

Saturday, May 26, 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, Campbell, Colson, Cone, Eaton, Epperson, Hodges, Igou, Johnson, Knabb, Knight, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—27.

A quorum present.

The Journal of Thursday, May 24, 1923, was corrected, and, as corrected, was approved.

The Journal of Friday, May 25, 1923, was corrected, and, as corrected, was approved.

REPORTS OF COMMITTEES.

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

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

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

Sir:

Your Committee on Judiciary B, to whom was referred—

Senate Bill No. 517:

A bill to be entitled An Act providing procedure for the forfeiture of ne exeat bonds and for the entering of judgment thereon against the principal and the sureties thereon.

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

Very respectfully,

D. E. KNIGHT,
Chairman of Committee.

And Senate Bill No. 517, contained in the above report, was 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 26, 1923.

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

Sir:

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

(Senate Bill No. 586):

An Act to amend Section 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 corporations 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 has this day been presented to the Governor for his approval.

Very respectfully,

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

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

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

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

Sir:

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

(Senate Bill No. 515):

An Act authorizing and empowering the Town Council of the Town of Monticello, Florida, to provide by ordinance and without vote of the taxpayers or voters of said town for the issuance of new certificates of indebtedness in the sum of three thousand dollars to be exchanged for certain outstanding certificates of Indebtedness of said Town of Monticello, bearing date February 1st, A. D. 1899, and aggregating three thousand dollars.

Also—

(Senate Bill No. 496):

An Act to authorize the City of Lake City to levy and collect a special tax of not more than three mills for publicity purposes.

Also—

(Senate Bill No. 520):

An Act to define, fix, determine and establish the territorial limits, boundary lines and area of the Town of Seabreeze, a municipality in Volusia County, Florida.

Also—

(Senate Bill No. 509):

An Act to legalize, ratify, confirm and validate all Acts and proceedings of the Board of Public Instruction for Lake County, Florida, in connection with the issuance of bonds of Special Tax School District No. 6 in said county, in the sum of Thirty-five Thousand Dollars (\$35,000.00.)

Also—

Senate Bill No. 514):

An Act limiting the weight and amount of tonnage of motor vehicles, and of the loads thereon, driven or operated

over certain bridges on certain roads in Gadsden County, Florida, and restricting the use of motor trucks, trailers, tractors, log wagons, log carts and other vehicles, whether propelled by motor or muscular power, over said roads in said county.

Also—

(Senate Bill No. 524):

An Act to legalize and validate all acts and proceedings had in calling and holding an election to create Special Road and Bridge District No. 8 in Okaloosa County, Florida, and authorizing and validating the issuance and sale of bonds of said District by the County Commissioners of Okaloosa County, Florida, in the sum of Twenty Thousand Dollars, pursuant thereto.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

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

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

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

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

Sir:

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

(Senate Bill No. 472):

An Act to Abolish the present Municipal Government of the City of Clearwater, County of Pinellas, Florida, and to Create and establish a Municipal Corporation to be known as the City of Clearwater; to provide a charter for said City; to define its territorial limits; provide for its government; and prescribe its jurisdiction and powers.

Also—

(Senate Bill No. 391):

An Act to provide for the Creation of a Municipal Corporation to be known as the town of Clewiston, in Lee Coutny, 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.

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 25, 1923.

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

Sir:

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

(House Bill No. 757):

An Act to abolish the municipality of Sarasota Heights in Sarasota County, Florida.

Also—

(House Bill No. 809):

An Act authorizing the Board of Public Instruction of Hardee County, Florida, to issue notes, certificates of indebtedness and other evidences of indebtedness on behalf of Special Tax School District No. 5 of said county, in an amount not exceeding twenty thousand dollars, for the purpose of paying off the outstanding indebtedness of said district; providing that said notes or certificates of indebtedness, when issued, shall have all the attributes of negotiable paper; and authorizing and requiring the Board of Public Instruction of Hardee County, Florida, to provide for and levy a sufficient tax to pay the principal and interest thereof.

Also—

(House Bill No. 956):

An Act validating that certain election held in Callahan Special Tax School District No. 2, Nassau County, Florida, on the 8th day of May, A. D. 1923; such election being held in accordance with call for election by the Board of Public Instruction of Nassau County, Florida, to determine whether or not the limits of the said district should be extended so as to include adjacent territory; validating the call of such election and the inclusion of certain adjacent territory to said district into said district; defining the territorial boundaries of Callahan Special Tax School District No. 2, Nassau County, Florida, as now existing, and declaring said district as extended by authority of the said election, to be a lawful special tax school district.

Also—

(House Bill No. 924):

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.

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 Bill 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 25, 1923.

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

Sir:

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

(Senate Bill No. 484):

An Act to empower and authorize the Town Council of the Town of Seabreeze, a municipality in Volusia County, Florida, to regulate and restrict the height, number of

stories and size of buildings and other structures, the kind of material of which they may be constructed, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes, and to establish set back building lines; to divide the Town of Seabreeze into districts and within such districts to regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land; to provide the manner for carrying out the provisions of this Act; to appoint a Zoning Commission, and prescribing its powers and duties; and providing a method of enforcing compliance with this Act or any ordinance or regulation made under authority conferred by this Act.

Also—

(Senate Bill No. 504):

An Act authorizing the Board of County Commissioners of Leon County, Florida, to purchase one hundred acres of land, more or less, in said County for the purpose of establishing on same a permanent County Fair Grounds, and buildings and equipment, including the construction of a suitable grandstand, racetrack, baseball park and other buildings or tracks, including a railroad switch or spur-track on or to said premises; and to authorize said County Commissioners to lease land and buildings to the Leon County Fair Association, its successors or assigns, or to other leasees, at an annual rental that will refund to the County Treasury, over a period of years, the amount expended for the land and a portion of the cost of improvements thereon, with annual interest on said investment not to exceed six per cent. per annum; conferring on the Board of County Commissioners the permanent ownership for said County of said land and improvements, and control thereof, defining the duties and powers of said Board in connection therewith, and limiting the expenditure for and the location of such land, and providing for the levying of a tax for the purpose of carrying out the provisions of this Act, and to pay such time warrants as may be issued therefor.

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 26, 1923.

