

JOURNAL OF THE SENATE

MONDAY, APRIL 22, 1929

The Senate convened at 4 o'clock p. m., pursuant to adjournment on Friday, April 19, 1929.

The President in the chair.

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

Mr. President, Senators Adams, Anderson, Dell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Himely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—38.

A quorum present.

Prayer by Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 19, 1929, was corrected.

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Scales, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 15, 1929.

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

Sir:

Your Committee on Claims, to whom was referred—
Senate Bill No. 155:
By Senator Dell—
Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

J. H. SCALES,
Chairman of Committee.

And Senate Bill No. 155, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Scales, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 15th, 1929.

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

Sir:

Your Committee on Claims, to whom was referred:
Senate Bill No. 74 by Senator Dell.
Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

J. H. SCALES,
Chairman of Committee.

And Senate Bill No. 74, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Young, Chairman of the Committee on drainage, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 19th, 1929.

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

Sir:

Your Committee on drainage, to whom was referred:
Senate Concurrent Resolution No. 7—
Relating to the Drainage Tax Relief Legislation.
Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

A. W. YOUNG,
Chairman of Committee.

And Senate Concurrent Resolution No. 7, contained in the above report, was placed on the Calendar of Consideration of Senate Resolutions on Second Reading.

Senator Swearingen, Chairman of the Committee on Judiciary "B," submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 19th, 1929.

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

Sir:

Your Committee on Judiciary "B," to whom was referred—

Senate Bill No. 176:

A bill to be entitled An Act providing for the creation, organization and administration of anti-mosquito districts in any county of the State of Florida; providing for the appointment and election of commissioners for said district; specifying their rights, powers and duties; naming the conditions under which said rights, powers and duties may inhere in and be exercised by the Board of County Commissioners of any such county; providing for the financing by taxation, and for the disbursement of such finances; naming the duties of county commissioners, tax assessors and collectors; and providing penalties for damages to any works of the district.

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

Very respectfully,

JOHN J. SWEARINGEN,
Chairman of Committee.

And Senate Bill No. 176, contained in the above report, was placed on the Calendar of Bills on Second Reading.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS
Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:
Senate Chamber,
Tallahassee, Fla., April 19th, 1929.

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

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred:
House Bill No. 131:

An Act to amend Section eighty-eight of Chapter 9897, Laws of Florida, Acts of 1923, the same being, "An Act to abolish the present Municipal Government of the City of Sanford, Seminole County, State of Florida, and to organize, incorporate and establish a City Government for the same, and to prescribe the jurisdiction, powers and functions of said Municipality", said Section eighty-eight thereof hereby amended relating to the advertisement and sale of real estate for non-payment of taxes due said City of Sanford, Florida.

Also—

House Bill No. 104:

An Act to validate and confirm that certain election held in the City of Sanford, Florida, on the eighteenth day of September, 1928, whereat certain amendments of Sections eight, eleven, thirteen, twenty, forty-eight, fifty-seven, sixty-six, seventy-five, one hundred twenty-four and one hundred twenty-five, of the Charter of the City of Sanford, Florida, were adopted under the provisions of Section one hundred thirty-six of Chapter 9897, Laws of Florida, Acts of 1923, and to declare said Sections as amended to be a part of the Charter of the City of Sanford, Florida, as of and from said eighteenth day of September, 1928.

Also—

House Bill No. 132:

An Act to authorize the City of Sanford, Florida, to borrow money in anticipation of the collection of delinquent taxes and to issue negotiable notes of said City for money so borrowed: To require the payment of all sums so borrowed on the next maturing principal and interest of the bonded indebtedness of said City and to provide for the disposition of all funds received in collection of delinquent taxes in anticipation of which said monies are so borrowed, and to provide for the payment of such note or notes for money borrowed hereunder in the event sufficient delinquent taxes are not collected for said purpose.

Be it left 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 the Senate.

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:
Senate Chamber,
Tallahassee, Fla., April 19th, 1929.

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

Sir:

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

Senate Bill No. 144:

An Act to provide for the purchase, installation and operation of equipment for recording in the Public Records by photographic process, and to provide the powers and duties of the Board of County Commissioners and the Clerk of the Circuit Court, County Clerk and Recorder in the installation and operation of such recording system.

