

JOURNAL OF THE SENATE

MONDAY, MAY 4, 1931

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Friday, May 1, 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, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Friday, May 1, was corrected, and as corrected was approved.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senator Watson, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Florida, May 1, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after 3rd reading—

Senate Bill No. 228:

A bill to be entitled An Act to authorize Counties, Cities, Towns and other municipalities, Special Road and Bridge Districts, 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, provided, however, the provisions of this Act shall not apply to any Drainage District which Drainage District is located wholly within one county and where there is pending at this time a suit contesting either the validity of the bonds issued by such district, or the assessment levied or any suit involving, directly or indirectly the validity of such Drainage District, or the validity of the bonds issued by such district or the validity of the assessment levied in such district.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very Respectfully,

J. W. WATSON,

Chairman of Committee.

And Senate Bill No. 228, contained in the above report, was ordered to be certified to the House of Representatives.

Also—

Senator Watson, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Florida, May 1, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after 3rd reading—

Senate Bill No. 131:

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 8578, 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 appropriations therefor; and providing for the final discharge of said Commission upon completion of certain work.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very Respectfully,

J. W. WATSON,

Chairman of Committee.

And Senate Bill No. 131, contained in the above report, was ordered to be certified to the House of Representatives.

Also—

Senator Watson, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
Tallahassee, Florida, May 1, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after 3rd reading—

Senate Bill No. 172:

A bill to be entitled An Act relating to Pensions. Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very Respectfully,

J. W. WATSON,

Chairman of Committee.

And Senate Bill No. 172, contained in the above report, was ordered to be certified to the House of Representatives.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senators Futch and Getzen—

Senate Bill No. 418:

A bill to be entitled An Act to further provide for and maintain the Dade Memorial Park, and to make appropriation therefor.

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

By Senator Chowning—

Senate Bill No. 419:

A bill to be entitled An Act ratifying, confirming, validating and legalizing all Acts and proceedings of the County of Volusia, State of Florida, its Board of County Commissioners, officers and agents, relative to the issuance of Thirty Seven Thousand (\$37,000.00) Dollars negotiable interest bearing bonds of said county under Chapter 13513, Laws of Florida, Acts of 1927, authorizing the same; and ratifying, confirming, validating and legalizing said bonds.

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

The following proof of publication was attached to Senate Bill No. 419 when it was introduced in the Senate:

AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF LEON.

Before the undersigned authority personally appeared W. C. Chowning, who upon oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to ratifying, confirming, validating and legalizing all Acts and proceedings of the County of Volusia, State of Florida, its Board of County Commissioners, officers and agents,

relative to the issuance of Thirty Seven Thousand (\$37,000.00) Dollars negotiable interest bearing bonds of said county under Chapter 13,513 Laws of Florida, Acts of 1927, has been published at least thirty days prior to this date, by being printed in the issue of April 1st, A. D. 1931, of the New Smyrna Daily News, a newspaper published in Volusia County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

W. C. CHOWNING.

Sworn to and subscribed before me this 4th day of May, A. D. 1931.

(SEAL)

ALMA PARKS,

Notary Public, State of Florida.

My commission expires August 9th, 1933.

By Senator Parrish—

Senate Bill No. 420:

A bill to be entitled An Act to designate and establish certain roads in Brevard County as State Roads.

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

By Senator Parrish—

Senate Bill No. 421:

A bill to be entitled An Act providing for the classification of counties for the purpose of fixing, and to fix and limit the annual salaries of, and allowances to County Commissioners; to validate salaries, compensation, and allowances heretofore paid to County Commissioners and to repeal all laws or parts of laws in conflict herewith.

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

By Senators Young and Parrish—

Senate Bill No. 422:

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

Which was read the first time by its title only and referred to the Special Committee on Redistricting of Judicial Circuits.

