

# JOURNAL OF THE SENATE

THURSDAY, APRIL 23, 1931

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday April 22, 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, Knapp, 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 Wednesday, April 22, was corrected, and as corrected was approved.

## REPORTS 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, Fla., April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

House Concurrent Resolution No. 6:

Inviting General Chas. P. Summerall to address the Legislature of the State of Florida at 11:00 o'clock A. M., April 22nd, 1931, in the House Chamber.

A special invitation is extended also to the Cabinet and Justices of the Supreme Court to be present on the above occasion.

Beg leave to report that the same has 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 Senate.

Also—

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

Senate Chamber,  
Tallahassee, Fla., April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

Senate Concurrent Resolution No. 11:

A Resolution providing for the appointment of a committee of five (5) consisting of two (2) members of the Senate and three (3) members of the House of Representatives by the President of the Senate and Speaker of the House of Representatives, charged with the duty of making thorough and complete investigation as to why the Budget Commission has not filed the budget and report as provided by law, and to determine and fix the responsibility for delay in filing said budget and report with the presiding officer of the Senate and House of Representatives as provided by law, and that said Committee proceed to the investigation and make report to the Senate and to the House of Representatives at the earliest time consistent with thorough and reliable investigation and determination.

Also—

Senate Concurrent Resolution No. 12:

A Resolution providing for the appointment of a committee of five (5), two (2) from the Senate and three (3) from the House to act as a Reception Committee upon the arrival of

the Honorable Charles B. Summerall and to make any and all necessary arrangements for his entertainment while in the city.

Have carefully examined same, and find same correctly enrolled and herewith present the same for the signatures 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 Chairman of the Committee on Enrolled Bills on the Part of the Senate to be conveyed to the House for the signatures of the Speaker and Chief Clerk thereof.

Also—

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

Senate Chamber,  
Tallahassee, Fla., April 21st, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 61:

A bill to be entitled An Act to provide for the services 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.

Also—

Senate Concurrent Resolution No. 9:

Providing for the creation of a commission to be known as the Century of Progress, Chicago World's Fair Centennial, 1933, Commission and providing for its members, rights and duties.

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 Senate.

Also—

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

Senate Chamber,  
Tallahassee, Fla., April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

House Concurrent Resolution No. 7:

Appealing to all heads of departments in State Government to give preference to citizens and residents of Florida in selecting employees.

Have carefully examined same, and find same correctly enrolled and herewith present the same for the signatures 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 Resolution contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session, and ordered referred to the Chair-

## House Concurrent Resolution No. 9

By Mr. Caldwell of Santa Rosa

Was Adopted by the Senate

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

1. That the State, the South and the Nation suffered a grave loss when, on February 23, 1931, Judge Thomas Franklin West passed away.

2. That Judge West was a native of Santa Rosa County, an able lawyer, a courageous member of both Houses of the Legislature, a distinguished Attorney General, an eminent member and Chief Justice of the Supreme Court and, the last few years of his life, one of the Circuit Judges of the First Judicial Circuit of the State, his old home Circuit, and, withal, a rare friend and lovable citizen.

3. That the Legislature express to the family of the deceased its sincere sorrow in their bereavement.

4. That a page of the Journal of the House and a page of the Journal of the Senate be reserved and the Resolution spread thereon.

5. That a copy hereof, attested by the Secretary of State, under the Great Seal of the State of Florida, be delivered to the family of the deceased.

man of the Committee on Enrolled Bills on the Part of the Senate to be conveyed to the House for the signatures of the Speaker and Chief Clerk thereof.

#### REPORTS OF COMMITTEES

Senator Dell, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 22, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

Your Committee on Public Health, to whom was referred:

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 penalties for the violation of any of the provisions of this Act.

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

Very respectfully,

J. MAXEY DELL,  
Chairman of Committee.

And Senate Bill No. 70, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator English, Chairman of the Committee on Judiciary "C", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 205:

A bill to be entitled An Act to amend Section 4443 of the Compiled General Laws of Florida of 1927; the same being Section 2771 of the Revised General Statutes of 1920, relating to qualifications and disqualifications of Grand and Petit Jurors.

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

Very respectfully,

BERNARD H. ENGLISH,  
Chairman of Committee.

And Senate Bill No. 205, contained in the above report, was placed on the table under the rule.

