

JOURNAL OF THE SENATE

TUESDAY, APRIL 14, 1931

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 13, 1931.

The President in the Chair.

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

Mr. President; Senators Adams, Anderson, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young.—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 13, 1931, was corrected, and as corrected, was approved.

The Journal of April 9, 1931, was corrected as follows:

On page 3, column 1, strike lines 65 to 70 inclusive, and insert in lieu thereof the following:

A bill to be entitled An Act dividing the State of Florida into five Congressional Districts and prescribing and setting forth the territorial limits and boundaries of each district.

And as corrected was approved.

The Secretary of State, by request of the President, administered the oath of office to Honorable Charles A. Finley, Emeritus and Advisory Secretary of the Senate, who was absent from the body on the date of organization on account of illness.

REPORT OF ENROLLING COMMITTEE

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

Senate Chamber
Tallahassee, Florida, April 13th, 1931.

Hon. Pat Whitaker,
President of the Senate,

Sir:

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

Senate Concurrent Resolution No. 1:

A Resolution providing for a joint session of the Senate and House of Representatives to receive the Governor's message.

Senate Concurrent Resolution No. 2:

A Resolution providing for the employment of a clerk or bookkeeper to keep a record by number of each bill introduced carrying an appropriation and the amount thereof carrying the totals, and also a separate record of those measures carrying appropriations that have become laws so that the legislature may be kept informed as to the amounts appropriated for any and all purposes.

Senate Concurrent Resolution No. 3:

A Resolution Providing for Honorable Perry G. Wall, Chairman of the Citizens Tax Investigation Committee, appointed by the Hon. Doyle E. Carlton, Governor of the State, to discuss the report and findings of his committee before a joint meeting of the Senate and House of Representatives on April 16th, 1931, at eight o'clock P. M. in the Chamber of the House of Representatives.

Senate Concurrent Resolution No. 4:

A Resolution providing for the appointment of a committee of two by the President of the Senate and a committee of three by the Speaker of the House of Representatives to procure the right from the Secretary of State for space in the lobby of the Capitol to establish a drink, cigar, candy, etc., stand.

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. W. TURNER,
Chairman of the Joint Committee on Enrolled
Bills on the Part of the Senate.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

Senate Chamber
Tallahassee, Florida, April 14, 1931.

Hon. Pat Whitaker,

President of the Senate,

Sir:

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

Senate Concurrent Resolution No. 1:

A Resolution providing for a joint session of the Senate and House of Representatives to receive the Governor's message.

Senate Concurrent Resolution No. 2:

A Resolution providing for the employment of a clerk or bookkeeper to keep a record by number of each bill introduced carrying an appropriation and the amount thereof carrying the totals, and also a separate record of those measures carrying appropriations that have become laws so that the legislature may be kept informed as to the amounts appropriated for any and all purposes.

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Senate Concurrent Resolution No. 4:

A Resolution providing for the appointment of a committee of two by the President of the Senate and a committee of three by the Speaker of the House of Representatives to procure the right from the Secretary of State for space in the lobby of the Capitol to establish a drink, cigar, candy, etc., stand.

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

Very respectfully,

J. W. TURNER,
Chairman of the Joint Committee on Enrolled
Bills on the Part of the Senate.

REPORTS OF COMMITTEES

Senator Stewart, Chairman of the Committee on Rules and Proceedings, submitted the following report:

Senate Chamber
Tallahassee, Florida, April 14, 1931.

Hon. Pat Whitaker,

President of the Senate,

Sir:

Your Committee on Rules and Proceedings beg leave to make the following report:

They recommend that the rules of the regular session of 1929 be adopted for the session of 1931 with the following changes and additions:

No. 1. That Rule 4 be changed and amended to read as follows: On page 7, line 5, the word "seven" shall be changed to read "five."

No. 2. On page 8, line 2, the word "five" shall be changed to read "eight."

No. 3. On page 8, line 12 the word "five" shall be changed to read "six."

No. 4. On page 8, line 14, the word "five" shall be changed to read "six."

Senate Resolution No. 10

By Senator Hodges

WHEREAS, since the last session of the Legislature, death has called from our midst the Honorable A. S. Wells, long a member of the Senate from the 8th Senatorial District, and during his service, Chairman of many of the Senate's important Committees, and after his retirement from the Senate was repeatedly honored by the people to election as a member of the State Railroad Commission, and by its membership to the Commission Chairmanship,

THEREFORE, BE IT RESOLVED that a page of the Journal of the Senate be given to the Honorable A. S. Wells, a past member of the Senate of Florida from the 8th District, that we may hold him in tender recollection.

