

JOURNAL OF THE SENATE

WEDNESDAY, APRIL 29, 1931

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 28, 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, Hillburn, Hinley, Hodges, Howell, Luby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Taylor, Turner, Wagg, Watson, Young—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, April 27th, was corrected as follows: On page 3, column 2, line 12, strike out the word "Senate" and insert in lieu thereof "House". Also, on page 3, column 2, line 15, strike out the word "Senate" and insert in lieu thereof "House".

And as corrected was approved.

The Journal of April 28th was corrected as follows:

On page 9, column 2, line 12, strike the word "brothers" and insert in lieu thereof "brother."

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 28th, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

(Senate Bill No. 191:)

An Act authorizing the City Council of the City of Key West by Ordinance to Levy and Collect a Fee from the Occupants of Premises in said City for furnishing the Service of Removing and Disposing of Trash and/or Garbage and Limiting the Fee to be Charged for Such Service; and Authorizing said City Council to Pass Ordinances to Institute and Maintain a System for the Carrying into Effect the Levy and Collection of Such Fee; and Providing that such Fees Collected shall be placed in a Special Fund and limiting the purposes for which such fees may be used or expended.

Also—

(Senate Bill No. 192:)

An Act empowering the City Council of the City of Key West to regulate the licensing, bonding, operation and parking of public vehicles for hire and/or the owners thereof and/or the drivers thereof and repealing all laws in conflict.

Also—

(Senate Bill No. 194:)

An Act approving, confirming and validating all compromises, adjustments, abatements, rebates and waivers of interest heretofore effected, made and allowed by the city council of the City of Key West or by the tax adjustment committee of said City and/or by the officers of said city in the collection of taxes on real and personal property and special improvement assessments for street paving and/or sidewalks; conferring on the city council of the City of Key West authority from time to time by resolution to waive the collection of interest that may be due on any taxes assessed on real and personal property and on special improvement assessments for street paving and/or sidewalks.

Also—

(Senate Bill No. 195:)

An Act empowering and authorizing the city council of the City of Key West to authorize the acceptance of municipal bonds of said city at the face value thereof, with accrued interest, issued, sold, outstanding and unpaid, excepting revenue bonds, in payment of taxes by said city against any lot or

plot of land and improvements thereon, for the year 1929 and prior years, provided that at the time of such acceptance all taxes assessed thereon by said city for the year 1929 and prior years are paid in full, and provided further that at the time of such acceptance all taxes assessed thereon by said city for the year 1930 and subsequent years are paid in full in United States currency.

Also—

(Senate Bill No. 198:)

An Act fixing the number of members of the common council of the City of Key West, and providing for the said common council to select one of their members as Mayor of said city to hold office as such Mayor during the pleasure of said common council, and conferring on the Mayor so selected all the rights, powers, duties, authorities and obligations provided by law for the Mayor of the said City of Key West, and providing for the submission of the question of the approval and acceptance of this act to the qualified electors of said city at the general election to be held in the year 1931 and further providing that if same receives the approval of the majority of the qualified electors voting at said election then the provisions of this act shall be put into effect commencing with the general city election in said city to be held in the year 1933; making it the duty of the common council of said city to submit to the qualified electors at the general election in said city in the year 1931 the question of whether or not the provisions of this act shall be adopted or rejected and providing the substantial form for submitting the said question on the ballot to be used at the said general election in 1931.

Also—

(Senate Bill No. 196:)

An Act amending Section 73 of Chapter 8290, acts of 1919, laws of Florida, being An Act entitled "An Act to establish the municipality of Key West; provide for its government and prescribe its jurisdiction and powers; and repealing Chapter 5812, laws of 1907, and amendatory acts thereof.", in relation to elections; and repealing laws in conflict to the extent of such conflict.

Also—

(Senate Bill No. 190:)

An Act to establish a volunteer firemen's pension fund for the members of the volunteer fire department of the City of Key West, and provide for the payment of a pension to certain volunteer members of said fire department.