Also—

Senator English, Chairman of the Committee on Judiciary "C", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 202:

A bill to be entitled An Act to amend Section 5496, Revised General Statutes of Florida, 1920, the same being Section 7654 of the Compiled General Laws of Florida, 1927, relating to the desertion of wife and children; withholding support; proviso as to when husband shall not be prosecuted, and as to disposition of fine; bond and release.

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

Very respectfully,

BERNARD H. ENGLISH,  
Chairman of Committee.

And Senate Bill No. 202, contained in the above report, was placed on the table under the rule.

Also—

Senator English, Chairman of the Committee on Judiciary "C", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 123:

A bill to be entitled An Act relating to the issuance of writs of Ne Exeat, bond or security to be given under such writs, and providing for the manner of suing for the breach of such bonds.

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

Very respectfully,

BERNARD H. ENGLISH,  
Chairman of Committee.

And Senate Bill No. 123, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator English, Chairman of the Committee on Judiciary "C", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 135:

A bill to be entitled An Act to repeal Chapter 9157 of the General Acts of the Regular Session, Florida Legislature, 1923, relating to the protection of title of motor vehicles within this State; providing for the issuance of certificate of title and evidence of registration thereof, regulating the purchase, sale and transfer of ownership thereof, and providing penalties for the violation of the provisions thereof.

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

Very respectfully,

BERNARD H. ENGLISH,  
Chairman of Committee.

And Senate Bill No. 135, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,  
Tallahassee, Florida, April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 186:

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.

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

Very respectfully,

E. M. JOHNS,  
Chairman of Committee.

And Senate Bill No. 186, contained in the above report, was placed on the table, under the rule.

Also—

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

Senate Chamber,  
Tallahassee, Florida, April 23, 1931.

*Hon. Pat Whitaker,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 169:

A bill to be entitled An Act to authorize the Secretary of State to exchange compilations of the laws of Florida and Session Laws for compilations of Laws and Session Laws of other

States of the United States of America, and appropriating sums necessary for effecting such exchange.

And—

House Bill No. 12:

A bill to be entitled An Act authorizing the encumbering, by way of lease, mortgage, or otherwise, of the real estate of an infant, insane person or lunatic, by the guardian of such infant, insane person or lunatic, when such encumbrance is authorized by the County Judge of the County wherein such real estate is situated.

And—

House Bill No. 13:

A bill to be entitled An Act concerning and in relation to sales of real estate belonging to minors, lunatics or insane persons by guardians of such persons.

And—

House Bill No. 14, (Engrossed Bill):

A bill to be entitled An Act to authorize guardians of infants and persons under disability to invest funds of their wards for a longer period than one year, when such investment is approved by the County Judge having jurisdiction over the estate of such ward.

And—

House Bill No. 16, (Engrossed Bill):

A bill to be entitled An Act to amend Section 5526 of the Compiled General Laws of Florida, 1927, the same being Section 3662 of the Revised Statutes of the State of Florida, relating to preference in appointment of administrator.

And—

House Bill No. 59:

A bill to be entitled An Act requiring funeral directors and undertakers to report certain deaths to registration officers and the performance of certain duties by such registration officers consequent thereupon.

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

Very respectfully,

E. M. JOHNS,

Chairman of Committee.

And Senate Bill No. 169 and House Bills Nos. 12, 13, 14, 16 and 59, contained in the above report, were placed on the Calendar of Bills on second reading.

The Chair announced the appointment of the following standing committee in compliance with the provisions of Senate Resolution No. 23:

COMMITTEE ON PUBLIC LANDS—A. W. Young, Chairman; J. Maxey Dell, S. D. Clarke, Purl G. Adams.

INTRODUCTION OF RESOLUTIONS

By Senator Stewart—

Senate Resolution No. 24:

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

That beginning on the 23rd day of April, the Senate shall hold two sessions, beginning at eleven o'clock A. M. until one o'clock P. M. and from three o'clock P. M. until five o'clock P. M. regular sessions of the Senate.

Which was read.

Senator Stewart moved the adoption of the Resolution.

Which was agreed to.

And the Resolution was adopted.

INTRODUCTIONS OF BILLS AND JOINT RESOLUTIONS

By Senator Gary—

Senate Bill No. 227:

A bill to be entitled An Act authorizing Cities, Towns and Municipalities of the State of Florida to accept municipal taxes in installments and to allow discounts for early payment in full.

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

By The Joint Committee on Finance and Taxation—

Senate Bill No. 228:

A bill to be entitled An Act to authorize Counties, Cities, Towns and other Municipalities, Special Road and Bridge District, Special Tax School Districts, and other taxing districts in the State of Florida to issue refunding bonds, and providing how said bonds may be sold and/or exchanged, and providing for the payment of said bonds, and making provisions for carrying out the purpose of this Act.

