

H. C. Petteway, to be Circuit Judge 10th Judicial Circuit, of Florida.

A. J. Rose, to be Record Judge, 11th Judicial Circuit of Florida.

Amos Lewis, to be Circuit Judge, 14th Judicial Circuit of Florida.

J. C. B. Koonce, to be Circuit Judge, 16th Judicial Circuit of Florida.

Daniel A. Simmons, to be Circuit Judge Duval County Circuit of Florida.

Jefferson B. Browne, to be Circuit Judge, 20th Judicial Circuit of Florida.

Tom Norfleet, Judge Criminal Court of Record, Dade County, Florida.

James M. Peeler, Judge Criminal Court of Record, Duval County, Florida.

C. M. Jones, Judge Court of Record, Escambia County, Florida.

R. W. Petteway, Judge Criminal Court of Record, Hillsborough County, Florida.

J. Vining Harris, Judge Criminal Court of Record, Monroe County, Florida.

H. K. Olliphant, Judge Criminal Court of Record, Polk County, Florida.

Burton Barrs, Judge Civil Court of Record, Duval County, Florida.

Monday, May 18, 1925

The Senate convened at 4 P. M. pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The Daily Journals of Thursday, May 14th, and Friday, May 15th, were corrected, and, as corrected, were approved.

By request of Mr. Malone, the following correction was made:

On printed Daily Journal of May 12, 1925, on page 28, line 17, the words "that it do pass" is hereby corrected to read "that it do not pass"; and on line 22 of said page of said Journal is corrected to read "was placed on the table under the rule," instead of "was placed on the Calendar of Bills on the Second Reading"—the clerk of committee having erroneously reported the bill so recommended to pass.

The following correction is hereby made on page 57, lines 38, 39, 40, 41, 42, 44, 45 and 46, and on page 58 of said Journal lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 were corrected to read as follows:

Mr. Hodges offered the following amendment to Senate Bill No. 292:

In Section 1, page 65 of the printed bill, beginning with line six, strike out all down to and including line twenty on page 6, and insert in lieu thereof the following:

"There is hereby appropriated for the support and maintenance of the several institutions and the departments thereof, under the management of the Board of Control, the sum of \$3,719,400.00, and for the State Plant Board the sum of \$466,290.00, distributed as follows:

For the University of Florida . . . . .	\$1,452,267.50
For the Agricultural Experiment Stations . . .	493,563.00
For the Agricultural Extension Division . . .	124,744.50
For the Florida State College for Women . . .	950,159.00
For the Florida School for the Deaf and Blind	307,000.00
For the Florida Agricultural and Mechanical College for Negroes . . . . .	392,670.00
For the State Plant Board . . . . .	466,290.00

Which amount, together with all Federal funds, and other funds which may be received by the said institutions, or departments thereof, will be sufficient to provide for the following budget as herein fixed.

The printed daily Journal of May 12, 1925, is hereby corrected on page 29, on line 17 of said page, to read "House Committee Substitute for Senate Bill No. 60."

Also, on page 36 of said daily printed Journal of May 12, 1925, on line 25 of said page "(Senate Bill No. 358)" as it appears in said Journal is hereby corrected to read "(Senate Bill No. 359)." Also, page 44 of said daily printed Journal of the Senate of May 12, 1925, line 12 of said page, is hereby corrected to read "(Senate Bill No. 359)", instead of "(Senate Bill No. 358)" as it appears in said Journal.

### REPORTS OF COMMITTEES.

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

Senate Chamber,  
Tallahassee, Florida, May 15, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

Your Committee on Engrossed Bills, to whom was referred (with amendments) after second reading—  
Senate Bill No. 292:

A bill to be entitled An Act making appropriation for salaries and other current expenses of the State for two years from June 30, 1925.

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

Very respectfully,

W. W. PHILLIPS,  
Chairman of Committee.

And Senate Bill No. 292, contained in the above report, was placed on the Calendar of Bills on Third Reading.

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

Senate Chamber,  
Tallahassee, Fla., May 16, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

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

## Senate Bill No. 463:

A bill to be entitled An Act authorizing and empowering the Board of Public Instruction for the County of Dixie and State of Florida, to issue and sell interest-bearing time warrants for the erection and equipment of a free public school building to be located at Cross City, Florida, in Special Tax School District No. 11 in Dixie County, Florida, and providing for the levy of a special tax on real and personal property in said District No. 11 with which to pay off the said time warrants and interest thereon.

Also—

## Senate Bill No. 465:

A bill to be entitled An Act to authorize the Board of County Commissioners of Dixie County, Florida, to issue interest-bearing time warrants for the purpose of refunding an existing indebtedness of said county evidenced by outstanding time warrants issued by the Board of Public Instruction for Dixie County, Florida, for the purpose of payment to the Board of Public Instruction for Lafayette County, consequent upon the creation of said Dixie County, and to provide for the payment thereof.

Also

## Senate Bill No. 462:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Dixie County, Florida, to issue and sell interest-bearing time warrants for the purpose of constructing and hard surfacing State Road No. 19, through Dixie County, Florida, and providing for the payment of the interest and the creation of a sinking fund for the payment of the principal of said interest-bearing time warrants.

Also—

## Senate Bill No. 464:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Dixie County, Florida, to issue and sell interest-bearing time warrants to the amount of twenty-five thousand (\$25,000) dollars for the purpose of paying off a judgment against Dixie County, Florida, and for the purpose of finishing construction of the common jail of Dixie County, Florida, and providing for the payment of principal and interest on said time warrants.

Also—

Senate Bill No. 45:

A bill to be entitled An Act to define a Solicitor in Taylor county, Florida, and to regulate and to require such Solicitors to pay a license tax.

Also—

Senate Bill No. 54:

A bill to be entitled An Act to amend Section 2525 of the Revised General Statutes of Florida of 1920, prescribing the disqualifications of judges, to repeal conflicting legislation.

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

Very respectfully,

W. W. PHILLIPS,

Chairman of Committee.

And Senate Bills Nos. 463, 465, 462 and 464, contained in the above report, were ordered to be certified to the House of Representatives.

And Senate Bills Nos. 45 and 54 were ordered to be referred to the Committee on Enrolled Bills.

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

Senate Chamber,  
Tallahassee, Fla., May 18, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

Your Committee on Miscellaneous Legislation, to whom was referred—

Senate Bill No. 328:

A bill to be entitled An Act to amend Chapter 7312 of the Laws of Florida, 1917, and the title thereto, the same being "An Act to amend Chapter 6944 of the Laws of Florida, 1915, and the title thereto, the same being An Act entitled 'An Act to provide for the examination, licensing and registration of persons engaged or engaging in the business or work of installing plumbing or house drainage, and the supervision and inspection of plumbing and house drainage in cities or towns of this State, having a population of 10,000 inhabitants or more, according to the Federal

census of 1910, or any subsequent Federal census, and parts of Counties in this State, and imposing penalties for the violation of this Act.' "

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

Very respectfully,

D. STUART GILLIS,  
Chairman of Committee.

And Senate Bill No. 328, contained in the above report, was laid on the table under the rules.

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

Senate Chamber,  
Tallahassee, Fla., May 18, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

Your Committee on Pensions, to whom was referred—  
Senate Bill No. 381:

A bill to be entitled An Act for the payment of pension to Richard A. Davis of Baker County, Florida.'

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

Very respectfully,

D. E. KNIGHT,  
Chairman of Committee.

And Senate Bill No. 381, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Florida, May 18, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

Your Committee on Pensions, to whom was referred—  
Senate Bill No. 382:

A bill to be entitled "An Act for the payment of pension to J. Z. Wiggin, of Columbia County, Florida."

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

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

And Senate Bill No. 382, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,  
Tallahassee, Florida, May 18, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

Your Committee on Pensions, to whom was referred—  
Senate Bill No. 456:

A bill to be entitled "An Act granting a pension to Mrs. S. W. Lawler, of Sumter County, Florida."

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

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

And Senate Bill No. 456, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Edge, Chairman of the Committee on Corporations, submitted the following report:

Senate Chamber.  
Tallahassee, Fla., May 18, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

Your Committee on Corporations, to whom was referred—

Senate Bill No. 354:

A bill to be entitled An Act relating to acknowledgments of Deeds, Mortgages and other instruments to a corporation before officers, stockholders or other persons interested in the corporation.

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

Very respectfully,

L. D. EDGE,  
Chairman of Committee.

And Senate Bill No. 354, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 18, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

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

(House Bill No. 586):

An Act to abolish the present municipality of City of Vero, in St. Lucie County, Florida; to create and establish a new municipality to be known as City of Vero Beach, in St. Lucie County, Florida; to legalize and validate the ordinances of said City of Vero and official acts thereunder, and to adopt the same as the ordinances of said City of Vero Beach; to prescribe the time within which suits shall be brought against said city and for notice thereof; to fix and provide the territorial limits, jurisdiction and powers of said City of Vero Beach, in St. Lucie County, Florida, and the jurisdiction and powers of its officers.

Also—

(House Bill No. 574):

An Act ratifying, validating and confirming all of the acts and proceedings of the Circuit Court of Lee County, taken by, for and on behalf of the Iona Drainage District, and all of the acts and proceedings of the board of supervisors, and all other officers of the said drainage district, and of said Lee County acting for and on behalf of said district, in carrying out the affairs of said district since the last regular session of this Legislature; and ratifying, validating and confirming any and all tax levies and assessments which have been made by the Board of Supervisors



of said district; and all judicial sales of lands for delinquent taxes of said district including master's deeds based upon such judicial sales.

Also—

(House Bill No. 805):

An Act amending the present charter of the City of Ocala, and the Law of the State of Florida applicable thereto, by permitting the City of Ocala, when authorized by a majority vote of the qualified voters of said city, at an election held for such purpose, to issue and negotiate its bonds, pledging the full faith and credit of said city for the payment thereof, for the purpose of constructing undergrade and overgrade crossings beneath or over the tracks of certain railroad companies now located in the City of Ocala, or over or under the tracks of any other railroad companies which may hereafter be located in the City of Ocala, Florida.

Also—

(House Bill No. 246):

An Act to amend Section 1, 5 and 6 of Chapter 9329 of of the Acts of 1923, entitled, "An Act to provide cholera serum and virus for the suppression of hog cholera in the State of Florida and to provide for the purchase thereof by the Live Stock Sanitary Board, and the method of making appropriation therefor.

Also—

(House Bill No. 817):

An Act authorizing the Town of Dunellon, Marion County, Florida, to improve the streets in said town by the construction of street lighting system of the style and character commonly known as "White Ways," and by the planting of palms, trees and other ornamental shrubs therein and assessing the cost of construction of such street lighting systems and planting of such trees, palms or shrubs against the owner or owners of the real estate abutting any such street or streets so improved.

