

Tuesday, May 15, 1923

The Senate met at 10 o'clock A. M.

The President in the Chair.

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

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

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The Journal of Monday, May 14th, was corrected and as corrected was approved.

REPORTS OF COMMITTEES.

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

- Senate Chamber,
Tallahassee, Fla., May 15, 1923.

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

Sir:

Your Committee on Judiciary B, to whom was referred—
Senate Bill No. 428:

A bill to be entitled An Act to establish the Chemical Division of the Department of Agriculture of the State of Florida; to define its duties and assign certain laws to the Chemical Division for enforcement; to provide for employees, funds and the making of rules and regulations; to define the duties of prosecuting officers; to define the du-

ties of courts in reference to the enforcement of this Act; and for other purposes.

Also—

Senate Bill No. 460:

A bill to be entitled An Act to exempt from taxation the thousand dollars of property of each aged bona fide resident of this State who has passed the allotted age of seventy years, and who has been a resident of Florida continuously for the last past thirty (30) years, prior to the passage of this Act.

Also—

Senate Bill No. 467:

A bill to be entitled An Act requiring the Board of Commissioners of State Institutions to furnish aid to discharged inmates of the Florida Industrial School for Boys and the Florida Industrial School for Girls.

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

Very respectfully,

D. E. KNIGHT,
Chairman of Committee.

And Senate Bills Nos. 428, 460, and 467, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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 15, 1923.

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

Sir:

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

(Senate Concurrent Resolution No. 7):

Be it Resolved by the Senate, the House of Representatives concurring:

That the Honorable William J. Bryan be and he is invited to address the Legislature in the Chamber of the House of Representatives at four o'clock P. M. today, Friday, May 11, 1923.

Also—

(Senate Bill No. 84):

An Act to amend Section 5071 of the Revised General Statutes of Florida relating to cruelty to children.

Also—

(Senate Bill No. 46):

An Act regulating the summons of petit jurors in Circuit Criminal and County Courts; and the summons of grand jurors in the Circuit Court, amending Section 2787 of the Revised General Statutes of Florida, with certain exceptions.

Senate Joint Resolution No. 255:

Proposing An amendment of Section 3 of Article 7, of the Constitution of the State of Florida, relating to census and apportionment.

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

Very respectfully,

R. H. ROWE,

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

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

Senate Chamber,
Tallahassee, Florida, May 15, 1923.

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

Sir:

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

(Senate Bill No. 437):

An Act to validate the proceedings of the town of Greenville, Florida, in relation to the calling of an election for the issuance of bonds in the sum of \$30,000.00 for a water works system and electric light system for said town, and all acts and proceedings pertaining to the holding of the election and declaration of the results thereof, and providing for the execution and issuance of said bonds and the levying and collection of taxes to pay same.

Also—

(Senate Bill No. 188):

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

Also—

(Senate Bill No. 231):

An Act to amend Section 5102 of the Revised General Statutes of Florida providing when grand jury of another county may indict for crime committed outside such county and relating to the place of trial.

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

Very respectfully,

R. H. ROWE,

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

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

Senate Chamber,
Tallahassee, Fla., May 15, 1923.

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

Sir:

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

(Senate Bill No. 378):

An Act to establish Dade Drainage District in this State

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

Also—

(Senate Bill No. 423):

“An Act giving and granting to Graves Brothers Company, a corporation, its successors and assigns, the consent and authority of the State of Florida to erect, construct, build, control and operate a bridge for tram road and logging road purposes over and across Crooked River, a navigable stream, in the County of Franklin, and State of Florida.

Also—

(Senate Bill No. 327):

An Act to amend Sections 4056 and 4054 of the Revised General Statutes as amended by Chapter 8460, Acts of 1921, relating to the par value and payment of subscriptions to capital stock of corporations for profit and certain requisites before transacting business, also to amend Section 4087 of the Revised General Statutes relating to the method of amending the Charter of the Corporation for Profit; and to amend Section 4052 of the Revised General Statutes relating to the Issue of Letters Patent for Corporation for Profit.

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

Very respectfully,

R. H. ROWE,

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

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

Senate Chamber,
Tallahassee, Florida, May 15, 1923.

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

Sir:

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

(House Bill No. 722):

An Act relating to and authorizing Volusia County, Florida, to purchase the three bridges across the Halifax River at Daytona; relating to and authorizing the Board of County Commissioners of said County to issue time warrants or bonds for such purpose, and also to repair or rebuild said bridges, any or all; and relating to and authorizing the County Commissioners of said County to fix and collect tolls and charges thereon.

Also—

(House Bill No. 594):

An Act to abolish the present municipality of the town of Eau Gallie, Brevard County, Florida, and to create and establish a municipal corporation to be known as the City of Eau Gallie, Brevard County, Florida; to prescribe the territorial limits thereof; to prescribe the form of government and confer certain powers upon said municipality and the officers thereof; and to provide for the carrying into effect of the provisions of this Act.

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

Very respectfully,

R. H. ROWE,

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

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

Senate Chamber,
Tallahassee, Fla., May 15, 1923.

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

Sir:

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

(House Bill No. 629):

An Act to authorize Sarasota County to issue negotiable time warrants in the amount of fifty thousand (\$50,000.00) dollars for county purposes.

Also—

(House Bill No. 460):

An Act to amend Section 4 of An Act of the Legislature of the State of Florida approved April 26, A. D. 1919, entitled "An Act to abolish the present city municipal government of Okeechobee, Florida, to legalize and validate the ordinances and all official acts thereunder, and to fix its territorial boundaries, jurisdictions, and powers of its officers," and known as Chapter 8318, Acts of 1919.

Also—

(House Bill No. 307):

An Act to amend Section 3043, Revised General Statutes of Florida, 1920, as amended by Chapter 8484, Acts of 1921, relating to the time of holding the regular term of the Circuit Court of the Second Judicial Circuit of Florida.

Also—

(House Bill No. 866):

An Act authorizing the City Utilities Commission of the City of Orlando, Florida, to incur certain indebtedness and to issue its promissory notes therefor.

Also—

(House Bill No. 686):

An Act authorizing the Cocoa Drainage District to borrow money, and issue notes therefor, payable out of annual installment and maintenance taxes.

Also—

(House Bill No. 865):

An Act creating a public utilities commission; providing for the election of its members; prescribing their duties, and authorizing the said Commission to incur indebtedness and borrow money under certain conditions; and to sell electrical merchandise, electricity, power and water to consumers within and beyond the city limits of the City of Orlando.

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

Very respectfully,

R. H. ROWE,

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

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

Senate Chamber,
Tallahassee, Florida, May 15, 1923.

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 495:

A bill to be entitled An Act to amend Section 1, Chapter 8494, Acts of 1921, Laws of Florida, relating to the compensation of State Attorneys.