Also—

Senate Bill No. 138:

An Act to legalize, ratify, validate and confirm One Million Eight Hundred Eighty-seven Thousand (\$1,887,000.00) Dollars of interest-bearing coupon bonds of Florida Inland Navigation District, a special taxing district composed of Duval, St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, Broward, Palm Beach and Dade Counties, said bonds being dated September 1st, A. D. 1928, and bearing interest at the rate of four percent per annum, payable semi-annually, September 1st and March 1st, of each year, and the issuance of same having heretofore been authorized by the Board of Commissioners of Florida Inland Navigation District, pursuant to authority granted by Chapter 12026, Laws of Florida, 1927, and pursuant to an election held in said district, authorizing and approving the issuance of said bonds. To legalize, ratify, validate and confirm all Acts heretofore done and proceedings heretofore taken by the Board of Commissioners of said district relative to said bonds. To legalize, ratify, validate and confirm the proceedings in the Circuit Court of Volusia County, Florida, which validated said bonds, and to authorize the Florida Inland Navigation District to issue and sell said bonds.

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 the Senate.

Mr. Whitaker arose to a question of personal privilege as follows:

"Mr. President:

"In the past when we had newspapers that were operated and conducted on a high plane for the dissemination of facts and the propagation of truth they furnished to the public information in which they were interested and were vehicles which moulded public opinion and resulted in much good to the public. We have some newspapers conducted on such plane today, but I am sorry to say that we have with us some that distort the truth, propagate falsehood and are a detriment to the public, using their columns for venting personal venom.

"Approximately three weeks before this session of the Legislature convened, there appeared an article in an Ocala paper, which was reprinted in the Tampa Morning Tribune, to the effect that when the Legislature convened Mr. Mayo, Commissioner of Agriculture, was going to expose Pat Whitaker, the Senator from Hillsborough County. I welcome such exposure for there is nothing for me to fear from same.

"In yesterday, Sunday morning's Tampa Morning Tribune, there appeared in the editorial column one of the most vicious, diabolical, premeditated falsehoods that was ever printed in any yellow journal with which the public has been afflicted. The editorial to which I refer is as follows: 'It is rumored in Tallahassee that the fruit fly was smuggled into Florida by Senator Whitaker to discredit Nathan Mayo.' The article is so ridiculous on its face that it needs no reply, but when a newspaper will stoop to such level in its editorial comment I think the public should be warned and put on notice against such muck-raking. It is even lower than yellow journalism. It is my opinion that this editorial was conceived and concocted in the distorted and besotted brain of the editorial pen-pusher of this paper. They had just as well charged me with smuggling into this country the Bubonic Plague germ to infest this land and destroy human lives.

It seems that the subsidized press of Mr. Mayo fears that I will launch an attack against him which probably accounts for these editorial malicious falsehoods appearing in the editorial columns of the Tampa Morning Tribune and other subsidized papers of Mr. Mayo.

If I am mistaken in my analysis and conclusions that this editorial was conceived in the brain of the professional distortionist editorial writer of this paper, then I am driven to the inevitable conclusion that the article was inspired by Nathan Mayo himself. I desire to state here and now that it was not and is not now necessary to import any fly into this country to infest and plague our people, destroy our vegetation and leave hunger

and death in its wake in order to discredit Nathan Mayo. He successfully discredited himself during the last citrus season in the disgraceful and incompetent manner—and I use this word charitably)—in reference to the inspection of green fruit. Every person in the citrus belt knows that by his incompetent handling of this most important and vital matter and the dumping of green fruit upon the eastern and northern markets resulted in destroying the markets of Florida citrus fruits. I am reliably informed that at the beginning of the season appeals for relief were made to Mr. Mayo, who turned a deaf ear, and that at their own expense certain citizens employed some men to go into the eastern and northern markets to discover the truth as to the shipment of green fruit and they found that up to that time 60% of the fruit from Florida was green and unfit for human consumption. I suppose the Tampa Morning Tribune will consider that this is a matter of great credit to the Commissioner of Agriculture, the Honorable Nathan Mayo, or at least their notorious editorial writer will so believe. It is perfectly proper, I suppose, for Mr. Mayo, who is charged with the inspection of citrus fruit, to bring about an incompetent, and I might say criminal inspection division, as to result in the destruction of markets for Florida fruits.