Also—

(House Bill No. 789):

An Act to legalize and validate an election held in Seminole County, Florida, on May 5th, A. D. 1925, to determine the question whether Seminole County, Florida, should issue bonds in the sum of Ninety Thousand (\$90,-

000.00) Dollars, the proceeds derived from the sale thereof to be used exclusively for the purpose of taking up, funding and paying the present outstanding issue of bonds in the sum of Ninety Thousand (\$90,000.00), heretofore issued by Special Road and Bridge District No. 2, of Seminole County, Florida, to authorize the issuance of said bonds and to legalize, validate and confirm the same and to legalize, validate and confirm the same and to legalize, validate and confirm all proceedings had in connection therewith or relating thereto.

Also—

(House Bill No. 777):

An Act to fix the salary of the Judge of the Criminal Court of Record of Orange County.

Also—

Also House Bill No. 819):

An Act providing for the protection of the public roads in Orange County and prescribing the manner and mode of use of such public roads by motor vehicles, trailers and other vehicles, and providing that the violation thereof shall be deemed a misdemeanor.

Also—

(House Bill No. 778):

An Act to legalize, validate and confirm an election held throughout Seminole County, Florida, on the 5th day of May, A. D. 1925, to determine the question whether Seminole County, Florida, should issue bonds in the sum of \$1,660,000.00, in conformity with a certain resolution of the Board of County Commissioners of Seminole County, Florida, entitled "A resolution of the Board of County Commissioners of Seminole County, Florida, providing for an issue of bonds in the sum of \$1,660,000.00." duly adopted by said Board of County Commissioners on the 24th day of March, A. D. 1925; to authorize the issuance of such bonds and to legalize, validate and confirm all proceedings had in connection therewith or relating thereto.

Also—

(House Concurrent Resolution No. 17):

That the sum of six hundred dollars, or as much thereof as may be necessary, is hereby allowed the Secretary of State for the purpose of employing a proof reader to assist in getting out the Session Laws, 1925.

Also—

(House Bill No. 811):

An Act to authorize and empower the Board of County Commissioners of Marion County, Florida, to acquire, hold and use lands in said county for the purpose and benefit of horticultural, agricultural and other fairs and exhibitions.

Also—

(House Bill No. 75):

An Act to permit the free transportation of household goods, chattles, or other personal effects of all agents, employees or servants by any common carrier, including railroad companies operating in the State of Florida.

Also—

(House Bill No. 775):

An Act requiring the submission to a vote of the qualified electors owning real estate in the City of Orlando, Florida, any purchase or sale of real property not approved by the unanimous vote of the council and mayor of said city.

Also—

(House Bill No. 825):

An Act to ratify, validate, legalize and confirm the Special road and bond election held in the County of Leon, in the State of Florida, on Tuesday, May 5, 1925, under and by virtue of a resolution adopted by the Board of County Commissioners of said county March 16, 1925.

Also—

(House Bill No. 810):

An Act to authorize the Board of County Commissioners of Marion County, Florida, to appropriate money from the county fine and forfeiture fund to employ special deputy sheriffs to execute the road and traffic laws in force in said county and providing for such expense.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

S. W. ANDERSON,

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

The bills and Concurrent Resolution 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. S. W. Anderson, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Florida, May 18, 1925.

*Hon. John S. Taylor,*  
*President of the Senate.*

*Sir:*

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

(Senate Bill No. 105) :

An Act providing for the creation of a commission on reform of pleading and practice in the courts of this State, and to provide for the expenses thereof.

Also—

(Senate Bill No. 248) :

An Act to authorize in certain cases the admission of women as students in the University of Florida and to declare their qualifications, rights and privileges as students.

Also—

(Senate Bill No. 43) :

An Act to promote and protect the shell fish industry of the State of Florida and making an appropriation therefor.

Also—

(Senate Bill No. 27) :

An Act to require daily readings from the Holy Bible in all the public schools of the State of Florida.

Also—

(Senate Bill No. 239) :

An Act providing for teacher-training departments in high schools and making appropriations therefor.

Also—

(Senate Bill No. 378) :

An Act authorizing the Board of County Commissioners of Nassau County, Florida, to employ a County Engineer and to fix his duties and compensation.

Also—

(Senate Bill No. 31) :

An Act providing for the drawing, summoning and empanelling of juries for the courts of the county judges of the several counties of the State of Florida, having no County Court, Criminal Court of Record, and prescribing the manner of securing jurors to make up any deficiency thereof in the trial of any cause in such courts.

Also—

(Committee Substitute for Senate Bill No. 51) :

An Act to prohibit the sale or transportation of citrus fruit that is immature or otherwise unfit for consumption, and to provide for enforcement thereof.

Also—

(Senate Bill No. 408) :

An Act authorizing, empowering and permitting the Board of Public Instruction for the County of Manatee, State of Florida, to issue refunding warrants to take care of current indebtedness now outstanding against said Board of Public Instruction.

Also—

(Senate Bill No. 391) :

An Act authorizing Franklin County, Florida, to issue and sell or exchange for outstanding bonds not exceeding two hundred and fifty thousand dollars of bonds of said County to be known as Franklin County Road Bonds for the purpose of completing and constructing a system of good roads throughout said county, and of refunding and retiring all outstanding road bonds of said county or any special road and bridge district thereof; authorizing the levy of a special road tax on all taxable property of said county for the purpose of creating a sinking fund to pay the principal and interest of any bonds so issued; authorizing the payment out of a sinking fund so created of the principal and interest of any road

bonds of the county or of any special road and bridge district thereof now outstanding and which may not be retired by substitution of bonds hereby authorized as herein provided; providing for the manner of issuance and sale of the said bonds and the disposition of the proceeds thereof; providing the time of maturity and rate of interest of the said bonds.

Also—

(Senate Bill No. 422):

An Act to amend Sections Twenty-three (23) and Thirty (30) of Chapter 5368, Laws of Florida (Acts of 1903), being "An Act to legalize the incorporation of the Town of White Springs, in Hamilton County, Florida, to fix and define the boundaries thereof, to declare the incorporation and the ordinances of said town valid and of full force and effect and to provide for its jurisdiction, powers and privileges.

Also—

(Senate Bill No. 395):

An Act authorizing and empowering Bradford County, Florida, to issue bonds for the purpose of hard surfacing that part of the road known as the Lake City to Palatka Short Route which lies within the limits of said county and grading, hard surfacing and improving other roads in said county and investing the Board of Bond Trustees with the same powers and duties as were granted them under Chapter 8622, Special Acts of 1921, and empowering said board to call special elections of the qualified voters of said county concerning such road improvement bonds.

Also—

(Senate Bill No. 394):

An Act authorizing and empowering the Board of County Commissioners of Volusia County, Florida, to issue and sell negotiable interest-bearing time warrants of said county in a sum or sums not to exceed in the aggregate Twenty-five Thousand (\$25,000.00) Dollars for the purpose of raising funds with which to construct and improve certain roads and bridges in County Commissioner's District No. 2 in said county, and providing for the payment of said time warrants.

Also—

(Senate Bill No. 103):

An Act to provide for erection and operation of cold storage curing and drying plants, authorizing counties to erect and operate same and provide for State assistance under certain regulation and precribe the effect of receipts issued for products held on storage.

Also—

(Senate Concurrent Resolution No. 9):

Inviting Hon. Duncan U. Fletcher, senior United States Seantor from Florida, to address the Legislature and the public generally, at a mass meeting, on such subject as he may select, at 8:30 o'clock on Tuesday night, May 12, in the hall of the House of Representatives.

Also—

(Senate Bill No. 393):

An Act authorizinig and empowering the Board of County Commissioners of Volusia County, Florida, to issue and sell negotiable interest-bearing time warrants of said County in a sum not to exceed in the aggregate Fifty Thousand (\$50,000.00) Dollars for the purpose of raising funds with which to construct and improve certain roads and bridges in County Commissioner's District No. 3 in said County, and providing for the payment of said time warrants.

Also—

(Senate Bill No. 407):

An Act authorizing, empowering and permitting the Board of Public Instruction for the County of Manatee, State of Florida, to issue time warrants, promissory notes and other evidences of indebtedness for the purpose of constructing temporary school buildings and repairing existing buildings, and providing for the payment and liquidation of said evidences of indebtedness.

Also—

(Senate Bill No. 400):

An Act to authorize the County of Alachua to levy a special tax for publicity purposes and providing for the expenditure thereof.

Also—

(Senate Bill No. 372):

An Act to provide for the assessment, levy and collection of taxes in the City of Cedar Key, Florida.

Also—

(Senate Bill No. 389):

An Act authorizing the Board of County Commissioners of Hardee County, Florida, to issue and sell notes, certificates of indebtedness or bonds of said county, in an amount not to exceed fifteen thousand dollars for the purpose of providing funds with which to complete the construction of a jail for said county, and for the purpose of improving the grounds purchased by said county upon which the said jail is located.

Also—

(Senate Bill No. 373):

An Act to authorize the City of Cedar Key, Florida, to acquire, build and maintain a water works and pumping station without the corporate limits of said city, and conferring on said City of Cedar Key the right of eminent domain and right to condemn for public purposes right of way for pipe lines, and source of water supply for public and municipal purposes.

Also—

(Senate Bill No. 220):

An Act fixing the compensation of county commissioners in counties having population of from sixty-three thousand up to sixty-five thousand persons, and which have a bonded indebtedness of as much as five million dollars.

Also—

(Senate Bill No. 421):

An Act to legalize, ratify, validate and confirm the Resolutions and proceedings of the Town of White Springs, in Hamilton County, Florida, by its Mayor and Council, relative to the passage and adoption of said Resolutions and other proceedings taken to build and construct certain sidewalks and pave certain streets in said town and to legalize, ratify, validate and confirm the acts and proceedings of the Mayor and Town Council of the said Town of White Springs in the passage and adoption



of a Resolution providing for the issuance of certain bonds which said Resolution was passed and adopted on the 30th day of April, A. D. 1925, and to legalize, ratify, validate and confirm the issuance of said bonds and to provide for the sale of said bonds and to legalize, ratify, validate and confirm all acts, proceedings and resolutions of said Mayor and Town Council relative to the construction of certain sidewalks and paving of certain streets and the issuance of bonds and to declare, make and render said bonds legal, valid and binding subsisting obligations of 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 signature of the President and Secretary of the Senate.

