Act to change the name of the town of Winter Garden, a municipal corporation in the County of Orange and State of Florida, to the City of

Winter Garden; to change and enlarge the boundaries thereof; to amend Sections 9, 54, 55, 57 and 59 of Chapter 6798, Laws of Florida, Acts of 1913, and to enlarge the powers and privileges of said municipality.

Which was read the first time by its title.

Mr. Overstreet moved that the rules be waived and Senate Bill No. 370 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 370 was read a second time by its title only.

Mr. Overstreet moved that the rules be further waived and that Senate Bill No. 370 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. 370 was read a third time in full.

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

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

Nays—None

So the bill passed, title as stated.

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

By Mr. Overstreet—

Senate Bill No. 371:

A bill to be entitled An Act to amend Sections 1 and 2, Chapter 9117, Laws of Florida, Acts of 1921, relating to municipal improvements in the Town of Winter Garden, a municipal corporation of Orange County, Florida.

Which was read the first time by its title.

Mr. Overstreet moved that the rules be waived and Senate Bill No. 371, be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 371, was read a second time by its title only.

Mr. Overstreet, moved that the rules be further waived and that Senate Bill No. 371, 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. 371, was read a third time in full.

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

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

Nays—None.

So the bill passed, title as stated.

Mr. Overstreet moved that the rules be waived and that Senate Bill No. 371, be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 371 was so certified.

By Mr. Knight—

Senate Bill No. 372:

A bill to be entitled An Act providing for a system of teachers' examinations; to prescribe the duties of County Superintendents relative to the conducting of examinations; to give the force of law to the rules and regulations prescribed by the State Board of Education for the execution of the provisions of this Act; and to repeal all laws in conflict with this Act.

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

By Mr. Wells—

Senate Bill No. 373:

A bill to be entitled An Act granting pension to E. N. Everitt, of Washington County, Florida.

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

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 12:

Be it resolved by the House of Representatives, the Senate Concurring:

Section 1. That the Joint Legislative Investigation Committee, appointed to investigate into the cause of the death of one Martin Tabert, of North Dakota, be and it is

hereby directed and instructed to furnish to the State Attorney of the Third Judicial Circuit of Florida; one complete copy of the transcript of the testimony taken before said Committee relating to the death of said Martin Tabert, and the cause thereof.

Section 2. Said Committee is directed to cause the expense of furnishing the transcript mentioned in Section One (1) hereof to be paid and discharged and report made, in the same manner as is followed in paying the other expenses of such Committee.

Was read the Second Time.

Mr. Stokes moved the adoption of the Resolution.

Which was agreed to.

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

Mr. Hodges moved that House Bill No. 657 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 657:

A bill to be entitled An Act to authorize the Board of Public Instruction for the County of Leon in the State of Florida, to define and declare the boundaries of Special Tax School District No. 1 of said County, and to submit their action to the qualified voters of said District for approval at an election to be called and held for such purpose.

Mr. Hodges moved that the rules be waived and House Bill No. 657 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 657 was read a second time by its title only.

Mr. Hodges moved that the rules be further waived and that House Bill No. 657 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. 657 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Eaton, Epperson, Etheredge, Hodges, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Overstreet, Phillips, Putnam, Rowe, Rus-

sell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—29.

Nays—None.

So the bill passed, title as stated.

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

Mr. Hodges moved that House Bill No. 172 be substituted for Senate Bill No. 82 on the Calendar.

Which was agreed to.

And House Bill No. 172 took the position of Senate Bill No. 82.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, May 2, 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 refused to concur in the Senate amendment to House Bill No. 114.

A bill to be entitled An Act to repeal Chapter 7626, Laws of Florida, Acts of 1917, entitled "An Act to abolish the present municipal government of the town of Blountstown, in Calhoun County, Florida, and to establish, organize and incorporate a city and municipality to be known and designated as the City of Blountstown; to define the territorial boundaries of such city; to provide for its jurisdiction, powers and privileges," and to organize, create and incorporate a city and municipality to be known and designated as the city of Blountstown; to define the territorial boundaries and area of such city; to provide for the powers, privileges and jurisdiction to be exercised by such city; to provide for the election of officers, the term of office and the compensation to be paid to officers of such city; to authorize such city to exercise

the powers of eminent domain; to fix and collect revenue and to grant to such city other powers conferred upon municipal corporations under the laws of the State of Florida.