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

Sir:

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

(House Bill No. 805):

An Act to abolish the present municipal government of the City of Sanford, Seminole County, State of Florida, and to organize, incorporate and establish a city government for the same, and to prescribe the jurisdiction, powers and functions of said municipality.

Also—

(House Bill No. 964):

An Act to abolish the present municipality of the City of West Palm Beach, in Palm Beach County, Florida; to create and establish a new municipality to be known as City of West Palm Beach, in Palm Beach County, Florida; to legalize and validate the ordinances of said City of West Palm Beach and official acts thereunder, and to adopt the same as the ordinances of said City of West Palm Beach; to prescribe the time within which suits can be brought against said city and for notice thereof; and

to fix and provide the territorial limits, jurisdiction and powers of said City of West Palm Beach, in Palm Beach County, Florida, and the jurisdiction and powers of its officers.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

R. H. ROWE,

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

The bills contained in the above report 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. O. M. Eaton, Chairman of the Committee on Organized Labor, submitted the following report:

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

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

Sir:

Your Committee on Organized Labor, to whom was referred—

Committee Substitute for House Bill No. 419:

A bill to be entitled An Act to regulate the employment of labor to go from one county in Florida to another county in Florida to perform labor, and to provide penalties for the violation of this Act.

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

Very respectfully,

O. M. EATON,

Chairman of Committee.

And Committee Substitute for House Bill No. 419, con-

tained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Stokes moved to waive the rules and take up out of its order House Bill No. 1052 for consideration.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 1052:

A bill to be entitled An Act to amend Section One of Chapter 8027, Laws of Florida.

Was taken up and placed before the Senate, and read the second time in full.

Mr. Stokes moved to waive the rules and that House Bill No. 1052 be read the third time and put on its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 1052 was read the third time in full.

On the passage of House Bill No. 1052 the roll was called and the vote was:

Yeas—Mr. President, Senators, Anderson, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Hodges, Igou, Johnson, Knabb, Knight, MacWilliams, 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 the same was ordered certified to the House of Representatives.

Mr. Wells moved that the Senate do reconsider its action by which House Bill No. 1131 passed the Senate:

Under the rule, the question was put on the reconsideration and the Senate reconsidered its action.

Mr. Wells moved to waive the rules and that House Bill No. 1131 be put back on its Second Reading.

Which was agreed to by a two-thirds vote.

And the bill was placed back on the Second Reading.

Mr. Wells moved that the bill be placed on the Calendar of Local Bills on the Second Reading.

Which was agreed to.

And House Bill No. 1131 was so placed.

Mr. Malone moved that Senate Bill No. 576 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 576:

A bill to be entitled An Act for the relief of Fred W. Pine.

Was taken up and read the second time in full.

Mr. Malone moved that the rules be further waived and that Senate Bill No. 576 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. 576 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, Campbell, Cone, Eaton, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Russell, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—25.

Nays—None.

So the bill passed, title as stated.

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

Mr. Malone moved that Senate Bill No. 591 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 591:

A bill to be entitled An Act for the relief of Robert C. Baker.

Was taken up and read the second time in full.

Mr. Malone moved that the rules be further waived and that Senate Bill No. 591 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. 591 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, Campbell, Eaton, Hodges, Igou, Johnson, Knabb, Knight, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Shelley, Singletary, Stokes, Taylor, Wells, Wicker—21.

Nays—None.

So the bill passed, title as stated.

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

Mr. Campbell moved to waive the rules and that the Senate now proceed to consider House Joint Resolution No. 141.

Mr. Shelley moved as a substitute for the motion that the Senate do now proceed to consider bills by the call of districts.

The substitute motion prevailed.

The following communication from the Governor was received and read:

Tallahassee, Florida, May 25, 1923.

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

Sir:

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

(Senate Bill No. 168):

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

Very respectfully,

CARY A. HARDEE,
Governor.

Mr. Colson moved that Senate Bill No. 395 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 395:

A bill to be entitled An Act locating the general offices and official headquarters of the State Road Department at Gainesville, Florida, and providing for the location of division or branch offices elsewhere in the State of Florida.

Was taken up.

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

Which was agreed to by a two-thirds vote.

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

Mr. Campbell moved that the rules be further waived and that Senate Bill No. 395 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 395 was read a third time in full.

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

Yeas—Senators, Campbell, Colson, Eaton, Epperson, Igou, Knabb, Knight, MacWilliams, Phillips, Putnam, Rowe, Russell, Taylor, Wicker—14.

Nays—Mr. President, Senators. Anderson, Cone, Etheredge, Hodges, Johnson, Lindsey, Malone, Mapoles, Mitchell Scales, Shelley, Singletary, Stokes, Wells—15.

So the bill failed to pass.

Mr. Singletary moved that the Senate do now proceed with the regular order of business.

Mr. Wells moved as a substitute to the motion that the Senate do now take up and consider House Bill No. 711.

Which substitute prevailed.

And—

Mr. Wells moved that House Bill No. 711 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 711:

A bill to be entitled An Act declaring, designating and establishing a system of State roads, providing for the location thereof, and providing that such roads when located and constructed shall become and be the property of the State.

Was taken up.

Mr. Wells moved that the Senate consider the bill by sections.

Which motion was agreed to.

Section 1 was read.

Mr. Singletary offered the following amendment to House Bill No. 711:

In Section 1, line 3, insert between the places Marianna and Chattahoochee, the name "Cypress" (making it read Marianna to Cypress and Chattahoochee).

Mr. Singletary moved the adoption of the amendment.

Which was agreed to.

Mr. Stokes offered the following amendment to House Bill No. 711:

In Section 1, strike out "Road 7." and insert in lieu thereof the following: "and from Flomaton" after the words "Nunez Ferry," in Section 1, line 4.

Mr. Stokes moved the adoption of the amendment.

Which was agreed to.

Mr. Anderson offered the following amendment to House Bill No. 711:

In Section 1, line 7, page 4, after the word "contract," strike out the words "or agreements."

Mr. Anderson moved the adoption of the amendment.

Which was agreed to.

Mr. Lindsey offered the following amendment to House Bill No. 711:

In Section 1, line 5, strike out the word "via" and insert in lieu thereof the following: "passing through."

Mr. Lindsey moved the adoption of the amendment.

Which was agreed to.