Senate Resolution No. 11

By Senator Hilburn

WHEREAS, since the last session of the Senate death has again laid its finger on the personnel of the Senate and has taken away one, who for many years represented the 26th Senatorial District in the Senate of Florida, and in the Session of 1925 was President Pro Tempore of the Senate, the Honorable William A. Russell of Crescent City, one of Florida's best loved statesmen,

THEREFORE, BE IT RESOLVED that the Senate of Florida take notice of the death of the Honorable William A. Russell of the 26th District, past President Pro Tempore of the Senate, and devote a page of its Journal to him in loving Memory.

No. 5. On page 8, line 20, the word "seventeen" shall be changed to read "twelve."

No. 6. On page 8, line 25, the word "five" shall be changed to read "seven."

No. 7. On page 8, line 29, the word "seven" shall be changed to read "five."

No. 8. On page 8, line 30, the word "five" shall be changed to read "six."

No. 9. On page 8, line 31, the word "nine" shall be changed to read "ten."

No. 10. On page 8, line 35, the word "eleven" shall be changed to read "thirteen."

No. 11. On page 8, line 39, the word "five" shall be changed to read "seven."

Very respectfully,

J. B. STEWART,

Chairman of Committee.

Senator Stewart moved the adoption of the above report.

Which was agreed to.

And the above report was adopted.

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

Senate Chamber
Tallahassee, Florida, April 13, 1931.

Hon. Pat Whitaker,
President of the Senate,

Sir:

Your Committee on Judiciary "A" to whom was referred—
Senate Bill No. 44:

A bill to be entitled An Act to amend Section 741 of the Revised General Statutes of Florida (1920) being Section 950 of the Compiled General Laws of Florida (1927), as amended by Section 1 of Chapter 14752, Acts of 1929, relating to the payment of taxes when due and allowance of a discount if paid before a certain time.

Have had the same under consideration and recommend the following amendment:

In Section 1, paragraph 2, after words "Monday in April" on line 14, strike the remaining part of said paragraph, and insert in lieu thereof the following

Discounts for early payments thereof shall be at the rate of four per cent (4%) in the month of November, three per cent (3%) in the month of December, two per cent (2%) in the following month of January and one per cent (1%) in the following month of February, the taxes being payable in March without discount.

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

Very respectfully,

E. M. JOHNS,

Chairman of Committee.

And Senate Bill No. 44, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Neel, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber
Tallahassee, Florida, April 13, 1931.

Hon. Pat Whitaker,
President of the Senate

Sir:

Your Committee on Appropriations, to whom was referred—
Senate Bill No. 7:

A bill to be entitled An Act to amend Section 2151, Revised General Statutes of Florida, 1920, being Section 3380, Compiled General Laws of Florida, 1927, as amended by Section 7 of Chapter 12053, Acts of 1927, Laws of Florida, relating to annual appropriations for the hotel commission.

Have had the same under consideration, and recommend that the same be re-referred to the Committee on Judiciary "A."

Very respectfully,

RAY NEEL,

Chairman of Committee.

There being no objections, Senate Bill No. 7 was re-referred to the Committee on Judiciary "A."

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

Senate Chamber
Tallahassee, Fla., April 14th, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

Senate Bill No. 35.

A bill to be entitled An Act to amend Section 7234 Compiled General Laws, the same being Section 5133, Revised General Statutes of Florida, relating to the penalty for horse and cattle stealing.

And—

Senate Bill No. 61.

A bill to be entitled An Act to provide for the service of process in Civil Suits against Non-resident motor vehicle operators, for the giving of notice to such defendants of the institution of such suits and prescribing the manner in which proof of such service shall be made, and providing for a fee to be paid to the secretary of State for his services in connection therewith.

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

Very Respectfully,

E. M. JOHNS,

Chairman of Committee.

And Senate Bills Nos. 35 and 61, contained in the above report, were placed on the Calendar of Bills on second reading.

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

Senate Chamber
Tallahassee, Fla., April 14th, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Judiciary "A", to whom was referred:
Senate Bill No. 49.

A bill to be entitled An Act to amend Section 708 of the Revised General Statutes of Florida, as amended by Chapter 8585 Acts of 1921, relating to the payment of poll tax and the duty of Tax Collector.

And—

Senate Bill No. 30.

A bill to be entitled An Act to abolish Capital punishment in the State of Florida except in certain cases as herein provided.

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

Very Respectfully,

E. M. JOHNS,

Chairman of Committee.

And Senate Bills Nos. 49 and 50, contained in the above report, were placed on the table.

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

Senate Chamber
Tallahassee, Fla., April 14th, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Privileges and Elections, to whom was referred:

Senate Bill No. 55.

A bill to be entitled An Act allowing all persons over the age of twenty-one years to vote in any primary or other election in the State of Florida and the political subdivisions thereof without the payment of a poll tax as a prerequisite in the exercise of this privilege.