Which amendment is as follows:

Mr. Wells offered the following amendment to House Bill No. 114:

After Section 39 add the following:

Section 39 A. The foregoing provisions in this Act shall be effective only upon the approval of a majority of the qualified voters of said City of Blountstown, Florida, who pay taxes on real estate or personal property in said City of Blountstown, Florida, providing all persons shall be considered qualified voters who were qualified to vote in said City of Blountstown, Florida, at the time of the last city election, or who have thereafter qualified to vote in said City of Blountstown, Florida.

Section 39 B. The special election provided for in Section 39 A of this Act shall be held on the 28th day of May, 1923, and the City Council and City Officials of the City of Blountstown, Florida, shall discharge such duties in connection with the calling and holding of said election as are now required of them by law for special election, and the said election shall be governed in all respects by law for holding special elections.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

Mr. Wells moved that the Senate refuse to recede from its amendment to House Bill No. 114, and that a Committee of conference be appointed to consist of two from the Senate and three from the House of Representatives to adjust the differences upon this Bill, existing between the two bodies.

Which was agreed to.

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

Mr. Cone was excused from the attendance upon the body because of illness.

By request of Mr. Malone, Senate Bill, No. 203, which was laid on the table under the rule, was restored to the Calendar of Bills on the Second Reading.

ORDERS OF THE DAY.

Senate Bills Nos. 332, 43 and vetoed bill 425, (Session of 1921) were taken up in their orders and the consideration of the same was informally passed over.

Senate Joint Resolution No. 255:

A Joint Resolution proposing an amendment of Section 3 of Article 7, of the Constitution of the State of Florida, relating to Census and Apportionment.

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

Mr. Calkins, offered the following amendment to Senate Joint Resolution No. 255.

Strike out the words "Should the Legislature fail to apportion the Representation in the Senate and in the House of Representatives, at any regular session of the Legislature, at any of the times herein provided for, it shall be the duty of the Governor within six months (6) following the final adjournment of any such regular session of the Legislature, to apportion the Representation in the Senate and in the House of Representatives as herein provided for and, within said time, publicly proclaim the apportionment so made by him, and such apportionment shall be of like force and effect, from the time of such proclamation, as if made by the Legislature."

And insert in lieu thereof the following: "Should the Legislature fail to apportion the Representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session, to apportion the Representation in the Senate and in the House of Representatives as herein provided."

Mr. Calkins moved the adoption of the amendment.

Mr. Lindsey offered the following substitute amendment to Senate Joint Resolution No. 255:

In Section 3, line 17, strike out the words "governor" and insert in lieu thereof the following: "Supreme Court of Florida."

Mr. Lindsey moved the adoption of the amendment.

Mr. Stokes moved that the amendment offered by Mr. Calkins, together with the substitute amendment offered by Mr. Lindsey, be laid on the table.

The motion to lay on the table was withdrawn.

The question recurred upon the adoption of the substitute amendment offered by Mr. Lindsey.

The substitute amendment was not agreed to.

The question then recurred on the amendment to the bill offered by Mr. Calkins.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Butler, Calkins Colson, Epperson, Etheredge, Hodges, Knabb, Knight, Lindsey, Malone, Mapoles, Phillips, Putnam, Rowe, Scales, Shelley, Singletary, Wells, Wicker—21.

Nays—Senators Campbell, Eaton, Igou, Johnson, MacWilliams, Mitchell, Overstreet, Russell, Stokes, Taylor—10.

So the amendment was adopted.

Mr. Singletary offered the following amendment to Senate Joint Resolution No. 255:

In Section —, line —, strike out the words "3 representatives for 5 largest counties," and insert in lieu thereof the following: "2 representatives."

Mr. Singletary moved the adoption of the amendment.

Pending the consideration of the above amendment—

Mr. Taylor moved that the time of adjournment be extended twenty minutes.

Which was agreed to.

The Senate resumed consideration of Mr. Singletary's amendment.

A roll call was demanded.

Upon call of the roll on the adoption of Mr. Singletary's amendment, the vote was:

Yeas—Senators Colson, Epperson, Knight, Mapoles, Rowe, Singletary, Wells—7.

Nays—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Etheredge, Hodges, Igou, Johnson, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Putnam, Russell, Scales, Shelley, Stokes, Taylor, Wicker—22.

So the amendment was not agreed to.