Also—

House Bill No. 186:

A bill to be entitled An Act to amend Section 3498 of the Revised General Statutes of the State of Florida, relating to liens of certain persons upon Farms, Orchards, Groves, Gardens, Parks or other Grounds.

Also—

House Bill No. 458:

A bill to be entitled An Act amending Sections 1524, 1525 and 1527 of the Revised General Statutes of the State of Florida of 1920, relating to the annual budget of the Board of County Commissioners of the several counties of the State of Florida by inserting therein the words, "The 1st day of January," in lieu of the words, "The 1st day of October," wherever the same appears therein, and also inserting therein the words, "31st day of December," in lieu of the words, "30th day of September," wherever the same appears therein; also by changing the annual fiscal and budget year of the several Boards of County Commissioners of the several counties of the State of Florida, from the 1st day of October to the 30th day of September and from the 1st day of January to the 31st day of December of each year.

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

Very respectfully,

D. E. KNIGHT,
Chairman of Committee.

And Senate Bills Nos. 495, 186 and 458, contained in the above report, was laid on the table under the rule.

INTRODUCTION OF RESOLUTIONS.

By Mr. Calkins—

Senate Resolution No. 18:

Be it Resolved by the Senate, That during the remainder of the session the Senate shall meet in morning and afternoon legislative sessions. The hour for convening of the morning session shall be 10 o'clock and the hour of adjournment for said morning session shall be 1 o'clock P. M. The hour for evening and afternoon session shall be 4

o'clock and the hour of adjournment for said afternoon session shall be 6:30 P. M., when the Senate shall determine to hold a night session the hour of convening shall be 8 o'clock and the hour of adjournment for such night session shall be 10 o'clock P. M.

Which was read.

Mr. Calkins moved the adoption of the Resolution.

Which was agreed to.

By Mr. Anderson—

Senate Resolution No. 19:

Be it Resolved by the Senate, That during the remainder of the session no Senator shall speak for a longer period of time than 15 minutes on any main or incidental question.

Which was read.

Mr. Anderson moved the adoption of the Resolution.

Mr. Malone moved to amend the Resolution by adding to it the words "without unanimous consent."

Which amendment was agreed to.

The question then recurred upon the adoption of the Resolution as amended.

The Resolution as amended was adopted.

INTRODUCTION OF BILLS.

By Mr. Etheredge—

Senate Bill No. 497:

A bill to be entitled An Act to provide for the creation of a municipal corporation to be known as the town of DeSoto City, in Highlands County, Florida; to fix and determine the territorial limits, jurisdiction and powers of said town, and the jurisdiction and powers of its officers; and to provide a referendum on the question of incorporating said town.

Which was read the first time by its title.

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

Mr. Shelley moved that 200 copies of Senate Bill No. 355 be printed for the use of the two branches of the Legislature.

Which was agreed to and it was so ordered.

By Mr. Mapoles—
Senate Bill No. 498:

A bill to be entitled An Act creating an additional judicial circuit in the State of Florida, to be designated as the Nineteenth Judicial Circuit, and to create the Circuit Court thereof, and to provide for a Judge and State Attorney in said Court, and to provide for a State Attorney in the First Judicial Circuit, and defining and fixing the territorial limits and the boundaries of the First and Nineteenth Judicial Circuits, and providing the time for holding the terms of court in said Judicial Circuit, and prescribing the effect on pending cases in said Court.

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

The following messages from the Governor were read:

STATE OF FLORIDA.
EXECUTIVE DEPARTMENT.

Tallahassee, May 14, 1923.

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

Sir:

I have the honor to inform you that I have approved the following Acts which originated in your Honorable Body and have caused the same to be filed in the office of Secretary of State:

(Senate Bill No. 22):

An Act to revive and continue in effect an appropriation made by Chapter 6830, Laws of Florida Acts of 1915, providing for Teacher Training Departments in High Schools and making an appropriation therefor.

Also—

Senate Bill No. 30):

An Act providing for scholarships at each of the two state institutions of higher learning from the various Counties of the State, and making appropriations therefor.

Also—

(Senate Bill No. 41):

An Act for the relief of Frank Wideman, State Attorney in and for the Fourth Judicial Circuit of Florida.

Also—

(Senate Bill No. 64):

An Act to require biennial registration of all electors in counties having a population of 80,000 or more according to the Federal Census of 1920 or any subsequent Federal Census, in the same manner and to the same extent as now required by the Revised General Statutes of Florida in election precincts located wholly or in part within cities or more than 20,000.

Also—

(Senate Bill No. 167):

An Act relating to certain drainage tax certificates held by the Board of Drainage Commissioners, pursuant to the provisions of Chapter 5377 of the Acts of 1905, as amended by Chapter 5709, of the Acts of 1907, and the Board of Commissioners of Everglades Drainage District, pursuant to the provisions of Chapter 6456, of the Acts of 1913, Laws of Florida, and Acts amendatory thereof.

Very respectfully,

CARY A. HARDEE,
Governor.

STATE OF FLORIDA,
EXECUTIVE DEPARTMENT.

Tallahassee, Fla., May 12, 1923.

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

Sir:

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

(Senate Bill No. 238) :

An Act to authorize and empower the City of Bartow to drain any swamp, body of water, low, over flow or water soaked lands lying within or without said City, in order to better health or sanitary conditions in said City, and prescribing the methods of accomplishing such drainage; and to authorize said City of Bartow to acquire, own, use, control and occupy any lands within or without said City, or easements or rights of way over or through the same, for the purpose of draining any swamp, body of water, low, over flow or water soaked lands lying within or without said City, in order to better health or sanitary conditions in said City; and to authorize said City to issue bonds to pay part or all of the cost of such drainage, or drainage works or improvements in connection therewith, or of any such lands, easements or rights of way, and providing a method of issuing such bonds and for an election and the qualifications of voters at such election; and providing that any person or corporation who shall injure, obstruct, damage or destroy any drainage works or improvements constructed, used or maintained by said City under this Act, shall be guilty of a misdemeanor, and prescribing punishments therefor, and providing that such person or corporation shall also be liable in damage for double the cost of removing or repairing such injury, obstruction, damage or destruction, and for the amount of injury to property caused thereby.

Also—

(Senate Bill No. 306) :

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.

Also—

(Senate Bill No. 295) :

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—

(Senate Bill No. 283) :

An Act authorizing and empowering the City Council of the City of Key West, to close certain platted streets in said city.