I cannot bring myself to believe that the editorial writer of the Tampa Morning Tribune reflected the truthful policy of this paper. I am constrained to believe that on account of his personal venom and hatred for me he prostituted the editorial column of this paper to vent his personal spleen and malice against me. If, however, this editorial is a true expression of the policy of this paper and such editorial writers are retained on its staff, this paper should be labeled by all honest, fearless seekers of truth as a muck-raking yellow journal, which cognomen it will justly deserve. This paper could be one of the most outstanding disseminators and moulders of public opinion, but so long as it is used for the purpose of propagating falsehood and dealing in malicious, venomous propaganda its usefulness is ended. In my opinion, for a paper like the Tampa Morning Tribune to resort to such tactics and make use of its editorials for such purposes it is comparable in its malicious injury to the public only to the Mediterranean Fly.

I know that the correspondent of the Tampa Morning Tribune here in Tallahassee is an upright, honorable gentleman and that he had nothing to do with the writing of this contemptible, malicious article, and for his benefit I want this Body to know that I wholly exonerate him in any participation therein. I know that every member of this Body joins me in branding this editorial for just what it is—a deliberate lie.

Inasmuch as I have no way of answering this poisonous article except in this form, having no newspaper of my own, I desire to request the newspapers carrying my remarks print them in full and not distort or delete any part of them, and on account of this unjustified and malicious attack upon my character, personal and official, I ask permission that my remarks be printed in the Senate Journal."

Mr. Whitaker moved that his remarks be spread upon the Journal and a copy of same be delivered to the press.

Which was agreed to and so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Young—

Senate Bill No. 207:

A bill to be entitled An Act to provide that all money deposited in banks or trust companies in the State of Florida by the State of Florida, or any of its agencies, including counties, districts and municipalities, shall be preferred in the distribution of the assets of such banks or trust companies in cases of insolvency.

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

By Senator Parrish—

Senate Bill No. 208:

A bill to be entitled An Act granting a pension to Emma Atkins of Cocoa, Brevard County, Florida, widow of M. Atkins.

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

By Senator Glynn—

Senate Bill No. 209:

A bill to be entitled 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.

Which was read the first time by its title, together with the following Certificate of Publication of said bill:

AFFIDAVIT

STATE OF FLORIDA)
) ss.
 COUNTY OF PUTNAM)

Personally appeared before me, a Notary Public in and for the State of Florida and County of Putnam, W. H. S. JOHNSON, who, being first duly sworn, deposes and says he is Business Manager of the Crescent City Journal, a newspaper published weekly in the Town of Crescent City, in said County and State; that the notice, a copy of which is hereunto attached, has been published in the Crescent City Journal for Six insertions as follows: March 7, 14, 21 and 28, 1929; April 4 and 11, 1929.

W. H. S. JOHNSON.

Sworn to and subscribed before me this, the 15th day of April, A. D. 1929.
 (Seal)

ALBERT E. LOUNDS,

Notary Public, State of Florida at Large.

My Commission expires March 23, 1931.
 And Senate Bill No. 209 was placed on the Calendar of Local Bills on the second reading.

By Senator Parrish—
 Senate Bill No. 210:

A bill to be entitled An Act to provide for raising additional revenue for purposes of education in the State of Florida; providing for the levy and collection of additional license taxes on insurance, surety and indemnity companies engaged in business in the State of Florida; providing for the distribution of the revenue so raised and for the enforcement of the provisions of this Act.

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

By Senator Swearingen—
 Senate Bill No. 211:

A bill to be entitled An Act to amend Section 2 of Chapter 12409 of the Laws of Florida, Acts of 1927, the same being An Act to amend Sections 777, 794 and 795 of the Revised General Statutes of Florida, relating to notice of application for tax deed, manner of obtaining tax deed, limitation of time in which suit may be brought, and refunding of taxes and other expenses where land is recovered from tax deed holders.

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

By Senator Swearingen—
 Senate Bill No. 212:

A bill to be entitled An Act to authorize the Board of Public Instruction of Polk County, Florida, to issue bonds of Special Tax School District Number One of Polk County, in an amount not exceeding one hundred five thousand dollars, providing for the levy and collection of taxes in said district for the payment of principal and interest thereof, and providing for a referendum election thereon.

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

By Senator Mitchell—
 Senate Bill No. 213:

A bill to be entitled An Act fixing the final date for the filing of the annual reports of County Superintendents of Public Instruction, and prescribing penalties for the violation of this Act.

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

By Senator Putnam—
 Senate Bill No. 214:

A bill to be entitled An Act extending and enlarging the time for payment of City Taxes assessed by the City of DeLand for the year 1928.