Mr. Taylor offered the following amendment to House Bill No. 711:

In Section 1. Road fifteen before "Clearwater" strike out "and" after "Clearwater" add the following "and St. Petersburg."

Mr. Taylor moved the adoption of the amendment.

Which was agreed to.

Mr. Etheredge offered the following amendment to House Bill No. 711:

In Section 1, insert "Road No. 39, extending from Manatee to Verna."

Mr. Etheredge moved the adoption of the amendment.

Which was agreed to.

Mr. Etheredge offered the following amendment to House Bill No. 711:

Road No. 31, add by way of Parrish, Fort Green and Wauchula.

Mr. Etheredge moved the adoption of the amendment.

Which was agreed to.

Messrs. Etheredge, Campbell and Malone offered the following amendment to House Bill No. 711:

In Section 1, paragraph 6, strike out the entire paragraph and insert in lieu thereof the following: Road No. 5. Extending from High Springs to Miami, via, Newberry, Archer, Williston, Dunnellon, Inverness, Brooksville, Lutz, Tampa, Riverview, Bradentown, Sarasota, Venice, Punta Gorda and Ft. Myers.

Mr. Malone moved the adoption of the amendment.

Which was agreed to.

Mr. Epperson offered the following amendment to House Bill No. 711:

In Section 1, page 4 of the bill, in line 4, following paragraph No. 38 and after the figure "8" add "and 19."

Mr. Epperson moved the adoption of the amendment.

Which was agreed to.

Mr. Wells offered the following amendment to House Bill No. 711:

In Section 1, in the second line of the first paragraph after Road No. 38, after the figure "8" add the following: "and the Georgia and Alabama connections with Road No. 1."

Mr. Lindsey offered the following substitute amendment to House Bill No. 711:

In Section 1, after the figure (8) in line 4 of page 4, insert the following: "and all State and Federal Aid Roads from Road Number 1 north to the State line of Florida."

Mr. Lindsey moved the adoption of the amendment.

Pending the further consideration of the amendment offered by Mr. Wells and the substitute offered by Mr. Lindsey therefor—

Mr. Turnbull moved that the Senate do reconsider the vote by which the amendment offered by Messrs. Etheredge, Campbell and Malone was adopted.

The question was put and the Senate reconsidered its action on the amendment.

The question then recurred on the adoption of the reconsidered amendment, which reads as follows:

"In Section 1, paragraph 6, strike out entire paragraph and insert in lieu thereof the following: Road No. 5, extending from High Springs to Miami, via Newberry, Archer, Williston, Dunnellon, Inverness, Brooksville, Lutz, Tampa, Riverview, Bradentown, Sarasota, Venice, Punta Gorda and Fort Myers."

Mr. Turnbull moved to lay the amendment on the table. Upon which a yea and nay vote was demanded.

Upon call of the roll the vote was:

Yeas—Mr. President, Senators Anderson, Colson, Cone, Igou, Johnson, Lindsey, MacWilliams, Mapoles, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Wells, Wicker—19.

Nays—Senators Campbell, Etheredge, Hodges, Knight, Malone, Mitchell, Taylor—7.

So the amendment was laid on the table.

The consideration of the substitute offered by Mr. Lindsey for the amendment offered by Mr. Wells was resumed.

The substitute offered by Mr. Lindsey was adopted.

Mr. Phillips offered the following amendment to House Bill No. 711:

In Section 5, at the end of Section 5 add the following: "Provided, that State Road No. 2, from the Georgia line north of Jasper through White Springs, Lake City, Gainesville, Ocala, and where Federal aid has been allocated, shall be the first built by the said Road Department."

Mr. Phillips moved the adoption of the amendment.

Which was not agreed to.

Mr. Malone offered the following amendment to House Bill No. 711:

Add, on page 3, after the second line, the following: "Road No. 29, extending from Road No. 4 to Key West."

Mr. Malone moved the adoption of the amendment.

Which was not agreed to.

Mr. Singletary moved to reconsider the vote by which the substitute offered by Mr. Lindsey for the amendment offered by Mr. Wells was adopted by the Senate, and that the motion be now reconsidered.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered its action.

Mr. Singletary moved that the substitute motion offered by Mr. Lindsey be laid on the table.

Which was agreed to.

And the substitute was tabled.

Mr. Singletary moved that the Senate do now reconsider the vote by which the amendment offered by Mr. Epperson, which reads as follows:

In Section 1, page 4 of bill, in line 4, following paragraph No. 38, and after the figure "8" add "and 19."

Was agreed to.

The Senate refused to reconsider its action.

Mr. Igou, offered the following amendment to House Bill No. 711.

In line 7 of the proviso immediately preceding Section 2, after the word "description" add the following: "not with the construction or maintenance of such other roads as have heretofore been designated and approved by the National Secretary of Agriculture as included in the State and Federal Seven per cent Highway System."

Mr. Igou moved the adoption of the amendment.

The amendments was agreed to.

Mr. Turnbull offered the following amendment to House Bill No. 711:

In Section 4, line 5, after the word "via" and insert in lieu thereof the following "Monticello, Faenout."

Mr. Turnbull moved the adoption of the amendment.

Pending the consideration of the amendment:

Mr. Wells moved that when the Senate adjourns it shall adjourn to ten o'clock A. M. Monday, May 28.

Which was not agreed to.

Mr. Hodges moved that when the Senate adjourns that it adjourns till 4 o'clock P. M. today.

Which was agreed to.

By consent—

The following reports were submitted:

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

2188
Senate Chamber,
Tallahassee, Fla., May 26, 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. 227:

A bill to be entitled An Act to prohibit the maintenance of a bucket shop, office, store, or other place wherein is conducted or permitted the pretended buying or selling of the shares of stock or bonds of any corporation, cotton, grain, provisions, or other commodities or personal property either on margin or otherwise, without any intention of receiving or paying for the property so bought or of delivering of the property so sold, and defining a bucket shop; to declare the maintenance of such offices or agencies a misdemeanor; to prescribe penalties for the violation of certain provisions of this Act; to define what shall constitute prima facie evidence of guilt in prosecutions under this Act; to define what shall be lawful and enforceable contract for the purchase and sale of stocks, bonds, cotton, grain, provisions, or other commodities, and to define the rights of such brokers, or agents or merchants, as may be employed in connection with such contracts or transactions; and to repeal all laws or parts of laws in conflict with the provisions of 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. 227, contained in the above report, was ordered to be referred to the Committee on Enrolled Bills.