Also—

(Senate Bill No. 285) :

An Act empowering the City Council of the City of Key West, Florida, on behalf of said City, to condemn, acquire and purchase lands for public parks and playgrounds beyond the City limits; to contract for the development and improvement thereof, including the construction of golf courses thereon; to let contracts for such work or perform the same by and under its supervision for the City; to pay and disburse all funds for such purposes; to pass ordinances governing the use and regulation of such properties, including the imposition of charges or green fees on the golf courses and for the maintenance thereof after construction. Requiring all moneys received as revenue from the use of golf courses over and above maintenance, upkeep and operation costs to pass to the credit of the Interest and Sinking Fund account of said City.

Also—

(Senate Bill No. 282) :

An Act regulating and fixing the compensation of the County Solicitor of Monroe County, Florida.

Also—

(Senate Bill No. 273) :

An Act ratifying, validating and confirming all of the proceedings taken for the creation and organization of the Jumper Creek Drainage District, and all of the acts and proceedings taken by, for and on behalf of the said District since the creation thereof, and all of the Acts and proceedings of the Circuit Court of Sumter County, and of the Board of Supervisors, the Commissioners and all other officers of said Drainage District, and of said Sumter County acting for and on behalf of said District, in carrying out the affairs of said District; and ratifying, vali-

dating and confirming any and all Tax Levies and Assessments which have been made by the Board of Supervisors of said District upon the assessable and taxable property located within said District; and defining and declaring the territory included within the boundaries thereof.

Also—

(Senate Bill No. 257):

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.

Also—

(Senate Bill No. 212):

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

Also—

Senate Concurrent Resolution No. 5.

Also—

Senate Concurrent Resolution No. 3.

Also—

Senate Memorial No. 1.

Very respectfully,

CARY A. HARDEE,
Governor.

Also—

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

Tallahassee, Fla., May 13, 1923.

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

Sir:

By virtue of the authority vested in the Governor under the provisions of Section 28 of Article III of the Constitution of Florida, I return herewith without my approval Senate Bill No. 305, the same being—

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.

This measure is identical with House Bill No. 531 which has already passed both Houses of the Legislature and is now a law. There is no necessity for the passage and approval of two bills on the same subject, identical in terms. The representatives in the Senate and in the House of Representatives whose county is affected by such measure have joined in the request that the bill be vetoed.

For the reasons above stated I have withheld my approval from the measure.

Very respectfully,

CARY A. HARDEE,

Governor.

Mr. Knight moved to waive the rules and take up Senate Bill No. 305, together with Governor's objection thereto for consideration.

Which was agreed to by a two-thirds vote.

The question was put, "Shall the bill pass, the Governor's objection to the contrary notwithstanding?"

Whereupon the roll was called and the vote was:

Yeas—None.

Nays—Mr. President, Senators Anderson, Colson, Cone, Eaton, Epperson, Etheredge, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Russell, Scales, Shelley, Singletary, Stokes, Taylor—23.

So the bill failed to pass over the Governor's objections.

And the same was ordered certified to the Secretary of State.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, May 14, 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 failed to pass—

Senate Bill No. 6:

A bill to be entitled An Act to repeal Sections 539 and 540 of the Revised General Statutes of the State of Florida, relating to the appointment, duties and compensation of Rural School Inspectors.

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, Florida, May 14, 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. 311:

A bill to be entitled An Act to authorize the valuation of bonds and other securities held by life insurance companies, assessment life associations and fraternal beneficiary associations by the amortization method.

Also—

House Bill No. 119:

A bill to be entitled An Act making an appropriation for the purpose of investigating means of preventing, eradicating and controlling injurious insects and diseases affecting pecan and other nut-bearing trees, and for the securing, gathering and dissemination of information in regard to the growing, fertilization and culture of pecan and other nut-bearing trees, to be used and expended by the University of Florida Agricultural Experiment Station under the direction of the Board of Control as herein provided.

Also—

House Bill No. 459:

A bill to be entitled An Act to amend Section 2579, Revised General Statutes of Florida, relating to locality of actions.

Also—

House Bill No. 585:

A bill to be entitled An Act to amend Section 256 of the Revised General Statutes of Florida, relating to the printing of names upon the ballot in general elections.

Also—

House Bill No. 288:

A bill to be entitled An Act to amend Section 5059 of

the Revised General Statutes with reference to punishment for assault.

Also—

House Bill No. 326:

A bill to be entitled An Act providing for insurance on State properties of more than fifty thousand dollars on one risk, and making appropriation therefor.

Also—

House Bill No. 219:

A bill to be entitled An Act to provide for the recovery of a reasonable attorney's fee on rendition of a judgment against any person, firm or corporation on any bond on which such person, firm or corporation has become a surety.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 311, contained in the foregoing message, was read the first time by its title and referred to the Committee on Insurance.

And House Bill No. 119, contained in the foregoing message, was read the first time by its title and referred to the Committee on Reforestration and Agriculture.

And House Bill No. 459, contained in the foregoing message, was read the first time by its title and referred to the Committee on Judiciary A.

And House Bill No. 585, contained in the foregoing message, was read the first time by its title and referred to the Committee on Privileges and Elections.

And House Bill No. 288, contained in the foregoing message, was read the first time by its title and referred to the Committee on Judiciary B.

And House Bill No. 326, contained in the foregoing message, was read the first time by its title and referred to the Committee on Insurance.

And House Bill No. 219, contained in the foregoing message, was read the first time by its title and referred to the Committee on Judiciary A.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, May 14, 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. 58:

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.

Also—

House Bill No. 139:

A bill to be entitled An Act to amend Sections 5 and 13 of Chapter 8415 of the Laws of Florida of the session of 1921, relating to the State Medical Board.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 58 contained in the above message was read the first time by its title and referred to the Committee on Second Reading.

And House Bill No. 139, contained in the foregoing message, was read the first time by its title and referred to the Committee on Public Health.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., May 15, 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. 226:

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

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 226, contained in the above message, was read the first time by its title.

Mr. Calkins moved that the rules be waived and House Bill No. 226 be read a second time in full.

Which was agreed to by a two-thirds vote.

And House Bill No. 226 was read a second time in full.

Mr. Calkins moved that the rules be further waived and that House Bill No. 226 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. 226 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, Calkins, Colson, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—27.

Nays—None.

So the bill passed, title as stated.

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

By Unanimous Consent—

Mr. Stokes was permitted to withdraw Senate Bill No. 144 from the consideration of the Senate.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., May 14, 1923.

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

Sir:

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

House Concurrent Resolution No. 3:

Whereas, the Governor of the State of Florida, in his message, has called the attention of the Legislature to the glaring defects existing in our present Primary Election Laws; and

Whereas, the long-suffering people of the State of Florida have looked in vain to previous Legislatures for relief from such defects; and

Whereas, it is improbable unless some special means are taken to secure the consideration of some well-considered plan of amendment that any substantial relief will be granted by this session of the Legislature: Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring therein, That a Special Committee of five members of the Legislature, two to be appointed from the Senate by the President of the Senate and three to be appointed from the House by the Speaker of the House, be and the same is hereby created, and that such Committee shall be charged with the preparation and presentation to this Legis-

lature of some adequate bill or bills which will have the effect of curing the defects of our present Primary Election Laws, or some bill or bills that will provide for the proper conduct of Primary Elections in this State and secure a fair expression of the voters therein, and that such Committee be required to present its report to this Legislature within two weeks after its appointment, and that such report, when presented, shall be a special order of business on the Calendar of the House and Senate.

