

JOURNAL OF THE SENATE

MONDAY, APRIL 29, 1929

The Senate convened at 4 o'clock p. m. pursuant to adjournment on Saturday, April 27, 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, Johns, King, 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 April 27, 1929, was corrected as follows:

On page 17, column 1, line 49, change the figure "236" to read "231," and as corrected was approved.

REPORTS OF COMMITTEE

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

Senate Chamber,
Tallahassee, Fla., April 29, 1929.

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

Sir:

Your Committee on Drainage, to whom was referred:

Senate Bill No. 206:

A bill to be entitled An Act in aid of Drainage Districts in the State to relieve distressed financial conditions of such districts by authorizing the refunding and extension of the bonds of such districts.

Have had the same under consideration, and recommend that the same, with following amendments thereto, do pass.

Committee Amendments suggested—

Amendment No. 1:

In the fourth line of the title of the printed bill, after the word "Districts," insert the following: "and providing certain exceptions to the operation hereof."

Amendment No. 2:

Insert as Section 2 the following: "Provided, however, that none of the provisions of this Act shall apply to any existing drainage district where the validity of such district, or where the bonds, or the right to collect drainage tax is being contested in any Court, and this Act shall not be deemed to validate or confirm the creation of any drainage district, or the bonds issued by any such district."

Amendment No. 3:

Insert as Section 3 the following: "If any section, sentence, clause or phrase of this Act is for any reason held by any Court of competent jurisdiction to be in violation of any provision of the Constitution of the United States or the State of Florida then and in that event such holding or decision shall not effect the validity of the remaining portion or portions of this Act."

Amendment No. 4:

Change the numbers of Sections 2 and 3 of the original Bill to 4 and 5 respectively.

Very respectfully,

A. W. YOUNG,
Chairman of Committee.

And Senate Bill No. 206, with Committee Amendments suggested, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

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

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

Sir:

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

Senate Bill No. 128:

A bill to be entitled An Act to amend Section 3658 of the Compiled General Laws of Florida 1927.

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

Amendment No. 1. In Title strike out figures "3658" and insert in lieu thereof figures "2312."

Amendment No. 2. In Title strike out the words "compiled General Laws of Florida 1927" and insert in lieu thereof the words "Revised General Statutes of Florida."

Amendment No. 3. In first line, Section 1, strike out the figures "3658" and insert in lieu thereof the figures "2312."

Amendment No. 4. In first line, Section 1, strike out the words "Compiled General Laws of Florida 1927" and insert in lieu thereof the words "Revised General Statutes of Florida."

Amendment No. 5. In line 3, Section 1, strike out the figures "3658."

Amendment No. 6. In line 5, Section 1, strike out the word "five" and insert in lieu thereof the word "ten."

Amendment No. 7. In line 6, Section 1, strike out the word "two" and insert in lieu thereof the word "four."

Very respectfully,

PAT WHITAKER,
Chairman of Committee.

And Senate Bill No. 128, contained in the above report, together with committee amendments, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Fla., April 29, 1929.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred:

Senate Bill No. 277, by Senator Knabb, with the following amendments:

Amendment No. 1. In Section 3, line 2, after the word "authorized" add the following "and directed within sixty days after this Act becomes a law."

Amendment No. 2. Line 4 of Title, after word "authorized" add "and direct."

Amendment No. 3. In Section 3, line 9; after the word "granted" add the following: "and they are hereby directed to issue said bonds without an election."

Amendment No. 4. In Section 4, line 1, after the word "authorized" add "and directed."

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.

And Senate Bill No. 277, contained in the above report, was ordered to be certified to the House of Representatives.

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

Senate Chamber,
Tallahassee, Fla., April 29, 1929.

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

Sir:

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

Senate Bill No. 294:

A bill to be entitled An Act to amend Section 5481 and Section 5485 of the Revised General Statutes of Florida, as amended by Chapter 10217 of the Acts of 1925, relative to seizure of liquors and property and keeping records of same.

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

Very respectfully,

PAT WHITAKER,
Chairman of Committee.