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

Very Respectfully,

G. FRANK ANDREWS,

Chairman of Committee.

An Senate Bill No. 55, contained in the above report, was placed on the table.

Senator Wagg moved that the rules be waived and that Senate Bill No. 45 be recalled from the Committee on Judiciary "B", and re-referred to the Committee on Judiciary "A".

Which was agreed to by a two-thirds vote.

And it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives
Tallahassee, Fla., April 14th, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has adopted—
House Concurrent Resolution No. 5:

A Concurrent Resolution to provide for the official acceptance by the Governor of the State of Florida, of the Flag of the Republic of Greece, to be displayed in an appropriate place in the capitol building at Tallahassee.

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,
FRANK WEBB,

Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 5, contained in the above message, was read the first time in full and went over under rule.

By Senator Hodges—
Senate Resolution No. 10:

WHEREAS, since the last session of the Legislature, death has called from our midst the Honorable A. S. Wells, long a member of the Senate from the 8th Senatorial District, and during his service, Chairman of many of the Senate's important Committees, and after his retirement from the Senate was repeatedly honored by the people to election as a member of the State Railroad Commission, and by its membership to the Commission Chairmanship,

THEREFORE, BE IT RESOLVED that a page of the Journal of the Senate be given to the Honorable A. S. Wells, a past member of the Senate of Florida from the 8th District, that we may hold him in tender recollection.

Which was read the first time in full.

Senator Hodges moved the adoption of the Resolution.

Which was agreed to.

And the Resolution was adopted.

By Senator Hilburn—
Senate Resolution No. 11:

WHEREAS, since the last session of the Senate, Death has again laid its finger on the personnel of the Senate and has taken away one, who for many years represented the 26th Senatorial District in the Senate of Florida, and in the Session of 1925 was President Pro Tempore of the Senate, the Honorable William A. Russell of Crescent City, one of Florida's best loved statesmen,

THEREFORE, BE IT RESOLVED that the Senate of Florida take notice of the death of the Honorable William A. Russell of the 26th District, past President Pro Tempore of the Senate, and devote a page of its Journal to him in loving Memory.

Which was read the first time in full.

Senator Hilburn moved the adoption of the Resolution.

Which was agreed to.

And the Resolution was adopted.

By the Committee on Rules and Proceedings—
Senate Resolution No. 12:

WHEREAS a number of bills have been introduced and will hereafter be introduced, proposing the creation of an additional Congressional district in the State of Florida, and such redistricting of the Congressional Districts of the State of Florida being of vital importance to the people of the State of Florida;

THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That the President of the Senate do appoint a committee of nine Senators who shall receive and consider all bills pertaining to re-districting the Congressional Districts of the State of Florida.

Which was read the first time in full.

Senator Stewart moved the adoption of the Resolution.

Which was agreed to.

And the Resolution was adopted.

By the Committee on Rules and Proceedings—
Senate Resolution No. 13:

WHEREAS a number of bills proposing to re-district the different Judicial Circuits of the State of Florida have been introduced and will hereafter be introduced; and

WHEREAS the same being a matter of vital importance to the people of the State of Florida;

THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:

That the President of the Senate do appoint a Special Committee consisting of nine Senators, which Committee shall receive and consider all bills pertaining to the re-districting of the Judicial Circuits of the State of Florida.

Which was read the first time in full.

Senator Stewart moved the adoption of the Resolution.

Which was agreed to and the Resolution adopted.

Senator Hodges moved that Henry H. Stroman be appointed to the position of General Bailiff to the Investigating Committees of the Senate.

Which was agreed to.

And it was so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Gomez—
Senate Bill No. 65:

A bill to be entitled An Act to abolish the present municipal government of the City of LaBelle, in the County of Hendry and State of Florida and to establish, organize and constitute a Municipality to be known and designated as the City of LaBelle, in Hendry County, Florida and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges, and requiring a referendum thereon.

Which was read the first time by its title only and referred to the Committee on Cities and Towns.

By Senator Gomez—
Senate Bill No. 66:

A bill to be entitled An Act relating to and concerning taxation; providing for the redemption of tax certificates now outstanding or hereafter to be issued on an installment basis; prescribing certain powers and duties of officers having charge of the redemption of tax sale certificates and for procedure in relation thereto; and providing for the making of certain rules and regulations by the Comptroller.

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

By Senator Gomez—
Senate Bill No. 67:

A bill to be entitled An Act to amend Section 2463 of the Revised General Statutes of Florida, (1920) as amended by Chapter 8540 of Acts of 1921, Chapter 9303 of Acts of 1923, Chapter 10202 of Acts of 1925, Chapter 12194 of Acts of 1927, and Chapter 13758 of Acts of 1929, Relating to Duties of Pilots Commission, Examination, Licensing, Appointment and number of Pilots.