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 Bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session, and ordered referred to the 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 28th, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

(Senate Bill No. 216:)

An Act abolishing City of South Jacksonville, Duval County, Florida; extending the city limits of City of Jacksonville, Florida, to include the territory now and heretofore comprising City of South Jacksonville, providing for the transfer of the property and assets of and within city of South Jacksonville to and

into City of Jacksonville and for the assumption by City of Jacksonville of the obligations of City of South Jacksonville, providing for the creation of additional wards and representation on the city council and for the issuance of refunding bonds and the assessment of property and collection of taxes in and from the territory now comprising City of South Jacksonville and providing for a referendum as a condition to the effectiveness of this act.

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 Bill contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session, and ordered referred to the 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 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

(Joint Committee of House and Senate Bill No. 155:)

An Act to provide for the levy of inheritance and estate taxes in the State of Florida, prescribing the rates of such taxes, and the method of computing and collecting same, providing for the enforcement thereof and for the disposition of revenues therefrom, and imposing penalties for the violation of this act:

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 the Senate.

REPORTS OF COMMITTEES

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 145:

A bill to be entitled An Act designating as a State Road that certain road beginning at the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 28, Township 20, Range 32 in Seminole County, Florida, where it intersects with State Road Number 44, and running in a Southwesterly direction along the paved road as now located and known as the Oviedo-Geneva road to the intersection of Broadway and Bay Streets in Oviedo, Florida, thence running West approximately five-eighths of a mile; thence in a Southwesterly direction along the present paved road as now located and now known as the Oviedo-Winter Park road to its intersection with the Orange County line at the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 35, Township 21, Range 30, in the County of Seminole and State of Florida; thence continuing and following the present paved road to a point where said road intersects with the City limits of the Town of Winter Park, Florida.

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

Very respectfully,

PURL G. ADAMS,

Chairman of Committee.

And Senate Bill No. 145, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 146:

A bill to be entitled An Act designating as a State Road that certain road beginning at a point on State Road No. 3, approximately three miles south of the City of Sanford, where the present paved road to Oviedo intersects said Road No. 3; thence along said paved road to the intersection of Broadway and Bay Streets in the Town of Oviedo, Florida, and thence running in a southeasterly direction along the paved road, as now located, and known as the Chuluota-Oviedo road, to Chuluota, Florida, thence continuing south along Section line between Sections 28, 29 and 32 and 33, Township 21, Range 32 in the County of Seminole to the intersection with the Orange County line; and thence continuing on the present paved road to the intersection of said road with State Road No. 22.

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

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 146, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 166:

A bill to be entitled An Act to establish and designate a State road to be known as State Road No. 16 "A" in Marion and Levy Counties.

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

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 166, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 225:

A bill to be entitled An Act to extend State Road No. 47 to South Jacksonville and authorize, empower and direct the State Road Department to construct and maintain said extension of said State Road No. 47.

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

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 225, contained in the above report, was placed on the table under the rule.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 226:

A bill to be entitled An Act to declare, designate and establish a certain State Road and to authorize, empower and direct the State Road Department to construct and maintain said road.

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

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 226, contained in the above report, was placed on the table under the rule.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 276:

A bill to be entitled An Act to extend State Road No. 47 to South Jacksonville, Florida.

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

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 276, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 277:

A bill to be entitled An Act to declare, designate a certain State Road.

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

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 277, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 293:

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 University of Florida.

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

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 293, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Adams, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 329:

A bill to be entitled An Act to authorize and empower the State Road Department to construct a portion of State Road No. 68 as part of the fourth preferential system.

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

Very respectfully,

PURL G. ADAMS,
Chairman of Committee.

And Senate Bill No. 329, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,
Tallahassee, Fla., April 28, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

Senate Bill No. 260:

A bill to be entitled An Act relating to and concerning taxation; providing for the redemption of tax sale certificates or delinquent taxes now outstanding or hereafter to be issued or outstanding in one payment or on an installment basis and for the annual assessment of the properties embraced therein during installment redemption; prescribing certain powers and duties of officers having charge of the redemption of tax sale certificates and delinquent taxes and for procedure in relation thereto, and for the liability of such officer and of the sureties on his bond; and providing for the making of certain rules and regulations by the Comptroller.