Very respectfully,

S. W. ANDERSON,

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

The Bills and Committee Resolution 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.

The following communication was received from the Governor and read:

STATE OF FLORIDA

Executive Department,  
Tallahassee, Fla., May 18, 1925.

*Hon. John S. Taylor,*  
*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. 201):

An Act authorizing the City of Jacksonville to issue certificates of indebtedness for acquiring, erecting, constructing, maintaining and operating a radio broadcasting station.

Also—

(Senate Bill No. 278):

An Act to authorize and empower the City Commission of the City of Winter Haven, Florida, a municipal government under the laws of the State of Florida, to make and issue interest-bearing bonds aggregating the sum of \$90,000.00, for the purpose of funding and liquidating an indebtedness of approximately \$90,000.00, incurred by the Town Council of the former Town of Winter Haven; and by the City Commission of said City of Winter Haven, extending over a period of several years for various municipal purposes, said bonds to bear interest not to exceed six per cent. per annum, to be in denominations of \$1,000.00 each, to be retired at the rate of \$6,000.00 each year; and to create a sinking fund for the payment of the principal and interest of said bonds.

Very respectfully,

JOHN W. MARTIN,

Governor.

The following communication was received from the Attorney General:

State of Florida,  
Office of the Attorney General,  
Tallahassee, May 18, 1925.

*Hon. John S. Taylor,  
President of the Senate,  
Senate Chamber,  
Tallahassee, Fla.*

*Dear Sir:*

I hand you herewith copy of my recommendations as Attorney General to the Legislature of the Session of 1925, which recommendations are made in compliance

with Section 13 of Article V of the Constitution of the State of Florida.

A copy of these recommendations was handed to each member of the Senate on the day your Honorable Body convened in regular session, and I now hand you this copy in order that the same may be entered upon your Journal and that the record may show a compliance with the Constitutional provision above referred to.

Yours very truly,

RIVERS BUFORD,

Attorney General.

Mr. Calkins moved the communication from the Attorney General, together with the recommendations offered by him be spread upon the Journal.

Which was agreed to.

Tallahassee, Fla., April 7, 1925.

*To the Legislature of the State of Florida:*

Section 13 of Article V of the Constitution of the State of Florida is as follows:

“It shall be the duty of the Judges of the Circuit Courts to report to the Attorney General at least thirty days before each session of the Legislature such defects in the laws as may have been brought to their attention, and to suggest such amendments or additional legislation as may be deemed necessary.”

Complying with the above quoted Section of the Constitution four of the Circuit Judges of this State have submitted to me, as Attorney General, their recommendations as to much needed changes in our statutes.

One of these communications is from Judge E. C. Love of Quincy, Florida, and the other communication is from Judges Daniel A. Simmons, George Couper Gibbs and DeWitt T. Gray, of Jacksonville, Florida.

I have carefully considered each of the recommendations submitted by such Judges and most heartily endorse the same, and I commend them to your very thoughtful consideration.

The communications are as follows:

“Quincy, Florida, Feb. 23, 1925.

Hon. R. H. Buford,  
Attorney General,  
Tallahassee, Fla.

Dear Sir:

Complying with Section 13, Article V of the Constitution of the State, I respectfully report to you the following defects in the law which have been impressed upon me as requiring amendment, viz.:

1. Chapter 9364 should be amended by striking out the following words:

‘That at the trial of any criminal prosecution or civil action or proceeding at law in the Courts of this State, the Judge presiding shall charge the jury on the law of the case in the trial at the conclusion of the evidence and before argument by counsel.’

A practical test of the law as it now stands has demonstrated that the above provision defeats the purpose for which charges by the Court are given. It is a difficult matter for the average juror to understand, follow and remember the principles of law stated in the judge's charge, often and necessarily expressed in technical language, even when given at the conclusion of the trial. This is the more pronounced when argument follows a charge, adroitly making use of such portion of the charge as may be advantageous to that side of the case represented by the attorney making the argument, and when the construction of the opposite side is submitted the jury is lost in the wandering mazes of the various arguments. Naturally they lose sight of the principles of law that should govern their verdict and in an effort to justly decide the facts do so according to their individual or collective ideas of what the law should be instead of what the law actually is. With such a practice the tendency is great to make our government one of men instead of law.

This has been recognized in the Second Judicial Circuit to such an extent that by common consent, the former practice obtains of charging the jury after argument. Many

reasons for the change suggested may be urged; but those given by Governor Hardee in his objections to the law have been found to be realized in the practical operation of the law.

2. Sections 1778 and 2798 of the Revised General Statutes should be amended by relieving the Circuit Judge of the duty of approving the pay rolls of jurors and witnesses. It is manifestly impractical for him to have personal knowledge of the names, number of and the time served by the various witnesses appearing before the Grand Jury and the trial court. To a less extent this is true as to jurors. This is a matter that the Clerk should attend to, and its performance by the judge is necessarily largely perfunctory.

3. It is my opinion that in all criminal trials, where there are two or more defendants the State should be given the same number of peremptory challenges as are given to the defendants.

4. Section 6040, Revised General Statutes of Florida, should be amended so as to require committing magistrates to bind over witnesses to appear on the first day of each term of court. The present practice requiring witnesses to be recognized to appear on the second day of such term results in delay and added expense and has no substantial reason therefor at this day, whatever may have been conditions existing at the time of its first enactment.

5. I recommend that if any indictment, information or affidavit in criminal proceedings be quashed, set aside or demurrer thereto sustained, the State shall have the right to a writ of error or appeal to the proper Appellate Court within thirty days from the date of the judgment.

As the law now stands the State has no such right and thus a statute may be held unconstitutional without any remedy therefor on the part of the State by an appeal to a higher court.

6. Section 5061 of the Revised General Statutes of Florida, defining Aggravated Assault has been and is productive of much confusion in the minds of the legal profession and the courts. Originally intended to embrace assaults made with a deadly weapon as distinguished from a simple assault, or attempt, coupled with the present ability to inflict personal injury upon another with force

and violence, it has often been mistakenly construed to embrace all assaults made with a deadly weapon, when no premeditated design to effect death has been proven, thus including all unlawful assaults with intent to commit homicide less than murder in the first degree. By striking out the words 'not having a premeditated design to effect the death of the person assaulted' and substituting therefor suitable words to enable a jury to distinguish between facts constituting an aggravated assault and those constituting an assault with intent to commit murder or manslaughter, such for example as 'without having any intent to kill the person assaulted' would clarify the meaning of this section, and do away with much existing confusion with reference to the proper construction of such statute.

7. A law prohibiting persons from remarrying within a certain definite time, after being divorced would contribute to some extent towards mitigating one of the evils of our present liberal divorce law.

8. I recommend the enactment of a law providing for the payment of mileage to witnesses residing out of the State, when attending a term of court at the request of the State's Attorney.

Respectfully submitted,

(Signed) E. C. LOVE,

Judge of the Circuit Court  
of the Second Judicial Circuit  
of the State of Florida."

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"Jacksonville, Florida, March 5, 1925.

Hon. Rivers H. Buford,  
Attorney General,  
Tallahassee, Florida.

My Dear Sir:

In compliance with Section 13 of Article V of the Constitution of this State, we respectfully report to you the following defects in the laws which have been brought to our attention, and suggest to you the following amendments and additional legislation:

1. Two of us, in conference with other Circuit Judges, made in September, 1922, certain suggestions to the Governor, a copy of which, we are informed, was handed to you. We respectfully urge the passage of the laws by such conference recommended, especially the following:

*Disqualification of Judges.*—That Chapter 9276, Laws of Florida, 1923, amending Section 2674 of the Revised General Statutes should, in our opinion, be amended so as to read as follows:

‘Whenever a party to any action or proceeding, civil or criminal, shall make and file an affidavit that he fears that he will not receive a fair trial in the court where the action or proceeding is

pending, on account of the prejudice of the Judge of said court before whom the action or proceeding is to be tried, or heard, against the applicant, or in favor of the adverse party, such Judge shall proceed to decide whether or not the facts set out in such affidavit, if true would work his disqualification. If he determines that the facts set forth in the affidavit, even if true, would not disqualify him, then he shall proceed to try the case or hear the cause. If he determines that the facts set forth in the affidavit, if true, would disqualify him, then he shall proceed no further, but another Judge shall forthwith be designated by the manner prescribed by the laws of this State for the substitution of Judges for the trial of causes in which the presiding Judge is disqualified. Every such affidavit shall state the facts and the reasons for the belief that any such bias or prejudice exists, and such affidavit shall be filed not less than ten days before the beginning of the term of the Court at which such case is to be tried or heard unless good cause be shown for delay in its filing. Any such affidavit so filed shall be accompanied by certificate of counsel of record that such affidavit and application are made in good faith and that in his opinion the presiding Judge is disqualified; and the facts stated as a basis for making the said affidavit shall be supported in substance by affidavits by at least two reputable citizens of the

county not of kin to the party in whose behalf the affidavit is made, nor to his counsel, and not interested in the result of the suit or proceeding. The Judge so assigned in case such disqualifying affidavit is filed shall first proceed to determine whether or not the facts set out in such affidavit are true. If the assigned Judge finds that the regular presiding Judge is disqualified, he shall proceed to try the cause or hear the pending controversy. If he finds the regular presiding Judge to be not disqualified, he shall so order, and then retire; whereupon, the regular presiding Judge shall proceed with the cause in which such disqualifying affidavit has been filed. Such disqualifying affidavit shall be filed against only one Judge in any one cause.'

*Selection of Jurors.*—The passage of a law creating a commission in each county for the selection of persons to serve as jurors and the amendment of certain sections of the Revised General Statutes of the State of Florida regarding the selection of persons to serve as jurors as follows:

That there be created and established in each county in this State a Jury Commission composed of two members to be appointed by the Governor, within three months after the passage and approval of this Act. One commissioner shall hold office for one year from the date of his appointment, and one commissioner shall hold office for two years from the date of his appointment, and the Governor in making such appointments shall designate the terms to be held by such appointees, respectively. And upon the expiration of each of these terms, the Governor shall appoint successors, who shall hold office for two years from the expiration of the terms of their respective predecessors.

#### 2772. Selection of Lists and Further Qualifications.

The Jury Commission of the several counties of this State, at a meeting to be held the first week in January of each year, or as soon thereafter as practicable, shall select



from the male persons who are qualified to serve as jurors under the provisions of Section 2771, and make out a list of not less than two hundred and ninety nor more than five hundred persons properly qualified to serve as jurors, who, in addition to the qualifications above mentioned, shall be such persons only as they know or have good reason to believe are of approved integrity, fair character, and sound judgment and intelligence, which list shall be signed by the jury commissioners and be forthwith delivered and filed with the Clerk and by him recorded in the minutes of the court.