By Senator Swearingen—

Senate Bill No. 423:

A bill to be entitled An Act to cure certain informalities and defects in the execution and acknowledgment of deeds and other instruments executed and acknowledged prior to the first day of April, A. D. 1931, in States, Territories and Districts of the United States outside of the State of Florida, and conveying, encumbering or transferring any interest in real or personal property located within the State of Florida, including any interest of any married woman in real or personal property, and the relinquishment of dower by any married woman.

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

By Senator Gary—

Senate Bill No. 424:

A bill to be entitled An Act providing for the revocation of donations and gifts of real estate for education, literary, scientific, religious or charitable purposes, and providing for the reversion of same.

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

By Senator Andrews—

Senate Bill No. 425:

A bill to be entitled An Act to prohibit nepotism and to prohibit the employment or appointment of persons related to one another by affinity or consanguinity within the third degree in any one and the same department of the State Government and to provide penalties for the violation of this Act.

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

By Senator Andrews—

Senate Bill No. 426:

A bill to be entitled An Act to prohibit the employment or appointment for services in any of the departments of the State Government, except in the Institutions of higher learning, in this State, or any person who has not been a bona fide

citizen and resident of the State of Florida for the period of one year prior to the appointment or employment, and to provide penalties for the violation of the Act.

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

By Senators Andrews, English and Young—

Senate Bill No. 427:

A bill to be entitled An Act to create the State Purchasing Agency for the State of Florida; providing for the duties and powers of such State Purchasing Agency and for the making of rules and regulations by said State Purchasing Agency and appropriating money to be used for the payment of the cost of maintaining and operating such State Purchasing Agency.

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

By Senator Harris—

Senate Bill No. 428:

A bill to be entitled An Act to abolish the present municipality known as the Town of Pinellas Park, in Pinellas County, Florida, and decree it and establish a municipal corporation to be known as the Town of Pinellas Park; to prescribe the territory by limits thereof; to prescribe the form of government and to confer certain powers upon said municipality and its officers and to provide a charter for the carrying into effect of 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. 429:

A bill to be entitled An Act providing for the establishment of a judicial council to make a continuous study of the organization, procedure and practice of the courts of the State of Florida, and providing for procuring, keeping and reporting information concerning the judicial system.

By Senator Watson—

Senate Bill No. 430:

A bill to be entitled An Act to amend Section 1472, Revised General Statutes of Florida, 1920, the same being Section 2150 of the Compiled General Laws of Florida, 1927, relating to change of County Commissioners Districts in the various counties of the State of Florida.

Which was read the first time by its title only and referred to the Special Committee on Redistricting of Judicial Districts.

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

By Senator Young—

Senate Bill No. 431:

A bill to be entitled An Act relating to the public roads, highways and streets in the counties and in the incorporated municipalities in the State of Florida; providing for the ascertainment by the State Road Department of all those roads, highways and streets constituting public highways, roads and streets and for the locating and platting of the same and for the making and filing of reports in reference thereto; providing that such report shall embrace therein the roads, highways and streets within the respective municipalities and counties as a basis for the allocating and distribution of certain motor vehicle license funds; providing for the payment of such funds to the State Treasurer as ex officio treasurer of the respective municipalities and/or ex officio treasurer of the several counties and for the disbursement of such funds and amending Section 12, Chapter 8410 Laws of Florida, Act. 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, 5805 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 Finance and Taxation.

Senator Young moved that the rules be waived and that Senate Bills Nos. 289 and 290 be recalled from the Committee on Finance and Taxation.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By unanimous consent Senator Young withdrew Senate Bills Nos. 289 and 290.

By Senator Gomez—(by request).

Senate Bill No. 432:

A bill to be entitled An Act to pay to the first driller who brings in a commercial oil well in the State of Florida the sum of twenty-five thousand (\$25,000.00) dollars, and stipulating the conditions upon which said sum be paid.