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

Very respectfully,

ALFRED H. WAGG,
Chairman of Committee.

And Senate Bill No. 260, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Howell, Chairman of the Committee on Pensions, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 29, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Pensions, to whom was referred:

Senate Bill No. 172:

A bill to be entitled an Act relating to pensions. Have had the same under consideration, and recommend that the same do pass with the following amendment:

In Section 1, line 2, strike out the words "80 years" insert in lieu thereof the following "82 years."

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

Very respectfully,

L. H. HOWELL,
Chairman of Committee.

And Senate Bill No. 172, with Committee Amendment, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Howell, Chairman of the Committee on Pensions, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 29, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Pensions, to whom was referred:

Senate Bill No. 259:

A bill to be entitled An Act granting a pension to Sallie S. Bardin of Clay County, Florida.

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

Very Respectfully,

L. H. HOWELL,
Chairman of Committee.

And Senate Bill No. 259, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Howell, Chairman of the Committee on Pensions, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 29, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Pensions, to whom was referred:

Senate Bill No. 286:

A bill to be entitled. An Act granting pension to E. W. Collier, Apopka, Florida.

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

Very Respectfully,

L. H. HOWELL,
Chairman of Committee.

And Senate Bill No. 286, 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, Fla., April 29, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

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 methods of approving such bonds.

Amendment No. 1—

To Section 1 add the following: "Provided, however, that if the Circuit Judge is absent from said Circuit the bond may be approved by the Clerk of the said Circuit Court."

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

Very Respectfully,

E. M. JOHNS,
Chairman of Committee.

And Senate Bill No. 241, with Committee amendment, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,
Tallahassee, Fla., April 29, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 131:

A bill to be entitled An Act authorizing and empowering the Florida State Commission for securing the survey and construction of the Atlantic, Gulf and Mississippi Canal, created by Chapter 8578, Laws of Florida, Acts of 1921, to acquire, by gift, easement, or through donations, the necessary right of way and land for the construction of the Atlantic, Gulf and Mississippi Canal and convey title to same, free of cost, to the Government of the United States of America, over the route selected by the War Department for said Canal; and to provide for the payment of the expenses of the members of said Commission incurred in the performance of their duties under said Act, and making appropriation therefor; prescribing location for headquarters; providing for the payment of operating and emergency expenses, including services of a secretary, and engineer and/or attorney; and making appropriation therefor; and providing for the final discharge of said Commission upon completion of certain work.

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

Amendment No. 1—

To Amend Title of the Bill. A bill to be entitled An Act amending Chapter 8578 Laws of Florida, Acts of 1921, entitled An Act creating a Commission to be known as "The Florida State Commission for Securing the Construction of the Atlantic, Gulf and Mississippi Canal" relating to the creation of a State Commission for securing the construction of the Atlantic, Gulf and Mississippi Canal, being Section 6241 of the Compiled General Laws of 1927; authorizing and empowering the Florida State Commission for securing the survey and construction of the Atlantic, Gulf, and Mississippi Canal, created by Chapter 8579, Laws of Florida, Acts of 1921, to acquire by condemnation, gift, purchase or otherwise the necessary right of way and lands for the construction of the Atlantic, Gulf and Mississippi Canal and to convey title to same, free of cost, to the Government of the United States of America, over the route to be selected by the War Department for said Canal; providing for the number of members to compose said Commission; and providing for certain duties; and to provide for the payment of the expenses of the members of said Commission incurred in the performance of their duties under said Act, and making appropriations therefor; prescribing location for headquarters; providing for the payment of operating and emergency expenses, including services of a secretary, and an engineer and/or attorney; and making appropriation therefor; and providing for the final discharge of said Commission upon completion of certain work.

Amendment No. 2—

In Section 5, strike out all of Section Five (5).