And Senate Bill No. 294, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 29, 1929.

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

Sir:

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

Senate Bill No. 269:

A bill to be entitled An Act to authorize the judgments and decrees of the United States Courts held in the State of Florida to be registered, recorded, docketed, indexed and otherwise conformed to the rules and requirements relating to the judgments and decrees of the Circuit Court of this State, and requiring the Clerk of the Circuit Court of each county in this State to perform certain Acts with respect thereto, and to repeal Chapter 10166 of the Acts of 1925.

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

Very respectfully,
PAT WHITAKER,
 Chairman of Committee.

And Senate Bill No. 269, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
 Tallahassee, Fla., April 29, 1929.

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

Sir:

Your Committee on Judiciary "A," to whom was referred: Senate Bill No. 300:

A bill to be entitled An Act to establish a Court of Criminal Appeals in the State of Florida, prescribing its jurisdiction and powers, providing for the selection of the judges thereof, providing that the judges and each of them shall be ex-officio Commissioners of the Supreme Court as to such civil cases as may be referred to them, fixing the compensation of such judges and providing how the decisions of said Court of Criminal Appeals may be reviewed by the Supreme Court of the State of Florida.

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

Very respectfully,
PAT WHITAKER,
 Chairman of Committee.

And Senate Bill No. 300, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
 Tallahassee, Fla., April 29, 1929.

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

Sir:

Your Committee on Judiciary "A," to whom was referred— Senate Bill No. 244:

A bill to be entitled An Act to authorize the county commissioners of any county, or the governing body of any municipality, within the State of Florida, to adopt for use or use experimentally a voting machine or voting machines for the conduct of elections in such counties or municipalities, and setting forth the requirements of such voting machines, and prescribing the method of conducting elections by and with the use of such voting machines, and directing how the official returns of elections conducted with the aid of such voting machines shall be made, and providing a penalty for unlawfully possessing such voting machines or the keys thereto, and prescribing a penalty for wilfully tampering, or attempting to tamper, disarrange, deface, or impair such voting machines, and also defining some of the terms used in this Act.

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

Very respectfully,
PAT WHITAKER,
 Chairman of Committee.

And Senate Bill No. 244, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
 Tallahassee, Fla., April 29 1929

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

Sir:

Your Committee on Judiciary "A," to whom was referred— House Bill No. 34:

A bill to be entitled An Act to repeal sections 1061, 1062, 1063, 1064, 1065 and 1066 of the Compiled General Laws of Florida of 1927, being chapter 12412 of the Acts of the Legislature of 1927, the title of which reads, "An Act imposing a state and county license tax on automobile tire and automobile tube dealers, and providing for the disposition of the tax imposed."

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

Very respectfully,
PAT WHITAKER,
 Chairman of Committee.

And House Bill No. 34, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
 Tallahassee, Fla., April 29, 1929.

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

Sir:

Your Committee on Judiciary "A," to whom was referred: Senate Bill No. 281:

A bill to be entitled An Act granting to certain riparian land owners who now have vested rights acquired under Chapter 4564, Acts of 1897, Laws of Florida, the right to sponge, propagate and grow sponge within the bays, lagoons, sounds and straits fronting upon or bordering the lands owned by them, and to prohibit trespassing within said areas and providing suitable penalties therefor.

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

Very respectfully,
PAT WHITAKER,
 Chairman of Committee.

And Senate Bill No. 281, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
 Tallahassee, Fla., April 29, 1929.

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

Sir:

Your Committee on Judiciary "A," to whom was referred: House Bill No. 7:

A bill to be entitled An Act amending Sections 2866, 2867, and 2868, of the Compiled General Laws of Florida, 1927, which are Sections 2, 3 and 4, of Chapter 11954, of the General Laws of Florida, 1927, relating to net income, reasonable and necessary expenditures, the duty of county officers with reference to making and filing reports, and the payment of excess sums collected by them to the county, and relating to the expenses of their respective offices.

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

Very respectfully,
PAT WHITAKER,
 Chairman of Committee.

And House Bill No. 7, contained in the above report, was placed on the Calendar of Bills on second reading.