Which was read the first time by its title only and referred to the Committee on Commerce and Navigation.

By Senator Gomez—
Senate Bill No. 68:

A bill to be entitled An Act granting certificates of qualification and license to practice medicine and surgery in this State to retired, honorably discharged, detached or active medical officers of the Army, Navy and Public Health Service of the United States under certain conditions; and fixing admission fees in such cases.

Which was read the first time by its title only and referred to the Committee on Public Health.

By Senator Gomez—
Senate Bill No. 69:

A bill to be entitled An Act to exempt from taxation homestead property to the extent of ten acres not within the limits of any incorporated city or town and the half of one acre within the limits of any Incorporated City or Town.

Which was read the first time by its title only and referred to the Committee on Constitutional Amendments.

By Senator Gary—
Senate Bill No. 70:

A bill to be entitled An Act to regulate the practice of dentistry, dental surgery and dental hygiene in the State of Florida, and to provide for the violation of any of the provisions of this Act.

Which was read the first time by its title only and referred to the Committee on Public Health.

By Senator Gary—
Senate Bill No. 71:

A bill to be entitled An Act to provide that in the several counties in the State of Florida the clerks of the Circuit Courts shall be required to pay over to the county depositories of the several counties without remitting same to the Comptroller of the State, all interest collected by them on delinquent tax certificates, except such part of said interest as may have accrued on taxes levied by the State of Florida.

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

By Senator Howell—
Senate Bill No. 72:

A bill to be entitled An Act to amend Section 28, of Chapter 13042, Acts of the Legislature of 1927, relating to the method and procedure of making assessments and levying and collecting taxes on real and personal property by the City of Lynn Haven, Florida; and to provide for the manner and procedure of making assessments and levying and collecting taxes on real and personal property by said city; and to provide for the method and procedure for advertising real property for sale for delinquent taxes.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

By Senator Hilburn—
Senate Bill No. 73:

A bill to be entitled An Act declaring certain dispositions of property to be for Charitable Purposes, and not in violation of the Rule Against Perpetuities.

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

By Senator Hilburn—
Senate Bill No. 74:

A bill to be entitled An Act relating to the examination of witnesses.

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

By Senator Harris—
Senate Bill No. 75:

A bill to be entitled An Act for the Relief of E. C. Cunningham, individually, and as Sheriff of Pinellas County, Florida.

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

By Senator Getzen—
Senate Bill No. 76:

A bill to be entitled An Act amending Section 256 of the Revised General Statutes of 1920, Laws of Florida, the same being Section 311 of the Compiled General Laws of Florida, relating to the qualifications of Candidates in any General Election to be held in the State of Florida.

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

By Senator Getzen—
Senate Joint Resolution No. 77:

A Joint Resolution proposing an amendment to Section 6 of Article 8 of the Constitution of the State of Florida relating to the Election of County Officers.

Which was read the first time by its title only and referred to the Committee on Constitutional Amendments.

By Senator Johns—
Senate Bill No. 78:

A bill to be entitled An Act to release owners of Motor Vehicles from responsibility for injuries to passengers therein.

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

By Senator Getzen—
Senate Bill No. 79:

A bill to be entitled An Act to amend Section 1007, Revised General Statutes of Florida as amended by Chapter 8410, Acts of 1921, Laws of Florida, as further amended by Chapter 10182, Acts of 1925, Laws of Florida, relating to applications for registration of automobiles, issuance of tags therefor and providing that tax collectors of the State of Florida shall be Ex-Officio Distributing Agents for all automobile license tags locally distributed in this State and fixing the fees which may be charged therefor.

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

By Senator Lewis—
Senate Bill No. 80:

A bill to be entitled An Act relating to taxation of properties of fraternal, benevolent, and charitable institutions in this State, and to prescribe certain exemptions thereof.

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

By Senator Harrison—
Senate Bill No. 81:

A bill to be entitled An Act to prohibit the Canning, Sale or

Transportation of Grapefruit that is immature or otherwise unfit for consumption and to provide for enforcement thereof.

Which was read the first time by its title only and referred to the Committee on Citrus Fruits.

By Senator Adams—
Senate Bill No. 82:

A bill to be entitled An Act to declare, designate and establish a certain State Road in: Santa Rosa, Okaloosa, Walton, Holmes and Jackson Counties, Florida.

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

By Senator Whitaker—
Senate Bill No. 83:

A bill to be entitled An Act appropriating a sum of money for payment to N. Geraci & Company, a corporation, for the total loss and damage sustained by said company on account of rules, regulations, and duties imposed upon said company by State Plant Board while the Mediterranean Fruit Fly quarantine was in effect and providing for its payment.