Amendment No. 3—

In Section 6, line 9 (printed bill), by adding at the end of line 9, the following: "The said Board, in addition to all the powers specifically conferred by this Act, shall also have the power to hold, control, acquire by purchase or donation and to acquire under and by virtue of the right of eminent domain by condemnation, any real or personal property which may be needed for a right-of-way for any canal, ditch, drain or other works, or for material to be used in constructing and maintaining the works and improvements of any canal."

Amendment No. 4—

By adding after Section 6 the following Section: "At the expiration of the term of the three (3) members of the present Commission the Governor of Florida is hereby authorized to appoint five (5) members of the said Commission to serve for a term of two (2) years and thereafter until their successors are appointed: the five (5) members of the said Commission to be uninstructed as to route, termini and type of the said canal which is to be recommended via the most practical route by the War Department, U. S. A. It shall be the duty of the said Commission to foster and encourage construction of the intra-coastal canal system of the State

of Florida as recommended and approved by the U. S. Army Engineers."

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

Very Respectfully,
RAY NEEL,

Chairman of Committee.

And Senate Bill No. 131 with Committee amendments, contained in the above report, was placed on the Calendar of Bills on second reading.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Anderson—

Senate Bill No. 344:

A bill to be entitled An Act granting a pension to Mrs. Lula D. Slappey, of Havana, Gadsden County, Florida.

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

By Senator Andrews—

Senate Bill No. 345:

A bill to be entitled An Act to repeal Chapter 12223, Acts of 1927, entitled, "An Act to define, regulate, and register real estate brokers and real estate salesmen, and to regulate their relations with the public; to create the Florida Real Estate Commission, provide for its organization, succession, and the payment of its expenses; prescribe its powers, duties and privileges and the supervisory control by, and Ancillary powers of, the Courts touching the subject; and to prescribe penalties for the violation of the Act."

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

By Senator Hinely—

Senate Joint Resolution No. 346:

Joint Resolution proposing amendments to Sections 8, 10, 35 and 43 of Article V of the Constitution of the State of Florida.

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

By Senator Wagg—

Senate Bill No. 347:

A bill to be entitled An Act for the relief of Perry G. Wall.

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

By Senator Bradshaw—

Senate Bill No. 348:

A bill to be entitled An Act to grant a pension to A. H. Hogans, Sr., of Hamilton County, Florida.

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

By Senator Bell—

Senate Bill No. 349:

A bill to be entitled An Act for the assessment and collection of revenue and relating to the assessment and collection of taxes on tangible and intangible personal property, and requiring a documentary stamp evidencing the payment of taxes to be affixed to mortgages, deeds of trust and other similar liens as a prerequisite to recording or enforcement.

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

By Senator Harris—

Senate Bill No. 350:

A bill to be entitled An Act to amend Section 2470, Revised General Statutes of 1920, the same being 3880 of the Compiled General Laws of 1927, relating to the Board of Pilot Commissioners and fixing the rate of pilotage, which shall be paid by any vessel entering Florida ports.

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

By Senator Futch—

Senate Bill No. 351:

A bill to be entitled An Act to amend Section 9 of Chapter 11357, Acts of the Extraordinary Session of 1925, the same being Section 5164 of the Compiled General Laws of Florida 1927, relating to rules of procedure and prescribing the issuance, service and return of process for Civil Courts of Record.

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

By Senator Futch—

Senate Bill No. 352:

A bill to be entitled An Act to furnish the 1930 and subse-

quent supplements of the Compiled General Laws of Florida to public officials and departments of the State, and to make an appropriation therefor.

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

By Senator Johns—

Senate Bill No. 353:

A bill to be entitled An Act to place the name of M. M. Hale, age eighty-two years, on the Pension Roll of the State of Florida.

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

By Senator Johns—

Senate Bill No. 354:

A bill to be entitled An Act to prescribe the criminal jurisdiction of Justices of the Peace in the State of Florida, and to amend (Section 8289, Compiled General Laws of Florida, of 1927), Section 5995, Revised General Statutes of 1920; and to repeal (Section 8290, Revised General Statutes of Florida, of 1927), Section 5996, Revised General Statutes of Florida, of 1920.