Which was read the first time by its title only and ordered to be placed on the Calendar without reference.

Senator Wagg moved that 250 copies of Senate Bill No. 228 be printed for the use of the members.

Which was agreed to.

And it was so ordered.

By Senator Watson—

Senate Bill No. 229:

A bill to be entitled An Act to amend Sections 52, 58, 70 and 107 of the Charter of the City of Coral Gables, approved May 8, 1929, and entitled 'An Act to abolish the present municipal government of the City of Coral Gables, Dade County, Florida, and create, establish and organize a municipality to be known and designated as the City of Coral Gables, and to define its territorial boundaries, and to provide for taxes, government, jurisdiction, powers and privileges.'

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

By Senator Watson—

Senate Bill No. 230:

A bill to be entitled An Act to authorize the commission of the City of Coral Gables to use certain city owned assets to secure or discharge in whole or in part certain obligations of said city, and for that purpose to pledge, sell, exchange, transfer and assign certain improvement liens due to said city; and defining the rights of any pledgees or assignees of such liens; to pledge, exchange, sell or otherwise dispose of tax sale certificates held by said city; to sell or exchange and convey certain real estate owned by said city.

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

By Senator Watson—

Senate Bill No. 231:

A bill to be entitled An Act to authorize the commission of the City of Coral Gables to sell and/or compromise and adjust certain taxes, tax sale certificates and assessment liens, either for cash, city bonds or other obligations; and to create an adjustment board to exercise such powers as are herein conferred upon the commission.

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

By Senator Watson—

Senate Bill No. 232:

A bill to be entitled An Act to authorize the refunding of the bonded and other indebtedness of the City of Coral Gables; authorizing the Commission of said City to enter into agreements with the holders of its outstanding bonds and/or other obligations; providing for the appointment of a special depository for the proceeds of taxes, special assessments or other revenues or assets pledged for the payment of such bonds and/or other obligations, prescribing the powers and duties for such depository; authorizing the appointment of a comptroller of bond revenues and funds in the event of default on the part of said City in the performance of obligations incurred hereunder, and providing for the validation of bonds issued under the provisions of this Act.

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

By Senator Watson—

Senate Bill No. 233:

A bill to be entitled An Act to amend an act entitled: "An Act concerning revenue bonds and revenue refunding bonds of the City of Coral Gables," Laws of Florida, passed at the regular session of the Legislature, A. D. 1929 and approved June 10, 1929.

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

By Senator Watson—

Senate Bill No. 234:

A bill to be entitled An Act imposing license taxes upon gasoline or other like products of petroleum; providing for reports of sale of such commodities to the Comptroller of the State of Florida; providing for the disposition of the moneys derived from such tax and fixing a penalty for the violation of the provisions of this Act and to repeal all laws in conflict with this Act.

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

By Senator Watson—

Senate Bill No. 235:

A bill to be entitled An Act to amend Section 12 of Chapter 8410, Laws of Florida, Acts of 1921, being Section 1304 of the Compiled General Laws of Florida, 1927, being an Act entitled "An Act to repeal Section 1019 and to amend Sections 1006, 1007, 1009, 1011, 1012, 1013, 1014, 1015, 1017, 1018, 1023, 1031,

5309, 5605 of the Revised General Statutes of Florida relating to the operation of motor vehicles, trailers, semi-trailers and motorcycle sidecars."

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

By Senator Watson—  
Senate Bill No. 236:

A bill to be entitled An Act appropriating the sum of Ten Thousand (\$10,000.00) Dollars from the General Revenues of the State of Florida to be expended in conducting investigations in diseases directly affecting the crops now being produced in Southern Florida, in order that these diseases may be combatted and eradicated.

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

By Senator Johns—  
Senate Bill No. 237:

A bill to be entitled An Act to amend Section 780 of the Revised General Statutes of Florida, A. D. 1920, being Section 1004 Compiled General Laws, 1927, relating to the duty of Clerk of Circuit Court and the Comptroller of the State of Florida as to redemption of land sold for taxes, and the distribution of moneys, both principal and interest, received by reason of such redemption.