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

By Senator King—

Senate Bill No. 433:

A bill to be entitled An Act relating to and regulating the organization, operation and liquidation of banks and banking companies, banking and trust companies, and trust companies, in the State of Florida, and providing for the supervision thereof by a Superintendents of Banks, and creating the office of Superintendent of Banks, prescribing the duties, powers and compensation of such Superintendent of Banks, and providing for assistants, agents, and employees of the Superintendent of Banks, and providing for their appointment and compensation and creating and establishing an advisory board to the Superintendent of Banks, and prescribing their powers, duties and compensations and providing for funds to carry out the purposes of this Act and the payment of all expenses incurred thereunder; making it a criminal offense to violate any of the provisions of this Act and prescribing the punishment for such violation and establishing rules of evidence to be observed in the trial of violators of this Act and providing for the running of the Statute of Limitations on offenses committed in violation of this Act, and amending Sections 6052, 6055, 6056, 6058, 6060, 6061, 6062, 6066, 6067, 6069, 6071, 6072, 6086, 6087, 6090, 6091, 6103, 6110, 6131, 6137, 6141, 6142, 6244, 6147, 6148, and 6149 of the Compiled General Laws of Florida, 1927, and Section 6057 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6059 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, and Section 6068 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6075 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6077 of the Compiled General Laws of Florida 1927, as amended by Chapter 13576, Acts of 1929, Section 6079 of the Compiled General Laws of Florida 1927, as amended by Chapter 13576, Acts of 1929, Section 6083 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6092 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6099 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6100 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6101 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6102 of the Compiled General Laws of Florida 1927, as Amended by Chapter 13576, Acts of 1929, Section 6104 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6105 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6106 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6107 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6108 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6112 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6124 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, Section 6126 of the Compiled General Laws of Florida, 1927, as amended by Chapter 13576, Acts of 1929, and to amend Section 12 of Chapter 13576, Acts of 1929, relating to banking.

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

By Senator Harris—

Senate Bill No. 434:

A bill to be entitled An Act to amend Chapter 13884 of 1929 Laws of Florida, entitled "An Act vesting in the Railroad Commission of the State of Florida, the power to grant franchises to persons, firms or corporations, public or private, to build, construct, establish, operate and maintain bridges, causeways, tunnels, toll highways and ferries, on, over, along, across, through and under State lands, submerged or otherwise, and/or other lands or water where the grantee shall acquire the title or proprietary rights therein by the exercise of the power of Eminent Domain or otherwise, fixing the

term for which such franchise rights may be granted, providing form of application; providing for approval by Federal Government as a condition precedent to the granting of the franchise where navigable waters are involved; providing for the notice of intention to apply for franchise; providing for notice by the Railroad Commission to each county affected; providing for the furnishing of bonds for the full performance of the terms of the franchise; providing for the control of the franchise privileges by the Railroad Commission; providing for the fixing of tolls and making rules and regulations controlling and governing the exercise of the franchise rights; providing for the granting and exercising of power of Eminent Domain by the grantee of such franchise; providing for the order of determination of the applications for franchise; and prohibiting the exercise by any person, firm or corporation, public or private, of any of the privileges provided for unless and until franchise granted in accordance with this Act," and providing for exclusive franchise for five miles in both directions along both shore lines, and giving additional and exclusive rights to present and future franchise holders.

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

By Senator Harris—

Senate Bill No. 435:

A bill to be entitled An Act granting a special pension to E. J. (Ned) Davis, a Confederate veteran of St. Petersburg, Florida.

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

Senator Stewart moved that the following editorial, taken from the Tallahassee Daily Democrat, Sunday, May 3, 1931, edition, be read and spread upon the Journal of the Senate.

Which was agreed to.
And it was so ordered.

CANAL WILL HELP TALLAHASSEE

It is increasingly evident that the Florida legislature is in earnest about passing bills designed to put the State of Florida upon a solid foundation for all time, and to bring about substantial agricultural and industrial development, through improving, and expanding, transportation routes.

One of the most important bills of the session was passed by the Senate before adjournment on Friday, authorizing the Florida State Canal Commission to acquire the necessary right of way for the Atlantic, Gulf and Mississippi Canal and convey it, free of cost, to the United States government, as soon as the engineers of the War Department have determined which of the several routes now under investigation is the most feasible, and best suited, to connect the two separate coastal systems and thus unify the national system of inland waterways.