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

2189

Senate Chamber,
Tallahassee, Florida, May 26, 1923.

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

Sir:

Your Committee on Judiciary A, to whom was referred—
House Bill No. 651:

A bill to be entitled An Act to amend Section 6209 of the Revised General Statutes of the State of Florida, relating to the removal of prisoners from the jail of one county to that of another.

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

Very respectfully,

W. A. MacWILLIAMS,
Chairman of Committee.

And House Bill No. 651, contained in the above report, was placed on the Calendar of Bills on Second Reading.

The hour of 1 o'clock p. m. having arrived, the Senate took a recess till 4 o'clock p. m. this day.

AFTERNOON SESSION.

MAY 26, 1923.

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, Calkins, Campbell, Colson, Cone, Epperson, Etheredge, Hodges, Johnson, Knight, Lindsey, MacWilliams, Malone, Mapoles, Phillips, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor, Wicker—23.

A quorum present.

The Senate resumed reconsideration of—
House Bill No. 711:

A bill to be entitled An Act declaring, designating and establishing a system of State roads, providing for the location thereof, and providing that such roads when located and constructed shall become and be the property of the State.

Pending at the recess hour was the amendment offered by Mr. Turnbull, as follows:

In Section 4, after the word "via," insert "Monticello, Lamont."

By consent—

Mr. Turnbull withdrew the amendment.

Messrs. Knabb and Knight, offered the following amendment to House Bill No. 711.

In Section 1 after the words Stark's Ferry add the following:

"Road 30—Beginning at McClenny, run through Raiford, Lake Butler, Worthington Springs and Gainesville."

Messrs. Knabb and Knight moved the adoption of the amendment.

Which was not agreed to.

Mr. Knight offered the following amendment to House Bill No. 711.

In Section 1, line 15, from top of third page thereof after the word Starke insert the following: "Green Cove Springs."

Mr. Knight moved the adoption of the amendment.

Which was not agreed to.

Mr. Mapoles offered the following amendment to House Bill No. 711.

Add at end of Road Nos. etc., in Section 1, "Road No. 39 commencing at Crestview and running through Laurel Hill to Svea and intersecting with the Alabama State Line at a point 2 miles north of Svea.

Which was not agreed to.

Mr. Singletary moved that the rules be waived and that House Bill No. 711 as amended be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 711 as amended was read a third time in full.

Pending the call of the roll upon passage of the bill—

Mr. Singletary moved that House Bill No. 711 be put back upon its second reading:

Which was not agreed to.

Mr. Lindsey moved that the Senate do reconsider the vote by which it adopted the amendment offered by Mr. Igou.

Which was not agreed to.

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

Nays—None.

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

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

By consent the following reports were submitted:

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 26, 1923.

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

Sir:

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

(House Bill No. 943):

An Act to authorize the county of Wakulla in the State of Florida to assume the payment of certain outstanding bonds of Special Road and Bridge District No. 1 of said county; and to authorize and direct the Board of County Commissioners of said county to annually levy a tax on the taxable property in said county beginning with the tax year 1923 a sufficient millage to pay the interest on and to create a sinking fund for the ultimate redemption of the Special Road and Bridge District No. 1 bonds of said District; and for the abolition of said Special Road and Bridge District No. 1; and directing the Trustees of said Special Road and Bridge District No. 1 to make an accounting of their said trust to the Board of County Commis-

sioners of said county; and authorizing and directing the said Trustees of said Special Road and Bridge District No. 1 to pay over to County Bond Trustees of said county all moneys, collateral or other property held by them as such Trustees; and authorizing and directing the Board of County Commissioners of said county to bring such action in the courts of law or chancery of this State, as may be necessary, to compel such accounting and to sue said trustees and or their bondsmen for any default in their said trust.

Also—

(House Bill No. 1017):

An Act to create and incorporate a Special Taxing District in St. Lucie County, Florida, to be known and designated as Wabasso Bridge District; prescribing the boundaries thereof; to provide for the government and administration of said District; to define the powers and purposes of said District and of the Board of Commissioners thereof; to authorize said Board to construct and maintain a bridge in said District across the Indian River; to construct all other works necessary or proper in connection with said bridge; to provide for the acquiring by purchase, gift, condemnation or otherwise of any property needed for District purposes; to empower the Board of Commissioners of said District to levy and collect taxes for District purposes; to authorize said Board to borrow money and issue and sell bonds to procure money to carry out the provisions of this Act; to provide for the election of said Commissioners and an election to determine whether bonds of the District shall be issued; to authorize and empower said Board of Commissioners to make and enforce regulations for the use of said bridge, and to fix and collect tolls for the use of said bridge; to prevent injury to any works constructed under this Act, and prescribing penalties therefor; and generally to provide for the construction and maintenance of a bridge in said District.

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, Florida, May 26, 1923.

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

Sir:

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

(House Bill No. 862):

An Act prescribing the specifications of a lawful fence for Charlotte County, and providing for impounding stock breaking through such fence, and for the payment of damages and costs by the owner of such animals, and for providing for the repeal of all laws in conflict herewith.

Also—

(House Bill No. 673):

An Act to legalize, ratify, confirm and validate an election held in the City of Kissimmee, on December 16th, 1922, in pursuance of Chapter 6940, of the Laws of the State of Florida, Acts of 1915, at which election amendments to the Charter of the City of Kissimmee were adopted; and to legalize, ratify, confirm and validate said amendments to said Charter of the City of Kissimmee.

Also—

(House Bill No. 876):

An Act to provide that the purchase by the County of Dade from the Board of Public Instruction, of and for said county, of the property hereinafter described, be legalized, validated, ratified and confirmed, and that all defects, omissions and irregularities occurring in the negotiation and consummation of such purchase be waived and cured, said property being substantially described as follows, to-wit: Lots 1, 2, 3, 4, 5, 6, 7, 14, 15, 16, 17, 18, 19 and 20, of Block 85 North, of the City of Miami, according to a map or plat thereof by A. L. Knowlton, C. E., recorded in Plat Book B, at Page 41, of the Public Records of Dade County, Florida.