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

By Senator Whitaker—
Senate Bill No. 84:

A bill to be entitled An Act regulating the issuance of Marriage Licenses; prescribing the time for issuance thereof; fixing the minimum age of applicants therefor; providing for a physical examination of applicants; prescribing the penalties for falsification of certificate of physical examination and illegal issue of Marriage License; and repealing laws in conflict with this Act.

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

By Senator Whitaker—
Senate Bill No. 85:

A bill to be entitled An Act to repeal Sections 8087 and 8088 of the Compiled General Laws of Florida 1927 being the same as Sections 5846 and 5847 respectively of the Revised General Statutes 1920, and to repeal Chapter 14545 of the Acts of 1929 relating to the maintaining and using diving suits, helmets and other apparatus used by deep sea divers.

Which was read the first time by its title only and referred to the Committee on Commerce and Navigation.

By Senator Whitaker—
Senate Bill No. 86:

A bill to be entitled An Act appropriating a sum of money for payment to Schiro-Durst Company, a corporation, for the total loss and damage sustained by said company on account of the rules, regulations, and duties imposed upon said company by the State Plant Board while the Mediterranean Fruit-Fly Quarantine was in effect, and providing for its payment.

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

By Senator Whitaker—
Senate Bill No. 87:

A bill to be entitled An Act appropriating a sum of money for payment to Crenshaw Brothers Produce Company, a Corporation, for the total loss and damage sustained by said company on account of the rules, regulations, and duties imposed upon said company by the State Plant Board while the Mediterranean Fruit-Fly Quarantine was in effect, and providing for its payment.

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

By Senator Whitaker—
Senate Bill No. 88:

A bill to be entitled An Act appropriating a sum of money for payment to Safford Brothers Produce Company, a Corporation, for the total loss and damage sustained by said company on account of the rules, regulations, and duties imposed upon said company by the State Plant Board while the Mediterranean Fruit-Fly Quarantine was in effect, and providing for its payment.

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

By Senator Whitaker—
Senate Bill No. 89:

A bill to be entitled An Act fixing the amount of the pension to be received from the Pension Fund for the Fire Department of the City of Tampa by Peter Bertzel, and providing for an

additional sum of money to be received from the Pension Fund for the Fire Department of the City of Tampa by the said Peter Bertzel.

The following proof of publication was appended to Senate Bill No. 89 when introduced:

AFFIDAVIT OF PUBLICATION

State of Florida, County of Hillsborough; Notice of Intention.
I, Geo. W. Coulie, business manager of the Tampa Life, a weekly newspaper of general circulation, published in the City of Tampa, County of Hillsborough, State of Florida, do swear that the advertisement hereto attached in the cause of Peter Bertzel was published for one (1) successive week in the Tampa Life, to-wit on March 13, 1931, A. D.

GEO. W. COULIE.

Sworn to and subscribed before me, this 17th day of March, A. D. 1931.

(SEAL)

JOHN R. STOFN,
Notary Public.

NOTICE OF INTENTION TO APPLY FOR LEGISLATURE OF STATE OF FLORIDA TO PASS SPECIAL OR LOCAL LAW

Notice is hereby given to all persons that the undersigned intends to apply for the Legislature of the State of Florida to pass at its next regular session a special or local law the substance of which contemplated law is to fix the amount of the pension to be received from the pension fund for the fire department of the City of Tampa by Peter Bertzel, a former member of the fire department of the City of Tampa who has been retired on a pension, and to provide for an additional sum of money to be received from the pension fund for the fire department of the City of Tampa by the said Peter Bertzel.

This 13th day of March, 1931.

3-13-1T

PETER BERTZEL.

Which was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

By Senator Whitaker—

Senate Bill No. 90:

A bill to be entitled An Act abolishing the Board of Control, created by Chapter 5384, Laws of Florida, 1905 and Laws amendatory thereof, and terminated and dissolving its corporate existence, vesting in the State Board of Education all powers and duties imposed upon the Board of Control, created by Chapter 5384, Laws of Florida, 1905 and Laws amendatory thereof and supplemental thereto; providing that the State Board of Education shall take over all lawful contracts entered into by the Board of Control and complete all unfinished work of the Board of Control; providing for the State Board of Education to be substituted in all pending litigation wherein the Board of Control is a party, and authorizing the State Board of Education to prosecute or defend in its name any suit hereafter brought concerning any matter pertaining to the Board of Control; and repealing all laws and parts of laws in conflict with this Act.

By Senator Whitaker—

Senate Bill No. 91:

A bill to be entitled An Act prohibiting municipalities from imposing occupational license taxes upon persons, firms, or corporations bringing bread, candy, cigars, tobacco, and such commodities into said municipalities for sale to the retail merchants, when said persons, firms, or corporations maintain an established place of business and stock of goods in the State of Florida and have paid a State and County license tax and a municipal license tax in the City in which their place of business and stock of goods are located, for engaging in the business of selling such merchandise.