INTRODUCTION OF RESOLUTIONS

By Senator Bell—

Senate Resolution No. 21:

BE IT RESOLVED by the Senate of the State of Florida that Senate Rule Nine (9) governing executive sessions be amended to read as follows:

"Communications from the Governor as to the suspension or removal of officers shall be considered in open session."

Which was read.

Mr. Bell moved to adopt the Resolution.

Mr. Stewart moved as a substitute to refer the Resolution to the Committee on Rules and Procedure.

Mr. Bell moved to lay the motion to refer to a committee on the table.

The motion to lay on the table was not agreed to.

The question then recurred upon the substitute motion of Mr. Stewart to refer the Resolution to the Committee on Rules and Procedure.

The substitute motion prevailed and the Resolution was so referred.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Gary—

Senate Bill No. 307:

A bill to be entitled An Act for the relief of J. B. Brown.

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

By Senator Gary—

Senate Bill No. 308:

A bill to be entitled An Act providing for a monument to be

erected on the site of Old Fort King near Ocala, Florida, and making an appropriation therefor.

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

By Senator Irby—

Senate Bill No. 309:

A bill to be entitled An Act to repeal An Act known and designated as Chapter 12436—(No. 631), approved May 2nd, 1927, entitled:

"An Act defining and fixing the territory and boundaries of the Fifth Judicial Circuit and creating the Twenty-fourth Judicial Circuit providing for a Circuit Judge and State Attorney in the Twenty-fourth Circuit, and providing and fixing the time for holding the terms of Circuit Court in the Fifth and Twenty-fourth Judicial Circuits, and effect on pending litigation, and providing for the payment of the salary of the Circuit Judge and State Attorney." "To make provision for incorporating and including the Counties of Citrus and Hernando, now comprising the Twenty-fourth Judicial Circuit of Florida into the Fifth Judicial Circuit of Florida; to provide for holding the terms of Court in Citrus, Hernando and Marion Counties in the Fifth Judicial Circuit of Florida; to provide for the effect of the passage of this Act on pending litigation in the Circuit Court of Citrus and Hernando Counties; to fix the time when this Act shall go into effect, and to repeal all laws in conflict with this Act.

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

By Senator Whitaker—

Senate Bill No. 310:

A bill to be entitled An Act creating the position of Official Court Reporter for the Criminal Court of Record, Civil Court of Record, and Court of Crimes, of Hillsborough County, Florida; providing the method for the appointment, salary, and fees to be paid to such Reporter; prescribing the duties of said Reporter; fixing the tenure of office of said Reporter; and providing for the appointment of Deputy Reporters.

Which Bill was read the first time by its title, and had attached to same when introduced in the Senate the following proof of publication which was ordered to be entered in full upon the Journal of the Senate:

AFFIDAVIT OF PROOF OF PUBLICATION

State of Florida,
County of Hillsborough:

Before the undersigned authority personally appeared J. S. Mims, who on oath does solemnly swear (or affirm) that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to creating the office of Official Court Reporter of the Criminal Court of Record for Hillsborough County, Florida, and prescribing other duties, has been published at least thirty days prior to this date, by being printed in the issue of March 13, 1929, of the Tampa Morning Tribune, a newspaper published in Hillsborough County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

Sworn to and subscribed before me this 14th day of March, 1919.

(Seal.)

J. S. MIMS,

HAROLD S. MIMS,

Notary Public, State of Florida.

My commission expires Jan. 16, 1932.

And the Senate thereupon determined that the evidence that said bill has been published in compliance with Section 21 of Article III of the Constitution has been established in this Legislature.

And the bill was placed on the Calendar of Local Bills on second reading without reference.

By Senator Whitaker—

Senate Bill No. 311:

A bill to be entitled An Act repealing Chapter 10635 of the Special Acts of 1925, being An Act entitled An Act regulating fishing in Old Tampa Bay and all the tributaries thereof north of Gandy Bridge, said bay situated between the Counties of Hillsborough and Pinellas.