Also—

(House Bill No. 801):

An Act validating proceedings of the Board of Supervisors of East Marsh Drainage District, in this State, and levying and assessing taxes or assessments upon land in said District, and validating all of the acts and proceedings of the Board of Supervisors and said District with reference to the assessment of benefits and damages upon lands therein and all acts and proceedings of said district and all officers in connection with the levy, assessment and collection of taxes and assessments for said District; authorizing the Board of Supervisors of said District to collect and enforce delinquent taxes and assessments; repealing all laws in conflict with this Act.

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

Senate Chamber,
Tallahassee, Fla., May 26, 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. 205:

A bill to be entitled An Act to protect and encourage the shell fish industry of the State of Florida, and making an appropriation for the purpose of this Act.

Also—

Senate Bill No. 176:

A bill to be entitled An Act to amend Sections 6217 and 6218 of the Revised General Statutes, relating to working county convicts.

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. 205 and 176, contained in the above report, were ordered to be referred to the Committee on Enrolled Bills.

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 21, 1923.

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

Sir:

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

(Senate Bill No. 227):

An Act to prohibit the maintenance of a bucket shop, office, store or other place wherein is conducted or permitted the pretended buying or selling of the shares of stock or bonds of any corporation, cotton, grain, provisions, or other commodities or personal property, either on margin or otherwise, without any intention of receiving or paying for the property so bought or of delivering of the property so sold, and defining a bucket shop; to declare the maintenance of such offices or agencies a misdemeanor; to prescribe penalties for the violation of certain provisions of this Act; to define what shall constitute prima facie evidences of guilt in prosecutions under this Act; to define what shall be lawful and enforceable contract for the purchase and sale of stocks, bonds, cotton, grain, provisions, or other commodities, or personal property for the immediate or future delivery, and to define the rights of such brokers, or agents or merchants, as may be employed in connection with such contracts or transactions; and to repeal all laws or parts of laws in conflict with the provisions of this Act.

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 was been duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on En-

rolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Mr. Johnson moved that House Bill No. 337 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 337:

A bill to be entitled An Act to legalize and validate all drainage tax certificates held by the Board of Drainage Commissioners, the Board of Commissioners of Everglades Drainage District and the Trustees of the Internal Improvement Fund for the non-payment of drainage taxes, except in cases where the taxes have been previously paid or where lands against which such drainage tax certificates accrued were not subject to taxation.

Was taken up.

Mr. Johnson moved that the rules be waived and that House Bill No. 337 be read a second time in full.

Which was agreed to by a two-thirds vote.

And House Bill No. 337 was read a second time in full.

Mr. Johnson moved that the rules be further waived and that House Bill No. 337 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. 337 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, Campbell, Etheredge, Hodges, Igou, Johnson, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Putnam, Russell, Scales, Shelley, Singletary, Stokes, Taylor, Wicker—21.

Nays—None.

So the bill passed, title as stated.

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

Mr. Johnson moved that House Bill No. 334 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 334:

A bill to be entitled An Act to authorize the Trustees of the Internal Improvement Fund of Florida to sell or lease,

for oil, gas or mineral purposes, the right, title or interest of the State of Florida in and to any lands held or owned by the State, or in which the State has an interest.

Was taken up.

Mr. Johnson moved that the rules be waived and House Bill No. 334 be read a second time in full.

Which was agreed to by a two-thirds vote.

Mr. Campbell, offered the following amendment to House Bill No. 334.

In Section 1, line 7, after the words "and a" strike out the word "reference" and insert in lieu thereof the following: "preferential."

Mr. Campbell moved the adoption of the amendment.

Which was agreed to.

Mr. Johnson moved that the rules be further waived and that House Bill No. 334 as amended be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 334 as amended was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Calkins, Campbell, Eaton, Etheredge, Hodges, Igou, Johnson, Lindsey, MacWilliams, Malone, Mitchell, Phillips, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor—21.

Nays—Senators Cone, Epperson, Wicker—3.

So the bill as amended passed, title as stated.

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

Upon motion, Mr. Knabb was excused from attendance upon the body until Monday afternoon.

Mr. Calkins moved that Senate Bill No. 545 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 545:

A bill to be entitled An Act to regulate the establishment, construction, relocation, operation, improvement, maintenance, abolition, and protection of crossings of a railroad or street railroad by a highway or public road; to delegate certain powers to the Railroad Commissioners of the State

of Florida in relation thereto; and to provide for the enforcement of the provisions thereof.

Was taken up and read a second time in full.

Mr. Calkins offered the following amendment to Senate Bill No. 545:

At the end of Section 1, add the following: "Provided, however, that in no case shall any railroad or street railroad be required, under the provisions of this Section, to participate in the cost of paving such crossing at grade for a greater distance than the distance between ten feet beyond the end of the cross ties on each side of its tracks; nor shall any railroad or street railroad be required, under the provisions of this Section, to participate in cost of grading or draining of such crossing beyond the limits of its right of way when such highway or public road crosses such railroad or street railroad at grade; and provided further that in no case shall any railroad or street railroad be required, under the provisions of this Section, in case of any under-pass or over-pass to participate in the cost of constructing such under-pass or over-pass not located on the right of way of such railroad or street railroad.

Mr. Calkins moved the adoption of the amendment.

Which was agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 545:

Strike out all of Section 2 and insert in lieu thereof the following: Sec. 2. The said Railroad Commissioners shall also have power after hearing and upon petition file with them by the State Road Department of the Board of County Commissioners of any County having jurisdiction over any highway or public road, by their order or decision to require the improvement, according to plans to be approved by said Commissioners, of any crossing of any railroad or street railroad across any highway or public road at grade or by over-pass, whenever the said Commissioners find that such improvement is necessary to preserve or promote the safety of the public. The said Railroad Commissioners may direct such repair to be made in such manner and upon such terms and conditions as may be reasonable and necessary. Where the crossing is at grade the expense of such improvement and maintenance across and between the track of any railroad or street railroad and for a distance of ten feet from the end of cross-ties on either side of the tracks, shall be borne by the railroad or street railroad affected,

and the remainder of the expense shall be borne by the governmental authority maintaining such highway or public road. Where the crossing is by overhead pass the expense of the repair and maintenance of that part of such over-pass located on the railroad right-of-way shall be borne by the railroad or street railroad, as the case may be, and the remainder of the expense of such improvement shall be borne by the governmental authority maintaining the highway or public road.