Which was read the first time by its title.

Mr. Putnam moved to waive the rule and that Senate Bill No. 214 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 214 was read the second time by its title only.

Mr. Putnam moved to waive the rule further, and that Senate Bill No. 214 be read the third time, and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 214 was read the third time in full.

Upon the passage of the bill, the roll was called and the vote was:

Yeas—Mr. President, Senators Adams, Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen,

Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—38.

So the Bill passed, title as stated.

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

By Senator Putnam—
 Senate Bill No. 215:

A bill to be entitled An Act to protect eggs laid by Loggerhead or Green Turtles, in or upon the beaches of the State of Florida, during the months of May, June, July and August, in the year Nineteen Hundred and Twenty-nine.

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

By Senator Phillips—
 Senate Bill No. 216:

A bill to be entitled An Act to amend Section 103, Chapter 8993, Acts of 1921, Laws of Florida, relative to the tax sales and disposition of tax certificates issued by virtue of such sales.

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

By Senator Futch—
 Senate Bill No. 217:

A bill to be entitled An Act to create a State Aid Public Free School Fund; providing for a tax levy for the creation of such fund, and for the distribution of such fund.

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

By Senator Harrison—
 Senate Bill No. 218:

A bill to be entitled An Act making an appropriation for employing a care taker for the Gamble mansion and grounds on which it is located in Manatee County, Florida.

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

By Senator King—
 Senate Bill No. 219:

A bill to be entitled An Act amending Section 2 and Section 4 of Chapter 10254, Laws of Florida, entitled: "An Act to provide for the furnishing by the State of Florida of free text books for the use of the pupils in the first six grades of the public free schools in the State of Florida, and to provide for the levy and collection of a tax for said purpose, and appropriating the amount so collected on account of said tax levy for the payment of said text books and other expenses herein provided for, and providing penalties for violation of this Act." Approved May 26, 1925.

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

By Senator King—
 Senate Bill No. 220:

A bill to be entitled An Act to amend An Act to amend Section 911 of Revised General Statutes of Florida, the same being Section 1182, Compiled General Laws of Florida, 1927, relating to insurance companies, sick and funeral benefit companies and other associations, firms or individuals doing business in this State and providing for payment of licenses and license taxes and payment of percentage of receipts from policyholders, providing for the collection thereof, requiring reports and providing penalty for failure to comply therewith.

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

By Senator Wagg—
 Senate Bill No. 221:

A bill to be entitled An Act fixing the ad valorem tax on real and personal property and providing for its distribution, and repealing all other levies.

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

By Senator Wagg—
 Senate Bill No. 222:

A bill to be entitled An Act to Amend Section 951 of the Compiled General Laws of Florida, 1927, relating to Notice of Taxes by Mail.

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

By Senator Harrison—
 Senate Bill No. 223:

A bill to be entitled An Act Authorizing the Judah B. Benjamin Memorial Commission to expend the balance of the Ten Thousand Dollars (\$10,000.00) appropriation made for restoring Gamble Mansion, in beautifying the grounds and the erection of

a small residence thereon for the purpose of housing necessary caretaker.

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

By permission—

Senator King offered the following resolution:

Senate Concurrent Resolution No. 10:

WHEREAS, there is now in the central portion of the State of Florida an invasion of the Mediterranean Fruit Fly (*ceratitis capitata*), which threatens, not only the citrus crop of the State, but almost every vegetable grown by horticulturists, and

WHEREAS, authentic reports indicate that the territory invaded by this insect pest is constantly widening day by day endangering the prosperity, not only of Florida, but of the entire southern area of the United States, and

WHEREAS, it is deemed expedient to take the most prompt and drastic efforts of both State and Federal constituted authority to prevent the further devastation by these insects in an endeavor to promptly eradicate same, and

WHEREAS, many millions of dollars have been invested in the territory threatened involving, not only the citrus crops of Florida, but all fruits and vegetables grown in the territory now invaded. Now, therefore,

BE IT RESOLVED, by the Senate, the House of Representatives concurring:

Section 1. That the Legislature of Florida, now in session, urgently requests the co-operation of the Federal Government, through its duly and properly constituted authority, to immediately come to the assistance of Florida in her effort to prevent the spread of the pest or plague known as the Mediterranean Fruit Fly (*ceratitis capitata*), and that we respectfully call to the attention of the Congress of the United States, and respectfully urge our Senators and Representatives to see that the Federal Government render, not only financial, but military aid, if necessary, in establishing quarantine and doing all things necessary to successfully combat the ravages of this insect.

