

JOURNAL OF THE SENATE

MONDAY, MAY 6, 1929

The Senate convened at 4:00 o'clock p. m., pursuant to adjournment on Friday, May 3, 1929.

The President in the chair.

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

Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—36.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 3, 1929, was corrected and as corrected was approved.

In the Journal of April 24, 1929, on page 3, column 1, line 6, the words "Senate Bill No. 8" are hereby corrected to read "Senate Bill No. 6."

The Journal of April 24, 1929, as corrected was approved.

REPORTS OF COMMITTEES

Senator Adams, Chairman of the Committee on Privileges and Elections, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 24, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred: The matter of GEORGE W. SCOFIELD, Contestant, vs. E. J. Irby, Contestee, wherein the said Contestant contested the seating of the said Contestee as Senator from the Ninth Senatorial District of Florida, composing the Counties of Hernando and Citrus, beg to report as follows:

Your Committee has made a thorough and complete investigation of the elections made in the said contest, and it is the finding of your said Committee that the said E. J. Irby had his residence, domicile and habitation in Citrus County, Florida, ever since the month of September, A. D. 1920, and that by reason thereof the said E. J. Irby was a qualified elector and qualified in every respect as the candidate for the office of State Senator of the Ninth Senatorial District of Florida at the general election held in this State in November, A. D. 1928.

Your Committee respectfully recommends that the contest be denied and dismissed and that the said E. J. Irby be permitted to retain his seat as Senator of the Ninth Senatorial District of Florida.

The vote of your Committee being held in secret deliberation, the same is not stated in this report; however, a quorum of your Committee was present, and the majority concurred in this recommendation and report.

Very respectfully,
PURL G. ADAMS,

Chairman Committee on Privileges and Elections.

Senator Whitaker moved to adopt the report.

Which was agreed to.

And the report was adopted.

Senator Wagg, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to who was referred:

Senate Bill No. 348:

A bill to be entitled An Act to prescribe the terms, conditions and times within which exemption from taxation shall be allowed under Section 9 of Article IX of the Constitution of the State of Florida to widows having families dependent on them for support and to bona fide residents of the State who have lost a limb or been disabled in war or by misfortune.

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

Very respectfully,
ALFRED H. WAGG,
Chairman of Committee.

And Senate Bill No. 348, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Wagg, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 276:

A bill to be entitled An Act relating to the procedure by which taxes are assessed, levied and collected, and property sold and conveyed for the non-payment thereof, declaring the validity of all such Acts, and declaring the proceedings established by law to be directory only.

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

Very respectfully,
ALFRED H. WAGG,
Chairman of Committee.

And Senate Bill No. 276, contained in the above report, was placed on the table.

Senator Wagg, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 163:

A bill to be entitled An Act to repeal Chapter 8584, Acts of 1921, Laws of Florida, relating to equalization of taxes between counties and creating a position of State Tax Equalizer.

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

Very respectfully,
ALFRED H. WAGG,
Chairman of Committee.

And Senate Bill No. 163, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Wagg, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 132:

A bill to be entitled An Act to amend Section 769, Revised General Statutes of Florida, being Section 984, Compiled General Laws of 1927, relating to assessment for taxes, and sale of lands previously sold to the State for non-payment of taxes, and providing that all lands sold to the State for taxes shall be assessed each and every year for the non-payment of the taxes due for the year in which the land is sold.

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

Very respectfully,
ALFRED H. WAGG,
Chairman of Committee.

And Senate Bill No. 132, contained in the above report, was placed on the table.

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Florida, May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

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

(House Bill No. 284):
An Act to provide for the assessment and collection of taxes,

for the Town of Melbourne Beach, Brevard County, Florida, and for the collection of the back taxes and tax certificates of such Town, and for the validation and confirmation of all assessments, assessment rolls, and tax sales of said Town for the years 1925, 1926, 1927 and 1928.

Also—

(House Bill No. 678):

An Act to authorize and empower the County Commissioners of the County of Volusia, State of Florida, to appoint and employ an Attorney at Law as the legal adviser of such County and to represent it in all litigation and court proceedings in which said County may be involved, and to fix the compensation of such attorney for all such services.

Also—

(House Concurrent Resolution No. 11):

A Concurrent Resolution authorizing, directing and empowering the Attorney-General of the State of Florida to bring suit against the United States for the recovery of moneys due taxpayers in the State of Florida in regard to claims for Cotton Taxes alleged to have been illegally collected in connection with tax levies made by the United States incident to the Civil War.

Also—

(House Concurrent Resolution No. 12):

A Resolution calling upon the Senators and Representatives from the State of Florida in Congress to do all in their power to secure the discharge of a bill by Congress providing for the location in the State of Florida of a branch of the National Home for Disabled Soldiers and Sailors.

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,

J. MAXEY DELL,

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

The Bills and Concurrent Resolutions, contained in the above report, were thereupon 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.

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,

President of the Senate.

Sir:

Your Committee on Enrolled Bills, to whom was referred—

(Senate Bill No. 60):

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 I, 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 by the Act approved May 28, 1925, being Chapter 10185, Laws of Florida," as such Chapter 8502 was amended by Chapter 12089, Laws of Florida, approved May 30, 1927; and to repeal all laws and parts of laws in conflict herewith.

Also—

(Senate Bill No. 145):

An Act to amend Section 2463 of the Revised General Statutes of Florida (1920), as amended by Chapter 9803 of Acts of 1923, Chapter 10202 of Acts of 1925, and Chapter 12194 of Acts of 1927,

relating to duties of pilot commission, examination, licensing, appointment and number of pilots.

Also—

(Senate Bill No. 164):

An Act to legalize, ratify and confirm any and all acts and doings of the Board of County Commissioners of Bradford County, Florida, for the building and repair of the county jail in Starke, Bradford County, Florida, together with the contract and the issuance of certificates of indebtedness for the same.

Also—

(Senate Bill No. 182):

An Act repealing Section 4 of House Bill No. 1772 being an Act entitled "An Act relative to the government powers and elections of the City of Tampa, Florida, and calling an election for the election of a Charter Board to revise the present Charter of the City of Tampa, and providing for the holding of said election and the registration of voters thereat, and for the formation of the Charter of the City of Tampa, as revised by said Charter Board to the electors of the City of Tampa, Florida, for adoption or rejection," etc., enacted at the 1927 session of the Florida Legislature.

Also—

(Senate Bill No. 188):

An Act relative to the qualifications of electors voting in municipal elections held in the City of Tampa, Florida.

Also—

(Senate Bill No. 202):

An Act making it a misdemeanor, punishable by fine or imprisonment or both, for any person or persons to place or post within the right-of-way of any public road or highway in Dade County, Florida, any sign or billboard or advertising matter of whatsoever character, except by and with the consent of the Board of County Commissioners of said county.

Also—

(Senate Bill No. 203):

An Act declaring all of the roads and highways in Dade County, Florida, outside of the corporate limits and towns therein, which have heretofore been constructed or hard surfaced by the Board of County Commissioners of said county and which are now being maintained as public roads by said Board of County Commissioners, to be public roads with a right-of-way not less than sixty feet in width to all intents and purposes and as fully in all respects as if said roads had been laid out and declared as such public roads in accordance with the statutes in said State, provided no parts or portions of any such right-of-way will be taken for public use except in accordance with the law in such cases made and provided.