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

By Senator Johns—

Senate Bill No. 355:

A bill to be entitled An Act relating to the levy, collection and distribution of an additional tax of one cent per gallon upon sales of gasoline.

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

By Senator Whitaker—

Senate Bill No. 356:

A bill to be entitled An Act to create a commission to erect historic markers along the highways of the State of Florida, and to provide funds for same.

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

By Senator Whitaker—

Senate Bill No. 357:

A bill to be entitled An Act to grant a pension to Carrie D. Blackman, of Hillsborough County, Florida, widow of T. A. Blackman.

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

By Senator Whitaker—

Senate Bill No. 358:

A bill to be entitled An Act to grant a pension to M. Sophia Bailey, of Hillsborough County, Florida, widow of James Bailey.

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

By Senator Whitaker—

Senate Bill No. 359:

A bill to be entitled An Act to repeal Sections 2421, 2438 and 2439 of the Revised General Statutes of 1920, relating to the creation of the State Plant Board, their appointment, qualification, salary and term of office; and to provide that all of the powers and duties conferred by law upon such State Plant Board shall be conferred upon and exercised and performed by the Governor and his cabinet, composed of those administrative officers created by Sections 1 and 20, Article IV of the Constitution of the State of Florida.

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

By Senator Neel (by request)—

Senate Bill No. 360:

A bill to be entitled An Act making appropriations for salaries and other current expenses of the State for two years from June 30th, 1931.

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

By Senators Watson and Taylor—

Senate Bill No. 361:

A bill to be entitled An Act to provide for a State Racing Commission to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any county to determine whether racing shall be permitted or continued therein; to provide for

licensing and taxing such racing and apportioning the moneys derived therefrom among the several counties of the State; to provide for and regulate the making of pari mutuel pools within the enclosure of licensed race tracks, and for other purposes relating thereto.

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

By Senator Council—
Senate Bill No. 362:

A bill to be entitled An Act to abolish the present municipal government of the City of Carrabelle, in the County of Franklin and the State of Florida; and to organize and establish a commission form of government for the same, to prescribe its jurisdiction and power; and to authorize the imposition of penalties for the violation of its ordinances.

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

By Senator Dell—
Senate Bill No. 363:

A bill to be entitled An Act to amend Chapter 9367 of the Laws of Florida, Acts of 1923, which chapter is the charter of the City of Alachua, Florida.

Which was read the first time by its title only.

Senator Dell moved that the rules be waived and Senate Bill No. 363 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 363 was read a second time by its title only.

Senator Dell moved that the rules be further waived and Senate Bill No. 363 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. 363 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, Taylor, Turner, Wagg, Watson, Young—37.

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.

By Senator Butler—
Senate Bill No. 364:

A bill to be entitled An Act amending Sections 23 and 25 of Chapter 9907 of the Acts of the Legislature of the State of Florida, of 1923, entitled: "An Act to legalize and validate the ordinances of the City of South Jacksonville and official acts thereunder; to legalize and validate all tax assessments, assessments of street improvement and sidewalk liens of the City of South Jacksonville; to grant authority and empower the City of South Jacksonville, Florida, to build, own, operate, contract for the operation of and otherwise manage and control interurban and street railways inside and outside of the territorial limits of said city; to grant authority and empower the City of South Jacksonville to own, operate, contract for the operation of and otherwise manage and control motor bus lines or motor buses used for the carrying of passengers inside and outside of the territorial limits of said city, to provide for the issuance of bonds; to provide for the extension of the territorial limits of said city and making provisions relating to the jurisdiction, powers and authority of its officers, agents and employees, providing for the amendment of the charter of the said city and generally making provisions for the government of said city"; and making provisions for the payment of taxes in quarter-annual installments and for certain discounts on taxes, and for the collection of delinquent taxes and assessments.