Be it further resolved by the House of Representatives, the Senate concurring, That proper notice of the appointment of such Committee be given through the Press, and that suggestions from the people of the State, and members of the Democratic Executive Committee, with reference to said amendments to the Primary Election Laws, be invited as a basis for the Committee Report.

Which amendment is as follows:

In Section 5, strike out the words "that a Special Committee of five members of the Legislature, two to be appointed from the Senate and three to be appointed from the House by the Speaker of the House, be and the same is hereby created," and insert in lieu thereof the following: "That the Standing Committees of the Senate and House of Representatives on Privileges and Elections are hereby constituted a Joint Committee."

And respectfully requests the concurrence of the Senate thereto.

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

By consent the following bills were introduced:

By Mr. Malone—
Senate Bill No. 499:

A bill to be entitled An Act to provide for Law Clerks or Stenographers to facilitate the work of the Circuit Judges, in Circuits having more than seventy-five thousand population.

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

By Mr. Igou—
Senate Bill No. 500:

A bill to be entitled An Act to create certain territory in Lake County, Florida, into a special road and bridge dis-

trict, and to provide for the issuance and sale of bonds, interest-bearing time warrants or script by the County Commissioners of Lake County, Florida, in behalf of said district, and providing for the levy and collection of a tax on all taxable property within said district, for the purpose of paying the interest and principal of such bonds, time warrants or script.

Which was read the first time by its title and placed on the Calendar of Local Bills on the Second Reading without reference.

ORDERS OF THE DAY.

Senate Bill No. 9:

A bill to be entitled An Act imposing license taxes upon the gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing for the disposition of the monies derived from such tax and fixing a penalty for the violation of the provisions of this Act and to repeal all laws in conflict with this Act.

Was taken up and read a second time in full.

The Committee on Roads and Highways offered the following amendment to Senate Bill No. 9:

In Section 1, strike out the words "One (1) cent per gallon of which tax shall go to the State of Florida, and two (2) cents per gallon of which tax shall go to the county in which said products are delivered by the dealer" and insert in lieu thereof the following: "Two (2) cents per gallon of such tax shall go to the State of Florida and one (1) cent per gallon shall go to the county in which such products are delivered by the dealer."

Mr. Igou moved the adoption of the amendment.

Mr. Colson moved that the amendment be laid on the table.

Which was agreed to.

And the amendment was laid on the table.

And the Committee amendment was laid on the table.

Mr. Epperson offered the following amendment to Senate Bill No. 9:

In proper place add "The Standard Oil Company and Gulf Refining Company, who retail their gas through their filling stations, shall pay three cents per gallon same as other retailers do."

Mr. Epperson moved the adoption of the amendment.

Mr. Mapoles, offered the following amendment to Senate Bill No. 9:

All wholesale dealers who retail their products in this State, shall pay the same as other retailers.

Mr. Mapoles moved the adoption of the amendment.

By Consent, the amendment to the amendment was withdrawn.

By Consent, the amendment was withdrawn.

Mr. Anderson, offered the following amendment to Senate Bill No. 9:

At end of Section One (1) add the following: "All monies paid to Counties shall be expended by the Board of County Commissioners for the construction and maintenance of Public Roads.

By Consent, the amendment was withdrawn.

Mr. Etheredge, offered the following amendment to Senate Bill No. 9:

In Section 1, add at the end to Section One: "That all revenue from gasoline paid in to the State Road Department, that half of the same be applied to maintenance fund.

Mr. Etheredge moved the adoption of the amendment.

Mr. Colson moved that the amendment be laid on the table.

Which was agreed to.

The amendment was laid on the table.

Mr. Scales offered the following amendment to Senate Bill No. 9:

Insert the words "and State aid roads" after the words "State roads" wherever same appear in the bill.

Mr. Scales moved the adoption of the amendment.

Which was not agreed to.

Mr. Lindsey, of 3d District, offered the following amendment to Senate Bill No. 9:

Strike out all of Section 4 after the word "law" in line 6 of page 3.

Mr. Lindsey moved the adoption of the amendment.

Which was agreed to.

Mr. Colson moved that the rules be further waived and

that Senate Bill No. 9, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 9, as amended, was read a third time in full.

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

Yeas—Senators Anderson, Calkins, Colson, Cone, Epperson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Phillips, Rowe, Russell, Scales, Shelley, Singletary, Wells, Wicker—20.

Nays—Mr. President, Senators Butler, Eaton, Etheredge, Hodges, Igou, Johnson, Overstreet, Stokes, Taylor—10.

So the bill, as amended, passed, title as stated.

And Senate Bill No. 9, as amended, was referred to the Committee on Engrossed Bills to be certified to the House of Representatives after said committee shall have made its report as to the correct engrossment of same.

Explanation of Senator Hodges' vote on passage of Senate Bill No. 9:

Senator Hodges, of 8th, votes "no" because he believes that the gasoline tax levied against dealers will mean that it is levied against the dealer and paid by the consumer.

Mr. Rowe moved that the vote by which the Senate concurred in the following House amendment to Senate Bill No. 480, which reads as follows:

In Section 2, line 5, strike out the word "convicts" and insert in lieu thereof the word "forever."

Be reconsidered.

Mr. Rowe moved to waive the rule and that the Senate do now take up the motion for reconsideration.

Which was agreed to by a two-thirds vote.

The question was then put upon the reconsideration of the vote by which the Senate concurred in the foregoing House Amendment.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Colson, Cone, Epperson, Igou, Johnson, Lindsey, Overstreet, Rowe, Shelley, Singletary, Wicker—13.

Nays—Senators Butler, Calkins, Eaton, Etheredge,

Hodges, Knabb, MacWilliams, Malone, Mapoles, Mitchell, Phillips, Russell, Stokes, Taylor, Wells—15.

So the Senate refused to reconsider its action upon the House Amendment.

Mr. Knight announced the following pair on the vote to reconsider:

I am paired with Senator Campbell. If he was here he would vote "no" and I would vote aye.

D. E. KNIGHT.

Mr. Lindsey moved that the Senate do now take up and consider Senate Bill No. 431.

Which was agreed to.