Mr. Calkins moved the adoption of the amendment.

Which was agreed to.

Mr. Calkins offered the following amendment to Senate Bill No. 545:

At the end of Section 3, add the following: "No railroad or street railroad shall be required, under the provisions of this section, to appropriate or expend during any one calendar year a sum in excess of one-fifth of one per cent of its total gross operating revenue, both inter and intrastate, in the State of Florida, for the calendar year next preceding, as shown by the records of the Florida Railroad Commission; provided, however, that whenever the exigencies of the situation may require, any railroad or street railroad, whose total gross operating revenue, both both inter and intrastate, in the State of Florida, does not equal \$2,000,000.00, may be required to expend under the provisions of this section, as much as \$4,000.00 during any one calendar year.

Mr. Calkins moved the adoption of the amendment.

Which was agreed to.

Mr. Calkins moved that the rules be waived and Senate Bill No. 545 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 545 was read a second time in full.

Mr. Calkins moved that the rules be further waived and that Senate Bill No. 545 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. 545 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, Campbell, Colson, Cone, Etheredge, Hodges, Igou, Knight, Lindsey, Mapoles, Phillips, Putnam, Shelley, Stokes, Taylor—17.

Nays—Senators Eaton, Epperson, Johnson, MacWilliams, Mitchell, Rowe, Russell, Scales, Wicker—9.

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

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

Mr. Malone offered the following explanation to his vote on the bill:

I am paired with Senator Singletary. If he were here he would vote yea; I would vote nay.

Mr. Igou moved that Senate Bill No. 171 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 171:

A bill to be entitled An Act to amend Sections 211, 212, 2124, 2125, 2133, 2134, 2142, 2147, 2151 and 2153 of the Revised General Statutes, pertaining to the Hotel Commissioner and Inspectors, their salaries, powers and duties; the construction, regulation and protection of hotels, apartment houses, rooming houses, restaurants and eating places, their guests and tenants; and the limitation of the expenditures of the Hotel Commission to an amount not to exceed its collections.

Was taken up and read the second time in full.

Mr. Igou offered the following amendment to Senate Bill No. 171.

In Section 6, line 18, after the word "floor" insert the following: "not provided with private or connecting bath room."

Mr. Igou moved the adoption of the amendment.

Which was agreed to.

Mr. Igou offered the following amendment to Senate Bill No. 171.

In Section 9, line 15, after the words "it came" insert the following: "Provided, that this amendment of Section 2151 Revised General Statutes shall become effective on October 1st, 1923 .

Mr. Igou moved the adoption of the amendment.

Which was agreed to.

Mr. Igou offered the following amendment to Senate Bill No. 171:

In Section 11, strike all and insert in lieu thereof the following:

"Section 11. That Section 2355 of the Revised General Statutes be amended to read as follows:

Section 2355. Liability of Hotel Keepers for Property of Guests.—The proprietor or manager of a hotel in this State shall, in no event, be liable or responsible for any loss of any money, jewelry or precious stones of any kind whatever, belonging to any lodger, boarder, guest or occupant of or in said hotel, unless the owner thereof shall make a special deposit of said property and take a receipt in writing therefor from the proprietor or manager or clerk in the office of said hotel, which receipt shall set forth the value of said property. Hotel keepers shall be liable as insurers for the property of each guest at its fair value at a sum not exceeding the sum of \$500. No hotel keeper shall be liable to any guest for the loss of wearing apparel, goods or other property for any sum exceeding the sum of \$500, unless it shall be made to appear by proof that such loss occurred in the proximate result of the fault or negligence of such hotel keeper; and in case of fault or negligence, shall not be liable for a greater sum than \$500, unless the guest shall, prior to the loss or damage, file with the proprietor, manager or clerk of the hotel an inventory of his or her effects and the true value thereof, and such proprietor, manager or clerk is given the opportunity to inspect such effects and check them with such inventory. Nothing in this section shall apply to samples and sample trunks of regular commercial salesmen."

Mr. Igou moved the adoption of the amendment.

Which was agreed to.

Mr. Igou offered the following amendment to Senate Bill No. 171:

Strike out Section 12 and insert in lieu thereof the following: "Section 12. All previous Acts conflicting with this Act are hereby repealed."

Mr. Igou moved the adoption of the amendment.

Which was agreed to.

Mr. Igou offered the following amendment to Senate Bill No. 171:

In the title at the end thereof after the word "collections" insert the following: "and providing for the limitation of liability of hotel keepers for property of guests."

Mr. Igou moved the adoption of the amendment.

Which was agreed to.

Mr. Igou offered the following amendment to Senate Bill No. 171:

Insert the following: "Section 13. This Act shall take effect upon its passage and approval by the Governor, or upon its becoming a law without such approval."

Mr. Igou moved the adoption of the amendment.

Which was agreed to.

Mr. Igou moved that the rules be further waived and that Senate Bill No. 171, 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. 171, as amended, was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Taylor, Wicker—24.

Nays—Senator Knight—1.

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

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

Mr. Taylor moved that when the Senate adjourns this afternoon it shall adjourn to 8 o'clock P. M.

Which was agreed to.

Mr. Rowe moved that Senate Bill No. 159 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 159:

A bill to be entitled An Act to amend Sections 2, 4, 7, and 12 of Chapter 8500, Laws of Florida, entitled "An Act to create a state school-book commission; to procure a uniform series of text-books for the use of the elementary and high schools of the State of Florida; to define the duties and powers of said commission; to make appropriations for carrying this into effect; providing penalties for violation of the same; and to repeal Sections 668 to 686, both inclusive, of the Revised General Stat-

utes of Florida, relating to a uniform system of textbooks," approved June 14, 1921.

Was taken up.

Mr. Rowe moved that the rules be waived and Senate Bill No. 159 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 159 was read a second time by its title only.

Mr. Rowe offered the following amendment to Senate Bill No. 159:

In Section 4, line 11, strike out the words "Allowing the contract Exchange Price" and insert in lieu thereof the following: "Allowing the difference between the retail contract price and the contract exchange price."

Mr. Rowe moved the adoption of the amendment.

Which was agreed to.