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

CONSIDERATION OF OTHER RESOLUTIONS

Senate Concurrent Resolution No. 15 was taken up in its order and the consideration of same informally passed.

House Concurrent Resolution No. 13:

WHEREAS it has come to the attention of the Legislature of the State of Florida that the Third Attack Group of the

Air Corps of the United States Army will be in Jacksonville, Florida, on June 3rd, 1931, and on June 4th will leave on its return flight to its home station at Fort Crockett, Galveston, Texas, in which flight such planes will necessarily pass over the City of Tallahassee, and in which said flight there will be approximately forty pursuit planes of the United States Army, and

WHEREAS, the Legislature of the State of Florida will be in session at Tallahassee on said date, and

WHEREAS, members of the Legislature would greatly appreciate an opportunity to inspect this arm of our national defense and also of extending a welcome on behalf of the Legislature of the State of Florida to the officers and men in said flight,

THEREFORE BE IT RESOLVED by the House of Representatives of the State of Florida, with the Senate concurring, that the Governor of the State of Florida be, and he is hereby, requested on behalf of the State of Florida to officially request the War Department of the United States to authorize said flight to stop over at Tallahassee for the purpose aforesaid, on its return flight from Jacksonville.

Was taken up and read a second time in full.

The question was put on the adoption of the Concurrent Resolution.

And House Concurrent Resolution No. 13 was adopted.

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

House Concurrent Resolution No. 14 was taken up in its order and the consideration of same was informally passed.

Senator Getzen moved that the rules be waived and Senate Bill No. 43 be recalled from the Committee on Organized Labor.

Which was agreed to by two-thirds vote.

And it was so ordered.

By unanimous consent Senator Getzen withdrew Senate Bill No. 43.

Senator Young moved that the rules be waived and that Senate Bills No's. 289 and 290 be recalled from the Committee on Public Roads and Highways and referred to the Committee on Finance and Taxation.

Which was agreed to by two-thirds vote.

And it was so ordered.

House Memorial No. 1:

WHEREAS, The great majority of the citizens of the United States either directly or indirectly pay taxes for the support of the Federal Government, and

WHEREAS, Citizens traveling upon Federal Highways are greatly inconvenienced by being required to pay for the privilege of passing over toll bridges on Federal Highways:

THEREFORE Be It Resolved by the Legislature of the State of Florida that the Congress of the United States of America be, and hereby is memorialized to pass the necessary legislation looking to the investigation and survey of the toll bridges on Federal Highways throughout the United States with a view to making such toll bridges free.

BE IT RESOLVED Further, that United States Senators Fletcher and Trammell, and Representatives Owen, Drane, Green, and Yon, are hereby most earnestly requested to extend their efforts toward the accomplishment of the purpose of this memorial, and that the Secretary of State of Florida be directed to transmit a copy of this memorial under the Great Seal of the State to the President of the United States, to the United States Congress, and to Florida's Senators and Representatives in Congress.

Was taken up and read a second time in full.

Senator Getzen moved that the rules be waived and House Memorial No. 1 be referred to the Committee on Public Roads and Highways.

Which was agreed to by two-thirds vote.

And it was so ordered.

Senator Neel moved that the rules be waived and that when the Senate do adjourn it adjourn until 11:00 o'clock A. M., Thursday, April 30, 1931.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Wagg moved that a committee be appointed to escort ex-Senators Overstreet and Etheridge to seats on the rostrum.

Which was agreed to.

The Chair appointed Senators Wagg and Anderson as such Committee.

Senator Parrish moved that the rules be waived and that the Senate do now take up the consideration of House Bill No. 2 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 2:

A bill to be entitled An Act to abolish the present municipality of the City of Eau Gallie, Brevard County, Florida, and to recreate and reestablish a municipal corporation to be known as the City of Eau Gallie, Brevard County, Florida; to prescribe the territorial limits thereof; to prescribe the form of government and confer certain powers upon said municipality and the officers thereof; and to provide for the carrying into effect of the provisions of this Act.

Was taken up and read a second time in full.