Mr. Singletary offered the following amendment to Senate Joint Resolution No. 255:

Strike out the words "five largest counties" and insert in lieu thereof the following: "two largest counties.

Mr. Singletary moved the adoption of the amendment.

Which was not agreed to.

Mr. Anderson offered the following amendment to Senate Joint Resolution No. 255:

In lines 32 and 33. strike out the following words: "whether made by the Legislature or by the Governor."

Mr. Anderson moved the adoption of the amendment.

Which was agreed to.

Mr. Epperson offered the following amendment to Senate Joint Resolution No. 255:

In Section 3, line 4, strike out the words and figures "thirty-eight (38)," and insert in lieu thereof the following: "thirty-two (32)."

Mr. Epperson moved the adoption of the amendment.

Which was not agreed to.

Mr. Stokes moved that the rules be waived and that Senate Joint Resolution, with amendments, be read a third time and placed on its third reading and final passage.

Which was agreed to by a two-thirds vote.

Pending consideration of the same—

Mr. Stokes moved that the time of adjournment be extended to 1:30 P. M.

Which was agreed to.

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

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

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

Section 3. The Legislature that shall meet in regular session A. D. 1925, and those that shall meet every ten years thereafter, shall apportion the representation in the Senate, and shall provide for thirty-eight (38) Senatorial Districts, such districts to be as nearly equal in population as practicable, but no county shall be divided in making

such apportionment, and each district shall have one Senator; and, at the same time, the Legislature shall also apportion the representation in the House of Representatives, and shall allow three (3) Representatives to each of the five most populous counties, and two (2) Representatives to each of the next eighteen more populous counties, and one Representative to each of the remaining counties of the State at the time of such apportionment. Should the Legislature fail to apportion the representation in the Senate and in the House of Representatives, at any regular session of the Legislature at any of the times herein designated, it shall be the duty of the Legislature or Legislatures succeeding such regular session of the Legislature, either in special or regular session, to apportion the Representation in the Senate and in the House of Representatives as herein provided. The preceding regular Federal or regular State census, whichever shall have been taken nearest any apportionment of Representatives in the Senate and in the House of Representatives, shall control in making any such apportionment.

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

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

Nays—Senators Epperson, Mapoles, Singletary—3.

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

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

Which was agreed to.

By Consent—

Mr. Hodges Introduced—

Senate Bill No. 374:

A bill to be entitled An Act to authorize the Board of Commissioners of State Institutions to pay for material furnished and work done on the State Capitol Building not contemplated when the work of repairing and remodeling the building was begun; to authorize the Board of Commissioners of State Institutions to pay for furniture purchased

for the Senate Chamber and House of Representatives and to purchase furniture for Committee Rooms; to provide for additional work of the Capitol Building and for constructing walks, drives and beautifying the Capitol grounds and making an appropriation for the same.

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

By Consent—

Mr. Scales offered the following Resolution—

Senate Resolution No. 15:

Whereas, in recent issues of certain newspapers of the State there have appeared reports of intimidation and discourtesies at Clara, Taylor County, Florida, toward the sub-committee of the committee appointed by the present legislature to investigate the death of Martin Tabert; and

Whereas, such reports are represented as grossly exaggerated and in many particulars utterly untrue; and

Whereas, such reports are a reflection upon, and do incalculable harm and injury to the good citizenship of Taylor County, Florida, and to the entire State; therefore, be it—

Resolved by the Senate of the State of Florida, that the President of the Florida Senate appoint a committee of three of its members to take testimony regarding the alleged mistreatment, intimidation and discourtesy to said sub-committee, and ascertain all facts pertaining thereto, and report its findings back to this Senate at as early date as practicable.

Mr. Scales moved to adopt the Resolution.

Which was agreed to.

Mr. Johnson moved that the Motion to recess until 4 o'clock P. M., be reconsidered.

Mr. Johnson moved that the rules be waived and the Motion to reconsider be now taken up.

Which was agreed to by a two-thirds vote.

The question was put upon the reconsideration of the Motion to recess until 4 o'clock P. M.

And the Senate reconsidered its action.

Mr. Johnson moved that the Senate do now adjourn until 10 o'clock tomorrow morning.

Which was agreed to.

Thereupon the Senate at 1:30 o'clock P. M. stood adjourned until 10 o'clock A. M., Friday, May 4, 1923.