Also—

(Senate Bill No. 209):

An Act providing for the appointment of the marshal and treasurer of the Town of Crescent City in Putnam County, Florida, and repealing all laws making such offices elective, and authorizing the appointment of financial institutions as treasurer and providing the manner in which this Act shall take effect.

Also—

(Senate Bill No. 227):

An Act to place the name of Police Captain L. R. Rhodes on the Pension Roll of the City of Tampa.

Also—

(Senate Bill No. 237):

An Act to authorize the City of Palmetto to issue refunding bonds and to provide for their payment.

Also—

(Senate Bill No. 315):

An Act amplifying and extending the jurisdiction and powers of the City of South Jacksonville, a municipal corporation in Duval County, Florida, and generally amending its charter.

Also—

(Senate Bill No. 357):

An Act to amend Section 10 of Chapter 9775 of the Laws of Florida, 1923, same being entitled "An Act to abolish the present municipal government of the Town of Holly Hill, in the County of Volusia, Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Holly Hill; to define its territorial boundaries; to provide for its jurisdiction, powers and privileges, and for the exercise of same."

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,

J. MAXEY DELL,
Chairman of the Joint Committee on Enrolled
Bills on the Part of the Senate.

The bill contained in the above report were thereupon 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.

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Florida, May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

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

(House Bill No. 315):

An Act to amend Sections Two, Seven, Eight, Ten and Eleven of Chapter 12562, of the Special Laws of Florida, enacted at the 1927 Session of the Legislature of the State of Florida, entitled, "An Act to create, establish and organize a Port District in the County of Broward, State of Florida, to be known and designated as 'Broward County Port District'; to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges"; and to reenact all other Sections of said Chapter 12562, of the Special Acts of said Legislature except those Sections thereof which are hereby amended.

Also—

(House Bill No. 184):

An Act constituting as effective and valid franchises all Resolutions heretofore adopted by the Commission of the City of Miami, Dade County, Florida, and all permits heretofore issued by the City Manager of the said the City of Miami, conferring upon Seaboard-All Florida Railway the right and privilege of constructing and operating a commercial railroad line in, upon, across and along certain streets in the said the City of Miami.

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,

J. MAXEY DELL,
Chairman of the Joint Committee on Enrolled
Bills on the Part of the Senate.

The Bills contained in the above report were thereupon 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.

Senator Whitaker, Chairman of the Committee on Judiciary "A," submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 3, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Judiciary "A," to whom was referred:

(Senate Bill No. 260):

A bill to be entitled An Act to repeal Chapter 10177, of the Laws of 1925, being Sections 3999, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017 and 7880, being An Act to license and regulate the business of making loans in certain counties in sums of Three Hundred (\$300.00) Dollars, or less, secured or unsecured, at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan.

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

Very respectfully,

PAT WHITAKER,
Chairman of Committee.

And Senate Bill No. 260, contained in the above report, was laid on the table.

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

Senate Chamber,
Tallahassee, Fla., May 3, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred:

Senate Bill No. 58—

(With the following Amendments):

Amendment No. 1. In Section 44, strike out Paragraph (a) and Paragraph (b), and insert in lieu thereof the following:

(a) There is hereby created a commission to be known as the Florida Industrial Commission composed of three (3) members, one of whom is to be appointed as Chairman who shall devote his entire time to the duties of the Commission; the second (2) shall be the State Comptroller; the third (3) shall be the State Treasurer. The Governor shall appoint the Chairman of the Commission for a term of four years. Upon the expiration of such term or in the event the Chairman resigns or is removed from office the Governor shall appoint a successor for the expiration of his term.

(b) The salary of said Chairman shall be four thousand five hundred dollars a year. The salary of said Chairman shall be paid out of the funds established in Section 50 of this Act.

Amendment No. 2. In Section 2, paragraph (5) strike out the words:

The term "injury" means injury or death arising out of and in the course of employment, and such disease or infection as naturally or unavoidably results from such injury, and includes an injury caused by the willful act of a third person directed against an employee because of his employment.

Amendment No. 3. Not included, as per instructions.

Amendment No. 4. In Section 36 (a), Line One, strike out the word "Ten" and insert in lieu thereof the following: "Thirty".

Amendment No. 5. In Section 38 (b), Line 2, between the words "association authorized" insert the following: "or exchange".

Amendment No. 6. In Section 13(a) strike out Section 13(a) and insert in lieu thereof the following:

Section 13 (a) The employer shall furnish medical, surgical, and other attendance or other medical treatment, nursing and hospital service, medicine, crutches, and apparatus for such period as the nature of the injury or the process of recovery may require, when the treatment required is not surgical the injured employee shall have the right to choose any mode of treatment lawfully practiced in this State. If the employer fails to provide the same, after request by the injured employee, such injured employee may do so at the expense of the employer. The employee shall not be entitled to recover any amount expended by him for remedial treatment or services, unless he shall have requested the employer to furnish the same and the employer shall have failed or refused or neglected to do so, or unless the nature of the injury required such treatment, nursing and services and the employer or his superintendent or foreman having knowledge of such injury shall have neglected to provide the same; nor shall any claim for medical, surgical or other remedial treatment be valid and enforceable, as against such employer, unless, within twenty days following the first treatment the physician or practitioner giving such treatment furnish to the employer and the commission a report of such injury and treatment on a form prescribed by the commission.

Amendment No. 7. In Section 19, at end of Paragraph "D" following words "of such suit," add the following: "but in such an event the employer shall be allowed a credit of his actual cost, of defending said suits in a sum not exceeding \$250.00 (Two hundred and fifty dollars) which shall be deducted from any compensation allowed or awarded to said employee under this Act."

Amendment No. 8. In Section 27, Paragraph "B" after the words Second Judicial District, add the following: Or at the election of either litigant by the Circuit Judge or Judges of Circuit where the action originates.

Amendment No. 9. In Section 20, paragraph "F," strike out the word ten, and insert in lieu thereof the following: twenty.

Amendment No. 10. In Section 52, after the last line in paragraph (b) add paragraph (c). The cost of administration for any one year shall not exceed the sum of twenty-five thousand (\$25,000) dollars.

Amendment No. 11. In Section 9, sub-section B, line 3, after the word "railroad," insert the following: "or express companies,"

Amendment No. 12. In Section 13 (a), Committee Amendment No. 6, after the word "require," insert the following: "provided that such medical, surgical and other attendance or other remedial treatment, nursing and hospital services shall not extend beyond ninety days, and provided the cost of such shall not exceed \$300.00, and provided further that the Commission, may, in its discretion, extend such treatment to 150 days, in which event the limit of \$300.00 may be increased to \$500.00."

Amendment No. 13. In Section 2, paragraph (1), line 3, strike out the word "three" and insert in lieu thereof the following: "five."