Section 2. That the Legislature of Florida respectfully suggests ample financial means to successfully combat the ravages being inflicted upon the fruit and vegetable industry of Florida, and most respectfully suggest an immediate appropriation of not less than Five hundred thousand (\$500,000) dollars, to be made immediately available, and more if it should prove to be necessary to save the fruit and vegetable industry wherein many millions of dollars have been invested, and further requests the co-operation of the Federal Government until this situation is completely controlled by adopting such measures and methods as have the approval of the United States Department of Agriculture, and, we, the citizens of the State of Florida, represented by the Legislature, now in session, promise full and complete co-operation under the direction of the Department in Washington, whose experience may be necessary and essential to a proper solution of this problem.

Which was read the first time.

Senator King moved that the rules be waived and Senate Concurrent Resolution No. 10 be read a second time.

Which was agreed to by a two-thirds vote.

Senate Concurrent Resolution No. 10 was read a second time.

Senator King moved the adoption of the Resolution.

Which was agreed to and the same was ordered to be certified to the House of Representatives.

CONSIDERATION OF OTHER RESOLUTIONS

House Concurrent Resolution No. 6:

WHEREAS, in response to House Resolution Number Fifteen (15), the Attorney General of Florida has rendered his written opinion construing Chapter 12097, Laws of Florida, Acts of 1927, as to the duty of the Secretary of State under said Act, said opinion appearing on the first page of the Journal of the House of Representatives of April 15th, 1929, and,

WHEREAS, it appears from said opinion that it is the duty of the Secretary of State to comply with said Statute as interpreted in said opinion; and

WHEREAS, it is deemed necessary and desirable that the officials of the State and the public generally be apprised of the tenor of all general laws enacted by the Legislature at as early a date as possible; therefore

BE IT RESOLVED, by the House of Representatives, State of Florida, the Senate Concurring, That the Secretary of State of the State of Florida be, and he is hereby, respectfully requested and urged to cause to be printed and distributed all general laws enacted by the Legislature as contemplated by said Statute as interpreted in said opinion.

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

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

The following communication from the Governor was read and ordered to be spread on the Journal:

State of Florida
Executive Department
Tallahassee

April 17, 1929.

On Tuesday evening, April twenty-third, at eight o'clock, Governor and Mrs. Carlton will give a public reception at the Mansion in honor of the Members of the Senate and House of Representatives.

A cordial invitation is extended to all.

Also the following:

State of Florida
Executive Department

Tallahassee, April 22, 1929.

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

Sir:

I have caused to be placed on the desks of the several Senators a report on the finance and taxation conditions of the several Counties of the State.

This is provided simply as a matter of information to the several Senators with the hope that it may be of advantage in determining the proper course in matters of finance and taxation.

Very respectfully,
DOYLE E. CARLTON,
Governor.

DEC:ab

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives,
Tallahassee, Fla., April 22, 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. 120:

A bill to be entitled An Act to amend Section 3 of Chapter 12720, approved June 3, 1927, entitled, "An Act authorizing the Boards of County Commissioners of Escambia and Santa Rosa Counties to grant an exclusive franchise for the construction and operation of a toll bridge across Escambia Bay; authorizing the owner of such franchise to condemn property for such bridge with causeway and approaches; authorizing the Railroad Commissioners to fix maximum tolls for and to approve rules and regulations with reference to the use of said bridge and reserving to the State and said Counties, or either of them, the right to purchase said bridge," and to prohibit the construction, operation and maintenance by any person, or corporation or by the State or any subdivision or agency thereof of any ferry or tunnel and of any bridge or causeway except the one authorized by said Chapter connecting Santa Rosa Peninsular with the mainland at any point between Muscogee wharf in Pensacola and Escambia bridge on State Road No. 1 and granting jurisdiction to Courts of Equity to enjoin the construction and operation of such ferry, tunnel or other bridge or causeway.

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

And Senate Bill No. 120, contained in the above message, was read the first time by its title and 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., April 22, 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 the conference committee report on the Committee Substitute for House Bill No. 1, which report is as follows:

Tallahassee, Fla., April 18, 1929.

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

Hon. Samuel W. Getzen,
Speaker of the House of Representatives.