Senator Parrish moved that the rules be further waived and that House Bill No. 2 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 2 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, Taylor, Turner, Wagg, Watson, Young—37.

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 Dell moved that the Senate do now reconsider the vote by which Senate Bill No. 217 passed.

Which was agreed to.

Senator Dell moved that the rules be waived and that the Senate do now take up the consideration of Senate Bill No. 217.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 217:

A bill to be entitled An Act to abolish the present municipal government of the City of Alachua, Alachua County, Florida, as created under Chapter No. 9367, Laws of Florida, A. D. 1923, and to recreate a city government under Chapter No. 5786, Laws of 1907, and to define its government, jurisdiction, powers, franchises and privileges.

Was taken up.

By unanimous consent Senator Dell offered the following amendment to Senate Bill No. 217, now on third reading:

After Section Fourteen, add the following:

"Section 15. The foregoing Act shall be submitted to the qualified electors of the City of Alachua for adoption or rejection at an election hereby called for that purpose to be held on June 16, A. D. 1931, which said election shall be conducted in accordance with the laws governing elections in said City of Alachua. The ballot used in said election shall be as follows:

OFFICIAL BALLOT

Special election for the adoption or rejection of a Special Act of the Legislature of the State of Florida passed at the regular session thereof held in A. D. 1931. Said Act providing for the abolishment of the Commission form of government and adoption of Councilmanic form of government.

The voter desiring to vote in favor of adopting the said Act shall put a cross mark (X) before the word Yes and the voter desiring to vote against the said Act and in favor of rejecting the same shall put a cross mark (X) before the word No.

For the adoption of the proposed Act.

.....YES.

For the rejection of the said Act and against the adoption of same

.....NO.

Section 16. This Act shall become effective upon its becoming a law.

Senator Dell moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

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, Taylor, Turner, Wagg, Watson, Young—37.

Nays—None.

So the Bill passed, as amended, title as stated.

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

Senator Hinely moved that the rules be waived and that the Senate do now take up the consideration of Senate Bill No. 335 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 335:

A bill to be entitled An Act to validate and confirm certain bonds of the city of Live Oak, Florida.

Was taken up.

Senator Hinely moved that the rules be further waived and that Senate Bill No. 335 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 335 was read a second time by its title only.

Senator Hinely moved that the rules be further waived and that Senate Bill No. 335 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. 335 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, Taylor, Turner, Wagg, Watson, Young—37.

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 Hinely moved that the rules be waived and that the Senate do now take up the consideration of Senate Bill No. 336 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 336:

A bill to be entitled An Act to validate and confirm all tax assessments of the city of Live Oak, Florida, for the years 1916 to 1930 inclusive; to cure all defects, omissions, errors and irregularities in such assessments; authorizing said city to proceed with the enforcement of the collection of said taxes; providing that certain defects, omissions, errors and irregularities shall not constitute a defense to any suit brought for the collection of such taxes; providing that ordinances levying taxes for each of said years shall constitute sufficient warrant and authority for the tax collector to collect and enforce the collection of such taxes; repealing all laws in conflict herewith.

Was taken up.

Senator Hinely moved that the rules be further waived and that Senate Bill No. 336 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 336 was read a second time by its title only.

Senator Hinely moved that the rules be further waived and that Senate Bill No. 336 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. 336 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, Taylor, Turner, Wagg, Watson, Young—37.

Nays—None.

So the bill passed, title as stated.

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

Senator Harris moved that the rules be waived and that

the Senate do now take up the consideration of Senate Bill No. 75 out of its order.

Which was agreed to by a two-thirds vote.

And—

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.

Was taken up and read a second time in full.

Senator Harris moved that the rules be further waived and that Senate Bill No. 75 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. 75 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 Andrews, Bell, Bradshaw, Caro, Chowning, Clarke, Dell, Futch, Gary, Getzen, Harris, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Turner, Wagg, Watson, Young—29.

Nays—Senators Anderson, Butler, Council, English, Gomez—5.

So the bill passed, title as stated.