In counties where criminal courts of record may exist the jury commissioners shall make out a list of not less than two hundred nor more than nine hundred names of persons who are qualified to serve as jurors under Section 2771, and the provisions of this section; and provided further, that if in any of the counties of this State the jury commissioners shall not be able to select the number required by this section, they shall be authorized to select a less number, to be the highest number possible; and provided further, that if any person so selected shall be ascertained to be disqualified or incompetent to serve as a juror, such disqualification shall not affect the legality of such list or be cause of challenge to the array of any jury chosen from such list, but any person ascertained to be disqualified to serve as a juror shall be subject to be challenged for cause.

That in Section 2781 where the words 'County Commissioners' occur, there be substituted therefor the words 'Jury Commissioners.'

That in Section 2781 where the words 'County Commissioners' occur, there be substituted therefor the words 'Jury Commissioners'.

That each jury commissioner shall receive such compensation for his services as may be prescribed by law.

*Argument Before Jury.*—The passage of a law amending Section 6080 of the Revised General Statutes by striking therefrom the following words: 'And a defendant offering no testimony shall be entitled to the concluding argument before the jury,' so that said section, as amended, would read as follows:

6080. (3979) *Accused May Make Himself a Witness.*—In all criminal prosecutions the accused may at his option be sworn as a witness in his own behalf, and shall in such

case be subject to examination as other witnesses, but no accused person shall be compelled to give testimony against himself, nor shall any prosecuting attorney be permitted before the jury or court to comment on the failure of the accused to testify in his own behalf.

*Challenge of Jurors.*—The passage of a law providing that the State in all criminal cases where there are several defendants shall be given the same number of peremptory challenges as are given the derendants.

*Transfer of Prisoners.*—That Section 6209 of the Revised General Statutes of 1920 be amended so as to read as follows:

6209. (4105) *When and How Ordered.*—When in the opinion of the Governor, or one of the Circuit Judges of the circuit and the sheriff, or, in the absence of the circuit judge, of the county judge and the sheriff, the interests of the State demand it, such judge shall make an order directing that any person held under a criminal charge in one county of the circuit in which he presides shall be confined in the jail of another county of the State than that in which the offense charged is alleged to have been committed. Such order shall be of full force and effect throughout the State, but the county to which the prisoner charged or convicted is sent, or any officer thereof, is not required to incur or pay any expenses or charge of maintaining such prisoner.

*Verdict of Juries.*—The passage of a law that in the trial of cases, both civil and criminal, a majority verdict shall prevail; that is to say, that in all capital cases, or other cases requiring a jury of twelve, eleven shall be sufficient to find a verdict, and in all other cases, five shall be sufficient.

That we endorse and recommend the following proposed Act:

*Sentences.*

A BILL

TO BE ENTITLED

AN ACT Providing for Indeterminate or Minimum and Maximum Sentences in All Criminal Cases Not Capital in which the Sentence is to the State Prison.

*Be It Enacted by the Legislature of the State of Florida:*

Section 1. In any criminal case (except capital cases) where imprisonment in State Prison is prescribed, the judge if he deems proper to do so may impose an indeterminate or minimum and maximum sentence, that is, a minimum of time the defendant shall serve and a maximum of time the defendant shall serve.

Sec. 2. When such sentence is imposed the judge imposing it shall fix the minimum sentence at whatever he may deem right regardless of any minimum penalty now fixed by law; but he shall not in the sentence of any person under this Act exceed any maximum penalty now fixed by Statute for the offense.

Sec. 3. When such sentence is imposed it shall be substantially in the following form: 'You having been convicted of the crime of (or plead guilty, as the case may be) the court adjudges you to be guilty and it is the sentence of the law and the judgment of the court that you, for your said offense do be confined at hard labor in the State Prison for not less than — — — —, nor more than —.' (The costs may be added if the Court thinks best.)

Sec. 4. Whenever such sentence is imposed the Superintendent of the State Prison shall keep a record of same and shall himself or through other reliable parties, keep a record of the conduct of such convict, and if his record is good, or if he appears to be reformed, then the Superintendent shall report that fact to the Board of Pardons at the expiration of the minimum sentence, and the said Board of Pardons may forthwith, without proceedings or application, grant a pardon to such convict conditioned on his own good behavior. And if such convict thereafter misbehaves, the Governor of Florida may order his re-arrest and commit him to said State Prison to serve out the balance or maximum penalty.

Sec. 5. If the Superintendent aforesaid should report to the Board of Pardons that the conduct of such convict is not good or that he is not reformed, then the said convict shall serve his maximum sentence, unless sooner discharged by the State Board of Pardons.

Sec. 6. This Act is not intended to curtail the rights and privileges of convicts to proceed in application for pardons in the same manner heretofore provided, but is intended to facilitate the release of those convicts who may be entitled to relief under minimum and maximum penalty sentences.

2. Section 19 of Chapter 9321, Laws of 1923, should be amended by striking therefrom the words 'and no dwelling occupied exclusively as such shall be searched in the night time under this Act or under any other law of this State except for stolen or embezzled property.'

3. An Act to amend Section 2696 of the Revised General Statutes of Florida relating to charges to Juries and direction of Verdicts by the Court, should be amended by striking therefrom the paragraph following:

'That at the trial of any criminal prosecution or civil action or proceeding at law in the Courts of this State, the Judge presiding shall charge the jury on the law of the case in the trial at the conclusion of the evidence and before argument of counsel.'

4. In Chapter 8470, Laws of Florida, 1921, as published, defining murder in its several degrees, we find that in the definition of murder in the third degree the word 'arson' is spelled 'aron.' We suggest that this chapter be amended to correct this error.

5. We suggest that Section 3135 of the Revised General Statutes regarding evidence in Chancery be so amended as to allow testimony to be taken directly before the Court and not make it essential for such testimony to be taken down in writing and filed in the cause, unless by order of the Court or by request of one or the other of the parties in the cause. We believe that a great saving in time and expense would be had if these Chancery cases could, under appropriate rules by the Supreme Court, be heard, as common law cases, directly before the Court.

6. We suggest that Section 5051 of the Revised General Statutes be amended by adding to the penalty prescribed, these words, 'or for such term of years in the State Prison as the Court may direct.' We make this suggestion, as there are sometimes cases in which the life penalty is un-

just. We speak particularly with reference to those cases in which only negroes are involved. While the offender is guilty according to the statute, still there are such extenuating circumstances as to make life sentence unjust.

7. Authority should be granted the Clerk of the Supreme Court to furnish to the Circuit Judges upon requisition by them the volumes of Florida Reports which have been lost or have been worn out in service.

8. Amendment providing for service of notice upon Attorney General and Clerk of Supreme Court when writ of error in criminal cases is sued out in Lower Court, or change of law to provide for suing out such writ of error in Supreme Court, instead of Lower Court.

9. Designation and definition by Legislature of official record of the Acts of the Legislature.

10. Appropriate legislation should provide means for settling in the matter of a primary election, contests between those seeking nomination for the Legislature or for the Board of County Commissioners.

11. Present law should be amended so as to require that all cases, civil, criminal and in chancery in the Circuit Court should be reported by the regular Court Reporter or his duly authorized deputy, who should be paid an adequate salary for such service, and such testimony should be transcribed only when necessary for appeal or otherwise at the expense of the person taking said appeal, except in insolvent cases ordered by the Court to be paid by the State of Florida.

12. We suggest that the Legislature fix the situs for the purpose of taxation of the estate of a decedent.

13. We suggest that a Statute be passed providing that upon the investigation of a death caused by violence or unnatural cause, or murder, rape, or assault with intent the committing Magistrate presiding at the preliminary such crime, the Justice of the Peace as Ex Officio Coroner, to commit rape, or where a person is charged with any hearing, and the Judge of the Court upon the trial of the cause, shall in the discretion of the Judge, or Justice of the Peace, before whom such hearing or trial shall be had, have power and authority, upon the request of the State of Florida, through its prosecuting officer, or of the de

defendant, to require from any person testifying or summoned to testify at such hearing, or trial, a good and sufficient bond for the appearance of such person at any subsequent hearing or trial of a cause involving the subject matter of such charge, investigation, preliminary hearing, or trial, and that in default of the giving of such bond such Judge, or Justice of the Peace, shall, in his discretion, have the power and authority to commit said person to the custody of the Sheriff of the County in which such investigation, hearing, or trial, may be had, to be held by such Sheriff pending such investigation, hearing or trial, or until the giving of such bond.

14. We would suggest that some Statute be passed authorizing and requiring the several counties to pay mileage of witnesses in behalf of the State in capital cases from points beyond the territorial limits of the State in cases where such witness, or witnesses, voluntarily attend the trial of such case, or any hearing therein, at the request of the State Attorney.

15. That when the defendant fails to take the stand in a criminal case the State Attorney shall not be precluded from making such comment thereon as would be made because of the failure of any other person to testify prima facie shown to have a knowledge of facts pertinent to the issue and failing to testify.

16. That all laws exempting persons holding honorary memberships, but not actively engaged in service in the Militia of the State, from jury service be repealed.

17. That there be provided a short and simple form of indictment for murder, similar to that now in use in the English Courts.

18. That a law be passed regulating within this State the sale of revolvers and rifles.

Yours respectfully,

(Signed) DANIEL A. SIMMONS, Judge.

(Signed) GEORGE COUPER GIBBS, Judge.

(Signed) DEWITT T. GRAY, Judge."

## SUGGESTED LEGISLATION

I feel it my duty to say to you, who are charged with the enactment of laws for the welfare of this State, that entirely too many of our statutes have been prepared with the purpose in view of giving the accused greater advantage before the Courts into which they are brought for trial. A majority of the lawyers who become members of the Legislature have had much experience in the criminal practice and most of this experience has been in the defense of persons charged with crime and, although these lawyers are entirely honest and sincere, they have become imbued with the idea that every possible advantage should be given to the man who is on trial. This, I think, has led to the passing of many statutes, the effect of which, as pointed out by the Judges of our Courts, is to hinder, obstruct and to defeat justice.

Following the constitutional mandate I respectfully recommend to you the enactment of legislation along the lines herein set forth:

## APPEAL

I suggest the passage of an Act which will provide that in any criminal case, where the statute under which the defendant is being prosecuted is held by the trial court to be unconstitutional, the State shall have the right to immediately appeal from such decision to the Supreme Court of the State of Florida, for the purpose of having the constitutionality of the statute adjudicated by the Supreme Court, and the cause shall stand in *status quo* in trial court pending such decision by the Supreme Court.