Sir:

The Joint Committee of Conference on the part of the House and the Senate on the disagreeing votes of the two Houses on the Amendment of the Senate to Committee Substitute for House Bill No. 1 having met, and after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

1. That the House recede from its disagreement to the Amendment of the Senate and agree to the said Amendment.
2. That the House and Senate do adopt the following Amendments to the Bill: In Section 1, page 2, after the word "(or)", insert "there being no newspaper". At the end of Section 2 add the following: "Provided, however, any notice by posting in the manner provided by this Act which has heretofore been posted in any County or Counties having a newspaper is hereby declared to be sufficient in manner, form and substance.

Respectfully submitted,

O. W. KANNER,
R. L. SWEGGER,
D. STUART GILLIS,
Committee on part of the House.
S. W. ANDERSON,
R. H. ROWE,
S. A. HINELY,
Committee on part of the Senate.

And the same was adopted.

Also—

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

House of Representatives,
Tallahassee, Florida, April 22, 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. 323:

A bill to be entitled An Act to legalize and validate ordinance of the City of Pensacola passed by the Board of Commissioners of said city on the 29th day of October, 1928, entitled: "An ordinance to provide for issuing negotiable funding bonds for the purpose of paying and funding certain floating indebtedness of the City of Pensacola," and the election held pursuant thereto on the 27th day of November, 1928, and all proceedings in connection therewith, and to legalize and validate and authorize issuance of two hundred thousand dollars funding bonds by the City of Pensacola for payment of certain claims and indebtedness existing on August 15th, 1928, and mentioned in said ordinance, and to provide for the levy of a tax for the payment of said bonds.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

And House Bill No. 323, contained in the above message, was read the first time by its title and was placed on the Calendar of Local Bills on the Second Reading.

CONSIDERATION OF BILLS ON THE THIRD READING

Senate Bills Nos. 62, 90, 91, 43 were taken up in their order and the consideration of the same was temporarily passed over.

Senate Bill No. 66:

"An Act to Amend Section 3423 of Article II of the Revised General Statutes of Florida, (same being Article II, Section 5276, Compiled General Laws of Florida, 1927), entitled:

"ARTICLE II.

"Notice of Institution of Suit, Personal and by Publication. 3423. Service."

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

Upon the passage of Senate Bill No. 66 the roll was called and the vote was:

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

REPORT OF ENROLLING COMMITTEE

Senator Dell, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:
Senate Chamber,
Tallahassee, Fla., April 22, 1929.

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

Sir:

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

(Senate Bill No. 13):

An Act relating to setting fire to or burning wild forest, woods, land or marshes in Columbia County, Florida.

Have examined the same and find them correctly enrolled.

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

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., April 22, 1929.

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

Sir:

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

(Committee Substitute for House Bill No. 1):

An Act to amend Sections 78 and 79, Revised General Statutes of Florida, 1920, being Sections 94 and 95, Compiled General Laws of Florida, 1927, relating to the publication of notice of intention to pass special or local laws and proof of publication of such notice.

Also—

(House Bill No. 238):

An Act to amend Chapter 6297, Laws of Florida, passed at the regular session of the Legislature of Florida in the year 1911, relating to the drainage and reclamation of certain lands in Putnam County, Florida.

Have examined the same and find them correctly enrolled.

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

CONSIDERATION OF BILLS ON THE SECOND READING

Mr. Phillips moved to waive the rules and take up out of its order Senate Bill No. 139 for consideration.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 139:

A bill to be entitled An Act to provide for an emergency relief fund to be expended under the direction of the Governor of the State of Florida in times of great fires, floods and disaster, appertaining to the lives and property of the people of the State of Florida to an extraordinary extent.

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

Mr. Watson offered the following amendment to Senate Bill No. 139:

In Section 1, lines 7 and 8 (printed bill), strike out the words "twenty-five thousand dollars" and insert in lieu thereof the following, "fifty thousand dollars or as much thereof as may be necessary."

Mr. Watson moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 139, as amended, was referred to Committee on Engrossed Bills.

Senate Bills Nos. 50, 3, and Senate Bills Nos. 26, 81 and 17 were taken up in their order and the consideration of the same was temporarily passed over.

Senate Bill No. 86:

A bill to be entitled An Act granting pension to T. K. Weathers, Dade City, Florida.