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

By Senator Stewart—

Senate Bill No. 92:

A bill to be entitled An Act to amend Chapter 2899 of the Revised General Statutes of Florida of 1920 being Section 4597 of the Compiled General Laws of Florida of 1927 relating to the fees and compensation of constables.

Which was read the first time by its title only and referred to the Committee on County Organizations.

In pursuance with the Senate Resolution No. 9, and the hour of 11.30 A. M. having arrived, the Senate devoted ten minutes to speeches by the Senators eulogizing Thomas Jefferson, whose birthday it was.

CONSIDERATION OF OTHER RESOLUTIONS

Senate Concurrent Resolution No. 9:

To create a Commission to be known as the Century of Progress, Chicago World Fair Centennial, 1933, Commission; providing for its members, rights and duties.

Be it Resolved by the Senate of Florida, the House of Representatives concurring:

Section 1. That the Governor of Florida is hereby authorized to appoint a Commission to be known as the Century of Progress, Chicago World Fair, 1933, Commission, which shall consist of seven (7) persons, two (2) of whom shall be Senators of the State of Florida, two (2) of whom shall be members of the House of Representatives of the State of Florida, one (1) of whom shall be the Commissioner of Agriculture of the State of Florida, one (1) of whom shall be the Governor of this state, and the seventh person shall be the person inaugurated Governor in January, 1933, and who shall be ex officio chairman of this Commission.

Section 2. These Commissioners will have the privilege of leasing or constructing a building, or buildings, and providing for exhibits and representations of the State of Florida in the Century of Progress Exposition in the City of Chicago to be held during the year 1933, and co-operate with other States in a combined regional exhibit if the said Commission shall see fit so to do. The Commission shall have charge of installing and maintaining the exhibit of the products and resources of this State, locating and exhibiting the same, and such other purposes as the Commission deems necessary, and are authorized to make the proper disposition of such products, resources, etc., as they deem advisable, at the close of the said Exposition.

Section 3. No member of the Commission shall receive any compensation directly or indirectly for his services, but shall be entitled to and allowed his actual expenses incurred in the performance of his duties, and shall have the power to employ the proper number of persons who, in the Commission's opinion, is necessary to carry out the provisions of this Act.

Section 4. There shall be no appropriation for the carrying out of this Concurrent Resolution, but the Commissioner of Agriculture may receive from any source contributions to aid in carrying out the provisions of this Resolution, but the same shall be entered and accounted for in the same manner as departmental expenses made by him.

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

Senator Wagg offered the following amendment to Senate Concurrent Resolution No. 9:

In Section 1, lines 3-4-5-6 (printed bill), strike out the words seven (7) persons, two (2) of whom shall be Senators of the State of Florida, two (2) of whom shall be members of the House of Representatives of the State of Florida and insert in lieu thereof the following: Fifteen (15) persons, six (6) of whom shall be Senators of the State of Florida, one to be appointed from each Congressional District of the State of Florida and one from the State at large, and six (6) of whom shall be members of the House of Representatives of the State of Florida, one to be appointed from each Congressional District of the State of Florida, and one from the State at large.

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 Concurrent Resolution No. 9:

In Section 1, line 8, strike out the word "seventh" and insert in lieu thereof the word "fifteenth."

Senator Wagg moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Hodges moved the adoption of the Resolution as amended.

Which was agreed to.

And Senate Concurrent Resolution No. 9, as amended, was adopted.

And Senate Concurrent Resolution No. 9, as amended, was referred to the Committee on Engrossed Bills.

Senate Concurrent Resolution No. 8:

WHEREAS, State Road Number 23 running from Ocala, Florida, to Palmetto and Bradenton, Florida, by the way of Belleview, Bushnell, Dade City, Plant City, also from Coleman to Lakeland, via Beville's Corner, Webster, is an existing highway which has been substantially graded and improved as included in the State Highways in the State of Florida in its State Highway System and

WHEREAS, said State Road Number 23 bears appropriate amount of moneys set aside in 1930 and '31 Budget of the

State Roads Department for future construction thereupon; and,

WHEREAS, the location and route of said Road is such a to make the same extremely valuable for use as a military road in time of war, and for use as a commercial highway at other times, and a valuable and useful highway for the transportation of vegetables throughout the section through which it traverses, enabling better marketing conditions for the growers of such fruits and vegetables.