Amendment No. 14. In Section 9, add thereto paragraph (e) as follows: (e) This Act shall not apply to municipal corporations, and/or persons employed thereby, who operate and maintain an Employees Pension Fund, or Funds, and/or Group Insurance, for its employees, whether the said employees contribute thereto or not, if the said Employees Pension Fund, or Funds, and/or group insurance, is operated, maintained or procured under legislative authority, insofar as it affects employees so protected.

Amendment No. 15. In Section 2, paragraph (1), strike out the words: State and all political subdivisions thereof and all public and quasi public corporations therein.

Amendment No. 16: Strike out all of Section 42 and insert in lieu thereof the following:

Section 42. (a) There is hereby created in the State Treasury a fund to be known as the State Insurance Fund.

(b) Every employer mentioned in subdivision 1 of paragraph (a) of Section 38 of this Act, shall, in the month of June, 1929, and semi-annually thereafter, pay into the State Insurance Fund the amount of premium determined and fixed by the Florida Industrial Commission for the employment or occupation of such employer, the amount of which premium to be so paid by each such employer will be determined by the classifications, rules and rates made and published by said commission; such employer shall semi-annually thereafter pay such further sum of money into the State Insurance Fund as may be ascertained to be due from him, by applying the rules of said commission and a receipt or certificate certifying that such payment has been made shall immediately be mailed to such employer by the Florida Industrial Commission, which receipt or certificate, attested by the seal of said commission, shall be prima facie evidence of the payment of such premium.

(c) It shall be the duty of each such employer to make such report or reports to the Florida Industrial Commission as such commission may reasonably require for the purpose of fixing the rate, classification and amount of premium to be paid by each such employer.

(d) Any employer who shall pay into the State Insurance Fund the premiums provided by this Act, shall not be liable to respond in damages at common law or by statute for injuries or death of any such employees wherever or however occurring, during the period covered by such premiums, provided the insured employee has remained in his service with notice that his employer has paid into the State Insurance Fund the premium provided by this Act; the continuation in the service of such employer with such notice shall be deemed a waiver by the employee of his right of action as aforesaid.

(e) Each such employer paying the premium provided by this Act into the State Insurance Fund shall post in conspicuous places about his place or places of business, typewritten or printed notice stating the fact that he has made such payment; and the same when so posted shall constitute such notice to his employees of the fact that he has made such payment.

(f) The State Industrial Commission may make necessary expenditures within the limits provided by this Act, to obtain statistical and other information to enable it to establish a proper, fair, just and reasonable classification of employers and to fix the amount of premiums to be paid by such employers into the State Insurance Fund.

(g) The State Insurance Fund shall be administered by the Florida Industrial Commission and awards made to injured employees or to the dependents of killed employees for which the employer would otherwise be liable, under the provisions of this Act, shall be paid to such employee, or the dependents of killed employees, by the Commission out of the State Insurance Fund, in all cases where the employer is insured under the provisions of this section.

Amendment No. 17. In clause (1) of sub-section (a) of Section 38, strike out the words "any stock company or mutual company or association authorized to do business in the state"

and insert in lieu thereof the following language "The State Insurance Fund as hereinafter provided."

Amendment No. 18. Amendment withdrawn.

Amendment No. 19. In Section 9 at the end of paragraph (c) add: "If the said intoxication contributed to the injury the compensation be reduced in proportion to the degree or amount which the intoxication contributed to the injury."

Amendment No. 20. In Section 10, at the end of paragraph (b) add: Except as otherwise stated in this Act.

Amendment No. 21. In Section 10, all of subparagraph (a) after the figure 16, strike out.

Beq leave to report that the same have this day been examined and the above bill has been properly engrossed.

Very respectfully,

W. W. PHILLIPS,

Chairman of the Committee on Engrossed Bills.

Also—

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 3rd, 1929.

Hon. J. J. Parrish,

President of the Senate.

Sir:

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

(House Bill No. 226):

An Act to provide for the repeal of Section 2, of Chapter 11197, Laws of Florida, Acts of the Legislature A. D. 1925, relating to the borrowing of money, and issuing evidence of indebtedness by the Board of Public Instruction of Santa Rosa County, Florida, and for the repeal of Section 11, of Chapter 11198, Laws of Florida, Acts of the Legislature A. D. 1925, relating to the borrowing of money and issuing evidence of indebtedness by the Board of Public Instruction of Santa Rosa County, Florida.

Also—

(House Bill No. 388):

An Act authorizing the City Council of the City of Webster, Sumter County, Florida, to remit or vacate tax assessments and/or Special Assessments upon property where there have been provisions made for paying the obligations for which said assessments were made.

Also—

(House Bill No. 513):

An Act to authorize the City of St. Cloud, Florida, to issue refunding notes or bonds to refund any debt of said City; and to provide for their payment.

Also—

(House Bill No. 533):

An Act to repeal Chapter 13534, Special Acts of 1927, Laws of Florida, entitled "An Act authorizing Washington County, Florida, to issue bonds in the sum of Five Hundred Thousand Dollars (\$500,000.00) for the purpose of redeeming and refunding all outstanding bonds of Special Road and Bridge District No. 1 of Washington County, Florida, said bonds being issued under provisions of Chapter 8861, Acts of 1921: for the purpose of construction of highways in Washington County, Florida, and to provide for a Board of Bond Trustees and to define their powers and duties in relation thereto."

Also—

(House Bill No. 494):

An Act to abolish the municipality of Palm Bay, Brevard County, Florida; to provide for the payment of all indebtedness of said municipality; to dispose of the assets of said municipality and to provide for refunding of all existing indebtedness of said municipality.

Also—

(House Bill No. 177):

An Act affecting the government of the City of Melbourne, Brevard County, Florida, providing for and authorizing the issuance of refunding bonds by said city, and providing for their payment.

Also—

(House Bill No. 387):

An Act in aid of the City of Webster, Florida, to amend and supplement the City Charter by authorizing the issuance of refunding bonds to refund its outstanding indebtedness by providing for the payment of the bonds of the city, amending Section 1, Article 2 of Chapter 11318, entitled: "An Act to abolish the present municipality of Webster, Sumter County, Florida, and establish, organize and constitute a municipality to be known and designated as the City of Webster, and to define its territorial boundaries and to provide for its jurisdiction, powers and privi-

leges" as amended; providing for a city manager, and extending the payment of street assessments in said city, and by amending Section 7, Article 16, of Chapter 11318.

Also—

(House Bill No. 176):

An Act to amend Section 24 of Chapter 13085, Laws of Florida, A. D. 1927, the same being entitled: "An Act affecting the government of the City of Melbourne, Florida; providing for the payment of taxes; providing the methods of enforcing such payments; providing for keeping records in connection with payment of taxes; providing for sale of lands for non-payment thereof; conferring certain jurisdiction on the municipal judge in connection with the enforcement of payment of taxes; authorizing and providing for the sale of property for non-payment of taxes, and the issuance of tax deeds pursuant to such sale.

Also—

(House Bill No. 85):

An Act to amend Section 27 of Chapter 11580, Acts of Extraordinary Session of 1925, relating to the City of LaBelle in Glades and Hendry Counties.