Which Bill was read the first time by its title, and had attached to same when introduced in the Senate the following proof of publication which was ordered to be entered in full upon the Journal of the Senate:

AFFIDAVIT OF PROOF OF PUBLICATION

State of Florida,
County of Hillsborough:

Before the undersigned authority personally appeared J. S. Mims, who on oath does solemnly swear (or affirm) that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to repealing Chapter 10635 of the Special Acts of 1925, has been published at least thirty days prior to this date, by being printed in the issue of March 24, 1929, of the Tampa Morning Tribune, a newspaper published in Hillsborough County, Florida; that a copy of the notice that has been published as aforesaid and also the affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

Sworn to and subscribed before me this 26th day of March, 1919.

(Seal.)

J. S. MIMS,

HAROLD S. MIMS,

Notary Public, State of Florida.

My commission expires Jan. 16, 1932.

And the Senate thereupon determined that the evidence that said bill has been published in compliance with Section 21 of Article III of the Constitution has been established in this Legislature.

And the bill was placed on the Calendar of Local Bills on second reading without reference.

By Senator Whitaker—

Senate Bill No. 312:

A bill to be entitled An Act to amend Section 4895 of the Compiled General Laws of Florida (Section 3111 of Revised General Statutes) relating to constructive service and publication of orders in cases of constructive service.

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

By Senator Whitaker—

Senate Bill No. 313:

A bill to be entitled An Act to grant a pension to Obediah T. Blitch, of Hillsborough County, Florida.

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

By Senator Scales—

Senate Bill No. 314:

A bill to be entitled An Act to amend Section 4579 of the Revised General Statutes of 1920 of the Laws of the State of Florida (Section 6644 of the Compiled General Laws of Florida 1927) relating to care of Livestock in transit, etc.

Which was read the first time by its title and referred to the Committee on Agriculture and Live Stock.

CONSIDERATION OF RESOLUTIONS

House Memorial No. 2:

A Memorial to the Lighthouse Department of the United States Government at Washington, D. C., to provide sufficient lights and buoys to designate and locate the channel entering Choctawhatchee Bay from the Gulf of Mexico for the purpose of making navigation safe.

WHEREAS, the recent flood conditions and high waters have changed the channel entering Choctawhatchee Bay from the Gulf of Mexico, and;

WHEREAS, the present range lights at the entrance of Choctawhatchee Bay, for the purpose of designating the Channel, are now of no use, and are misleading, and;

WHEREAS, the present range lights designating the channel entering Choctawhatchee Bay from the Gulf of Mexico are now located at a point approximately one mile from the present channel as it exists today, and;

WHEREAS, the location of the present range lights are endangering navigation and should be placed, together with sufficient buoys, in range on the present bar so as to definitely locate the channel between the said bodies of water.

THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the Lighthouse Department of the United States Government at Washington, D. C., be, and it is hereby, Memorialized and requested to immediately take such action as may be necessary to place the range lights and buoys in proper positions and locations designating and locating the channel leading from the Gulf of Mexico to Choctawhatchee Bay, in order that the interest of navigation may be properly protected and safe guarded, and that a duly certified copy of this memorial be at once forwarded to the proper officials of the United States Government in charge

of the Lighthouse Department at Washington, D. C., and that a certified copy be also forwarded to Senators Duncan U. Fletcher and Park Trammell and Congressman Yon, Representatives in Congress of the United States under the great seal of the State of Florida.

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

The question was put upon the adoption of the Memorial.

Which was agreed to.

And the Memorial was adopted and the same was ordered to certified to the House of Representatives.

House Memorial No. 3:

A memorial to the Congress of the United States requesting the placing of suitable markers or monuments at all forts of the Seminole Indian War in the State of Florida; that parks and monuments be established on battlegrounds of the Seminole Indian War in the State of Florida; and especially, that a plot of ground for park be secured in the City of Fort Meade, Polk County, Florida, where certain Indian War soldiers fell in battle were buried, and a suitable monument be erected to their memory (said battle occurring June 14, 16, 1856), and that park be established on the old Seminole Indian War battle grounds near Fort Meade, Florida, and for suitable appropriation therefor.