The Gulf Intracoastal Waterway will be completed to Pensacola by 1933, and when it is extended across Northern Florida to a connection with the Atlantic Intercoastal Waterway, which extends from Boston to Miami, inland barges, pleasure boats, all craft that can negotiate a 9-foot waterway, will be able to travel over a connected system of waterways from Boston to Corpus Christi, Miami to Chicago, St. Louis, Minneapolis, Kansas City, Sioux City, Pittsburgh, and intermediate points; freight rates will be reduced from eight to twenty per cent, depending upon the distance it is hauled by rail or motor truck to and from the waterway route. The West Coast can reach this canal at St. Marks and Carrabelle, with shipments destined to any of the thirty states which will be touched by the national system of inland waterways. Tallahassee will be directly benefited by the construction of this canal, and it will make St. Marks an important Gulf port. The link across the peninsula may be a combined barge and ship canal.

Statesmen are known by their votes. The statesmen in the Senate have rendered a great service to Florida, by making it possible for the Florida State Canal Commission, whose members serve without compensation, to finish the job; and the statesmen of the House of Representatives will, assuredly uphold their record of constructive legislation by passing Senate Bill No. 131 without unnecessary delay, thus making Florida's great future a certainty.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives,
Tallahassee, Fla., May 1, 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, with amendments:

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 revenue 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 amendments are as follows:

House Amendment No. 1—

In Title add after the word "Act" the following: "And providing for a referendum election upon the issuance of such bonds."

House Amendment No. 2—

In Section 6, line 2 strike out the words "or any bond."

And respectfully requests the concurrence of the Senate therein.

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

Senator Watson moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 232, contained in the above message.

Which was agreed to.

And the Senate concurred in House Amendment No. 1 to Senate Bill No. 232.

Senator Watson moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 232, contained in the above message.

Which was agreed to.

And the Senate concurred in House Amendment No. 2 to Senate Bill No. 232.

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

And Senate Bill No. 232 as amended, was referred to the Committee on Engrossed Bills.

Also—

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

House of Representatives,
Tallahassee, Fla., May 1, 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, with amendment:

By Senator Council—

Senate Bill No. 327:

A bill to be entitled An Act making it unlawful, and to prohibit setting and placing steel traps for, and trapping, fur bearing animals within the boundaries of Franklin County, Florida, within the period from July 1, 1931 to July 1st, 1935, and providing a penalty for the violation thereof.

Which amendment is as follows:

In Section One, line Four strike out the words after the word "Animals" and insert in lieu thereof the following: "Within that part of Franklin County Florida, East of State Road Number Twelve (12)."

And respectfully requests the concurrence of the Senate therein.

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

Senator Council moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 327, contained in the

above message

Which was agreed to.

And the Senate concurred in House Amendment No. 1 to Senate Bill No. 327.

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

And Senate Bill No. 327 as amended, was referred to the Committee on Engrossed Bills.

CONSIDERATION OF OTHER RESOLUTIONS.

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

House Concurrent Resolution No's. 14 and 15 were taken up in their order and the consideration of same was informally passed.

SPECIAL ORDER

The hour having arrived for the consideration of Special order—

Senate Bill No. 318:

A bill to be entitled An Act providing for the apportionment of the public free school funds, the one mill Constitutional school tax and the interest on the State school fund among the several counties of the State by the State Superintendent of Public Instruction; providing for the apportionment of such funds in proportion to the instruction units in the several counties; providing a method of determining the number of instruction units based on the average daily attendance in the several counties; providing a method of determining instruction units for the purpose of this Act, including the elementary unit, the Junior High School unit and the Senior High School unit; providing a method of computing the number of instruction units of the county; providing for a limitation on the annual amount to be apportioned for an instruction unit or units in a given school; providing a plan of apportionment to counties where the Board of Public Instruction is unable to immediately fix a minimum salary schedule; providing a method of obtaining the amount of money represented by an instruction unit for any one year and that the item to be apportioned for a teacher's salary plus a given percentage shall not exceed that amount; providing for the furnishing of a statement as to the number of teachers employed in the schools of the County by the superintendent of Public Instruction of such County, and providing for the withholding from said County an apportionment of the public free school funds until an annual report is received; providing that the apportioned funds shall be distributed by the several counties for public free school purposes only, and providing that after July 1st, 1934 the State Board of Education may change the ratios used in determining the number of instruction units for the purpose of adjusting the apportionment, and providing for the repeal of all laws and parts of laws in conflict herewith.

Was taken up and read a second time in full.

Senator Futch offered the following amendment to Senate Bill No. 318:

In title, line 22 (printed bill), After the word "Number" insert the following: "and Salary".

Senator Futch moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Futch offered the following amendment to Senate Bill No. 318:

In Title, lines 28, 29, 30, 31 (printed bill), strike out the words "and providing that after Just 1st, 1934, the State Board of Education may change the ratios used in determining the number of instruction units for the purpose of adjusting the apportionment", and insert in lieu thereof the following: "and providing that the failure of the Superintendent of Public Instruction of the County to furnish such statement of such annual report or the data required for the purposes of this Act shall be grounds for his removal by the Governor."

Senator Futch moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Futch offered the following amendment to Senate Bill No. 318:

In Section 4, line 8 (printed bill), strike out the words "provided, that the annual amount to be apportioned for an instruction unit or for instruction units in a given school shall not exceed the total amount of salary or salaries to be paid by the County Board of Public Instruction to the teacher or

teachers of that school for the school year, plus an additional thirty-three and one-third (33 and 1-3%) per cent, and

Provided further, that if there are schools in any county where the Board of Public Instruction is unable to immediately fix a minimum salary schedule in accordance with the intent and purpose of this law, the following plan of apportionment to counties on account of such schools shall be operative, to-wit:

For the school year of 1931-32 and 1932-33, there shall be apportioned a sum not to exceed the total salary or salaries to be paid by the County Board of Public Instruction to the teacher or teachers of any school plus an additional sixty-six and two-thirds (66 and 2-3%) per cent of the said total salary or salaries, and

For the school year 1933-34 and 1934-35, there shall be apportioned a sum not to exceed the total salary or salaries to be paid by the County Board of Public Instruction to the teacher or teachers of any school plus an additional fifty (50%) per cent of the said total salary or salaries." And insert in lieu thereof the following: "(a) Provided, that the annual amount to be apportioned for instruction unit or for instruction units in a given school shall not exceed the total amount of salary or salaries to be paid by the County Board of Public Instruction to the teacher or teachers of that school for the school year, plus an additional thirty-three and one-third (33 and 1-3%) per cent of the said total salary or salaries; and

"(b) Provided further that if there are schools in any county where the Board of Public Instruction is unable to immediately fix a minimum salary schedule so that, under paragraph (a) of this Section, each unit in such County shall receive the amount apportioned to each instruction unit under the provisions of Section 5 hereof, then the following plan of apportionment on account of such schools shall be operative, to-wit:

"For the school years of 1931-32 and 1932-33, there shall be apportion for an instruction unit, or for instruction units in a given school a sum not to exceed the total salary, or salaries, to be paid by the County Board of Public Instruction to the teacher, or teachers, of that school for the school year, plus an additional sixty-six and two thirds (66 and 2-3%) per cent of the said total salary or salaries; and,

For the school year 1933-34 and 1934-35 there shall be apportioned for an instruction unit, or for instruction units in a given school a sum not to exceed the total salary, or salaries, to be paid by the County Board of Public Instruction to the teacher, or teachers, of that school for the school year, plus an additional fifty (50%) per cent of the said total salary or salaries.

Senator Futch moved the adoption of the amendment.
Which was agreed to.
And the amendment was adopted.