BE IT THEREFORE RESOLVED, by the Florida State Senate, the House of Representatives concurring, the Legislature of the State of Florida respectfully calls to the attention of the Senators of the State of Florida and their Representatives in Congress of the United States to said State Road Number 23, running from Ocala, Florida, to Palmetto and Bradenton, Florida, by way of Belleview, Bushnell, Dade City, Plant City, also from Coleman to Lakeland, via Beville's Corner and Webster, and request the Senators and Representatives in Congress of the United States from Florida to present to the proper Federal Bureau or Department and to the Congress of the United States the advisability of having said road included in the system of roads in the State of Florida, entitled to Federal aid as a military road or otherwise.

BE IT FURTHER RESOLVED, by that Florida State Senate, the House of Representatives concurring, the State Road Department of the State of Florida shall make request to all proper Federal Boards, Engineers or Commission to have placed upon and in the allotment State Road Number 23, entitling such highway to Federal aid as a military road or otherwise.

BE IT FURTHER RESOLVED, that a copy of this Resolution under the Great Seal of the State of Florida be forwarded to each of the Senators and Representatives of Florida in the Congress of the United States to be filed with said Congress of the United States and with the proper Federal Bureau or Department, having jurisdiction of matters hereinbefore referred to and that a copy be forwarded to the Membership of the State Road Department of the State of Florida for their immediate action and consideration.

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

Senator Getzen moved the adoption of the Resolution.

Which was agreed to.

And the Resolution was adopted.

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

House Concurrent Resolution No. 4:

WHEREAS, Florida has been richly endowed with natural resources and favorable conditions for their development, which is unsurpassed by any other portion of our nation, and

WHEREAS, those natural resources in themselves contain an undeniable promise of wealth and prosperity to the State and its people, and

WHEREAS, the fulfillment of this promise rests in the changing of these natural resources from their existing state into salable products, and

WHEREAS, in turn the salable products may be reduced to tangible wealth and prosperity only by passage through a market, and

WHEREAS, it is within the power of this State and its citizens to turn the natural resources into marketable products by means of a manufacturing industry and thereafter to convert the manufactured products into wealth and prosperity by means of a market which may be created by the State and its people.

THEREFORE, BE IT RESOLVED, by the House of Representatives, the Senate concurring, that it is the sense of this body that the people of the State of Florida, be and they are hereby expressly requested in the interests of themselves and of their State-wide community to assert every honorable and reasonable means to call to the attention of each other and the nation at large the genuine worth and value of Florida products, thereby contributing to the general prosperity of themselves and of the State.

BE IT FURTHER RESOLVED, that the newspapers of the State of Florida, be and they are hereby requested to give notice to their subscribers through the mediums in their possession of the Concurrent Resolution or its contents.

Was taken up and read the second time in full.

The question was put on the adoption of the Resolution.

Which was agreed to.

And House Concurrent Resolution No 4 was adopted.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A Message from the House of Representatives, through its Chief Clerk, advised that in accordance with the provisions of Senate Concurrent Resolution No 4 the committee on the part of the House reported that the privilege of establishing a cold drink stand be given Mrs. H. Hale and Mr. A. E. Spencer.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

The question was put on the adoption of the Report of the Joint Committee on the part of the House contained in the above message

Which was agreed to.

And the Report was adopted.

Also—

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

House of Representatives,
Tallahassee, Florida, April 14, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—
House Concurrent Resolution No. 2:

Introduced by John W. Mathews, S. P. Robineau, Lamar Sledge, E. Clay Lewis, P. Tomasello, Jr., Henry S. McKenzie, Frank Booth, J. V. Keene, R. L. Black, S. E. Teague.

A Concurrent Resolution with reference to the general appropriation bill

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

And House Concurrent Resolution No. 2, contained in the above message, was read the first time in full and went over under the rule.

Also—

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

House of Representatives,
Tallahassee, Florida, April 14, 1931.

Hon. Pat Whitaker,

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. 38:

A bill to be entitled An Act declaring the thirteenth of April of each and every year a legal holiday to be observed in honor of the author of the Declaration of Independence.

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

And House Bill No. 38, contained in the above message, was read the first time by its title and referred to the Committee on Banking.

Also—

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

House of Representatives,
Tallahassee, Florida, April 14, 1931.

Hon. Pat Whitaker,

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. 37:

A bill to be entitled An Act providing that all county tax collectors in the State of Florida shall keep the tax books open for the collection of taxes until the first day of June, 1931.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 37, contained in the above message, was read the first time by its title only.

Senator Stewart moved that the rules be waived and that House Bill No. 37 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Bill No. 37 was read the second time in full.

Senator Hilburn moved that the rules be waived and that House Bill No. 37 be placed on the Calendar of House Bills on second reading.

Which was agreed to by a two-thirds vote.

And it was so ordered.

SENATE BILLS ON SECOND READING

Senate Bill No. 46:

A bill to be entitled An Act to repeal Chapter 10859, Special Laws of Florida, 1925, entitled An Act to establish and create a Juvenile Court in and for Monroe County, Florida, to confer its powers and define its jurisdictions; to provide for the judge of said court and to define his powers and duties; and to provide for the expenses of said court and compensation of said judge.