## BASTARDS.

I suggest that Section 3957, Revised General Statutes of Florida, which is an Act of 1828, be amended so as to simplify the proceedings and eliminate unnecessary technicalities in the manner of instituting bastardy proceedings.

I also suggest that Section 3959, Revised General Statutes of Florida, be amended so as to provide that the judgment of the court shall declare the defendant to be the father of a child; and to provide for the judgment to

be for the payment of a sum to be fixed by the court upon a fair consideration of the defendant's ability to pay, but not to exceed the sum of six hundred dollars per year.

I further suggest that Section 3960, Revised General Statutes of Florida, be amended so as to make the penalty therein mentioned not to exceed five years in State Prison.

#### BOND TRUSTEES

A law should be passed which will abolish the office of Bond Trustee for all county bonds and all road district bonds. It is my judgment that there is no necessity for the existence of such officers. They perform no valuable service and the results of having them is merely an expense upon the county and district.

All the functions performed by such Bond Trustees could be as well performed by the Clerk of the Circuit Court for nominal compensation.

#### CITIZENSHIP AND RESIDENCE

I recommend the passage of an Act defining the manner in which residence and citizenship may be established in the State of Florida, and providing for the record in the office of the Clerk of the Circuit Court, which will constitute notice to the world of the change of residence or citizenship of any person establishing the same within the State of Florida.

#### CONCEALED WEAPONS

I suggest that the proviso which appears in Sections 5095 and 5100, Revised General Statutes of Florida, be amended to read as follows:

“Provided, That nothing in this Section shall be considered as applying to sheriffs, deputy sheriffs, city and town marshals, policemen regularly on duty, or policemen actually employed and paid for services by a municipality, or constables, or game wardens, or deputy game wardens, or United States marshals, or their deputies.”

#### CONVICTS

I suggest that Section 6287, Revised General Statutes of



Florida, be so amended as to include all convicts; and that it also apply to persons aiding in the escape of any convict.

#### COUNTY COMMISSIONERS

It is here recommended that a uniform law be passed fixing the compensation of County Commissioners throughout the State. At present there exists a number of statutes fixing the compensation of County Commissioners in counties of various populations. The Supreme Court of Florida has very strongly intimated, and some members of the Court positively stated, in an opinion rendered that such classifications were and are in conflict with the Constitution, and it is my opinion that should the existing statutes which were made to apply to certain counties be contested in the courts they would be held invalid and such decision by the courts would cause a great deal of confusion and embarrassment.

#### COUNTY BOARDS OF PUBLIC INSTRUCTION

I recommend that a uniform law be passed fixing the compensation of County Boards of Public Instruction throughout the State. At present there exists a number of statutes fixing the compensation of County Boards of Public Instruction in counties of various populations. The Supreme Court of Florida has very strongly intimated, and some members of the Court positively stated, in an opinion rendered that such classifications were and are in conflict with the Constitution, and, it is my opinion, that should the existing statutes, which were made to apply to certain counties, be contested in the courts they would be held invalid and such decision by the courts would cause a great deal of confusion and embarrassment.

#### DECLARATORY JUDGMENTS

I suggest the passage of an Act which will authorize the Circuit Courts and the Supreme Court of the State of Florida to pronounce declaratory judgments in cases of actual controversy within the scope of their respective jurisdictions, thereby making binding adjudications of right, whether or not consequential relief at the time could be claimed. Also providing that controversies involving the interpretation of deeds, wills and other instruments of

writing, statutes, municipal ordinances and other governmental regulations may be so determined by such courts.

#### DECLARATIONS OF TRUST

A great many people in Florida are establishing business organizations under "Declarations of Trust," which method of doing business presents many attractive features.

I, therefore, suggest the passage of an Act regulating the creation and management of business associations proposing to operate under "Declarations of Trust," as well as to regulate the conduct of such organizations which may already be in operation.

#### DIVORCE

I wish to call your attention to the fact that the promiscuous procuring of divorce is becoming the greatest menace to the moral standard of our country, and it is my opinion that this tendency should be discouraged at every possible turn.

In my opinion divorces are entirely too easily procured under the laws of the State of Florida. Under existing practice it is quite easy for fraud and deception to be practiced upon the courts having jurisdiction of these cases.

I, therefore, suggest the passage of an Act, which will require that all testimony to be considered in divorce suits in this State shall be taken before the Judge of the Court having jurisdiction of the cause, and that the same shall be taken down in shorthand by the Court Reporter, or some competent stenographer to be named by the Court, and that said testimony be transcribed and filed as a part of the record of such proceedings.

I further suggest that an Act be passed which will provide that the Court may make an order in any suit pending for divorce before such Court, directing the State's Attorney of the Circuit where the suit is pending to ascertain all the facts pertinent to the issue and to submit the same in writing to the Court, together with the names of the material witnesses, and providing that for such services, the State's Attorney shall receive a fee to be fixed by the Court, and to be taxed and paid as a part of the costs under direction of the Court. This statute should be

framed so that the provisions would only be invoked by the Court in cases in which the Court deemed such procedure necessary.

I further suggest that Section 3191, Revised General Statutes of Florida, defining grounds for divorce, be amended so as to eliminate the grounds therein contained numbered Four, Five and Six.

A law should be enacted providing that it shall be unlawful for any person to file a bill of complaint seeking a divorce from his or her spouse except in the county where either the complainant actually lives or in which the defendant actually lives. I observe some people have taken advantage of the laxity existing in the statutes and have filed suits for divorce in the *circuit* where one or both parties resided, but not in the *county* where either resided.

#### EVIDENCE

I suggest the passage of an Act which will provide that in any criminal case where a continuance is applied for, because of the non-appearance of a witness, the party making such application shall be required to set up in writing all the facts which in his opinion the said witness would swear to; and if the adverse party shall admit before the jury that the witness if present would swear to such statement of facts, no continuance shall be granted upon that ground. But by the adverse party admitting that the witness would testify to such statement of facts, he shall not be held to thereby admit that such statement of facts is true, and shall have the privilege of proving or attempting to prove such statement of facts not true by competent testimony.

#### EXTRADITION

The volume of requisitions for extradition warrants for alleged criminals, who have taken refuge in Florida, is growing rapidly and entails considerable expense upon our State. I, therefore, suggest the passage of an Act which will provide that no warrant of extradition should be issued until a fee of \$5.00 for the same shall have been deposited with the Secretary of State of Florida, which money when received by him shall be transmitted to the State Treasurer and deposited in the General Revenue Fund of the State of Florida.

## EMBEZZLEMENT

I recommend the passage of an Act amending our law prohibiting embezzlement and eliminating many technicalities in the charging of the same.

## FALSE SWEARING

I deem advisable, a law which will provide that any person, who, when sworn as a witness in any cause in a Court of competent jurisdiction, swears to any statement of facts, and thereafter in the same Court, or in any other Court where the same cause is at issue or being tried, shall be sworn as a witness and testifies to a statement of facts materially different from the testimony given by such witness at a former hearing, shall be deemed guilty of a felony,

and upon conviction, shall be imprisoned in the State Prison not exceeding five years, or fined not exceeding five thousand dollars.

## FRANCHISE TAX

I recommend the enactment of a Statute which will provide for a franchise tax, the proceeds to go to the County School Fund.

## HABEAS CORPUS

I recommend an Act providing that supersedeas on writ of error in habeas corpus shall in no way preclude the State from proceeding with the prosecution and trial of the accused pending the disposition of the decision of the Appellate Court. Under the present law any defendant can force a continuance of his case by suing out of writ of habeas corpus and when the same has been denied by the Circuit Court take a writ of error to the Supreme Court and procure supersedeas on the writ.

Several Circuit Judges have brought to my attention the fact that the possibility of such practice has, in many instances, defeated justice and it should be corrected.

## HORSE RACING

It is my opinion the only practicable way to stop gambling on horse racing, or other racing, is to prohibit the racing.

## JURORS

I recommend that an Act be passed providing that in the trial of criminal cases where two or more defendants are being tried jointly, the State shall be entitled to a number of peremptory challenges equal to the aggregate number of peremptory challenges which may be exercised by the several defendants.

## LAND SWINDLERS

I would suggest the passage of an Act, which will prohibit any person from knowingly or wilfully swindling, or defrauding, any other person out of money, or of anything of value, by the sale or transfer, or the pretended sale or transfer, of any lands in the State of Florida, and providing that the prosecution for the violation of the Act may be had in any county where any matter pertaining to the transaction occurs.

## LAND TITLES

A law should be passed which will provide for the adoption of the Torrens System of land titles, or some other system closely akin to the Torrens System.

## LOAN SHARKS

The passage of a law which will effectually prohibit extortion by loan sharks is recommended.

## MARRIAGE LICENSES

I suggest Chapter 7828, Acts of 1919, be amended so as to eliminate the necessity of more than one parent of each of the contracting parties consenting to the marriage of the parties. As the statute stands, both parents, if living, of both of the contracting parties must give their permission for the marriage, before a license can be issued in cases where the parties are under twenty-one years of age, and this often causes great inconvenience, which is entirely unnecessary.

I also suggest that this Chapter be further amended, or a new Act be passed providing that any one, who, shall knowingly in any way deceive, or attempt to deceive, the County Judge as to the identity of any person applying

for a marriage license, shall be deemed guilty of a felony, and upon conviction be punished by imprisonment in the State Prison not exceeding five years, or fined not exceeding Five Thousand Dollars.

#### MOTOR DRIVEN VEHICLE LICENSE LAW

The Motor Driven Vehicle License Law should be amended in a great many respects. Hon. R. A. Gray, who has direct supervision of the issuing of license tags for automobiles, etc., in the office of the State Comptroller, has prepared needful amendments to this law, and I hope the Legislature will see fit to adopt his suggestions.

#### PAINT.

I recommend the passage of a statute which will require all persons offering for sale, or selling, mixed paint, either to a dealer or a consumer in this State, to place in plain words and figures the guaranteed analysis of such paint upon each package in which such paint is sold or delivered, which analysis shall show plainly the percentage of all ingredients contained in such package of paint.

#### PICTURE SHOWS

A law should be passed exempting from the payment of a license tax any picture show, lecture, theatrical performance, or other educational amusement, exhibited, conducted or operated under an agreement by which the management, owner, or performer, contributes to any public school, or schools, or to charitable purposes, to be used in connection with public school work, or to Posts of the American Legion or to Camps of the Confederate Veterans or to Chapters of the Daughters of the Confederacy, as much as fifty per cent (50%) of the gross receipts accruing by reason of such show, performance or lecture.