Senator Futch offered the following amendment to Senate Bill No. 318:

In Section 6, lines 13-14-15 (printed bill), strike out the words "and in such event it shall be the duty of the Governor of the State of Florida forthwith to remove any such County Superintendent of Public Instruction from office," and insert in lieu thereof the following: "and such failure on the part of any County Superintendent shall constitute grounds for his removal from office by the Governor."

Senator Futch moved the adoption of the amendment.
Which was agreed to.
And the amendment was adopted.

Senator Futch offered the following amendment to Senate Bill No. 318:

Strike out all of Section 8 and re-number Section 9 to read Section 8 and Section 10 to read Section 9, and Section 11 to read Section 10.

Senator Futch moved the adoption of the amendment.
Which was agreed to.
And the amendment was adopted.

And Senate Bill No. 318 as amended, was referred to the Committee on Engrossed Bills.

Senator Wagg moved that the rules be waived and the Senate do now take up the consideration of a Message from the Governor which reached the Senate since the hour for the consideration of Messages from the Governor.

Which was agreed to by a two-thirds vote.

And the following Message from the Governor was read and ordered to be spread upon the Journal:

STATE OF FLORIDA,
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 4, 1931.

Honorable Pat Whitaker,
President of the Senate,
Tallahassee.

Sir:

Pursuant to authority vested in me as Governor under the provisions of Section 28 of Article III of the Constitution of Florida, I transmit to you with my objections thereto Senate Bill No. 155, the same having originated in the Senate, Regular Session of 1931, and being entitled as follows:

"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."

I am withholding my approval of this bill for two reasons:

First, because the Constitutionality of the bill as it now stands is, to say the least, extremely doubtful. The law is passed under our Constitutional Amendment providing for an Inheritance Tax which is predicated upon the Federal Law. It contemplates that the Florida Law shall be in harmony with the Federal Inheritance Tax Law. The Federal Law allows the State five years within which to settle a tax. The bill as passed limits the time to three years. In view of the large sum of money involved and the technical requirements of the Federal Government, we can ill afford to take chances on this matter.

Second, the bill allocates the revenue derived under this law to the common schools. Relief to the schools must be definite and certain. The amount to be derived from inheritance tax is so variable and uncertain as to make it impossible to fix a budget in fairness to the schools, the State, or to the Tax Payer.

I would respectfully suggest that all revenue measures be passed and then the revenue allocated according to the necessity of the schools and the State, and with due regard to the Tax Payer. In this way only can we make a rational budget.

Respectfully yours,

DOYLE E. CARLTON,
Governor.

Senator Wagg moved that the rules be waived and the Senate do now consider the above Message from the Governor.

Which was agreed to by a two-thirds vote.

The question was put: "Will the bill pass the Senate, the Governor's veto to the contrary notwithstanding?"

Pending the consideration of the passage of the bill over the Governor's veto, Senator Wagg moved that the rules be waived and the hour of adjournment be extended 15 minutes.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Upon the passage of the bill, the Governor's veto notwithstanding, the roll was called and the vote was:

Yeas—Senators Adams, Bell, Bradshaw, Caro, English, Futch, Getzen, Neel, Young—9.

Nays—Mr. President; Senators Anderson, Andrews, Butler, Chowning, Clarke, Council, Dell, Gary, Gomez, Harris, Harrison, Hinely, Hodges, Howell, Irby, King, Knabb, Lewis, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson—27.

So the bill failed to pass over the Governor's veto.

By unanimous consent the following bill was introduced:

By the Committee on Finance and Taxation—
Senate Bill No. 436:

A bill to be entitled 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.

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

Senator Harris moved that the Senate do now recess until 3:00 o'clock this afternoon.

Which was agreed to.
And the Senate took a recess at 1:08 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate convened at 3:00 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 Adams, Anderson, Andrews, Bell, Brawshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—37.