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

By Senator Bell—  
Senate Bill No. 238:

A bill to be entitled An Act to amend Chapter 12290, Laws of Florida, Session of 1927, entitled "An Act to amend Sections 2507, 2508, 2510, 2512, 2513, and 5670 of the Revised General Statutes of Florida, to increase the powers of the State Board of Accountancy and to empower the said Board to promulgate and enforce rules and regulations for the practice of Public Accountancy in Florida; to provide that the violation of certain rules and regulations promulgated by the said Board be a Misdemeanor, and to prescribe penalties therefor," by amending Sections 1 to 6 both inclusive of said Act, and by repealing Sections 7 to 21, both inclusive, of said Act.

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

By Senator Bell—  
Senate Bill No. 239:

A bill to be entitled An Act requiring the State of Florida to be made a party in all proceedings for a divorce 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 Wagg—  
Senate Bill No. 240:

A bill to be entitled An Act for the relief of Islands Incorporated, authorizing the trustees of the Internal Improvement Fund of the State of Florida and the State Board of Education of the State of Florida to refund certain moneys to Islands Incorporated, a Florida corporation.

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

By Senator Butler—  
Senate Bill No. 241:

A bill to be entitled An Act amending Section 3482 and Section 3488 of the Revised General Statutes of Florida of 1920, being Section 5335 and Section 5341 of the Compiled General Laws of Florida of 1927, relating to the giving and approving of bonds and forthcoming bonds in actions of replevin; and providing for the method of approving such bonds.

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

By Senators Young and Gary—  
Senate Bill No. 242:

A bill to be entitled An Act authorizing an investigation of the water resources of the State; authorizing cooperation with the United States Geological Survey and making an appropriation therefor.

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

By Senators Whitaker and Parrish—  
Senate Bill No. 243:

A bill to be entitled An Act to establish juvenile courts, de-

fining their jurisdiction, powers and duties, regulating the procedure therein; providing for juvenile judges and probation officers, defining their duties and salaries; and to repeal all laws inconsistent herein.

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

By Senator King—  
Senate Bill No. 244:

A bill to be entitled An Act for the relief of W. E. Martin, individually and as Tax Collector of Orange County, Florida.

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

By Senator King—  
Senate Bill No. 245:

A bill to be entitled An Act to provide additional penalties and disqualifications to be imposed upon persons convicted of the offense of operating a motor vehicle while drunk.

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

By Senators King, Young, Parrish, Gary, Stewart and Chowning—

Senate Bill No. 246:

A bill to be entitled An Act to define, establish and fix a definite policy and plan for road and highway beautification and making it a part of all roads and highways constructed or to be constructed, as a part of the County, or State highway system; fixing uniform right of ways; providing funds for the work; creating the position of "Director of Highway Beautification"; defining his duties, salary, and the manner of his appointment.

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

By Senator King—  
Senate Bill No. 247:

A bill to be entitled An Act to authorize the City of Orlando Florida, in the foreclosure of improvement liens, to include in such foreclosure several liens against several distinct properties owned by the same person, firm or corporation, irrespective of other parties interested in such properties, and to include any and all other parties interested in said properties in said suit, and providing for sale on foreclosure of same.

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

By Senator King—  
Senate Bill No. 248:

A bill to be entitled An Act to legalize, validate and confirm all assessments and liens for paving, sewer, sidewalk and other improvements, and all assessment rolls of the City of Orlando, Florida, made and compiled since the incorporation of said City, and all of said assessments levied by said City of Orlando, Florida.

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

By Senator King—  
Senate Bill No. 249:

A bill to be entitled An Act to authorize and empower the City of Orlando through its City Council, or other governing body, to compromise, abate, refund, relinquish, compound, adjust, and settle, any and all taxes, assessments, liens for local improvements, and any and all interest and penalties thereon levied and, or, assessed upon any property in the City of Orlando, Florida.

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

By Senator Andrews—  
Senate Bill No. 250:

A bill to be entitled An Act to regulate the formation of new Counties in the State of Florida, prescribing the area, population and taxable values of affected territory.

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

By Senator Getzen—  
Senate Bill No. 251:

A bill to be entitled An Act to amend Section 12332, Laws of Florida, Acts of 1927, entitled Act to designate and establish State Roads in Florida.

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

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives,  
Tallahassee, Fla., April 23, 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—

By Committee Judiciary "A"—  
House Bill No. 401:

A bill to be entitled An Act to repeal Chapter 14553 of the Acts of Florida, 1929, being An Act entitled, "An Act to authorize the Supreme Court of Florida to select commissioners to assist the court in the performance of its duties and describing the duties of such commissioners and providing for their compensation."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,  
FRANK WEBB,

Chief Clerk, House of Representatives.