#### PLEADINGS

I suggest the enactment of a statute which will require parties to all actions who shall file dilatory pleas to bring the same on for hearing before the proper court within a limited period of time.

## PROBATION OFFICER

I suggest Section 2323, Revised General Statutes of Florida, be amended so that the petition to be filed as provided for in said section may be filed by any sheriff, deputy sheriff, constable or prosecuting officer.

## PROHIBITION ENFORCEMENT

I recommend the passage of an Act which will provide for compensation to be paid to county prosecuting officers, who are not paid entirely by salary for their services in cases involving the enforcement of the prohibition statute, and especially when required to prosecute actions involving the confiscation of property.

## RECEIVERS

An Act should be passed which will prohibit any person at interest in a suit, where receivership is had, being appointed receiver.

## SECURITIES

The Florida Securities Commission composed of the Comptroller and Attorney General, has drafted a Bill, the purpose of which is to give these officials authority by which they may more effectually protect the public from fake stock sales and the investment in worthless securities.

The people of Florida have during the past few years been swindled out of millions of dollars by promoters and operators of worthless stock and securities propositions.

Many of these swindles could not have operated had this Board possessed adequate authority to reach the perpetrators of the frauds. Many other operators in such matters could have been sent to jail had the State been protected by proper statutes.

I sincerely hope the Legislature will, at this session, enact the statute which the Florida Securities Commission will present.

## SCHOOL FUND

The question of public education is one of the most important questions with which the State of Florida is confronted to-day. The public free school is America's greatest civic institution. The principle upon which the public free school is based is that all must contribute to the edu-

cation of the youth, and to contribute to the education of the youth is a duty which none should be allowed to escape.

The school funds in some of our counties are in a most deplorable condition. In some counties these conditions are the result of the lack of property values in the county. In others, it is largely the result of assessed valuations being placed at such a small part of the actual value as to make it impossible for the school fund millage to meet the requirements of so prosperous a territory. A way must be found to support the County School Fund and the necessary money for this purpose must be drawn from some source.

Hon. C. W. Hunter of Marion County will introduce a Bill providing for the payment of a 10% privilege tax on all tickets, fares, fees or admission, charged or collected, by places of amusement. The proceeds of this tax will be deposited in the State Treasury to the credit of the County School Fund to be distributed to the counties on a basis of school attendance.

In my opinion this is a most just and equitable proposition. It will result in a large increase in the school funds of the respective counties and will not hurt anybody. I trust the Legislature will stand 100% in favor of this measure.

Mr. Ellis of Alachua County will introduce a like Bill, the purpose of which is to place a privilege tax on the sale of tobacco products for the same purpose and to be distributed in the same manner. I also commend this measure to your hearty and favorable consideration.

#### SPEED LIMIT

I recommend the enactment of a law which will more definitely fix speed limits, and also prohibit any motor driven vehicle while being operated at a greater speed than at the rate of twenty-five miles per hour, passing within a distance of three feet of any other moving vehicle.

#### STATE'S ATTORNEYS

I suggest the passage of an Act which will give the several State's Attorneys of the State of Florida, the right to have witnesses subpoenaed to come before them for examination as to the perpetration of any unlawful act, either during the period of the term of court, or during vacation;



that such witnesses shall be subpoenaed to appear before him in some place named in the county where the offense is alleged to have been committed; that he have authority to administer an oath to each witness, whereby each witness shall be obliged to tell the truth and the whole truth; that any witness swearing falsely on such examination shall be deemed guilty of perjury; and that the costs incident to such examination, including transcript of the testimony taken where such transcript is deemed necessary by the State's Attorney, shall be paid by the county in which the offense is alleged to have been committed.

I recommend the passage of an Act which will provide that the State's Attorney, by and with the consent of the Court, may correct any indictment by the correction of a clerical error apparent upon the face of the indictment, provided, the correction shall be made in open Court and in the presence of the defendant, or his attorney.

I further recommend the passage of a joint resolution proposing an amendment to the Constitution, which will

authorize the enactment of a law giving the State's Attorneys authority to file information in the several Circuit Courts, either in or out of term time, charging all felonies, except in capital cases, and providing that prosecutions may be had of offenders under such information.

#### STATE POLICE

The enactment of a law is hereby recommended which will authorize the Governor to appoint Special State Police Officers whenever in his judgment the services of such officers are necessary to ferret out crime, or to investigate conditions where lawlessness may appear to exist in the State, and that an appropriation be made sufficient to cover the expense incident thereto.

There is a real need for this power to be placed in the hands of the Governor. If the Governor is expected to uphold the law and enforce the same, the Legislature should give him the machinery with which to do it.

I do not recommend the appointment of people permanently in these positions, but the law should be so framed that the Governor could appoint a person suitable for the work which is to be performed for such length of time as the performance of the work may require, and the Legislature should have confidence enough in the Governor to

leave it to his discretion as to when the necessity exists for such appointments.

#### TAXATION

I suggest the enactment of a Statute which will provide for the appointment of delinquent tax enforcement officers in each county. Such officers to have authority to locate and collect delinquent taxes on all classes of property, delinquent occupation tax and delinquent automobile license tax.

I suggest the law be so amended that the tax-assessing authority may assess back taxes upon any property which for any cause the taxes have not been paid within a period of five years. At present, back taxes may be levied upon real estate which has escaped taxation within a period of three years. This period is inadequate because by reason of the apparently unavoidable delays incident to legal procedure it is often impossible to procure a final adjudication as to the validity of a tax assessment within three years after the assessment is made. It often occurs that litigation is not instituted until two years after the assessment is made, and then by dilatory tactics counsel may consume another two years of litigation and State and County thereby loses the entire tax on the property which should be paid for one or two years. There is no good reason why any property should be allowed to escape its just proportion of its taxation, and, therefore, authority should exist for the back assessment of taxes against any property which may have escaped taxation for any year within a period of five years.

#### TAX LIENS

I recommend the passage of an Act which will enforce the collection of unpaid taxes on real estate by foreclosure of tax certificates and the passage of title and possession under such proceedings.

#### SEVERANCE TAX

I suggest the enactment of a law authorizing the enforcement and collection of a severance tax to be paid upon the taking of natural resources from the State.

## TRADE MARKS

The law should be amended in regard to the registration of trade marks so as to more thoroughly protect adopted trade marks and also to bring larger revenue to the State of Florida.

## VARIANCES

I suggest the enactment of a statute which will provide that variances between the allegations of an indictment and information and the proof offered upon the trial, which in the judgment of the trial court do not prejudice the defendant in his defense, shall be deemed harmless error and of no effect upon the merits of the case, and the result thereof shall not be disturbed by reason of such variance.

## WIFE DESERTION OR NON-SUPPORT

I recommend the passage of an Act which will prohibit any committing magistrate from issuing a warrant charging wife desertion or non-support, without the approval of issuance of such warrant by the Prosecuting Attorney, whose duty it would become to prosecute such charge upon trial. This recommendation is made because I have learned from experience that a great many women go before committing magistrates and swear out warrants against their husbands upon these charges, and when the husband has been arrested at considerable cost to the county, the wife fails to testify to such state of facts as will warrant a conviction. In fact, in many cases she refuses to testify at all.

## WITNESSES

I suggest the enactment of a statute providing for the payment of fees to witnesses who reside beyond the limits of the State of Florida, when required to attend courts in half of the State in criminal prosecutions.

I also suggest the passage of an Act which will authorize committing magistrates to require witnesses in capital cases to enter into bond with two good and sufficient sureties, conditioned upon their appearance at the time re-

quired by the court in all capital cases, and to provide for the estreature and collection of the amount of the bond.

Respectfully submitted,

RIVERS BUFORD,  
Attorney General.

Mr. Knight moved that Senate Bills Nos. 250 and 251 be made special orders for twelve o'clock to-morrow, May 19th.

Which was agreed to.

Mr. Calkins moved that House Bill No. 114 be made special order for 10:30 A. M. Thursday, May 21st.

Which was agreed to.

Mr. Etheredge moved that Senate Bill No. 197 be made a special order for consideration at 11:30 o'clock A. M. to-morrow, May 19th.

Which was agreed to.

Mr. Hodges moved to waive the rules and that the Senate do now take up for consideration Senate Bill No. 292.

Which was not agreed to.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

By Mr. Etheredge—

Senate Bill No. 469:

A bill to be entitled An Act to amend and re-enact the present municipal charter of the Town of Sebring, Highlands County, Florida, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges.

Which was read the first time by its title.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 469 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 469, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 469 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 469, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hineley, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—28.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Butler—

Senate Bill No. 470:

A bill to be entitled An Act authorizing the City of Jacksonville to issue and sell bonds in amount not exceeding \$100,000.00, and to prescribe the conditions under which the said bonds may be issued; the proceeds derived from the sale of such bonds to be used for acquiring the necessary land to extend and open Broad Street from the north property line of State Street in a northerly direction to the northerly bank of Hogans Creek, and to open, grade, pave, re-pave, or repair, or otherwise improve Broad Street when so extended and opened.

Which was read the first time by its title.

Mr. Butler moved that the rules be waived and that Senate Bill No. 470 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 470, with title above stated, was read the second time by its title only.

Mr. Butler moved that the rules be waived and that Senate Bill No. 470 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 470, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—28.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Coe—

Senate Bill No. 471:

A bill to be entitled An Act relating to the Record in the office of the Clerk of Circuit Court of Proceedings, orders judgments and decrees of the United States Courts, relating to estates in bankruptcy, and the effect thereof, and validating previous records thereof.

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

By Mr. Coe—

Senate Bill No. 472:

A bill to be entitled An Act to amend Section 3757 (2418) of the Revised General Statutes of Florida, relating to the obtaining possession by an administrator of real estate of a decedent as assets for the payment of debts of the estate.

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

By Mr. Phillips—

Senate Bill No. 473:

A bill to be entitled An Act providing for the payment of pension for A. B. Brown, of Columbia County, Florida.

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

By Mr. Swearingen—

Senate Bill No. 474:

A bill to be entitled An Act providing a supplemental, additional and alternative method of making local improvements in the City of Winter Haven, a municipal corporation of Florida, authorizing and providing for special assessments for the cost thereof, and authorizing the issuance and sale of bonds of said municipality in connection with said local improvements, said bonds to be general obligations of said municipality.

Which was read the first time by its title.