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

There being no amendment, Senate Bill No. 86 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 10:

A bill to be entitled An Act granting a pension to Mrs. Elia C. McClellan.

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

There being no amendment, Senate Bill No. 10 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 123:

A bill to be entitled An Act granting a pension to Mrs. Blannie M. Broome, widow of M. E. Broome, of Live Oak, Florida.

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

There being no amendment, Senate Bill No. 123 took its position on the Calendar of Bills on the Third Reading.

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 and placed before the Senate, and read the second time.

There being no amendment, Senate Bill No. 111 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 85:

A bill to be entitled An Act granting a pension to Mrs. S. N. Jones, widow of B. E. Jones, Dade City, Florida.

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

There being no amendment, Senate Bill No. 85 took its position on the Calendar of Bills on the Third Reading.

Senate Bills Nos. 78 and 82 were taken in their order and the consideration of the same was temporarily passed over.

Senate Bill No. 7:

A bill to be entitled An Act granting a pension to Mrs. Emma E. Watson, widow of Albert G. Watson, of Leon County, Florida.

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

Senator Howell, as Chairman of the Committee on Pensions, moved that Senate Bill No. 7 be indefinitely postponed.

Senator Turnbull moved that as a substitute "that the bills be recommitted to the Committee on Pensions."

The substitute motion of Senator Turnbull prevailed by a two-thirds vote.

And the bill was recommitted to the Committee on Pensions.

Mr. Johns moved that Senate Bill No. 83 be recommitted to the Committee on Pensions.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Mr. Hinely moved that Senate Bill No. 124 be recommitted to the Committee on Pensions.

Which was agreed to.

Senate Bill No. 63:

A bill to be entitled An Act to authorize the Board of Commissioners of Everglades Drainage District of Florida to join and co-operate with the United States in works for Everglades Drainage District and to authorize the said Board to hypothecate, or use Bonds or other evidences of indebtedness of said District therefor.

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

There being no amendment, Senate Bill No. 63 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 142:

A bill to be entitled An Act requiring all motor vehicles to stop upon approaching any school bus upon the roads or highways of the State while stopped and engaged in receiving or

discharging school children, and providing a penalty for a violation of the provisions hereof and requiring all motor vehicles used in transporting school children to be distinctly marked "School Bus," as herein provided.

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

Mr. Hinely moved that the further consideration of the bill be temporarily passed and that it retain its position on the Calendar.

Which was agreed to, and so ordered.

Senator Stewart moved that the members of the Special Committee investigating the matter of the J. B. Royall suspension by the Governor be excused from attendance upon the body until such time as said Committee is ready to report their findings

Which was agreed to.

Senate Bill No. 154:

A bill to be entitled An Act to designate and describe the route of State Road No. 142.

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

There being no amendment, Senate Bill No. 154 took its position on the Calendar of Bills on the Third Reading.

Senator Anderson moved that Senate Bill No. 58 be made a special order for consideration at 12:00 o'clock noon, Thursday, April 25, 1929.

Which was agreed to.

And it was so ordered.

Senate Bill No. 14 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 and placed before the Senate, and read the second time.

There being no amendment, Senate Bill No. 32 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 133:

A bill to be entitled An Act to authorize the expenditure of the unexpended balance of the appropriation made to the Attorney General's Department for Indexing and Side-noting Laws, for the purpose of discharging outside obligations against the Attorney General's office for the purchase of Law Books and payment of subscriptions to Judicial Reporter systems.

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

There being no amendment Senate Bill No. 133 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 148:

A bill to be entitled An Act to validate and confirm all mortgage foreclosures heretofore had and made, or now pending in any of the Courts of this State, in compliance with Chapter 12095, Laws of Florida, Acts of 1927, entitled: "An Act to amend Section 3845 (2502) of the Revised General Statutes of Florida, relating to Bills of Complaint in foreclosure of mortgages."

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

There being no amendment, Senate Bill No. 148 took its position on the Calendar of Bills on the Third Reading.

And—

Senate Bill No. 170:

A bill to be entitled An Act to amend Section One (1) of Chapter 11855, Laws of Florida, Acts of 1927, entitled "An Act to authorize the issuance of refunding bonds by counties, cities, towns and other municipal corporations and taxing districts, and to provide for their payment."

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

Senator Whitaker moved that the further consideration of the bill be temporarily passed and that it retain its position on the Calendar.