And House Bill No. 401, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary "A."

The hour having arrived for the consideration of Special Orders, the notice given by Senator Hilburn of intention to move that the Senate reconsider the vote by which Senate Bill No. 58 passed, was taken up and informally passed.

#### CONSIDERATION OF SENATE BILLS ON THIRD READING

Senate Bill No. 44 was taken up in its order and the consideration of same was informally passed.

#### CONSIDERATION OF SENATE BILLS ON SECOND READING

Senate Bill No. 66 was taken up in its order and the consideration of same was informally passed.

Senate Joint Resolution No. 10:

A JOINT RESOLUTION proposing an Amendment to Section 2 of Article IV of the Constitution of the State of Florida, relating to the election, qualification and term of office of the Governor of the State of Florida and his eligibility to become a candidate to succeed himself or for any office during the term for which he is elected.

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

That the following amendment to Section 2 of Article IV of the Constitution of the State of Florida, relating to the election, qualification and term of office of the Governor of the State of Florida and his eligibility to become a candidate to succeed himself, or become a candidate for any office during the term for which he is elected, be, and the same is hereby, agreed to, and shall be submitted to the electors of the State of Florida at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1932, for ratification or rejection; that is to say, that Section 2 of Article IV of the Constitution of the State of Florida, be amended so as to read as follows:

Section 2. The Governor shall be elected by the qualified electors of the State at the time and place of voting for members of the Legislature and shall hold his office for four years from the time of his installation and shall not be eligible for re-election to succeed himself, nor to become a candidate for, nor appointment to, any office, County, State or Federal, during the term for which he was elected.

Was taken up and read the second time in full.

Senator Neel offered the following amendment to Senate Joint Resolution No. 10:

In Section 2 add the following: Provided that this shall not apply to appointments purely honorary and without compensation.

Senator Neel moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Neel moved that the rules be waived and that Senate Joint Resolution No. 10, as amended, be read the third

time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 10 as amended, was read a third time in full.

Upon the passage of the Joint Resolution as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Bell, Bradshaw, Butler, Chowning, Clarke, Council, Gary, Harris, Harrison, Hilburn, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Taylor, Turner, Wagg, Watson, Young—26.

Nays—Senators Anderson, Andrews, Caro, Dell, English, Futch, Getzen, Gomez, Hodges—9.

So the Joint Resolution passed as amended by the Constitutional three-fifths vote, title as stated.

And Senate Joint Resolution No. 10 as amended was referred to the Committee on Engrossed Bills, then to be certified to the House of Representatives.

Senate Joint Resolution No. 19 was taken up in its order and consideration of same was informally passed.

Senate Bill No. 25:

A bill to be entitled An Act repealing Chapter 14571 of the Acts of the Legislature of 1929, requiring all persons, firms or corporations, owning or having control, custody or management of real and tangible personal property to make tax returns; providing certain forms and records; prohibiting the recording of deeds and bills of sale under certain conditions, and prescribing an oath to said return and a penalty for failure and neglecting to make the said return.

Was taken up and read the second time in full.

Senator Hodges moved that the rules be waived and Senate Bill No. 25 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 25 was read a 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, Council, Dell, English, Futch, Getzen, Gomez, Harris, Harrison, Hilburn, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parrish, Taylor, Turner, Wagg, Watson, Young—32.

Nays—None.

So the Bill passed, title as stated.

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

Senate Bill No. 31 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 5:

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

Was taken up and read the second time in full.

Senator Johns offered the following amendment to Senate Bill No. 5:

Strike out Section 2 and insert in lieu thereof the following: Section 2. This Act shall take effect upon its approval by the Governor or upon its becoming a law without his approval.

Senator Johns moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

And Senate Bill No. 5 as amended, was referred to the Committee on Engrossed Bills.

Senate Bill No. 97:

A bill to be entitled An Act to designate and establish a State road between the point where Ocean Avenue intersects State Road number one hundred forty in Section twenty-seven, Township forty-five South, Range forty-three East, and a point on a certain State road, at or near the Southeast corner of Section thirty-four, Township forty-five South, Range forty East, of Tallahassee Meridian in Florida, designating the route thereof and providing for a survey by, and number designation given hereto, by the State Road Department of Florida.

Was taken up and read the second time in full.