Was taken up and read the second time in full.

Senator Gomez moved that the rules be waived and that Senate Bill No. 46 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 46 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, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None

So the Bill passed, title as stated.

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

Senate Bill No. 47:

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

Was taken up and read the second time in full.

Senator Gomez moved that the rules be waived and that Senate Bill No. 47 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 47 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, Andrews, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—38.

Nays—None

So the Bill passed title as stated.

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

Senator Getzen moved that the rules be waived and that the Senate do now revert to the consideration of Concurrent Resolutions.

Which was agreed to by a two-thirds vote.

And—

House Concurrent Resolution No. 5:

In Section 1, line 4, strike out the words "1st day of June" and insert in lieu thereof the words "15th day of June".

Senator Hilburn moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

A resolution to be entitled A Concurrent Resolution to provide for the official acceptance by the Governor of the State of Florida, of the Flag of the Republic of Greece, to be displayed in an appropriate place in the Capitol Building at Tallahassee.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

WHEREAS, the year 1930 marked one hundred years of the Independence of Greece, and

WHEREAS, during the struggle for independence the Greeks appealed to the United States for moral support, and

WHEREAS, President Monroe, Daniel Webster, Henry Clay, Edward Everett and Dr. Samuel Howe, raised their voices in the Senate of the United States and outside in Government circles in behalf of the liberties of a people to whom the entire civilized world owes an everlasting debt of gratitude, and

WHEREAS, last August, American Legionnaires visited Athens to pay tribute to the memory of the American patriots who struggled for Greek Independence, and attended the unveiling of a great Memorial Statue to their memory, erected by the contribution of every Greek school child in Greece, and

WHEREAS, the Governors of the States of America, as a token of the continued friendship of the United States for Greece, sent with the Legionnaire excursionists their respective State Flags to be presented to the Greek Republic, and

WHEREAS, the Greek Government, in gratitude for this token of friendship, has sent with the Legionnaires 48 Greek Flags, one for each State, as a token of the love of the Greek people for the people of the several States of the Union, and

WHEREAS, the 500,000 American citizens of Greek origin have brought to us traditions and a belief in the form of Government from which the drafters of our Immortal Constitution copied abundantly, and

WHEREAS, during the Great War the citizens of Greek origin volunteered in the number of 60,000, and distinguished themselves for valor and devotion to their adopted country, now

THEREFORE, be it resolved, that the representatives of the people of the State of Florida accept with deep appreciation the Greek Flag sent by the President of the Republic of Greece as a token of the common ideals that united the two Republics during the recent War,

That the Governor be and is hereby empowered to accept the Flag and deposit it in the Capitol and display it on all proper occasions,

That the Clerk of the Assembly be and is hereby requested to transmit a copy of this resolution to the President of the Greek Republic through the Greek Minister to Washington.

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

Senator Getzen moved the adoption of the Resolution.

Which was agreed to.

And the Resolution was adopted.

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

Senator Hilburn moved that the rules be waived and the Senate do now revert to the consideration of House Bill No. 37.

Which was agreed to by a two-thirds vote.

And House Bill No. 37 was taken up out of its order.

House Bill No. 37:

A bill to be entitled An Act providing that all county tax collectors in the State of Florida shall keep the tax books open for the collection of taxes until the first day of June, 1931.

Senator Hilburn offered the following amendment to House Bill No. 37:

In Section 2, Line 1, strike out the words "June 1" and insert in lieu thereof "June 15."

Senator Hilburn moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Hilburn offered the following amendment to House Bill No. 37:

Senator Stewart moved that the rules be waived and that House Bill No. 37 be placed on the Calendar of House Bills on second reading.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By unanimous consent the following bills were introduced:

By Senator Getzen—
Senate Bill No. 93:

A bill to be entitled An Act making it harmless error for one Judge to act instead of another who erroneously recuses himself or certifies his disqualifications through error.

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

By Senator Howell—
Senate Bill No. 94:

A bill to be entitled An Act to authorize the Comptroller of the State of Florida to refund to H. C. Lister of Gulf County, Florida, the sum of Ninety-four Dollars and Thirty-four Cents (\$94.34) taxes erroneously paid on the West One-half ($W\frac{1}{2}$) of Northeast Quarter ($NE\frac{1}{4}$) and East One-half ($E\frac{1}{2}$) of Northwest Quarter ($NW\frac{1}{4}$), Section Seventeen (17) Township Seven (7) South, Range Eight (R 8) West, for the years 1918, 1920, 1921, and 1922, and making appropriation therefor.

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

Senator Stewart moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:30 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 15, 1931.