And—

Senate Bill No. 431:

A bill to be entitled An Act to repeal Sections 6268, 6269, 6270 and 6271 of the Revised General Statutes of Florida, relating to the appointment, compensation, term of employment, qualifications, powers and duties of supervisors of Convicts; to provide for the employment of Inspectors of Convicts; to prescribe their powers and duties; to fix their compensation and to fix penalties for the violation of the provisions of this Act; to prescribe certain rules to be observed by persons in control of convicts and to prescribe penalties for violating the same; to prescribe certain duties of the Commissioner of Agriculture and of the Board of Commissioners of State Institutions.

Was taken up.

Mr. Lindsey offered the following amendment to Senate Bill No. 431:

In Section 3, line 5, after the word "molestation" insert the following: "The territory to be covered by each Inspector and the extent of his district shall be prescribed by the Board of Commissioners of State Institutions."

Mr. Lindsey moved the adoption of the amendment.

Which was agreed to.

Mr. Stokes offered the following amendment to Senate Bill No. 431:

In Section 6, line 5, strike out the word "county."

Mr. Stokes moved the adoption of the amendment.

Which was agreed to.

Mr. Mapoles offered the following amendment to Senate Bill No. 431:

Add at end of Section 5 the following: "and the reports

shall be matters of public records and subject to inspection by the public at any time."

Mr. Mapoles moved the adoption of the amendment.

Which was agreed to.

Mr. Singletary offered the following amendment to Senate Bill No. 431:

In Section 2, line 2, after the word "be," insert the following: "licensed physicians and shall be."

Mr. Singletary moved the adoption of the amendment.

Which was not agreed to.

Mr. Stokes offered the following amendment to Senate Bill No. 431:

Add to the title the following: "and prohibit corporal punishment of convicts and prisoners."

Mr. Stokes moved the adoption of the amendment.

Which was agreed to.

Pending further consideration of which—

Mr. Phillips moved to waive the rules and that Senate Bill No. 419 be placed back on its second reading for amendment.

Which was agreed to by a two-thirds vote.

Senate Bill No. 419:

A bill to be entitled An Act revising Sections 6217 and 6218 of the General Statutes of Florida, providing for the abolishment of the convict lease system described in Rules and Regulations for the Maintenance and Care of Convicts, fixing the salaries of captains, guards and physicians described in the method of rendering reports to the Board of Commissioners of said Institutions, and approving the penalties for the failure to comply with the rules and regulations as contained in this bill.

Was taken up, having been put back on second reading.

Mr. Phillips offered the following amendment to Senate Bill No. 419:

In Section 12, strike out the words "misdemeanor" wherever it appears.

Mr. Phillips moved the adoption of the amendment.

Which was agreed to.

Mr. Phillips moved that the rules be further waived and that Senate Bill No. 419 as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

Mr. Johnson moved as a Substitute that all the bills—

413, 314 and 419—Be referred to the Committee on Engrossed Bills.

Mr. Phillips moved to amend the substitute motion of Senator Johnson that when said bills are reported back they be considered in numerical order.

Senator Johnson asked for a division on the substitute motion of his.

Which was agreed to.

Mr. Phillips moved that when said bills are reported back from engrossing rooms that they be taken up and considered in numerical order.

Which was agreed to.

The question then recurred upon the Substitute motion of Mr. Johnson as amended.

Pending the consideration of which.

Mr. MacWilliams moved that the Senate do now go into Executive session.

Which was agreed to.

The Chamber and gallery being cleared the Senate went into Executive session at 12:20 P. M.

The doors were opened at 1:30 o'clock P. M. and the Senate resumed its regular session.

The President in the chair.

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

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

A quorum present.

Mr. Anderson moved that the Senate do now take a recess to 4 o'clock P. M.

Which was agreed to.

And the Senate took a recess, at 1:35 o'clock P. M., to 4 o'clock P. M.

AFTERNOON SESSION

4 O'CLOCK P. M.

The Senate met at 4 o'clock P. M., pursuant to recess order.

The President in the chair.

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

Mr. President, Senators Anderson, Butler, Calkins, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—29.

A quorum present.

INTRODUCTION OF BILLS.

By Consent—

Mr. Russell introduced—

Senate Bill No. 501:

A bill to be entitled An Act to create certain territory in Putnam County, Florida, into a Special Road and Bridge District; to legalize and validate an election and the result as shown by the canvass of the returns thereof, held in said territory, constituting the said territory into a Special Road and Bridge District; and to authorize, legalize and validate the building and construction of certain roads and bridges therein named, and for the issuance of bonds to pay therefor, and the appointment of a Board of Bond Trustees, and to invest said Trustees with certain powers and duties, and to carry into effect the object and purposes of said election; and to provide for the collection, use and control of funds within said territory for interest and sinking fund for said bonds.

Which was read the first time by its title.

Mr. Russell moved that the rules be waived and that Senate Bill No. 501 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 501 was read a second time by its title only.

Mr. Russell moved that the rules be further waived and that Senate Bill No. 501 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. 501 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, Colson, Cone, Eaton, Etheredge, Johnson, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Putnam, Russell, Shelley, Singletary, Taylor, Wells, Wicker—20.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Malone—
Senate Bill No. 502:

A bill to be entitled An Act regulating and fixing the compensation of the County Solicitor of Monroe County, Florida.

Which was read the first time by its title.

Mr. Malone moved that the rules be waived and Senate Bill No. 502 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 502 was read a second time by its title only.

Mr. Malone moved that the rules be further waived and that Senate Bill No. 502 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. 502 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, Colson, Cone, Eaton, Etheredge, Igou, Johnson, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Phillips, Putnam, Russell, Shelley, Singletary, Taylor, Wells, Wicker—23.

Nays—None.

So the bill passed, title as stated.

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

Mr. Rowe moved that the rules be waived and that the Senate do now take up House Messages.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, May 15, 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 indefinitely postponed.

Senate Bill No. 240:

A bill to be entitled An Act creating a Public Utilities Commission; providing for the election of its members; prescribing their duties, and authorizing the said Commission to incur indebtedness and borrow money under certain conditions; and to sell electrical merchandise, electricity, power and water to consumers within and beyond the city limits of the City of Orlando.

Also—

Senate Bill No. 244:

A bill to be entitled An Act authorizing the City Utilities Commission of the City of Orlando, Florida, to incur certain indebtedness and to issue its promissory notes therefor.

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, Florida, May 15, 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. 466:

A bill to be entitled An Act to authorize the construction, maintenance and operation of toll roads and bridges in connection therewith, in the County of Hendry, in the State of Florida; regulating the operation thereof and prescribing tolls to be collected thereon; granting the right of eminent domain and prescribing certain penalties.

Also—

Senate Bill No. 468:

A bill to be entitled An Act to organize and establish a County Court in and for Lee County, Florida; to prescribe the terms thereof; to provide for the appointment of a Prosecuting Attorney for said Court, and prescribing the fees and the salaries of the Judge and the Prosecuting Attorney of the said Court, and to provide for the transfer of causes from other courts.