Also—

(House Bill No. 325):

An Act authorizing and empowering the City Council of the City of Ocala, Marion County, Florida, to extend the time of maturity of instalments of municipal improvement liens and authorizing the City Council of the City of Ocala to borrow such money as may be necessary to meet any payment of principal of or interest on bonds in any way issued upon or against such improvement liens, and repealing all Laws in conflict herewith.

Also—

(House Bill No. 313):

An Act to validate and confirm certain proceedings of the Board of County Commissioners of Bay County, Florida, and the refunding bonds of said county issued and to be issued pursuant to such proceedings.

Also—

(House Bill No. 442):

An Act to prohibit the Board of County Commissioners of Calhoun County, Florida, and the governing authority of all cities, towns, municipal corporations and taxing districts of Calhoun County, Florida, from issuing or selling any bond or interest bearing warrant for any purpose whatsoever except for refunding outstanding or unpaid bonds unless and until the same shall be authorized by a majority of the qualified electors of the county, city, town, municipal corporation or taxing district of Calhoun County, Florida, as the case may be.

Also—

(House Bill No. 443):

An Act authorizing the City Commission of Punta Gorda, Florida, to act as a Board of Harbor Commissioners for the purpose of regulating the traffic on the waters of Peace River within the city limits of the City of Punta Gorda, Florida, and prescribing its powers and duties.

Also—

(House Bill No. 251):

An Act to authorize the City of Punta Gorda to issue refunding bonds and to provide for their payment by taxation.

Also—

(House Bill No. 354):

An Act to amend Sections 1 and 31 of Chapter 9916, Acts of 1923, same being An Act entitled "An Act to abolish the present municipality of the Town of Taft, County of Orange, and State of Florida, and to create and establish a municipal corporation to be known as the Town of Taft, County of Orange, and State of Florida; to prescribe the territorial limits thereof; to prescribe the form of government; to provide for its jurisdiction, powers and privileges; to confer certain powers upon said municipality and the officers thereof; to provide for the levy and collection of taxes, and to provide for the carrying into effect the provisions of this Act."

Also—

(House Bill No. 244):

An Act to authorize the Board of Public Instruction of Hendry County, Florida, to issue and sell interest bearing coupon time warrants in the sum of fifteen thousand dollars, (\$15,000.00), for the purpose of funding its outstanding indebtedness; providing a sinking fund for the retirement of said time warrants and the interest to become due thereon; specifying what interest said time warrants are to bear; the amount and maturity of the same; validating said time warrants and prescribing certain duties of the said board of public instruction in connection therewith.

Also—

(House Bill No. 391):

An Act to authorize the Board of Public Instruction for Bay County, Florida, to issue and sell interest-bearing time warrants for the purpose of securing money wherewith to pay claims against the said board arising on account of the maintenance and support of public free schools, and to arrange for the County Commissioners to levy an annual tax for the purpose of creating an interest and sinking fund for the payment of the interest on said warrants when due, and to retire the same at their maturity, and to arrange for the investment of said sinking fund, and to provide for the validation of said warrant.

Also—

(House Bill No. 534):

An Act relating to the method of nominating members of the Board of County Commissioners and members of the Board of Public Instruction in Washington County, Florida, in primary elections, and providing for the repeal of other special laws in said county with reference thereto.

Also—

(House Bill No. 179):

An Act approving and confirming all steps and proceedings taken and had pursuant to an ordinance duly enacted by the City of Melbourne, Brevard County, Florida, on the 11th day of September, A. D. 1928, entitled: "An ordinance providing for the calling of an election and calling the same, in the City of Melbourne, Brevard County Florida, to determine whether said city shall issue bonds in a sum not to exceed in the aggregate the sum of fifty thousand (\$50,000.00) dollars for municipal purposes, and giving notice of such election," and also approving and confirming all steps and proceedings taken and had by the city of Melbourne, Florida, on the enactment of an ordinance on October 18th, 1928, providing for the issuance of municipal improvement bonds of said city entitled: "An ordinance providing for the issuance of municipal improvement bonds of the City of Melbourne, Florida, to be known and described as 'improvement bonds of the City of Melbourne, Florida, issue of 1928,' for the purpose of constructing approaches to Crane Creek Bridge, of regrading streets, of constructing pavement with curbs, sidewalk and walkways, of constructing retaining walls, of providing drainage, of constructing safety fences, of constructing and maintaining a detour for traffic, of improving Crane Creek Harbor by deepening and widening the same, of deepening and widening the channel from Crane Creek Harbor to deep water of the Indian river, of constructing a park and parkway and sanitary improvements and beautifying and improving the same of acquired private property incidental to said project, of paving roadways, of constructing landing platforms, of installing markers along the channel, of beautifying Crane Creek Harbor and continuous lands, and for payment of expenses engineering, legal or otherwise, and of all work necessary or incidental to the improvements referred to; describing the form of the bonds, the date of maturity thereof, and creating an interest and sinking fund and providing for the payment of such bonds," and all acts and doings pursuant to said ordinances.

Also—

(House Bill No. 285):

An Act to authorize the issuance of negotiable notes of certificates of indebtedness of Crane Creek Drainage District in Brevard County, Florida, in an amount not exceeding \$25,000.00 bearing interest at not exceeding 6% per annum, for the purpose of paying any indebtedness and of paying current expenses of operation, administration and maintenance of said Drainage District.

Also—

(House Bill No. 371):

An Act to amend Chapter 11776 of the Acts of 1925, Extraordinary Session, Laws of Florida, the same being entitled "An Act creating and establishing the municipality of the Town of Venice in Sarasota County, Florida; fixing its territorial limits, providing for its government and prescribing its jurisdiction and powers," by amending Section 15 of Article 10 of said Chapter 11776 in reference to the collection of delinquent taxes and by repealing Section 16 of said Chapter 11776 and by adding to said Article 10 of said Chapter 11776 three Sections to be known as Sections 16, 17 and 18, providing for the levying and collecting of a special tax for the purpose of creating a sinking fund for the payment of any of the city's indebtedness and interest thereon; the levying and collecting of a special tax for the exclusive purpose of opening, widening, paving, draining, beautifying and improving the streets of the City of Venice; and the levying and collecting of a special tax for the purpose of creating a fund for advertising and promoting the resources, advantages and benefits of the city.

Also—

(House Bill No. 312):

An Act authorizing and empowering the City of Eau Gallie, a municipal corporation of Brevard County, Florida, to exempt industries from taxation for a period of time not exceeding ten years, provided, that such exemption shall have been ratified by a majority vote of the qualified electors of said city and providing the method of making such exemptions.

Also—

(House Bill No. 307):

An Act to repeal Chapter 11,939—(No. 134) Acts of 1927, entitled "An Act fixing the compensation of County Commissioners in Counties having a population as much as 4500 and not over 5000, according to the State Census of 1925, and designating the fund out of which they shall be paid."

(House Bill No. 409):

An Act prescribing the procedure to consolidate special tax school districts in the State of Florida, in counties having a population of not less than five thousand and eight hundred and not more than five thousand eight hundred and fifty, according to the last preceding census authorized by the Legislature of the State of Florida.