Mr. Rowe moved that the rules be further waived and that Senate Bill No. 159, 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. 159, as amended, was read a third time in full.

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

Yeas—Mr. President, Senators Calkins, Campbell, Colson, Cone, Eaton, Igou, Knight, Lindsey, Malone, Mapoles, Mitchell, Putnam, Rowe, Russell, Taylor, Wicker—17.

Nays—Mr. Hodges—1.

So the bill as amended passed, title as stated.

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

The hour of adjournment having arrived, under extension of the hour from time to time, the Senate took, at 6:45 o'clock p. m., a recess to 8 o'clock p. m. this day.

NIGHT SESSION.

8 O'CLOCK.

The Senate met at 8 o'clock.

The President in the Chair.

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

Mr. President, Senators Anderson, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Hodges, Igou, Johnson, Knight, Lindsey, MacWilliams, Mapoles, Mitchell, Putnam, Russell, Seales, Shelley, Singletary, Stokes, Taylor—23.

A quorum present.

Mr. Putnam moved that Senate Bill No. 405 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 405:

A bill to be entitled An Act to amend Sections 1647, 1648, 1649, 1650, 1652, 1653, of the Revised General Statutes of Florida, relating to special road and bridge districts.

Was taken up and read the second time in full.

Mr. Putnam moved that the rules be further waived and that Senate Bill No. 405 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. 405 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, Campbell, Colson, Cone, Eaton, Epperson, Hodges, Igou, Knight, Lindsey, MacWilliams, Mapoles, Mitchell, Putnam, Rowe, Russell, Shelley, Stokes, Taylor—21.

Nays—None.

So the bill passed, title as stated.

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

Mr. Anderson moved that Committee Substitute for House Bill No 371 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Committee Substitute for House Bill No. 371:

A bill to be entitled An Act to encourage the co-operative marketing of farm products and to authorize the incorporation of co-operative marketing associations; and to provide penalties for violating the provisions thereof.

Was taken up.

Mr. Anderson moved that the rules be waived and Committee Substitute for House Bill No. 371 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 371 was read a second time by its title only.

Mr. Anderson moved that the rules be further waived and that Committee substitute for House 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 Committee Substitute for 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, Calkins, Campbell, Cone, Eaton, Epperson, Igou, Johnson, Knight, Lindsey, MacWilliams, Mapoles, Mitchell, Putnam, Rowe, Russell, Shelley, Singletary, Stokes, Taylor—22.

Nays—None.

So the bill passed, title as stated.

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

Mr. Anderson moved that House Bill No. 585 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

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.

Was taken up.

Mr. Taylor moved that the rules be waived and House Bill No. 585 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 585 was read a second time by its title only.

Mr. Anderson moved that the rules be further waived and that House Bill No. 585 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. 585 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, Campbell, Cone, Eaton, Epperson, Hodges, Igou, Johnson, Knight, MacWilliams, Malone, Mitchell, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor—20.

Nays—Senators Lindsey and Mapoles—2.

So the bill passed, title as stated.

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

Mr. Mapoles explained his vote on House Bill No. 585 as follows:

I vote no for the reason that many men have been stolen out in the primary. Therefore, I do not want to go on record as being an accessory to any game of dirty politics.

Mr. Igou moved that Senate Bill No. 384 be recalled from the Committee on Enrolled Bills.

Which was agreed to, and the bill was recalled.

Mr. Scales moved that Senate Bill No. 187 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 187:

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

Was taken up and read the second time in full.

Mr. Scales offered the following amendment to Senate Bill No. 187:

In Section 1, line 4, strike out the words Eleven and one-half and insert in lieu thereof the following: nine.

Mr. Scales moved the adoption of the amendment.

Mr. Shelley offered the following amendment to the amendment to Senate Bill No. 187:

Strike out Section One.

Mr. Shelly moved the adoption of the amendment to the amendment.

Which was not agreed to.

The question then recurred on the adoption of the amendment.

The amendment was agreed to.

Mr. Scales offered the following amendment to Senate Bill No. 187:

At the end of Section 2 add: "Provided, that it shall

not be unlawful to be in possession of, or to sell, or to ship, at any time, frozen or salted mullet of the sizes herein not prohibited when caught within the time authorized by this Act."

Mr. Scales moved the adoption of the amendment. Which was not agreed to.

Mr. Lindsey offered the following amendment to Senate Bill No. 187:

In Section 4, line 2, after the word "and" strike out all to and including the word "and" in line 4.

Which was withdrawn.

Mr. Lindsey offered the following amendment to Senate Bill No. 187:

In Section 4, line 3, strike out the word "ten" and insert in lieu thereof the following: "Five."

Mr. Lindsey moved the adoption of the amendment.

Which was agreed to.

Mr. Singletary offered the following amendment to Senate Bill No. 187:

In Section 4, line 2, strike out the words "Thirty Dollars" and insert in lieu thereof the following: "Fifty Dollars."

Mr. Singletary moved the adoption of the amendment.

Which was not agreed to.

Mr. Shelley offered the following amendment to Senate Bill No. 187:

Add at the end of Section 1 the following: "Provided, that the provisions of this section shall not apply to mullet or trout caught on the coast of the Gulf of Mexico west of the Suwannee River."

Mr. Shelley moved the adoption of the amendment.

Which was not agreed to.

Mr. MacWilliams moved to reconsider the vote by which the Senate refused to adopt the amendment offered by Mr. Scales, which reads as follows:

At the end of Section 2, add: "Provided, that it shall not be unlawful to be in possession of, or to sell, or to ship, at any time, frozen or salted mullet of the sizes herein not prohibited when caught within the time authorized by this Act."

Which motion to reconsider was agreed to.

The amendment was again placed before the Senate.

Mr. MacWilliams offered the following amendment to the amendment to Senator Scale's amendment, in Section 2:

Add to the amendment: "Provided, further, the burden of proof that the said frozen or salted mullet were lawfully caught."

Mr. MacWilliams moved the adoption of the amendment.

Which was agreed to.

Mr. Singletary offered the following amendment to Senate Bill No. 187:

In Section 4, add at end of Section the following: This shall not apply to a retailer of fish without a place of business.

Mr. Singletary moved the adoption of the amendment.

Which was agreed to.