Very respectfully,

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

And Senate Bills Nos. 466 and 468, contained in the above message, were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., May 15, 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. 290:

A bill relative to the prohibition of catching and taking any fresh water fish from any lakes, etc., in Okaloosa County, Florida.

Also—

Senate Bill No. 432:

A bill to be entitled An Act to legalize, ratify, validate and confirm the issuance by the Town of White Springs, Florida, of that certain issue of bonds known as "\$30,000.00 Town of White Springs Water and Light Bonds," as authorized by Ordinance Number 133 of said Town; and to legalize, validate, ratify and confirm all steps, acts, proceedings and things done by said town in connection with the issuance of said bonds, including the passage of ordinance relating thereto, the calling of the election held therefor, and the form of said bonds and to declare, make and render said bonds legal and subsisting obligations of said town.

Very respectfully,

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

And Senate Bills Nos. 290 and 432, contained in the above message, were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., May 15, 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. 445:

A bill to be entitled An Act to validate, approve and confirm proceedings taken for the levying of assessments against certain property abutting and fronting upon certain streets and avenues in the Town of Eustis, Lake County, Florida; for the construction of certain street paving;

to validate, approve and confirm the ordinances providing for the same, and all other Acts and proceedings taken by the Town Council of said town and the other officers and agents of said town for and on behalf of same in connection with the levying of said assessments; to authorize said town to issue certificates of indebtedness against said assessments and said property abutting and fronting on said streets and avenues; and to authorize said town to issue improvement bonds against said assessments and said certificates of indebtedness, and to make the same the general obligations of the said town of Eustis.

Also—

Senate Bill No. 451:

A bill to be entitled An Act providing for proceedings in the Courts of Escambia County, Florida, other than the Circuit Court, upon appearance bonds and bail bonds and for the estreatment of such bonds, and to prescribe the powers and duties of the Court of Record of Escambia County, Florida, with reference to such bonds; and to provide for the rendition of judgment by the Court of Record of Escambia County, Florida, upon such bonds and to provide for the enforcement of such bonds through the Court of Record of Escambia County, Florida.

Also—

Senate Bill No. 452:

A bill to be entitled An Act to validate, approve and confirm proceedings taken by the Town Council of the Town of Umatilla, Lake County, Florida, for the construction and paving of certain streets in said town; to authorize the Town Council of said town to levy assessments against the property fronting or abutting on said streets or portions thereof to be paved; and to authorize the issuance of certificates of indebtedness and improvement bonds of said town based upon said assessments, and to make same the general obligations of the said Town of Umatilla.

Also—

Senate Bill No. 453:

A bill to be entitled An Act providing for the redistricting of the County of St. Lucie into Special Tax School Districts by consolidating certain Special Tax School Districts and changing and ratifying the boundaries between others.

Also—

Senate Bill No. 454:

A bill to be entitled An Act to abolish the present municipal government of the Town of Pahokee, in Palm Beach County, Florida; to legalize and validate the ordinances of said town and official acts thereunder; to create and establish a new municipality to be known as the Town of Pahokee, Palm Beach County, Florida; and to fix and provide its territorial limits, jurisdiction and powers, and the jurisdiction and powers of its officers.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bills Nos. 445, 451, 452, 453, 454, contained in the above message, were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, May 15, 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. 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.

Also—

Senate Bill No. 389:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Lee County, Florida, to issue and sell County Bonds for the purpose of funding the outstanding indebtedness of all the various Special Road and Bridge Districts of said County as may be evidenced by Special Road and Bridge District Bonds or Time Warrants, and providing that all and every of the provisions of the General Laws of the State of Florida with reference to the issuance and sale of County Bonds shall be applicable thereto.

Also—

Senate Bill No. 390:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Lee County, Florida, to convey Real Estate belonging to said County, and to execute sufficient deed thereto.

Also—

Senate Bill No. 418:

A bill to be entitled An Act to amend Section Five of Chapter 6587, Laws of Florida, approved June 7, 1913, entitled "An Act relating to the powers, duties and jurisdiction of the Court of Record in Escambia County, Florida, and of its Judge and officers, and relating to the powers, duties, and jurisdiction of other officers in said County of Escambia in relation to matters within the jurisdiction of said Court of Record."

Also—

Senate Bill No. 425:

A bill to be entitled An Act to authorize the City of DeLand to levy a special tax for a hospital and city library purposes.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bills Nos. 365, 389, 390, 418 and 425, contained in the above message were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., May 15, 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. 455:

A bill to be entitled An Act providing for the issuance of bonds by Fort Pierce Special Tax School District Number 2 and St. Lucie Special Tax School District Number 15, of Saint Lucie County, Florida, for the purpose of erecting building and furnishing a General High School Building for the City of Fort Pierce.

Also—

Senate Bill No. 456:

A bill to be entitled An Act to amend Section 6 of Chapter 7592 of the Laws of Florida, Acts of 1917, to provide for the appointment of an Assistant Prosecuting Attorney, fixing his duties and powers, and providing for his compensation.

Also—

Senate Bill No. 457:

A bill to be entitled An Act ratifying, validating and confirming all of the proceedings taken for the creation and organization of Pahokee Drainage District, and all of the acts and proceedings taken by, for and on behalf of said District since the creation thereof, and all of the acts and proceedings of the Circuit Court, of the Board of Supervisors, the Commissioners and all other officers, and all agents of said Drainage District, acting for and on behalf of said District, in carrying out the affairs of said District; and ratifying, validating and confirming any and all tax levies and assessments which have been made by the Board

of Supervisors of said District upon the assessable and taxable property located within said District, authorizing the Board of Supervisors of said District to pay for work done and refund amounts expended by the Drainage Commissioners of Everglades Drainage District; to extend the term of said District to ninety-nine years; and to authorize the said Board of Supervisors to construct such dikes, dams and levees on and across certain lands and waters adjacent to said district, as they shall deem necessary or useful in their general plan of drainage.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bills Nos. 455, 456, 457, contained in the above message, were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, May 15, 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. 488:

A bill to be entitled An Act to create certain territory in Lake County, Florida, into a special road and bridge district, and to provide for the issuance and sale of bonds, interest bearing time warrants or script by the County Commissioners of Lake County, Florida; in behalf of said District, and providing for the levy and collection of a tax on all taxable property within said district, for the purpose of paying the interest and principal of such bonds, time warrants or script.