WHEREAS, the historical battlefields of the Seminole Indian War seemingly have been ignored and neglected, and

WHEREAS, Graves of men who were killed in the Seminole Indian War have not been marked, and

WHEREAS, We have failed to hold sacred the memory of those brave men of pioneer days who gave their lives for their country, by omitting to mark their graves and the battlefields, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the Congress of the United States, be and it is hereby respectfully requested to place suitable markers or monuments at all forts of the Seminole Indian War in the State of Florida;

That parks and monuments be established on battlegrounds of the Seminole Indian War in the State of Florida;

That especially, a plot of ground for Park purposes be secured in the City of Fort Meade, Polk County, Florida, where certain Indian War soldiers fell in battle were buried, and a suitable monument be erected to their memory (said battle occurred on June 14 and 16, 1856). Also that a park be established on the old Seminole Indian War battlegrounds near Fort Meade, Florida; and

That sufficient appropriations be made to carry out the purpose thereof.

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

The question was put upon the adoption of the Memorial.

Which was agreed to.

And House Memorial No. 2 was adopted, and the same was ordered to be certified to the House of Representatives.

HOUSE MEMORIAL NO. 4.

A Memorial to the National Congress of the United States at Washington, D. C., to provide for an investigation and report on the Cross State Canal.

WHEREAS, The Board of Engineers report to the Sixty-third Congress, First Session as shown in House Document Number Two Hundred and Twenty-three on the Cross State Canal, as being the best and the most available route.

THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section I. That the River and Harbor Committees of the National Congress of the House of Representatives and the War Department of the United States cause a re-investigation of the route referred to in House Document Two Hundred and Twenty-three, Sixty-third Congress, First Session, and upon said report that the National Congress secure favorable action thereon, and that a duly certified copy of this memorial be forwarded at once to the proper officials of the United States Government at Washington, D. C., and that a certified copy be also forwarded to Senators Duncan U. Fletcher and Park Trammell and Congressmen Yon, H. J. Drane, R. A. Green, and Congresswoman Ruth Bryan Owen, Representatives in Congress of the United States under the great seal of the State of Florida, and Hon. John T. G. Crawford, Democratic National Committeeman and Glen B. Skipper, Republican National Committeeman.

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

The question was put upon the adoption of the Memorial.

Which was agreed to.

And House Memorial No. 4 was adopted and the same was ordered to be certified to the House of Representatives.

On motion of Mr. Futch Senate Bill No. 160 was recalled from the Committee on Judiciary "A" and the bill was referred to the Committee on Public Health.

On motion of Mr. Swearingen 300 copies of Senate Bill No. 175 was ordered to be printed.

On motion of Mr. Hodges House Bill No. 447 was recalled from the Committee on Judiciary "A" and placed on the Calendar of Local Bills on the second reading without reference.

Mr. Adams was excused from attendance upon the body until Tuesday, April 30, at 11:00 o'clock a. m.

Senate Bill No. 87:

A bill to be entitled An Act providing for the supervision and regulation of persons, firms, corporations and associations owning, controlling, operating or managing motor vehicles used in the business of transporting persons or property for compensation over the Public Highways of the State; defining auto transportation companies and providing supervision and regulation thereof by the railroad commission of the State of Florida and providing for the enforcement of the provisions of this Act and for the punishment of violations thereof and imposing a mileage tax and providing for the disposition of the revenue raised by the same; and repealing all Acts inconsistent with the provisions of this Act.

Was taken up in its order as unfinished business, from Friday, April 26, 1929.

Judiciary Committee "B" offered the following amendment to Senate Bill No. 87:

In Section 15, line 15, page 17, strike out the words "An Equal Share of said balance," and insert the following: "its part of said balance in the proportion that the bus mileage travelled over its highway system bear to the entire bus mileage travelled by the motor vehicles of said Auto Transportation Company."