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

Senator Wagg moved that Senate Bill No. 228 be made a special and continuing order for 11:30 o'clock A. M., Friday, May 1, 1931.

Which was agreed to.

And it was so ordered.

Senate Bill No. 82 was taken up in its order and the consideration of same was informally passed.

Senate Joint Resolution No. 19 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 in its order and read a third time in full.

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

Yeas—Mr. President; Senators Anderson, Andrews, Bradshaw, Butler, Chowning, Clarke, Council, Dell, English, Futch, Gary, Gomez, Harris, Hilburn, Howell, Johns, King, Knabb, Neel, Parker, Parrish, Turner, Wagg, Watson, Young—26.

Nays—Senators Caro, Hinely, Hodges, Irby, Taylor—5.

So the bill passed, title as stated.

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

Senator Futch moved that Senate Bill No. 318 be made a special and continuing order for Thursday, April 30, 1931, at 12:00 o'clock noon.

Which was agreed to.

And it was so ordered.

Senate Bill No. 125 was taken up in its order and the consideration of same was informally passed.

CONSIDERATION OF SENATE BILLS ON SECOND READING

Senate Bills Nos. 66 and 31 were taken up in their order and the consideration of same was informally passed.

Senate Bill No. 118:

A bill to be entitled An Act providing for the drawing, summoning and impanelling of juries for the courts of the County Judges of the several counties of the State of Florida, having no County Court, Criminal Court or Court of Record, and prescribing the manner of securing jurors to make up an deficiency thereof in the trial of any cause in such courts.

Was taken up and read a second time in full.

Senator Hodges moved that the rules be waived and that Senate Bill No. 118 retain its place on the Calendar of Bills on second reading for the purpose of amendment.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senate Joint Resolution No. 3:

A JOINT RESOLUTION RELATIVE TO THE CALLING OF A CONVENTION TO REVISE THE CONSTITUTION OF THE STATE OF FLORIDA

WHEREAS, the present Constitution of the State of Florida is not in accordance with the wishes of the people; therefore

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

That it is determined by the affirmative vote of two-thirds of all the members of both houses of this Legislature that it is necessary to revise the Constitution of Florida; that this determination be entered upon the respective journals of the Senate and House of this Legislature with the ayes and nays thereon; and

That it is the determination of this Legislature expressed by the affirmative vote of two-thirds of all the members of both houses that this proposal of calling a constitutional convention to revise the Constitution of the State of Florida be submitted to a vote of the electors of the State of Florida at the next general election to be held in November, A. D. 1932, for approval or rejection according to the provisions of Section 2 of Article 17 of the Constitution of the State of Florida.

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

Senator Bell, Chairman of the Committee on Constitutional Amendments, as required by the rules, moved that Senate Joint Resolution No. 3 be indefinitely postponed.

A roll call was demanded and upon calling the roll the vote was:

Yeas—Senators Adams, Anderson, Andrews, Bell, Butler, Caro, Clarke, Council, Dell, English, Gary, Hilburn, Hinely, Hodges, Howell, Irby, Johns, Knabb, Lewis, Parker, Taylor—21.

Nays—Mr. President; Senators Bradshaw, Chowning, Futch, Getzen, Gomez, Harris, Harrison, King, Neel, Parrish, Stewart, Turner, Wagg, Watson, Young—16.

Which was agreed to.

And Senate Resolution No. 3 was indefinitely postponed.

Senator Dell moved that the courtesies of the floor of the Senate be extended to ex-Senator Colson, and that a committee be appointed to escort him to the rostrum of the Senate.

Which was agreed to.

And Senators Dell and Lewis were appointed as such committee.

Senator Bell moved that 250 copies of Senate Bill No. 349 be printed for distribution.

Which was agreed to.

And it was so ordered.

Senator Watson moved that 300 copies of Senate Bill No. 361 be printed for distribution.

Which was agreed to.

And it was so ordered.

The hour for adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:00 o'clock P. M., until 11:00 o'clock A. M., Thursday, April 30, 1931.