Also—

(House Bill No. 201):

An Act to amend Section Eight of Chapter 11128 of the Laws of Florida, Acts of 1925, being An Act entitled: "An Act creating and incorporating a special taxing district in St. Lucie County, Florida, to be known and designated as Indian River Mosquito Control District; fixing and prescribing the boundaries of said district; providing for the government and administration of the same; naming the commissioners thereof and providing for an election for the selection of their successors; providing and defining the powers and purposes of said district and of the Board of Commissioners thereof; authorizing and empowering such board to construct canals, ditches, drains, dikes and the filling of depressions, lakes, ponds or marshes that are the breeding places of mosquitoes; and to assess the costs of such filling against the property filled and to authorize the issuance and sale of bonds against said assessments; and to do any and all things necessary for the control and complete elimination of all species of mosquitoes in said district; authorizing and providing for the issuance and sale of bonds of said district and empowering such board to borrow money on the notes of said district; authorizing and providing for the levy and collection of taxes for the payment of said bonds and the interest thereon and for the payment of said notes and interest thereon, and authorizing and providing for the levy and collection of additional taxes for the repair and maintenance of all works constructed in said district, and for the carrying on of mosquito control work; and for the doing of all acts and things that may be necessary for the control and complete elimination of mosquitoes in said district; to prevent injury to any works controlled under or in pursuance of this Act; and prescribing penalties therefor: and authorizing and prescribing generally the powers and duties of said board," which said Act was approved June 4, 1925.

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

Very respectfully,

J. MAXEY DELL,

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

Senator Phillips, Chairman of the Committee on Engrossed Bills of the Senate, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 6th, 1929.

Hon. J. J. Parrish,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred:

Senate Bill No. 288:

(With the following amendments):

In Section 2, line 18, at the beginning of line, strike out word "twelve" (12), and insert in lieu thereof the following: "Eight."

In Section 2, line 14, after comma, strike out the words: "Abstract Costs."

Senate Bill No. 87:

(With the following amendment):

In Section 14, line 6, after the words "or both" strike out the words "a mileage tax of one cent (1c) per mile" and in lieu thereof add the following:

A mileage tax of one cent (1c) per mile on all buses with a capacity of 10 passengers or less and a mileage tax of two (2c)

per mile on all buses with a capacity of not more than 20 passengers nor less than 10 passengers, and a mileage tax of three (3c) per mile on all buses of the capacity of more than 20 passengers; and a mileage tax of one cent (1c) per mile on all trucks with a loaded capacity of less than 5,500 lbs., and a tax of two cents (2c) per mile on all trucks with a loaded capacity not exceeding 11,000 lbs., and a mileage tax of three cents (3c) per mile on all trucks with a loaded capacity exceeding 11,000 lbs., and not more than 18,000 lbs.

Also—

Senate Bill No. 241, (with the following amendment):

In Section 2, at the close of Section 2, insert the following:

"Unless said contract or agreement shall be approved by a majority of the qualified electors voting in an election held in said City for said purpose in accordance with an ordinance duly adopted providing for the same."

Beg leave to report that the same have this day been examined and the above bills have been properly engrossed.

Very respectfully,

W. W. PHILLIPS.

Chairman of the Committee on Engrossed Bills.

Senator Harrison moved that Senate Bill No. 198 be recalled from the Committee on Finance and Taxation.

Which was agreed to.

By permission, Senate Bill No. 198 was withdrawn from the further consideration of the body.

Senator Futch moved that Senate Bill No. 276, reported unfavorably, be restored to the Calendar.

Which was agreed to.

And it was so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Wagg—

Senate Bill No. 376:

A bill to be entitled An Act to extend State Road No. 25.

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

By Senator Glynn—

Senate Bill No. 377:

A bill to be entitled An Act to amend Section 14 of Chapter 12291, Acts of 1927, Laws of Florida, being Section 3841 of the Compiled General Laws of Florida, 1927, relating to the annual appropriation for the State Plant Board of Florida.

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

By Senator Swearingen—

Senate Bill No. 378:

A bill to be entitled An Act granting a pension to Mary Frances Dozier of Hillsborough County, Florida.

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

By Senator Phillips—

Senate Bill No. 379:

A bill to be entitled An Act to amend Section 4318 of Article 9 of the Compiled General Laws of Florida 1927, pertaining to pleas in Law Actions.

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

By Senator Whitaker—

Senate Bill No. 380:

A bill to be entitled An Act granting and confirming oyster shell, oyster shell rights, and all minerals and oils in and under certain natural oyster beds or bars under legal leases.

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

By Senator King—

Senate Bill No. 381:

A bill to be entitled An Act for the relief of the Standard Fire Insurance Company of Hartford, Connecticut.

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

CONSIDERATION OF OTHER RESOLUTIONS

House Memorial No. 5:

A memorial to the Congress of the United States, and to the Radio Commission of the United States requesting that the State owned and controlled Radio Station W. R. U. F. located at the University of Florida, be accorded a more favorable wave length or frequency to be used by said station in connection with broadcasting.

Which was laid over under the rule on Friday, May 3, 1929.

Was taken up and was read the second time in full.

The question was put and the memorial was adopted.
The action of the Senate was ordered to be certified to the House of Representatives under the rule.

(By permission)—

Mr. Turnbull offered the following Resolution:

Senate Resolution No. 23:

BE IT RESOLVED BY THE SENATE:

Section 1. That commencing on Tuesday, May 7th, 1929, the Senate will hold two daily sessions. The morning session shall commence at eleven o'clock a. m. and adjourn at one p. m., and the afternoon session shall commence at three o'clock p. m. and adjourn at five o'clock p. m.

Section 2. Special orders heretofore made or to be made will be considered at the morning sessions only.

Section 2. The afternoon sessions will be devoted to the consideration of bills of a general nature as they appear on the calendar, provided, that the sessions to be held on Tuesday and Thursday afternoons shall be devoted to the consideration of local bills and pension bills only.

Which was read the first time in full.

Mr. Turnbull moved to adopt the Resolution.

Which was agreed to.

And the Resolution was adopted.

On request of Mr. Turnbull, Senate Bill No. 255, reported unfavorably, was restored to the Calendar.

MESSAGE FROM THE GOVERNOR.

The following communications from the Governor were received and read:

Executive Department, State of Florida,
Tallahassee, May 3, 1929.

Hon. J. J. Parrish,
President of the Senate.
Capitol.

Sir:

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

(Senate Bill No. 214):
Relating to DeLand, Florida.
(Senate Bill No. 238):
Relating to DeLand, Florida.

Very respectfully,
(Signed) DOYLE E. CARLTON,
Governor.

Also—

State of Florida, Executive Department,
Tallahassee, May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.
Capitol.