Mr. Scales moved that the rules be further waived and that Senate Bill No. 187, 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. 187, 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, Cone, Eaton, Hodges, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Rowe, Scales, Shelley, Singletary, Stokes, Taylor—17.

Nays—Senators Campbell, Putnam—2.

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

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

Mr. Calkins moved that Senate Bills Nos. 171 and 545 be certified to the House of Representatives immediately upon the report of the Committee on Engrossed Bills, returning said bills to the Senate.

Which was agreed to.

Mr. Scales made a similar motion as to Senate Bill No. 187.

Which motion was agreed to.

Mr. Hodges moved that House Bill No. 845 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 845:

A bill to be entitled An Act making appropriation to

pay one-third the cost of paving streets, abutting property of the State, in the City of Tallahassee.

Was taken up.

Mr. Hodges moved that the rules be waived and House Bill No. 845 be read a second time in full.

Which was agreed to by a two-thirds vote.

And House Bill No. 845 was read a second time in full.

Mr. Hodges moved that the rules be further waived and that House Bill No. 845 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. 845 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, Campbell, Colson, Cone, Eaton, Hodges, Knight, Lindsey, Malone, Mapoles, Mitchell, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes, Taylor—20.

Nays—Senator Epperson—1.

So the bill passed, title as stated.

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

Mr. MacWilliams moved that Senate Bill No. 382 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 382:

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

Was taken up.

Mr. MacWilliams moved that the rules be waived and Senate Bill No. 382 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 382 was read a second time by its title only.

Mr. MacWilliams moved that the rules be further waived and that Senate Bill No. 382 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. 382 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, Campbell, Colson, Eaton, Epperson, Hodges, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Stokes—20.

Nays—None.

So the bill passed, title as stated.

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

Mr. Mapoles moved that the time for adjournment be extended thirty minutes.

Which was agreed to.

Mr. Campbell moved that Senate Bill No. 78 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 78:

A bill to be entitled An Act to amend Section 711 of the Revised General Statutes of Florida, relating to the assessment of real and personal property; to the duties of the Tax Assessor and to the liability of property for unpaid taxes; and to amend Section 745 of the Revised General Statutes of Florida, relating to attachment of personality in case of removal, and to assessments as a lien on property, and to taxes assessed as a judgment.

Was taken up.

Mr. Campbell moved that the rules be waived and Senate Bill No. 78 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78 was read a second time by its title only.

Mr. Campbell offered the following amendment to Senate Bill No. 78:

Following the title add: Be it enacted by the Legislature of the State of Florida.

Mr. Campbell moved the adoption of the amendment.

Which was agreed to.

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

Yeas—Senators Calkins, Campbell, Colson, Cone, Eaton, Epperson, Hodges, Knight, Lindsey, MacWilliams, Malone,

Mapoles, Mitchell, Putnam, Russell, Shelley, Singletary, Stokes, Taylor—19.

Nays—None.

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

And the same was referred to the Committee on Engrossed Bills.

Mr. Taylor moved that House Bill No. 844 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 844:

A bill to be entitled An Act to amend Section 972 of the Revised General Statutes of Florida relative to shows, and a license tax based on admission charge; tax on each tent; proviso; no fractional license.

Was taken up.

Mr. Taylor moved that the rules be waived and House Bill No. 844 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 844 was read a second time by its title only.

Mr. Taylor moved that the rules be further waived and that House Bill No. 844 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. 844 was read a third time in full.

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

Yeas—Senators Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell Putnam, Russell, Shelley, Stokes, Taylor—18.

Nays—None.

So the bill passed, title as stated.

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

Mr. Russell moved that Senate Bill No. 301 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 301:

A bill to be entitled An Act to exempt from taxation the homes, club houses, hospitals and other property

owned and used by organizations of ex-service men not for profit in carrying out the purposes of such organization and to preserve the associations and lessons of the World War.

Was taken up.

Mr. Russell moved that the rules be waived and Senate Bill No. 301 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 301 was read a second time by its title only.

Mr. Malone offered the following amendment to Senate Bill No. 301:

Add after the words "World War," wherever they appear in the bill, the words "and Spanish-American war."

Mr. Malone moved the adoption of the amendment.

Which was agreed to.

Mr. Russell moved that the rules be further waived and that Senate Bill No. 301, 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. 301, 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 Calkins, Cone, Eaton, Epperson, Hodges, Knight, Lindsey, MacWilliams, Malone, Mapoles, Putnam, Rowe, Russell, Shelley, Singletary, Taylor—16.

Nays—Senators Mitchell and Stokes—2.

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

And the same was referred to the Committee on Engrossed Bills.

Mr. Singletary moved that the Senate do now adjourn.

Which was not agreed to.

Mr. Mapoles called up House Bill No. 1033, upon its passage, the roll call upon passage of the bill pending adjournment of last night's session.

Which was agreed to.

And—

House Bill No. 1033:

A bill to be entitled An Act to grant a pension to Russell H. Atkins, an ex-Confederate soldier, residing in Okaloosa County, Florida.

Was put upon its passage.

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

Yeas—Senators Calkins, Cone, Eaton, Etheredge, Hodges Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Putnam, Shelley, Singletary, Stokes, Taylor—16.

Nays—Senator Colson—1.

So the bill passed, title as stated.

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

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

Thereupon the Senate stood adjourned at 10:20 o'clock P. M. to 10 o'clock A. M., Monday, May 28, 1923.

Monday, May 28, 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:

Yeas—Mr. President, Senators Anderson, Butler, Calkins, Campbell, Colson, Cone, Eaton, Epperson, Etheredge, Hodges, Igou, Johnson, Knabb, Knight, Lindsey, MacWilliams, Malone, Mapoles, Mitchell, Overstreet, Phillips, Putnam, Rowe, Russell, Scales, Shelley, Singletary, Taylor, Wells, Wicker—31.

A quorum present.

REPORTS OF COMMITTEES.

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

Senate Chamber,
Tallahassee, Fla., May 28, 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. 545:

A bill to be entitled An Act to regulate the establishment, construction, relocation, operation, improvement, maintenance, abolition, and protection of crossings of a railroad or street railroad by a highway or public road; to delegate certain powers to the Railroad Commission of the State of Florida, in relation thereto; and to provide for the enforcement of the provisions thereof.