Also—

Senate Bill No. 489:

A bill to be entitled An Act relating to and authorizing Volusia County, Florida, to construct a bridge across the Hillsboro or Indian River North at New Smyrna, Florida; or purchase the present bridge across said river, and re-

pair, rebuild, or reconstruct the same; relating to and authorizing the Board of County Commissioners of said county to issue time warrants for bonds for such purpose and providing for the payment thereof; and relating to and authorizing the County Commissioners of said county to fix and collect tolls and charges on said bridge.

Also—

Senate Bill No. 490:

A bill to be entitled An Act prohibiting the operation upon or over the public roads of Bradford 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 of supporting surfaces of a character injurious to said roads or the surface thereof, and providing a penalty for the violation of such provisions; and providing for the operation of such vehicles by permission of the Board of Bond Trustees of said county; and providing for the operation of such vehicles used for transportation of logs, timber or turpentine products in accordance with the rules and regulations to be fixed by the said Board of Bond Trustees for the repair or damage done by said vehicles, and providing penalties for violation of such provisions; and providing for recovery of damages and attorney fees from persons damaging such roads; and providing for the granting of temporary and permanent injunction 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 damages to such roads; and providing rules and evidence for civil action and criminal prosecution with regard to such roads and damages thereto and exempting the Federal, State and County governments from the provisions thereof while building, maintaining or improving such roads, and vesting in the said Board of Bond Trustees in said county the power and authority to make, prescribe and promulgate rules and regulations for the protection of the same.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bills Nos. 488, 489 and 490, contained in the above message, were referred to the Committee on Enrolled Bills.

Also—
The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., May 15, 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. 481:

A bill to be entitled An Act to enable the City of Eustis, Florida, to regulate and limit the height and bulk of buildings; to regulate and determine the area of yards, courts and other open spaces, and to regulate and restrict the location of trades and industries in said city.

Also—

Senate Bill No. 483:

A bill to be entitled An Act to legalize and ratify the Special Election held in Carrabelle and MackIntyre, Franklin County, Florida, on the 24th day of April, A. D. 1923, to determine whether a certain part of Franklin County should be created and constituted a Special Road and Bridge District of said County, and a permanent road and bridges be constructed in said District, and the issuance of Fifty Thousand Dollars of Bonds.

Also—

Senate Bill No. 486:

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 Williston, Levy County, Florida, for the construction of certain street paving, and to validate, approve and confirm the ordinance providing for the same, and all other acts and proceedings taken by the council of said town and other officers and agents of said town for and on behalf of the same in connection with the levying of said assessments; to val-

idate, approve and confirm certificates of indebtedness issued against said assessments and said abutting property on account of said street paving, and to authorize the issue of improvement bonds against the same.

Very respectfully,

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

And Senate Bills Nos. 481, 483 and 486, contained in the above message, were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Florida, May 15, 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. 492:

A bill to be entitled An Act to empower the City of Bartow to erect, equip and control a municipal auditorium, and to acquire and own lands for said purpose, and to levy a tax to maintain said auditorium, and to issue bonds to pay the cost of said auditorium and lands, and prescribing an election to authorize such bonds and the qualifications of electors at such election.

Also—

Senate Bill No. 429:

A bill to be entitled An Act to define the words "Paid for by the City" as used in the thirty-ninth line of Section 42 of Chapter 8259, Laws of Florida, on Page 692, Special Acts of 1919, said Chapter being the City Charter of Dade City, Florida; to authorize the City Council of Dade City to widen any pavement laid on any street or road in said City by the Board of Commissioners of Pasco County, Florida, either for the County or by and Special Road

and Bridge District of the County, and to assess the cost and expense of so widening the same against the abutting property; and providing for and authorizing certificates of indebtedness to be issued by said City Council on account of such assessments.

Also—

Senate Bill No. 444:

A bill to be entitled An Act to validate, approve and confirm proceedings taken for the levying of assessments against certain property abutting and fronting upon a certain street in the Town of Eustis, Lake County, Florida, known and designated as "Lake Gracie Drive," for the construction of certain street paving thereon; to validate, approve and confirm the ordinances providing for the same and all other Acts and proceedings taken by the Town Council of said Town and the other officers and agents of said town for and on behalf of same in connection with the levying of said assessments; to authorize said town to issue certificates of indebtedness against said assessments and said property abutting and fronting on said streets and avenues; and to authorize said town to issue improvement bonds against said assessments and such certificates of indebtedness, and to make the same general obligations of the said Town of Eustis.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bills Nos. 492, 429 and 444, contained in the above message were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., May 15, 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. 590:

A bill to be entitled An Act to provide for the investigation of means of controlling the cotton boll weevil and for improving and perfecting existing means of controlling the boll weevil and other cotton insects; for investigating and devising means of preventing or controlling injurious diseases of cotton; providing an appropriation to be used by the State Plant Board in carrying out the provisions of this Act and the provisions of Chapter 6885, Laws of Florida, and providing that said appropriation shall be supplementary to other appropriations made for similar purposes.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 590, contained in the above message, was read the first time by its title.

Mr. Johnson moved to waive the rules and that House Bill No. 590 be read a second time in full.

Which was agreed to.

And House Bill No. 590 was read the second time in full.

Mr. Johnson moved that House Bill No. 590 be placed on the Calendar of Bills on Second Reading without reference.

Which was agreed to by a two-thirds vote.

And House Bill No. 590 was so placed.

Also—

The following message from the House of Representatives was received:

House of Representatives,
Tallahassee, Fla., May 15, 1923.

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

Sir:

House Bill No. 924:

A bill to be entitled An Act ratifying, validating and confirming the Decree of Dissolution of the Upper St.

Johns Drainage District, rendered December 13th, 1920, by the Circuit Court of Brevard County, and ratifying, validating and confirming all taxes for the years 1920 and 1921 levied by said Board under said Decree, and all certificates of sale and deeds based upon the foreclosure of the delinquent taxes of the said District issued by the Tax Collectors of said Counties since the date of said Decree.

Also—

House Bill No. 552:

A bill to be entitled An Act to prescribe the time for convening the winter term of the Circuit Court in and for Okaloosa County, Florida.

Also—

House Bill No. 705:

A bill to be entitled An Act to create the Gladeview Drainage District in Palm Beach, County, Florida; to provide for the maintenance and operation of said District, and define its powers, rights, privileges, obligations and boundaries; to create a board of supervisors for said district, and to define its powers, to authorize the construction of canals, ditches, drains, dikes, reservoirs, roads and other works for the reclamation, improvement, convenience and benefit of the lands embraced in said district, and incidentally the construction of roads and bridges in said district; to levy assessments and taxes upon the lands in said district; and to provide for the collection of the same, and the sale of lands to enforce the collection of such assessments; to authorize the board of supervisors of said district to borrow money, to issue bonds, notes, warrants and evidences of indebtedness for said district; to prevent injury to any works constructed under this Act, and to provide penalty for the violation of such provisions.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills Nos. 924, 552 and 705, 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, Florida, May 15, 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. 728:

A bill to be entitled An Act to authorize the Board of Supervisors of the Halifax Drainage District, a drainage corporation of Volusia County, Florida, to purchase needed rights of way, and to sell rights of way not required for drainage purposes; to authorize the Board of Supervisors and its officers to annually change the names of landowners when drainage lands have been conveyed; to correct errors in the description of lots of land where the same were incorrectly described in the permanent tax record of said Halifax Drainage District; to correct the permanent tax record so that the number of acres recited for each lot may speak the truth and the assessed taxes changed proportionately; to authorize the Board of Supervisors to cancel taxes assessed upon property taken as right of way where such taxes are assessed against the abutting property owners to such right of way.