And—

Senate Bill No. 140:

A bill to be entitled An Act to Repeal Section 3117, Revised General Statutes of Florida, 1920, being the same as Section 4903 Compiled Laws of Florida, 1927, relating to foreclosure of mortgages.

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

There being no amendment, Senate Bill No. 140 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 158:

A bill to be entitled An Act to amend Section 2 of Chapter 10123, Acts of 1925, relating to the closed season for taking mullet from the waters of the State of Florida.

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

There being no amendments Senate Bill No. 158 took its position on the Calendar of Bills on the Third Reading.

Senator King moved to waive the rules and take up out of its order House Bill No. 218 for consideration.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 218:

A bill to be entitled An Act to abolish the present Municipal Government of the Town of Apopka City, in the County of Orange, State of Florida; to create, establish, organize and incorporate a city and a municipal corporation to be known and designated as the City of Apopka; to designate the territorial boundaries of said municipality; and to define and prescribe the jurisdiction, powers, privileges and functions of said municipality.

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

Mr. King moved to waive the rule further, and that House Bill No. 218 be read the third time, and put upon its passage.

Which was agreed to by a two-thirds vote, and House Bill No. 218 was read the third time in full.

Upon the passage of the Bill, the roll was called and the vote was:

Yeas—Mr. President, Senators Adams, Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young.—38.

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.

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 licenses for the taking of such fish.

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

There being no amendment, Senate Bill No. 174 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 101:

A bill to be entitled An Act to make it unlawful for any person, firm or corporation to sell, or in any other manner, by gift or otherwise, dispose of any beef, mutton, pork, or any other green meat whatsoever, from or in any market, grocery, or any business establishment whatsoever, unless the said beef, mutton, pork, or other kind of green meats have been kept after having been received by the said person, firm or corporation, and cut and carved into retail merchantable meat within the enclosure of a fly-proof screened apartment.

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

Senator Turner, Chairman of the Committee on Public Health, offered the following amendment to Senate Bill No. 101:

In Section 2 (printed bill), after the word "Court," strike out the period and insert in lieu thereof the following: a semicolon and the following words: "Provided that nothing in this Act shall be construed or held to apply to any person selling any beef, mutton, pork or other green meats which have been produced by such person on a farm or ranch operated by him and where the same is sold from a vehicle."

Mr. Turner moved the adoption of the amendment.

Which was agreed to.

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

Senate Bill No. 152:

A bill to be entitled An Act to provide for the proper care and maintenance of the grave and burial lot of the late General Edward A. Perry, former Governor of the State of Florida, and to make an appropriation therefor.

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

There being no amendment, Senate Bill No. 152 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 168:

A bill to be entitled An Act to appropriate the sum of twenty-five thousand dollars, or so much thereof as may be necessary, for the purpose of constructing and paving the road leading from the City of Marianna, Florida, to the Florida Industrial School for Boys, located near said city; and also the sum of twenty-five thousand dollars, or so much thereof as may be necessary, for the purpose of paving the street leading from the Florida State Hospital for the Indigent Insane at River Junction, Florida, to the railroad station in said town, and to repeal Chapter 11835 of the Acts of the Legislature of 1927, entitled: "An Act to amend Chapter 10203 (No. 181) and Chapter 10204 (No. 182), Laws of Florida, approved June 11, 1925; the same being An Act to appropriate under certain conditions, the sum of twenty-five thousand (\$25,000) dollars for the purpose of paving the road leading from the Florida Industrial School for Boys, in Jackson County, to connect with Road Number 1, at West Marianna; and to appropriate the sum of twenty-five thousand (\$25,000.00) dollars, or so much thereof as shall be necessary to pave the road from the Florida State Hospital at Chattahoochee, Florida, to River Junction, Florida."

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

There being no amendment, Senate Bill No. 168 took its position on the Calendar of Bills on the Third Reading.

Senate Bill No. 93:

A bill to be entitled An Act to amend Sections 1444 and 1445 of the Revised General Statutes of Florida relating to pensions, as amended by Chapter 10208, Acts of 1925, Laws of Florida.

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

Mr. Knabb moved that the consideration be temporarily passed over and the bill retain its place on the Calendar of Bills on the Second Reading.

Which was agreed and so ordered.

The hour of adjournment, under the rules, having arrived a point of order was called and the Senate stood adjourned at 6:02 o'clock p. m. until 11:00 o'clock a. m. Tuesday, April 23, 1929.