Sir:

I have the honor to inform you that on May 4th, 1929, I approved the following Acts which originated in your Honorable Body and have caused the same to be filed in the office of the Secretary of State:

(Senate Bill No. 68):
Relating to certain Supervisors of Registration.
(Senate Bill No. 98):
Relating to Orlo Vista.
(Senate Bill No. 104):
Relating to Lake City.
(Senate Bill No. 119):
Relating to purchase of portion of Santa Rosa Island by Escambia County.
(Senate Bill No. 121):
Relating to Escambia County.
(Senate Bill No. 122):
Relating to Crestview.
(Senate Bill No. 134):
Relating to Marion County.
(Senate Bill No. 141):
Relating to Dade Memorial Park.
(Senate Bill No. 146):
Relating to Escambia County.
(Senate Bill No. 147):
Relating to Escambia County.
(Senate Bill No. 183):
Relating to Marion County.
(Senate Bill No. 184):
Relating to Marion County.
(Senate Bill No. 191):
Relating to Marion County.

(Senate Bill No. 230):
Relating to Tallahassee.
(Senate Bill No. 231):
Relating to Tallahassee.
Senate Bill No. 232):
Relating to Tallahassee.

Also—

(Senate Concurrent Resolution No. 8):
(Senate Concurrent Resolution No. 9):
(Senate Concurrent Resolution No. 10).

Very respectfully,

(Signed) DOYLE E. CARLTON,
Governor.

The special order for the reconsideration of the vote by which Senate Bill No. 40 passed the Senate, was taken up for consideration.

The question was put on the motion of Mr. Turnbull to reconsider the vote by which Senate Bill No. 40 passed the Senate.

Which was agreed to.

Mr. Turnbull then moved to waive the rule and place the bill back on second reading for the purpose of amendment.

Which was agreed to.

And—

Senate Bill No. 40:

A bill to be entitled An Act relating to the issuing of State licenses to persons, firms or corporations engaged in the solicitation and sale of insurance in the State of Florida.

Was placed back on second reading for the purpose of amendment.

Senator Turnbull offered the following amendment to Senate Bill No. 40:

In the Title, before the word "insurance," add the word "life."
Senator Turnbull moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Turnbull offered the following amendment to Senate Bill No. 40:

In Section 1, line 5 (printed bill), before the word "insurance," add the word: "life."

Senator Turnbull moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Turnbull offered the following amendment to Senate Bill No. 40:

In Section 1, line 9 (printed bill), before the word: "Insurance" add the word: "life".

Senator Turnbull moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Mr. Turnbull moved that the rules be waived and Senate Bill No. 40, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

Upon the passage of Senate Bill No. 40, as amended, the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, King, Malone, McCall Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Young—34.

So the Bill passed as amended.

And was ordered referred to the Committee on Engrossed Bills.

Then to be certified to the House of Representatives.

Mr. Bell moved that the rules be waived and Senate Bill No. 87 be recalled from the Committee on Engrossed Bills.

Which was agreed to by a two-thirds vote.

And the request was made.

Mr. Bell then moved that the Senate do reconsider the vote by which Senate Bill No. 87 passed the Senate.

The motion went over under the rule.

BILLS AND JOINT RESOLUTIONS OF THE SPECIAL ORDER

Senate Bill No. 199:

A bill to be entitled An Act to prohibit the sale or offering for sale, the transportation, and the preparation, receipt, or delivery for transportation or market of any citrus fruit that is immature or otherwise unfit for human consumption, and to provide for the enforcement thereof.

Was then taken up in its special order and read the third time in full and put upon its passage.

Upon the passage of Senate Bill No. 199 the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, King, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Young—34.

Nays—Senator Whitaker.—1.

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 a two-thirds vote.

Mr. Whitaker offered the following explanation of his vote:

I vote "no" on this Bill because it leaves the enforcement of the inspection of citrus fruit under the same authority as during the past season, during which the inspection so miserably failed and totally broke down.

Mr. Watson moved that the rules be waived and the Senate do now take up messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

I am directed by the House of Representatives to request the Senate to return House Bill No. 474—

House Bill No. 474:

A bill to be entitled An Act requiring the County Commissioners of Duval County, Florida, to call an election to determine whether tolls and charges for passage over the bridge across the St. Johns River in said county shall be removed or permitted to remain, and providing for the removal of such tolls and charges if the election favors the same; describing the manner of holding said election and providing for the payment of the expenses of such election.

Very respectfully,
FRANK WEBB,
Chief Clerk, House of Representatives.

And House Bill No. 474, contained in the above message, was ordered returned to the House of Representatives.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Florida, May 6, 1929.

Hon. J. J. Parrish,
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. 417:

A bill to be entitled An Act to amend Section 38, of Chapter 11838, Laws of Florida, Acts of 1927, being Section 1939, of the Compiled Laws of 1927, relative to the removal of mussels or other substance upon which fresh water fish feed; and providing for the lease or sale by the Trustees Internal Improvement Fund of any living or dead clams, mussels, or other living or dead shell fish in or upon any of the sovereignty lands of the State of Florida.

Also—

House Bill No. 77:

A bill to be entitled An Act to establish property rights in fish lawfully taken from the salt waters of the State of Florida and repeal all Acts in conflict therewith.

Also—

House Bill No. 503:

A bill to be entitled An Act to provide for the acquisition of park lands and property in the Counties of Dade, Monroe, and Collier Counties, Florida, for the purpose of conveying the same to the United States of America to be used as a National Park.

Also—

Committee Substitute for—
House Bill No. 20.

A bill to be entitled An Act to promote and increase the shell fish industry of the State of Florida and making an appropriation therefor.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
FRANK WEBB,
Chief Clerk, House of Representatives.

And House Bills Nos. 417 and 77, contained in the above message, were read the first time by their respective titles and referred to the Committee on Game and Fisheries.

And House Bill No. 503, contained in the above message, was read the first time by its title and was referred to the Committee on Forestry.

And Committee Substitute for House Bill No. 20, contained in the above message, was read the first time by its title and was referred to the Committee on Game and Fisheries.

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
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. 95:

A bill to be entitled An Act authorizing and empowering incorporated cities and towns in the State of Florida to regulate and redistrict the height and number of stories and size of buildings and other structures, the percentage of lots and parcels that may be occupied by such buildings, the size of yards, courts and other open spaces, the density of population and location and use of buildings, structures and land for trade, industry, residence or other purposes; providing for the appointment of zoning commission by the legislative body of said incorporated cities and towns; also, providing for the appointment by the legislative body of said incorporated cities and towns of boards of adjustment; and providing for the method, manner and procedure in carrying out the purpose and intent of this Act.

Also—

House Bill No. 170:

A bill to be entitled An Act providing a tax on petroleum products kept, stored or used in the State of Florida which have not been subjected to the payment of a license tax for sale of same under any other statute of the State of Florida, and providing for the ascertainment of the amount thereof and providing penalties for the violation of this Act.