A quorum present.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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

Senate Chamber,
Tallahassee, Fla., May 4, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

(Senate Bill No. 267):

An Act to abolish the present municipal government of the Town of Mission City, in Volusia County, Florida, and repeal Chapter 1162, Special Acts of 1925, Laws of Florida, the same being "An Act to abolish the present municipal government of the Town of Mission City in the County of Volusia, Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Mission City; to define its territorial boundaries; to provide for its jurisdiction, powers and privileges, and for the exercise of same," and to provide for the payment of its debts.

Also—

(Senate Bill No. 255):

An Act ratifying, confirming, validating and legalizing the assessments, assessment roll, valuation of properties, levies of taxes and sales of tax certificates made by the governing authority of the City of New Smyrna, Volusia County, Florida, for the year, A. D. 1928, and authorizing the collection of said taxes in the manner provided by law.

Also—

(Senate Bill No. 264):

An Act ratifying, confirming, validating, and legalizing all steps, actions and proceedings taken by the City of New Smyrna, Florida, the Mayor of City Auditor and Clerk of said City in connection with the issuance of a promissory note of said City to the Barnett National Bank of DeLand, Florida, in the amount of \$10,000.00 and validating and confirming said promissory note.

Also—

(Senate Bill No. 263):

An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties, levies of taxes and sales of tax certificates made by the City of New Smyrna, Volusia County, Florida, for the years A. D. 1927 and 1929, and authorizing the collection of said taxes in manner provided by law.

Also—

(Senate Bill No. 48):

An Act to repeal Chapter 13807, Laws of Florida, 1929, entitled "An Act granting to certain riparian land owners who now have vested rights acquired under Chapter 4564, Acts of 1927, Laws of Florida, the right to sponge, propagate and grow sponge within the bays, lagoons, sounds, and straits fronting upon or bordering the lands owned by them, and to prohibit trespassing within said areas and providing suitable penalties therefor.

Also—

(Senate Bill No. 75):

An Act for the relief of E. G. Cunningham, individually, and

as Sheriff of Pinellas County, Florida.

Also—

(Senate Bill No. 162):

An Act in conformity with and in furtherance of the provisions of the City Charter of the City of Miami, being Chapter 9024 of the Laws of 1921 and Acts amendatory thereto, providing for a system of pensions and retirement for disability and service, providing for the payment of certain sums to such persons as shall have retired or have been retired and their dependents, creating a fund to be administered as in this Act provided.

Also—

(Senate Bill No. 230):

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 pledges 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.

Also—

(Senate Bill No. 231):

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.

Also—

(Senate Bill No. 233):

A Bill 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.

Also—

(Senate Bill No. 247):

An Act to authorize the City of Orlando, Florida, in the foreclosure of improvement liens, to include in such foreclosure several liens against several district 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.

Also—

(Senate Bill No. 249):

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.

Also—

(Senate Bill No. 262):

An Act ratifying, confirming, validating and legalizing all acts and proceedings of the City Commission of the City of New Smyrna, Florida, heretofore, done and taken in connection with the affairs of said city, and ratifying, confirming, validating and legalizing all acts and proceedings of W. E. Swoope, C. E. Griffin and W. H. Newell, as members of the City Commission of said city, done and taken during their respective terms of office.

Also—

(Senate Bill No. 229):

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."

Also—

(Senate Bill No. 218):

An Act to legalize, ratify, confirm and validate all acts and proceedings of the City Commission of the City of Haines City, Florida, its officers and agents relative to the authorization

and issuance of refunding bonds of said City in the amount of \$100,000.00.

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., May 1, 1931.

Hon. Pat Whitaker,
President of the Senate .

Sir:

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

(House Concurrent Resolution No. 13):

A Concurrent Resolution of the House of Representatives requesting that the Governor of the State of Florida officially request the War Department of the United States to authorize the Third Attack Group of the Air Corps of the United States to stop over at Tallahassee on its return flight from Jacksonville.

Also—

(House Bill No. 299):

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.