Senator Wagg moved that the rules be waived and Senate Bill No. 97 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 97 was read a 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, Caro, Chowning, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harrison, Hilburn, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Swearingen, Taylor, Turner, Wagg, Watson, Young—32.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 95:

A bill to be entitled An Act to designate and establish a State road to connect State Road number four at its intersection with Jupiter Concourse in section five, township forty-one South, Range forty-three east of Tallahassee Meridian in Florida, with State road number eighty-five at a point on State road number twenty-five where the same crosses the St. Lucie canal, and being the point of junction of State road number eighty-five with State road number one hundred nine, designating the route thereof and providing for a survey by, and number designation to be given thereto by the State Road Department of Florida.

Was taken up.

Senator Harris moved that the rules be waived and Senate Bill No. 95 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 95 was read a second time by its title only.

Senator Wagg moved that the rules be further waived and Senate Bill No. 95 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 95 was read a 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 certified to the House of Representatives under the rule.

Senate Bill No. 101:

A bill to be entitled An Act to designate and establish a State road to connect State road No. 25 at its crossing of the Hillsboro Canal with State Road No. 140 at its intersection with Atlantic Avenue in Section 16, Township 46, South, Range 43 East of Tallahassee Meridian in Florida, designating the route thereof and providing for a survey by, and number designation to be given thereto by the State Road Department of Florida.

Was taken up.

Senator Wagg moved that the rules be waived and Senate Bill No. 101 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 101 was read a second time by its title only.

Senator Wagg moved that the rules be further waived and Senate Bill No. 101 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 101 was read a 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 certified to the House of Representatives under the rule.

Senate Bill No. 96:

A bill to be entitled An Act to designate and establish a State road to connect State road number twenty-five with State road number twenty-nine, in the NE¼ of Section 4, Township 38 South, Range 35 East, to a point on State road

number twenty-five where the same intersects the range line between Ranges thirty-nine and forty East of Tallahassee Meridian in Florida, designating the route of said road and providing for a survey thereof, and a number designation to be given thereto by the State Road Department of Florida.

Was taken up and read a second time in full.

Senator Wagg offered the following amendment to Senate Bill No. 96:

In Section 4, Strike out the Section.

Senator Wagg moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Wagg moved that the rules be further waived and Senate Bill No. 96 as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 96, as amended, was read a third time in full.

Upon the passage of the bill, as amended, 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 as amended, title as stated.

And Senate Bill No. 96 as amended, was referred to the Committee on Engrossed Bills, then to be certified to the House of Representatives.

Senate Bill No. 100:

A bill to be entitled An Act to designate and establish a State road to connect State road number twenty-five with State road number one hundred forty-nine, where each of the aforesaid State roads is intersected by the Range line in between Range forty-one and forty-two East of Tallahassee Meridian in Florida, designating the route thereof and providing for a survey by, and number designation to be given thereto by the State Road Department of Florida.

Was taken up.

Senator Wagg moved that the rules be waived and Senate Bill No. 100 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100 was read a second time by its title only.

Senator Wagg moved that the rules be further waived and Senate Bill No. 100 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 100 was read a 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 certified to the House of Representatives under the rule.

Senate Bill No. 102:

A bill to be entitled An Act to designate and establish a State road to connect State road number four with State road number one hundred forty-nine, running from the point of junction of State roads number four and number one hundred forty southerly to a point on State road number one hundred forty-nine, a point approximately one mile west of the point and forty-three East of Tallahassee Meridian of Florida, with State road number one hundred forty-nine, designating the route thereof and providing for a survey by, and number designation to be given thereto by the State Road Department of Florida.

Was taken up.

Senator Wagg moved that the rules be waived and Senate Bill No. 102 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 102 was read a second time by its title only.

Senator Wagg moved that the rules be further waived and Senate Bill No. 102 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 102 was read a 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 was passed, title as stated.

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

Senate Bill No. 98:

A bill to be entitled An Act to designate and establish a State road in Palm Beach County, Florida.

Was taken up.

Senator Wagg moved that the rules be waived and Senate Bill No. 98 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 98 was read a second time by its title only.

Senator Wagg moved that the rules be further waived and Senate Bill No. 98 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 98 was read a 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 certified to the House of Representatives under the rule.

Senate Bill No. 99:

A bill to be entitled An Act to designate and establish a State road in Palm Beach County, Florida.

Was taken up.

Senator Wagg moved that the rules be waived and Senate Bill No. 99 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 99 was read a second time by its title only.

Senator Wagg moved that the rules be further waived and Senate Bill No. 99 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 99 was read a 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 certified to the House of Representatives under the rule.