Senator Swearingen moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Judiciary Committee "B" offered the following amendment to Senate Bill No. 87:

In Section 15, line 20, page 17, strike out the words, "to be used by the said County Commissioners in the Repair and Upkeep of said highway system," insert the following: "to be paid by said County Commissioners to the bond trustees of the County bonds, to be used by said trustees to pay the interest on and provide a sinking fund to retire the county bonds issued for the purpose of constructing on the State System or the County System of good roads within said county" or to be used by said County Commissioners for said purpose.

Mr. Swearingen moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Neel offered the following amendment to Senate Bill No. 87.

In Section 14, line 8 (printed bill), Page 22 after the word "Tax" change the "." to a ",", and add the following: "And except the motor vehicle license tax as now provided for in Section 1285 (1011), Compiled General Laws of Florida, 1927; said motor vehicle license tax to be paid into the State Treasury and disposed of as provided for in Section 1304 (1031), Compiled General Laws of Florida, 1927.

Senator Neel moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Neel offered the following amendment to Senate Bill No. 87.

In Section 15, line 8 (printed bill), strike out the words and figures "twenty per cent (20%) and insert in lieu thereof the following Five per cent (5%).

Senator Neel moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Neel offered the following amendment to Senate Bill No. 87.

In Section 18, line 8 (printed bill), strike out the words and figures "twenty per cent (20%) and insert in lieu thereof the following: Five per cent (5%).

Senator Neel moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Phillips offered the following amendment to Senate Bill No. 87:

In Section 14, line 6 (printed bill), strike out the words "one cent (1)" and insert in lieu thereof the following: "3 cents."

Mr. Phillips moved the adoption of the amendment.

Which was not agreed to.

Senator Phillips offered the following amendment to Senate Bill No. 87:

In Section 6, line 90 (printed bill) add the following: "Provided all such rates shall be not less than 25 per cent lower than Railroad Rates."

Senator Phillips moved the adoption of the amendment.

Which was not agreed to.

Senator Phillips offered the following amendment to Senate Bill No. 87:

In Section 2, line 7 (printed bill) strike out all after the word "operation" down to and including the word "town," in line 9.

Senator Phillips moved the adoption of the amendment. Which was not agreed to.

Mr. Phillips offered the following amendment to Senate Bill No. 87:

In Section 14, line 38 (printed bill), add "Such ad valorem taxes to be levied by the several counties through which said busses traverse."

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

Mr. Phillips offered the following amendment to Senate Bill No. 87:

In Section 15, line 3 (printed bill), strike out all after the word "Act," down to and including the word "Balance" in line 3.

By permission, the above amendment was withdrawn.

Mr. Phillips offered the following amendment to Senate Bill No. 87:

At the end of Section 14 add the following: "It shall be the duty of the Railroad Commission when granting a permit to see that the 'speedometer' is sealed, so that no changes can be made in number of miles used."

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

Mr. Phillips offered the following amendment to Senate Bill No. 87:

In Section 14, line 14 (printed bill), strike out the words and figures "Two Hundred (\$200.00) Dollars," and insert in lieu thereof the following: "\$75.00."

Mr. Phillips moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Council offered the following amendment to Senate Bill No. 87:

In Section 1, line 7, paragraph "H", page 4, after the word "products," add the following: "And fresh and salt water fish and oysters and Shrimp."

Senator Council moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Mr. Turnbull moved that Senate Bill No. 87 as amended, be referred to the Committee on Engrossed Bills retaining its place on the Calendar as a special order on Third Reading.

Which was agreed to and so ordered.

Senator Howell moved that the rules be waived and House Bills Nos. 173, 174 and 196 be taken for consideration out of their order.

Which was agreed to by a two-thirds vote.

House Bill No. 173:

A bill to be entitled An Act to validate three hundred and seventy-five thousand (\$375,000.00) dollars refunding bonds of the City of Panama City, Florida, including the proceedings authorizing the issuance of said bonds and the proceedings providing for the levy of taxes to pay the same and declaring said bonds to constitute valid and legally binding obligations of said City.