Also—

House Bill No. 550:

A bill to be entitled An Act authorizing and empowering Boards of County Commissioners of counties which have a population of more than twenty-three thousand (23,000) and not more than twenty-three thousand five hundred (23,500), according to the last Federal census, and which have a total assessed valuation of more than twenty-two million (\$22,000,000.00) dollars, to issue and sell negotiable interest-bearing bonds of such counties in an amount not to exceed in the aggregate ten thousand (\$10,000.00) dollars, in such denomination as said Boards of County Commissioners may deem proper, to mature at a time not longer than five years from the date of issuance and to bear interest not to exceed six percent per annum, payable semi-annually, for the purpose of raising funds with which to defray the cost and expense of removing and destroying fruit from groves and vegetables from farms located within such counties in an effort to eradicate the Mediterranean fly from such counties; and to engage the services of guards and other employees in enforcing quarantine and carrying out instructions from the State Plant Board and the Federal Government; to provide the manner of execution and sale of said bonds and to provide for the payment thereof, and the raising of funds for such payment.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
FRANK WEBB,

Chief Clerk, House of Representatives.

And House Bill No. 95, contained in the above message, was read the first time by its title and referred to the Committee on Cities and Towns.

And House Bill No. 170, contained in the above message, was read the first time by its title and was referred to the Committee on Finance and Taxation.

And House Bill No. 550, contained in the above message, was read the first time by its title and placed on the Calendar of House Local Bills on Second Reading.

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 6th, 1929.

Hon. J. J. Parrish,
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. 562:

A bill to be entitled An Act to repeal Chapter 6784 of the Laws of Florida, Acts of 1913, as amended by Chapter 7250, Laws of Florida, Acts of 1915, also amended by Chapter 7719, Laws of Florida, Acts of 1917, and further amended by Chapter 8372, Laws of Florida, Acts of 1919, as amended by Chapter 9927 and Chapter 9928, Laws of Florida, Acts of 1923, as further amended by Chapter 11251 and Chapter 11253, Laws of Florida, Acts of 1925, to abolish the present provisions providing for the government and prescribing the jurisdiction and powers, and powers and privileges extended to the City of Tarpon Springs, and to re-establish, create and organize the municipality under the name of the City of Tarpon Springs; to provide for its government and prescribe its jurisdiction and powers and to extend to said municipality certain powers, franchises and privileges; to define its territorial boundaries and legalizing previous ordinances, resolutions, acts and assessments of the City of Tarpon Springs, and reserving to the municipality the rights and ownership of property and providing for the assumption of all existing indebtedness and obligations of the City of Tarpon Springs.

Also—

House Bill No. 12:

A bill to be entitled An Act repealing Sections 370, 410, 412 and amending Sections 359, 386, 389, 400, 401, 405, 406, 407, 408, 409, 411, and 421, compiled general laws of Florida, 1927, being Sections 313, 353, 355, 303, 329, 332, 343, 344, 348, 349, 350, 351, 352, 354 and 364, Revised General Statutes of Florida, 1920, relating to primary elections, providing for a second primary election, abolishing second choice voting, and relating to the qualification of voters and the registration of voters, and other matters with connection therewith.

Also—

House Bill No. 212:

A bill to be entitled An Act to provide for the better enforcement of the Laws of the State of Florida, for the collection of Automobile License Taxes, and to authorize the collection of such taxes in like manner as defaulting railroad taxes are collected by the Comptroller, together with a penalty of 25 per cent for the non-payment of the same.

Also—

Committee Substitute for—

House Bill No. 439:

A bill to be entitled An Act to define and regulate the sale of milk and cream in the State of Florida, and to provide for the enforcement of the regulations made under the provisions of this Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

And House Bill No. 562, contained in the above message, was read the first time by its title and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 12, contained in the above message, was read the first time by its title and was referred to the Committee on Privileges and Elections.

And House Bill No. 212, contained in the above message, was read the first time by its title and was referred to the Committee on Judiciary "B."

And Committee Substitute for House Bill No. 439, contained in the above message, was read the first time by its title and placed on the Calendar of Bills on Second Reading without reference.

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 59:

A bill to be entitled An Act as to the admission as evidence in courts of this State of certificates issued under authority of

the Congress of the United States or certified copies thereof, relating to the grade, classification, quality or condition of agricultural products.

Very respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

And Senate Bill No. 59, contained in the above message, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Florida, May 3, 1929.

Hon. J. J. Parrish,
President of the Senate.
Sir:

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

House Bill No. 184:

A bill to be entitled An Act constituting an effective and valid franchise all resolutions heretofore adopted by the Commission of the City of Miami, Dade County, Florida, and all permits heretofore issued by the City Manager of the said City of Miami, conferring upon Seaboard-All Florida Railway the right and privilege of constructing and operating a Commercial Railroad Line in, upon, across and along certain streets in the said City of Miami.

Which amendment is as follows:

Add to Section 1 the following:

Nothing herein contained shall be construed to prevent or divest the City of Miami, Florida, of its rights, through its legally constituted and proper officers when in the opinion of the said officers or their successors from requiring the said Seaboard All-Florida Railway Company to place the necessary safety arms and devices for the protection of the public at any of their railroad crossings within the City Limits of Miami, Florida, or from having the authority to abate all nuisance and noise caused by side track and engine switching within the city limits, or from allowing the City of Miami, Florida, to cross the said Seaboard All-Florida Railway in the opening, widening and extension of streets, without cost to the City of Miami, Florida.

Very respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

Senate Concurrent Resolution No. 15:

WHEREAS, The Honorable Duncan U. Fletcher and Park Trammell, United States Senators from the State of Florida, the Honorable Doyle E. Carlton, Governor of the State of Florida, and the Members of the Cabinet of the State of Florida, and the Honorable H. J. Drane, R. A. Green, W. J. Sears, Tom Yon and Ruth Bryan Owen, members of Congress from Florida in the Congress of the United States, have rendered and are now rendering faithful and effective service to the State of Florida in their individual and collective efforts to secure United States Government aid in Flood Control of the waters in and around Lake Okeechobee; and

WHEREAS, the said United States Senators and Members of Congress have repeatedly appeared before the United States Tariff Board at Washington, D. C., and before various committees of Congress, for the purpose of getting more and better protection for the fruit and vegetable growers of this nation against cheap labor of Mexico, Central America and other Countries, therefore

BE IT RESOLVED, By the Senate of the State of Florida, the House of Representatives concurring, That we express to the Honorable Duncan U. Fletcher, Park Trammell, Doyle E. Carlton and the Cabinet of the State of Florida, H. J. Drane, R. A. Green, W. J. Sears, Tom Yon and Ruth Bryan Owen our appreciation of their individual and collective efforts in behalf of the citizens of Florida, and extend to them our most sincere thanks.

RESOLVED FURTHER, That the Secretary of the State of Florida be directed to send a copy of these resolutions to the President of the United States, the President of the United

States Senate, the Speaker of the National House of Representatives and to Honorable Duncan U. Fletcher, Park Trammell, Doyle E. Carlton and the Cabinet of the State of Florida, H. J. Drane, R. A. Green, W. J. Sears, Tom Yon and Ruth Bryan Owen, properly signed by the President of the Senate and the Speaker of the House of Representatives.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

Senate Concurrent Resolution No. 15, contained in the above message, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Florida, May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

House Concurrent Resolution No. 13:

WHEREAS, on the First day of February, 1929, Edward W. Bok completed and presented to the American people in general and to the people of Florida in particular his Sanctuary and Singing Tower, located at Mountain Lake, Lake Wales, Florida; and

WHEREAS, Thanks to his foresight and generosity, the most beautiful spot in America is now in Florida. The Singing Tower, largest carillon in the world, contains seventy-one perfectly tuned bells weighin gtwenty-four thousand pounds, surrounded by a Sanctuary for Birds and Human Beings of forty-eight acres, containing trees, rare shrubs and plants of our State. He selected Florida as no State in the Union gives the planter such a reward for his efforts.