Mr. Swearingen moved that the rules be waived and

that Senate Bill No. 474 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 474, with title above stated, was read the second time by its title only.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 474 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 474, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Calkins, Clark, Coe, Cone, Edge, Etheredge, Gillis, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turabull, Turner, Walker, Watson, Wicker—26.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Swearingen—

Senate Bill No. 475:

A bill to be entitled An Act to establish the territorial limits of the City of Winter Haven, Florida; to abolish the Town of Florence Villa within the proposed new corporate limits of the said City of Winter Haven; to provide for the succession by the City of Winter Haven to the ownership of all property and assets of said Town of Florence Villa and the liability of said City of Winter Haven for all debts, obligations and franchises of said Town of Florence Villa.

Which was read the first time by its title.

Mr Swearingen moved that the rules be waived and that Senate Bill No. 475 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 475, with title above stated, was read the second time by its title only.

Mr. Swearingen moved that the rules be further waived and that Senate Bill No. 475 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 475, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hineley, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—26.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Swearingen—

Senate Bill No. 476:

A bill to be entitled An Act to amend Section 18 and Section 88 of the City Charter of the City of Winter Haven, Florida, and to add to said charter Section 18½ providing for a City Code.

Which was read the first time by its title.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 476 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 476, with title above stated, was read the second time by its title only.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 476 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 476, with title above stated, was read to third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Cone, Edge, Etheredge, Gillis, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—29.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.



By Mr. Edge—

Senate Bill No. 477:

A bill to be entitled An Act to amend Chapter 9178, Laws of Florida, entitled An Act to amend Section 747 Revised General Statutes of Florida, pertaining to taxation and the annual returns by railroads, sleeping and parlor car companies of the property of such companies for taxation; providing for the assessment of such property when proper return is made, and providing for the apportionment of the assessment of such property to counties, municipalities, special school districts and special road districts, and other special districts.

Which was read the first time by its title.

Mr. Edge moved that the rules be waived and that Senate Bill No. 477 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 477, with title above stated, was read the second time in full.

Mr. Edge moved that the rules be waived and that Senate Bill No. 477 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 477, with title above stated, was read the third time in full.

Mr. Malone moved to waive the rules, and that Senate Bill No. 477 remain upon its third reading.

Which motion was not agreed to.

The bill was then put upon its passage.

Upon call of the roll the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Cone, Edge, Etheredge, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—29.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Watson—

Senate Bill No. 478:

A bill to be entitled An Act abolishing Boards of Bond

Trustees in Dade County, Florida, and providing for the disposition of funds held by them.

Which was read the first time by its title and withdrawn.

By Mr. Watson—

Senate Bill No. 479:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Dade County, Florida, to sell and convey to the Dade County Board of Public Instruction, the property known as the Central School property, together with all buildings and equipment thereon located, more particularly 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.

Which was read the first time by its title.

Mr. Watson moved that the rules be waived and that Senate Bill No. 479 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 479, with title above stated, was read the second time by its title only.

Mr. Watson moved that the rules be further waived and that Senate Bill No. 479 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 479, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Etheredge, Hineley, Knight, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—26.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Watson—

Senate Bill No. 480:

A bill to be entitled An Act to authorize the County of Dade acting by and through its Board of County Commis-

sioners, and to authorize the City of Miami, acting by and through its Board of City Commissioners, to enter into agreements or contracts for the joint use by the said county and said city of a building or buildings for court houses, jails, municipal or governmental purposes, and for the construction of such building or buildings by the said county with the aid of said city, and for the construction of such building or buildings, jointly by said county and said city, or by either of them, and to make contracts by the said county with the said city from time to time to govern the use and management of such building or buildings, and to provide the manner in which such building or buildings may be financed, controlled, managed and disposed of.

Which was read the first time by its title.

Mr. Watson moved that the rules be waived and that Senate Bill No. 480 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 480, with title above stated, was read the second time by its title only.

Mr. Watson moved that the rules be further waived and that Senate Bill No. 480 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 480, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Etheredge, Hineley, Knight, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—26.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Calkins —  
Senate Bill No. 481:

A bill to be entitled An Act authorizing the Board of County Commissioners of Nassau County, Florida, to declare, establish, maintain and operate toll bridges for traffic over any of the streams, rivers or waters in Nas-

sau County, Florida; and providing for the regulation of traffic thereon.

Which was read the first time by its title.

Mr. Calkins moved that the rules be waived and that Senate Bill No. 481 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 481, with title above stated, was read the second time by its title only.

Mr. Calkins moved that the rules be waived and that Senate Bill No. 481 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 481, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was.

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Etheredge, Gillis, Hineley, Hodges, Knight, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Taylor (31st Dist.), Turnbull, Turner, Walker, Wicker—26.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Knight—

Senate Bill No. 482:

A bill to be entitled An Act authorizing and empowering the Town Council of Starke, Bradford County, Florida, to regulate the keeping and to prohibit the running at large within said town of all horses, cattle, swine, sheep, goats, and other animals which belong to the residents or non-residents of said town, and to impound, hold and dispose of the same, and to provide for the reasonable enforcement of this Act.

Which was read the first time by its title.

Mr. Knight moved that the rules be waived and that Senate Bill No. 482 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 482, with title above stated, was read the second time by its title only.

Mr. Knight moved that the rules be waived and that

Senate Bill No. 482 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 482, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Watson, Walker, Wicker—31.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Calkins—

Senate Bill No. 483:

A bill to be entitled An Act to make the certified transcript of the Tract Books of Samuel A. Swann, trustee of the Florida Railroad Company, admissible in evidence as other records.

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

By Mr. Etheredge—

Senate Bill No. 484:

A bill to be entitled An Act to authorize and empower the City of Sarasota by and through its City Council to levy an annual tax for publicity purposes and to expend the funds so raised for advertising and promoting the City of Sarasota.

Which was read the first time by its title.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 484 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 484, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 484 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 484, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearinigent, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Etheredge—

Senate Bill No. 485:

A bill to be entitled An Act providing for the opening of the Registration Books of Sarasota County.

Which was read the first time by its title.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 485 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 485, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 485 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 485, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Etheredge—

Senate Bill No. 486:

A bill to be entitled An Act to authorize Sarasota

County to issue negotiable time warrants in the amount of one hundred thousand (\$100,000.00) dollars for county purposes.

Which was read the first time by its title.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 486 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 486, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 486 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 486, with title above stated, was read the third time in full.

Upon passage of the bill the vote was:

Yeas—Mr. President—Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Etheredge—

Senate Bill No. 487:

A bill to be entitled An Act to require all plats of property within Sarasota County outside the limits of the city of Sarasota to be approved by the Board of County Commissioners of said County or by an approving board appointed by them for such purpose before such plat shall be subject to record in the public records or Sarasota County.

Which was read the first time by its title.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 487 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 487, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be further waived

and that Senate Bill No. 487 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 487, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Etheredge—

Senate Bill No. 488:

A bill to be entitled An Act to consolidate the present municipality of Sarasoto Heights, as created by Chapter 9080, Acts of 1921, and amendments thereto, with the present municipality of Sarasoto, as created by Chapter 6768, Acts of 1913.

Which was read the first time by its title.

Mr. Etheredge moved that the rule be waived and that Senate Bill No. 488 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 488, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 488 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 488, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.



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

By Mr. Etheredge—  
Senate Bill No. 489:

A bill to be entitled An Act to authorize the City of Sarasota by and through the City Council of said city to levy one mill tax annually to be used to aid in the build- and maintenance of a Hospital within Sarasota County by the Sarasota County Welfare Association, and to authorize said City Council to appoint one member of the Board of Directors of said Sarasota County Welfare Association.

Which was read the first time by its title.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 489 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 489, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 489 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 489, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Etheredge—  
Senate Bill No. 490:

A bill to be entitled An Act to ratify, approve, validate and confirm all of the proceedings taken for the creation, establishment, organization and extension of the boundaries of Sarasota-Fruitville Drainage District, in Sarasota County, Florida, 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, proceedings and decrees of the Circuit Court of Sarasota County, Florida, the Board of Supervisors and all other officers and agents of said Sarasota-Fruitville Drainage District acting for and on behalf of said district; in carrying on the affairs of said district and to ratify, approve, validate and confirm any and all tax levies and assessments of said drainage district, and to ratify, approve, validate and confirm the title in said Sarasota-Fruitville Drainage District to all right of way and other property rights granted it by decree and order of the Circuit Court of Sarasota County, Florida.

Which was read the first time by its title.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 490 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 490, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 490 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 490, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

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

By Mr. Putnam—

Senate Bill No. 491:

A bill to be entitled An Act to amend Sections 2398, 2401, 2405 and 2406, relating to commercial fertilizers.

Which was read the first time by its title.

Mr. Putnam moved to waive the rules and that Senate

Bill No. 491 be included with the other agricultural bills, and each made a special order for consideration at 11:30 o'clock A. M. tomorrow, May 19th.

Which was agreed to.

And the bill took the course.

By Mr. Etheredge—

Senate Bill No. 492:

A bill to be entitled An Act to authorize and empower the County Commissioners of Sarasota County, Florida, to levy an annual tax for publicity purposes and to expend the funds so raised for advertising and promoting Sarasota County.

Which was read the first time by its title.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 492 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 492, with title above stated, was read the second time by its title only.

Mr. Etheredge moved that the rules be waived and that Senate Bill No. 492 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 492, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Malone—

Senate Bill No. 493:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Monroe County, Florida, to issue interest-bearing time warrants for the purpose of constructing a Detention Home for De-

linquent Children, and acquiring a site therefor, if needed, and providing for the management for said Home.

Which was read the first time by its title.

Mr. Malone moved that the rules be waived and that Senate Bill No. 493 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 493, with title above stated, was read the second time by its title only.

Mr. Malone moved that the rules be further waived and that Senate Bill No. 493 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 493, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Malone—

Senate Bill No. 494:

A bill to be entitled An Act fixing the compensation for the Board of County Commissioners of Monroe County, Florida; for services rendered and expenses incurred; and designating the fund out of which the said compensation shall be paid.

Which was read the first time by its title.

Mr. Malone moved that the rules be waived and that Senate Bill No. 494 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 494, with title above stated, was read the second time by its title only.

Mr. Malone moved that the rules be further waived and that Senate bill No. 494 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. 494, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Colson—

Senate Bill No. 495:

A bill to be entitled An Act granting pension to Elijah Paulk, of Alachua County.

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

By Mr. Taylor, of 11th Dist.—

Senate Bill No. 496:

A bill to be entitled An Act to abolish the municipality of Belleair Heights, Pinellas County, Florida, and to create and establish a municipality to be known as the Town of Belleair, in Pinellas County, Florida; to legalize and validate the ordinances of said Town of Belleair Heights and official acts thereunder, and to adopt the same as the ordinances of said Town of Belleair; to validate the contracts of the said Town of Belleair Heights; to fix and prescribe the territorial limits, jurisdiction and powers of said Town of Belleair, and the jurisdiction and powers of its officers, and repealing Chapter 9686 of the Acts of 1923.