Senator Harris moved that the rules be waived and that the Senate do now take up the consideration of Senate Bill No. 85 out of its order.

Which was agreed to by a two-thirds vote.

And—

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.

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

Committee Substitute for Senate Bill No. 85 was taken up and read the first time by its title only.

Senator Harris moved that the rules be waived and that Committee Substitute for Senate Bill No. 85 be read a second time in full.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 85 was read a second time in full.

Senator Harris moved the adoption of the Committee Substitute for Senate Bill No. 85.

Which was agreed to.

And Committee Substitute for Senate Bill No. 85 was adopted.

Senator Harris moved that the rules be further waived and Committee Substitute for Senate Bill No. 85 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 85 was read a 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, Caro, Chowning, Clarke, Council, Dell, English, Gary, Harris, Harrison, Hilburn, Hinely, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Taylor, Turner, Wagg, Watson, Young—31.

Nays—Senators Getzen and Gomez—2.

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. 27:

A bill to be entitled An Act to provide for the paving by the State Road Department of Roads leading through the grounds of the Florida State College for Women.

Was taken up and read a second time in full.

Senator Hodges moved that the rules be waived and Senate Bill No. 27 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 27 was read a third time in full.

By unanimous consent Senator Adams offered the following amendment to Senate Bill No. 27, now on its third reading:

In Section 2, line 2, (printed bill), strike out the word "directed" and insert in lieu thereof the following: "authorized."

Senator Adams moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

By unanimous consent Senator Adams offered the following amendment to Senate Bill No. 27, now on third reading:

In Section 1, line 2, (printed bill), strike out the word "directed" and insert in lieu thereof the following: "authorized."

Senator Adams moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Adams moved that the rules be waived and that Senate Bill No. 27 be referred back to the Calendar of Bills on second reading for the purpose of amendment.

Which was not agreed to.

Senator Hodges moved that the rules be waived and that the hour of adjournment be extended five minutes.

Which was agreed to by a two-thirds vote.

And it was so ordered.

The question then reverted to the passage of the bill as amended.

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

Yeas—Mr. President; Senators Anderson, Andrews, Bell, Bradshaw, Butler, Chowning, Clarke, Council, Dell, English, Getzen, Harris, Harrison, Hilburn, Hinely, Hodges, Johns, King, Lewis, Parker, Parrish, Stewart, Taylor, Turner, Wagg, Watson—27.

Nays—Senators Adams, Gary, Howell, Neel, Young—5.

So the bill passed, as amended.

And the same was ordered to be referred to the Committee on Engrossed Bills.

Senator Dell moved that the rules be waived and that Senate Bill No. 217 be recalled from the House of Representatives.

Which was agreed to by a two-thirds vote.

And it was so ordered.

## Senate Bill No. 103:

A bill to be entitled An Act to designate and establish a State road to connect State road number one hundred forty with a certain other State road running along the Range line between the Ranges forty-one and forty-two of Tallahassee Meridian of Florida, designating the route thereof and providing for a survey by, and number designation to be given thereto by the State Road Department of Florida.

Was taken up in its order.

Senator Wagg moved that the rules be waived and Senate Bill No. 103 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 103 was read a second time by its title only.

Senator Wagg moved that the rules be further waived and Senate Bill No. 103 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 103 was read a 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 certified to the House of Representatives under the rule.

## 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.

Was taken up and read a second time in full.

The Committee on Roads and Highways offered the following amendment to Senate Bill No. 82:

In Section 2, line 3, (printed bill), after word "completed" strike out the words "unless in the judgment of the State Road Department the same can be constructed without delaying the present system of State Roads, as now outlined and provided for, and at a saving to the State of Florida by reason of proximity to Road crews working on other projects."

Senator Adams moved the adoption of the Committee amendment.

Which was agreed to.

And the Committee amendment was adopted.

Senator Neel offered the following amendment to Senate Bill No. 82:

In Section 1, line 11 (printed bill), after the word "and", strike out "Darlington: Crossing State Road Nos. 40 and 60. Continuing East along the same general line through Holmes County passing near Leonia. Matthews", and insert in lieu thereof the following: "Through Darlington: thence in an Easterly direction to the intersection of State Road No. 88 and the Geneva-Florida Public Road, thence along said public road to Sweet Gum Head, thence in an Easterly direction along the most practical route to New Hope."

Senator Neel moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

And Senate Bill No. 82, as amended, was ordered to be referred to the Committee on Engrossed Bills.