Over one thousand persons visit this place daily and on holidays and Sundays, ten thousand visitors from all walks of life and from our Sister States view these Symbols of pure beauty.

THEREFORE, BE IT RESOLVED, That this Resolution be printed in the Journal of the House of Representatives and in the Journal of the Senate.

AND BE IT FURTHER RESOLVED, That a copy of these Resolutions be sent to Edward W. Bok, signed by the Governor under the great seal of the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

An House Concurrent Resolution No. 13, contained in the above message, was read the first time in full and was laid over under the rule.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 293:

A bill to be entitled An Act to authorize and provide for the issuance of refunding bonds of the City of Tampa, and to provide for their payment.

With the following amendment:

In Section 11 strike out: all of Section 11, and insert in lieu thereof the following: "Section 11. It is hereby expressly provided that the provisions of this Act shall not apply to any bonds of the City of Tampa, Florida, the validity of which is now being contested in any court.

"Section 12. This Act shall take effect immediately upon its becoming a law."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

And Senate Bill No. 293, with amendments thereto, contained in the above message, was placed before the Senate.

Mr. Whitaker moved that the Senate do concur in the amendments.

Which was agreed to.

And the Senate concurred in the House amendments to Senate Bill No. 293

And Senate Bill No. 293, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., May 6, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 295:

A bill to be entitled An Act to authorize and provide for the refunding of any outstanding bonds of the former City of West Tampa by the City of Tampa, and to provide for their payment.

With the following amendment:

In Section 7, strike out all of Section 7, and insert in lieu thereof the following:

Section 7. It is hereby expressly provided that the provisions of this Act shall not apply to any bonds of the City of Tampa, Florida, the validity of which is now being contested in any court.

Section 8. This Act shall take effect immediately upon its becoming a law.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

And Senate Bill No. 205, with amendments thereto, contained in the above message, was read the first time by its title.

Mr. Whitaker moved that the Senate do concur in the amendments.

Which was agreed to.

And the Senate concurred in the House Amendments to Senate Bill No. 205:

And Senate Bill No. 205, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

BILLS AND JOINT RESOLUTIONS ON THE THIRD READING
Senate Bills Nos. 62 and 91 were taken up in their order and the consideration of the same was temporarily passed over.

Senate Bill No. 43:

A bill to be entitled An Act to amend Sections 6949 and 6954 of the Compiled General Laws of Florida of 1927, Relating to the Dividing of Counties into Cattle Districts; Appointment and term of Office of Inspectors and Prescribing Oath of said Inspectors.

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

Upon the passage of Senate Bill No. 43 the roll was called and the vote was:

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Howell, Irby, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Rowe, Swearingen, Taylor, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—30.

Nays—Senator Scales—1.

So the Bill passed, title as stated.

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

Mr. Watson moved that the rules be waived and the Senate do now take up House Bill No. 414.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 414:

A bill to be entitled An Act to abolish the present municipal government of the City of Coral Gables, Dade County, Florida, and create, establish and organize a municipality to be known and designated as the City of Coral Gables, and to define its territorial boundaries, and to provide for taxes, government, jurisdiction, powers and privileges.

Was taken up out of its order and read the first time by its title only.

Mr. Watson moved that the rules be waived and that House Bill No. 414 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 414 was read a second time by its title only.

Mr. Watson moved that the rules be further waived and that House Bill No. 414 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 414 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—36.

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.

Senate Bill No. 111:

A bill to be entitled An Act granting a pension to Mrs. Belle R. Cecil, Manatee County, Florida.

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

Upon the passage of Senate Bill No. 111 the roll was called and the vote was:

Yeas—Mr. President, Senators Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, King, Knabb, Malone, McCall, Mitchell, Phillips, Putnam, Taylor, Turner, Wagg, Waybright, Welsh, Whitaker, Young—27.

Nays—Senators Anderson, Neel, Scales, Singletary, Stewart, Turnbull—6.

So the Bill passed, title as stated.

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

Senate Bill No. 63 was taken up in its order and the consideration of the same was temporarily passed over.

Senate Bill No. 32:

A bill to be entitled An Act to provide for liens on and against motor vehicles when the negligent or unlawful use of the same shall result in damage or injury to persons or property and providing for the enforcement of such liens.

Was taken up in its order.

Mr. Whitaker moved that the rules be waived and that Senate Bill No. 32 be placed back on the Calendar of Bills on the Second Reading for the purpose of amendment.

Which was agreed to by a two-thirds vote.

And the Bill was placed back on Second Reading.

Senator Wagg offered the following amendment to Senate Bill No. 32:

In Section 1, line 6, after the word "taxes," insert the following:

"except motor lien certificates, mortgages, and other prior claims and judgments.

Mr. Wagg moved the adoption of the amendment.

Upon which a ye and nay vote was demanded and upon call of the roll the vote was:

Yeas—Senators Dell, Gary, Glynn, Harrison, Hodges, Howell, Knabb, Malone, Neel, Putnam, Rowe, Swearingen, Wagg, Whitaker—14.

Nays—Senators Anderson, Bell, Council, Futch, Hinely, Irby, King, McCall, Mitchell, Scales, Singletary, Taylor, Turnbull, Turner, Waybright, Welsh, Young—17.

So the amendment was not adopted.

Senator Futch moved that the rules be waived and that Senate Bill No. 32 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. 32 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Bell, Council, Futch, King, Malone, Mitchell, Putnam, Scales, Singletary, Turnbull, Waybright, Young—14.

Nays—Senators Caro, Dell, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Knabb, McCall, Neel, Phillips, Rowe, Stew- are, Swearingen, Taylor, Turner, Wagg, Welsh, Whitaker—21.

So the Bill failed to pass, title as stated.

Senate Bill No. 174:

A bill to be entitled An Act to permit citizens of the State of Florida to take fresh water fish from the fresh waters of the State of Florida by means of hook and line, rod and reel, bob, spinner or troll at any time: and to exempt citizens of Florida from the payment of license for the taking of such fish.

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

Upon the passage of Senate Bill No. 174 the roll was called and the vote was:

Yeas—Senators Bell, Caro, Council, Dell, Glynn, Irby, Knabb, Malone, McCall, Mitchell, Phillips, Singletary, Stewart, Swearingen, Wagg, Welsh, Young—17.

Nays—Mr. President, Senators Anderson, Futch, Gary, Harrison, Hinely, Hodges, Howell, King, Putnam, Rowe, Scales, Turnbull, Turner, Whitaker—15.

So the bill passed, title as stated.

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

Mr. Hodges moved that the Senate do now adjourn.

Which was agreed to.

Thereupon, the Senate stood adjourned, at 5:55 o'clock p. m., until 11:00 o'clock a. m., Tuesday, May 7, 1929.