Also—

House Bill No. 854:

A bill to be entitled An Act to ratify, approve, validate and confirm all of the proceedings taken for the creation, establishment and organization of Iona Drainage District in Lee County, Florida, and to ratify, approve, validate and confirm all of the acts and proceedings taken by, for and on behalf of said district since the creation thereof, and all of the acts and proceedings of the Circuit Court, the Board of Supervisors, the Commissioners, and all other

officers and agents of said Iona Drainage District, acting for and on behalf of said district in carrying out the affairs of said district, and to ratify, approve, validate and confirm any and all tax levies and assessments which have been made by the Board of Supervisors of said Iona Drainage District for and on behalf of said district upon the taxable property located within said district.

Also—

House Bill No. 755:

A bill to be entitled An Act to incorporate the Town of Naples, Florida, providing for a city council and mayor thereof, and for their election; providing for the issuance of bonds and negotiable securities by said town, defining the corporate limits of said town; providing for a city clerk, assessor of taxes, chief of police, policemen, and such other officers as the council of said city may provide for; providing for the paving of streets and sidewalks, and performance of other public improvements in and by said town, and for the issuance of special assessment certificates therefor; providing for a recorder's court in and for said town, and otherwise defining, extending, and enlarging the powers of said city, and validating all prior acts thereof.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bills Nos. 728, 854 and 755, 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, Florida, May 15, 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. 899:

A bill to be entitled An Act to authorize the County Commissioners of Columbia County, Florida, to levy a special tax for publicity purposes provided that the people indorse the same in an election held for that purpose.

Also—

House Bill No. 824:

A bill to be entitled An Act authorizing and empowering Union County, Florida, to issue bonds for the purpose of building and hard-surfacing certain roads and grading and improving other roads in the said county; and to provide for a Board of Bond Trustees and to invest the said Trustees with certain powers and duties, and to provide for the use and control of the General Road and other funds collected in the said county for road purposes

Also—

House Bill No. 931:

A bill to be entitled An Act authorizing the Board of County Commissioners of Glades County, Florida, to issue interest-bearing warrants to an amount not exceeding Seventy-five Thousand Dollars for the purpose of road construction and maintenance; buy machinery and material thereof and to provide funds to pay the interest and retire the said warrants.

Also—

House Bill No. 811:

A bill to be entitled An Act authorizing and empower-

ing the City Commission of the City of Port St. Joe, Florida, with the consent of the registered voters of said city, to purchase, erect and construct within said city an electric lighting and power plant and electric light and power system for the purpose of lighting the streets of said city and selling electric current to the public at a cost not exceeding Ten Thousand Dollars, and to pay for the same by issuing and selling time warrants of said city maturing not more than ten years from the date of issue, and providing for the levy of a special tax to pay the interest and principal of such time warrants.

Also—

House Bill No. 930:

A bill to be entitled An Act fix the amount to be paid by Non-Residents of the State of Florida, who pay taxes on Real Estate in Santa Rosa County, Florida, having an assessed valuation of five hundred dollars, or more, to procure a hunting license or fishing license in Santa Rosa County, Florida.

And respectfully requests the concurrence of the Senate thereto.

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

And House Bills Nos. 889, 824, 931, 811 and 930, contained in the above message 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., May 15, 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. 911:

A bill to be entitled An Act prescribing certain restrictions in incorporating cities and towns within two miles of the City of Jacksonville.

Also—

House Bill No. 757:

A bill to be entitled An Act to abolish the municipality of Sarasota Heights, in Sarasota County, Florida.

And respectfully requests the concurrence of the Senate thereto.

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

And House Bills Nos. 911 and 757, contained in the above message, were 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, May 15, 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. 334:

A bill to be entitled An Act to amend Section 3045 of Article 1, Chapter 4, of the Revised General Statutes of the State of Florida, providing for the holding of a spring and fall term of the Circuit Court, Fourth Judicial Circuit of Florida.

Together with the following amendment:

Strike out the words "Fourth Monday," and insert in lieu thereof the following: "First Monday in June."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And Senate Bill No. 334, together with the House Amendment, contained in the above message, was taken up.

Mr. MacWilliams moved that the Senate do concur in the House Amendment to Senate Bill No. 337.

Which amendment reads as follows:

"Strike out the words 'Fourth Monday' and insert in lieu thereof the following: 'First Monday in June'."

Which was agreed to.

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

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

The President handed down the following Committee on House Amendment to Senate Bill No. 176:

Committee on Conference on the part of the Senate on amendment of House of Representatives to Senate Bill No. 176, with reference to convict lease system: Senator Russell, of 26th; Senator Stokes, of 2nd; Senator Anderson, of 6th.

By consent, the following report was submitted:

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

Senate Chamber,
Tallahassee, Florida, May 15, 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. 480:

A bill to be entitled An Act to require the Board of Commissioners of State Institutions and the Commissioner of Agriculture to prohibit the use of corporal punishment on the county convicts forever, and to prohibit the use of corporal punishment upon state convicts forever, and to devise other punishment to supply and take the place of corporal punishment.

Also—

Senate Bill No. 9:

A bill to be entitled An Act imposing license taxes upon gasoline or other like products of petroleum; providing for reports of sale of such commodities to the Comptroller of the State of Florida; providing for the disposition of the monies derived from such tax and fixing a penalty for the violation of the provisions of this Act, and to repeal all laws in conflict with this Act.

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

Very respectfully,

W. J. SINGLETARY,

Chairman of Committee.

And Senate Bill No. 9, contained in the above report, was ordered to be certified to the House of Representatives.

And Senate Bill No. 480, contained in the above report, was ordered to be referred to the Committee on Enrolled Bills.

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

Which was agreed to.

And the Senate at 4:35 o'clock P. M. closed its doors and went into executive session.

The doors were opened at 6:28 o'clock P. M. and the Senate resumed its session.

The President in the chair.

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

Mr. President, Senators Anderson, Butler, Calkins, Colson, Cone, Eaton, Etheredge, Hodges, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mitchell, Overstreet, Scales, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—24.

A quorum present.