Senator Clarke moved that the rules be waived and that the Senate do now revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives,  
Tallahassee, Fla., April 23, 1931.

Hon. Pat Whitaker,  
President of the Senate.

Sir:

I am directed by the House of Representatives to request the Senate return to the House of Representatives.

By Committee Judiciary "A."—

House Bill No. 401:

A bill to be entitled An Act to repeal Chapter 14553 of the

Acts of Florida, 1929, being an Act entitled, "An Act to authorize the Supreme Court of Florida to select commissioners to assist the court in the performance of its duties and describing the duties of such commissioners and providing for their compensation."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

Senator Adams moved that the Senate to consent to the request to return House Bill No. 401, contained in the above message.

Which was agreed to.

And it was so ordered.

Senator King moved that Senate Bill No. 124 be made a special and continuing order for Monday, April 27, 1931, at 4:30 o'clock P. M.

Which was agreed to.

And it was so ordered.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives,  
Tallahassee, Fla., April 23, 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 by the Constitutional three-fifths vote of all the members of the House of Representatives of the Florida Legislature for the 1931 regular session.

## House Joint Resolution No. 52:

A Joint Resolution proposing an amendment to Section 2 and to Section 4 of Article V of the Constitution of Florida relating to the Judiciary Department.

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

That the following amendment to Section 2 and to Section 4 of Article V of the Constitution of the State of Florida be, and the same is hereby agreed to, and shall be submitted to the electors of the State of Florida at the next General Election to be held on the first Tuesday after the first Monday in November, 1932, for ratification or rejection.

Section 2. The Supreme Court shall consist of seven (7) Justices who shall be elected by the qualified electors of the State at the time and places of voting for members of the Legislature. The term of office of each Justice shall be six years. The terms of office of the six Justices now constituting the Supreme Court shall not be affected by this amendment. Their successors shall be elected in the same manner and at the same time and places as required by the Constitution before this amendment. Upon the ratification of this amendment it shall be the duty of the Governor to appoint one additional Justice of the Supreme Court and he shall hold office from the date of his appointment until Tuesday after the first Monday in January, 1935, and whose successor shall be elected at the General Election in 1934 to hold office for a term of six years beginning Tuesday after the first Monday in January, 1935, and thereafter the successors of the Justices of the Supreme Court shall be elected at the General Election next preceding the expiration of their terms of office respectively, except in case of an election to fill an unexpired term of a Justice whose term of office may have become vacant.

Section 4. The Supreme Court may hear, consider and determine causes and exercise all its powers and jurisdiction as a single body in which case a majority of the members of the Court shall constitute a quorum for the dispatch of business, or it may exercise its powers and jurisdiction in two Divisions, under such regulation as may be determined by the Court. Each Division shall consist of three members of the Court and the Chief Justice who shall by virtue of his position as Chief Justice be a member of each Division and the judgment of either Division concurred in by all the members of such Division shall be the judgment of the Court. The concurrence of a majority of the members of the Court shall be necessary to a decision and judgment of the Court, whether the Court is sitting in two divisions or when acting as a single body.

All capital cases, all cases involving the determination of State or Federal Constitutional questions and such other cases as may be directed by the Court shall be determined by the Court acting as a single body.

The Chief Justice shall preside over each Division and over the Court acting as a single body and when the Chief Justice is disqualified or is absent or is disabled from any cause the Justice oldest in point of service present and qualified shall preside over the entire Court and each Division thereof until the disability of the Chief Justice is removed.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,  
FRANK WEBB,

Chief Clerk, House of Representatives.

And House Joint Resolution No. 52, contained in the above message, was read the first time by its title only.

Senator Clarke moved that the rules be waived and House Joint Resolution No. 52 be read a second time in full.

Pending the consideration of the motion to read House Joint Resolution No. 52 a second time in full.

The hour of adjournment having arrived, a point of order was called, and the Senate stood adjourned at 1:05 o'clock P. M., until 3:00 o'clock P. M., this day.

#### AFTERNOON SESSION

The Senate convened at 3 o'clock P. M., pursuant to recess order.

The President in the chair.

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

Mr. President; Senators Anderson, Andrews, Bell, Bradshaw, Caro, Chowning, Clarke, Council, Dell, Gary, Harris, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Parker, Stewart, Swearingen, Taylor, Turner—26.

A quorum present.

Senator Hodges moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned at 3:04 P. M., until 11:00 o'clock A. M., Friday, April 24, 1931.