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

Senator Howell offered the following amendment to House Bill No. 173:

In Section 2, last line, after the word "proceeds" add the following: "Providing, however, that no part of the proceeds from the sale of said bonds herein legalized or validated shall be used for any purpose except to apply on the principal, interest, or sinking fund of the present bonded indebtedness of the City of Panama City, Florida."

Senator Howell moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Howell moved that the rules be further waived and that House Bill No. 173 as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 173 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, Johns, King, 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 as amended.

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

House Bill No. 174:

A bill to be entitled An Act to amend Sections 2 and 3 of Chapter 11678, Laws of Florida, Acts of the Extraordinary Session of the Legislature of 1925, entitled "An Act to abolish the present Municipal Government of the City of Panama City, the Town of Millville, and the City of St. Andrews, in the County of Bay and State of Florida. And to establish, organize and constitute a municipality to be known and designated as the City of Panama City, Bay County and State of Florida; to define its territorial boundaries and to provide for its jurisdiction, power and privileges."

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

Senator Howell moved that the rules be further waived and that House Bill No. 174 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. 174 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, Johns, King, 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 under the rule.

House Bill No. 196:

A bill to be entitled An Act to confirm and validate an issue of bonds of the town of Wewahitchka, Florida, in the sum of Twenty Thousand Dollars; to confirm and validate all proceedings had under and by virtue of Chapter 11798—(No 463) Laws of Florida, Extraordinary Session, 1925, authorizing the issuance and sale of such bonds.

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

Senator Howell moved that the rules be waived and that House Bill No. 196 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. 196 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, Johns, King, 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 under the rule.

Senator Young moved that the rules be waived and Senate Bill No. 206 which was referred to the Committee on Drainage and reported favorably by said Committee but not yet on the Calendar, be taken up.

Which was agreed to by a two-thirds vote.

Senate Bill No. 206:

A bill to be entitled An Act in aid of drainage districts in the State to relieve distressed financial conditions of such districts by authorizing the refunding and extension of the bonds of such districts.

Was taken up out of its order and read the second time in full.

Senator Wagg offered the following amendment to Senate Bill No. 206:

In the fourth line of the title of the printed bill, after the word "Districts" insert the following: "and providing certain exceptions to the operation hereof."

Senator Wagg moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Wagg offered the following amendment to Senate Bill No. 206:

Insert as Section 2 the following: "Provided, however, that none of the provisions of this Act shall apply to any existing drainage district where the validity of such district, or where the bonds, or the right to collect drainage tax is being contested in any Court, and this Act shall not be deemed to validate or confirm the creation of any drainage district, or the bonds issued by any such district."

Senator Wagg moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Wagg offered the following amendment to Senate Bill No. 206:

Insert as Section 3 the following: "If any section, sentence, clause or phrase of this Act is for any reason held by any Court of competent jurisdiction to be in violation of any provision of the Constitution of the United States or the State of Florida then and in that event such holding or decision shall not affect the validity of the remaining portion or portions of this Act."

Senator Wagg moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Wagg offered the following amendment to Senate Bill No. 206:

Change the numbers of Sections 2 and 3 of the original printed Bill to 4 and 5 respectively.

Senator Wagg moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senate Bill No. 206, as amended, was ordered referred to the Committee on Engrossed Bills.

Senator Caro moved that the rules be waived and House Bill No. 323 be taken up out of its order.

Which was agreed to by a two-thirds vote.

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 ordi-

nance, and to provide for the levy of a tax for the payment of said bonds.

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

Senator Caro offered the following amendment to House Bill No. 323:

In Section 1, (printed bill), after the words December 1st, 1954, add the following: That all bonds which are hereby legalized, validated and confirmed and authorized to be issued shall be of the denomination of One Thousand (\$1,000.00) Dollars each and bear interest at the rate of five (5%) per cent per annum, payable semi-annually, as is provided in the aforesaid ordinance.

Mr. Caro moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Mr. Caro moved that the rules be waived and that House Bill No. 323 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. 323 was read a third time in full as amended.

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, Johns, King, 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 as amended.

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

Mr. Futch moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned at 5:56 o'clock p. m., until 11:00 o'clock a. m., Tuesday, April 30, 1929.