Which was read the first time by its title.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 496 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 496, with title above stated, was read the second time by its title only.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 496 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 496, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge Gillis, Hale, Hineley, Hodges, Knight, Malone, McDannels Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Colson—

Senate Bill No. 497:

A bill to be entitled An Act to create certain territory in Alachua County, Florida, into a special road and bridge district; to legalize and validate an election and result thereof 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 providing for the appointment of a board of bond trustees, and to fix the compensation to be paid the members thereof, and to invest said trustees with certain powers and duties and to repeal Chapter 7415, Acts of 1917, and to abolish the road trustees of Sub-road District No. 2, Alachua County, Florida, and to provide for the use and control of the general Road and other funds collected within said territory for road purposes, and the placing the care, maintenance and construction of all roads within said territory in the hands of such board of bond trustees, and to provide for certain tax levy for such purposes.

Which was read the first time by its title.

Mr. Colson moved that the rules be waived and that Senate Bill No. 497 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 497, with title above stated, was read the second time by its title only.

Mr. Colson moved that the rules be waived and that

Senate Bill No. 497 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 497, with title above stated, was read a third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Colson—

Senate Bill No. 498:

A bill to be entitled An Act to authorize the Board of Bond Trustees of Special Road and Bridge District Number One of Alachua County, Florida, to complete roads now under construction, and to build new roads within said Special Road and Bridge District, to issue bonds to pay for same and to borrow money thereon pending sale of bonds.

Which was read the first time by its title.

Mr. Colson moved that the rules be waived and that Senate Bill No. 498 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 498, with title above stated, was read the second time by its title only.

Mr. Colson moved that the rules be waived and that Senate Bill No. 498 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 498, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Over-

street, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor, Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

By Mr. Colson—

Senate Bill No. 499:

A bill to be entitled An Act relating to the traffic and prohibiting the use of certain vehicles over or upon improved roads and highways of Alachua County, Florida, and providing that certain persons operating vehicles upon said improved roads and highways shall repair the same, and defining the term "improved roads and highways," and providing a penalty for the violation thereof.

Which was read the first time by its title.

Mr. Colson moved that the rules be waived and that Senate Bill No. 499 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 499, with title above stated, was read the second time by its title only.

Mr. Colson moved that the rules be waived and that Senate Bill No. 499 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 499, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered certified to the Senate.

By Mr. Swearingen—

Senate Bill No. 500:

A bill to be entitled An Act to abolish the present municipal government of the Town of Lake Hamilton, in the



County of Polk, Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Lake Hamilton; to define its territorial boundaries; to provide for its jurisdiction, powers and privileges, and for the exercise of same.

Which was read the first time by its title.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 500 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 500, with title above stated, was read the second time by its title only.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 500 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 500, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Anderson, Butler, Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker—31.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

## CONSIDERATION OF OTHER RESOLUTIONS.

House Concurrent Resolution No. 18:

A resolution empowering the State Board for Vocational Education to cooperate with the Federal Board for Vocational Education in the administration of An Act of Congress relating to the promotion of vocational rehabilitation of persons disabled in industry or otherwise, and their return to civil employment.

Whereas, The Congress of the United States has passed An Act, approved by the President June 2, 1920, amended June 5, 1924, entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in

industry or otherwise and their return to civil employment"; and

Whereas, It is provided in Section 3 of the Act afore said that the grants of money authorized by this Act shall be paid to each State which shall by action of its Legislature consent to the provisions of this Act; therefore be it

Resolved by the House of Representatives, the Senate concurring, That the consent of the Legislature of the State of Florida is hereby given to the provisions and requirements of said Act, and that the Treasurer of Florida be and he is hereby authorized and empowered to receive the grants of money appropriated under said Act, and that the State Board for Vocational Education is empowered and instructed to cooperate with the Federal Board for Vocational Education in accord with the terms and conditions expressed in the Act of Congress, aforesaid.

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

Mr. Russell moved to adopt the resolution.

Which was agreed to.

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

House Memorial No. 8:

A memorial to request the Legislatures of Alabama, Mississippi and Louisiana to memorialize the Congress of the United States of America to authorize the preliminary examination and survey of the eastern section of the proposed Atlantic-Mississippi Canal and Inland Waterway from Cumberland Sound via Saint George's Sound to the Apalachicola River, Florida; and to approve the construction of said canal and waterway from Cumberland Sound to Mobile Bay as soon as practicable after the government engineers have made report covering said eastern section and the western section thereof from New Orleans, Louisiana, to the Apalachicola River, Florida.

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

Mr. Walker moved to adopt House Memorial No. 8.

Which was agreed to.

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

MESSAGES FROM THE HOUSE OF  
REPRESENTATIVES

The following messages from the House of Representatives were received and read:

House of Representatives,  
Tallahassee, Fla. May 18, 1925.

*Hon. John S. Taylor,*  
*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. 556:

A bill to be entitled An Act to amend Chapter 8502, Laws of Florida, being An Act entitled "An Act to regulate and provide for the Military Forces of the State of Florida, and to promote its efficiency; to prescribe Rules, Regulations and means for its organization, administration, armament, equipment, discipline, control and supervision; to provide for its maintenance, support and upkeep; to authorize and empower the Governor of Florida to make and publish rules and regulations for the reorganization of the Florida National Guard, in conformity to Acts of Congress relating to the National Guard; to authorize the Governor to take necessary steps for procuring aid, equipment and appropriations from the Federal Government for the National Guard; to provide means for the enforcement of this Act; to fix penalties and punishments for the violation of this Act; and to repeal Articles I, II and III of Chapter 1, Military Code of Florida, under Title VIII, Revised General Statutes of Florida, 1920, as amended by the Act approved June 7, 1923." As such Chapter 8502, was amended by the Act approved June 7, 1923, the same being Chapter 9337, Laws of Florida, and being entitled: "An Act to amend Sections 19, 20, 21, 30, 32, 41, 44, 48, 50, 51, 52 and 53 of the Act approved May 5, 1921, entitled 'An Act to regulate and provide for the Military Forces of the State of Florida, and promote their efficiency' and for other purposes, being Chapter 8502 of the Laws of Florida." And repealing all laws or parts of laws in conflict herewith.

Also—

Committee Substitute for—

House Bills Nos. 14 and 245:

A bill to be entitled An Act providing for the appointment of an additional Circuit Judge in and for the Eighth Judicial Circuit of Florida.

Also—

Committee Substitute for—

House Bill No. 146:

A bill to be entitled An Act to amend Sections 1477 and 1478 of the Revised General Statutes of the State of Florida, relating to the authorization of County Commissioners to employ a prosecuting attorney to prosecute cases in the County Judges Court and fix the compensation of the same.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

B. A. MEGINNISS,

Chief Clerk House of Representatives.

And House Bill No. 556, contained in the foregoing message, was read the first time by its title.

Mr. Taylor (31st Dist.) moved that the rules be waived and that House Bill No. 556 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 556, with title above state, was read the second time by its title only.

Mr. Taylor (31st Dist.) moved that the rules be waived and that House Bill No. 556 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 556, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Messrs Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner—21.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

Mr. Taylor, of 11th District, moved to waive the rules and take up out of its order House Bill No. 851 for consideration.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 851:

A bill to be entitled An Act to ratify and confirm all deeds and conveyances of submerged or partially submerged lands within the corporate limits of the City of Tampa, County of Hillsborough, Florida, as now existing, made on behalf of the City of Tampa by the City Commissioners, and to relinquish to the grantees therein all right, title and interest of the State of Florida.

Was taken up and placed before the Senate.

Mr. Taylor, of 11th District, moved that the rules be waived and that House Bill No. 851 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 851, with title above stated, was read the second time by its title only.

Mr. Taylor, of 11th District, moved that the rules be further waived and that House Bill No. 851 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 851, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Butler, Calkins, Clark, Coe, Colson, Cone, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, McDaniels, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st, Dist.), Turnbull, Turner Walker, Watson, Wicker—29.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

Mr. Taylor, of the 11th District, moved to waive the rule and take up out of its order House Bill No. 530 for consideration.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 530:

A bill to be entitled An Act providing for the appointment of assistants to county solicitors of criminal courts of record in certain counties.

Was taken up and placed before the Senate.

Mr. Taylor, of the 11th District, moved that the rules be waived and that House Bill No. 530 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 530, with title above stated, was read the second time by its title only.

Mr. Taylor, of the 11th District, moved that the rules be waived and that House Bill No. 530 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 530, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Butler, Calkins, Clark, Coo, Colson, Cone, Etheredge, Gillis, Hale, Hineley, Hodges, Knight, Malone, Overstreet, Phillips, Putnam, Rowe, Russell, Singletary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Walker, Watson, Wicker

—28.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

Mr. Knight moved to waive the rules and take up out of its order Senate Bill No. 410 for consideration.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 410:

A bill to be entitled An Act to authorize and require the Secretary of State, of the State of Florida, to furnish and deliver to the County Judge of Bradford County, Florida, a set of the Revised General Statutes of Florida and Index.

Was taken up and placed before the Senate.

Mr. Knight moved that the rules be waived and that Senate Bill No. 410 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 410, with title above stated, was read the second time by its title only.

Mr. Knight moved that the rules be waived and that Senate Bill No. 410 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 410, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was.

Yeas—Mr. President, Messrs. Calkins, Clark, Coe, Colson, Cone, Edge, Etheredge, Gillis, Hodges, Knight, Malone, Overstreet, Phillips, Putnam, Rowe, Russell, Single-  
tary, Smith, Swearingen, Taylor (31st Dist.), Turnbull, Turner, Watson, Wicker—25.

Nays—None.

So the bill passed, title as stated.

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

Mr. Swearingen moved to waive the rules and take up out of its order House Bill No. 734 for consideration.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 734:

A bill to be entitled An Act authorizing the issuance by the City of Lakeland, Polk County, Florida, of certain park and civic center bonds in the sum of \$420,000.00. and certain building bonds in the sum of \$40,000.00 and providing the terms of said issuance and providing for the levy of taxes to pay said bonds.

Was taken up and placed before the Senate.

Mr. Swearingen moved that the rules be waived and that House Bill No. 734 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 734, with title above stated, was read the second time by its title only.

Mr. Swearingen moved that the bill be indefinitely postponed.

Which was agreed to.

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

Mr. Phillips moved to waive the rules and take up out