Also—

(House Bill No. 349):

An Act validating, approving, legalizing and confirming bonds in the sum of Twelve Thousand Five Hundred (\$12,500.00) Dollars of Griffin Special Tax School District No. 24 of Polk County, Florida, a legally constituted and existing Special Tax School District of Polk County, Florida, etc.

Also—

(House Bill No. 148):

An Act amending Section 18 of Chapter 4300, Acts of 1893, as amended by Section 2 of Chapter 5065, Acts of 1901, entitled "An Act amending Sections 1 and 18, of An Act entitled 'An Act supplementary to An Act entitled 'An Act to establish the Municipality of Jacksonville, provide for its government, and prescribe its jurisdiction and powers,' approved May 31, 1887, and to extend the powers of the government of said municipality,' approved June 2, 1893," providing for the collection of delinquent taxes by suit.

Also—

(House Bill No. 121):

An Act to authorize the Town of Oviedo, Florida, to foreclose its liens for taxes against real property therein situate and which have been delinquent for a period of one year or more.

Also—

(House Bill No. 242):

An Act to repeal Chapter 8658 Special Acts of Legislature for the year 1921 relating to payment of Twenty-Five Dollars Reward for arrest and conviction of persons violating prohibition laws of Florida in Dade County.

Also—

(Committee Substitute for House Concurrent Resolution No. 11):

A Resolution that the Committees in the House and Senate on Legislative Expense be instructed to hold the expenditures of this Regular Session as low as possible consistent with the efficient administration of both branches of the Legislature.

Also—

(House Bill No. 327):

An Act granting the City of Gainesville, a Municipal Corporation of Alachua County, Florida, powers in addition to those contained in its Charter and to the City Plan Board and other officers, agents and employees of said City for the zoning of said City to conserve and promote the interests of said City with reference to building, architecture, landscaping, location and extent of use of buildings, open spaces, streets and structures for trade, industry residence, recreation, and other purposes and providing means for enforcing and remedies for violating the provisions of this Act.

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., May 1, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

(House Bill No. 111):

An Act to repeal Chapter 14010 of the Special Acts of the Session of 1929 of the Legislature of Florida, approved May 20th, 1929, same being "An Act to establish and redefine the territorial limits of the City of Dunedin, Pinellas County, Florida," and to amend Section Six of Chapter 12692 of the Special Acts of the Session of 1927 of the Legislature of Florida, approved June 6th, 1927, same being "An Act to abolish the present municipal government of the City of Dunedin, County of Pinellas, Florida, and to create and establish a municipal corporation to be known as the City of Dunedin, to legalize and validate the ordinances of said City of Dunedin and official Acts thereunder, and to adopt all of said ordinances of said City of Dunedin which are not in conflict with this Act: to validate the contracts of said City of Dunedin; to provide a Charter for said City of Dunedin, to define its territorial limits; provide for its government; to regulate the bringing of suits against said City and providing for notice thereof; to prescribe the jurisdiction and powers of the said City of Dunedin; and to repeal Chapter 11469 of the Laws of the State of Florida," said Section Six relating to the boundaries of said City of Dunedin.

Also—

(House Bill No. 146):

An Act ratifying, confirming and validating the levy, assessment and collection in Walton County, Florida, of taxes for the payment of interest and principal upon certain Jail and Hospital bonds authorized to be issued by said County, and for the maintenance of a Hospital in said County; making permanent the temporary transfer of the funds raised by such levy, and providing for the disposition of such funds.

Also—

(House Bill No. 354):

An Act to authorize the issuance of refunding bonds by the Town of Frostproof, in Polk County, Florida, exclusively for the purpose of refunding any bonds or the interest thereon of said Town, and to provide for the payment of such refunding bonds.

Also—

(House Bill No. 266):

An Act to amend Section 101, as amended, of Chapter 11325, Acts of 1925, entitled: "An Act to abolish the present municipal government of the Town of Winter Park, in the County of Orange, State of Florida; to create, establish, organize and incorporate a City and a municipal corporation to be known and designated as the City of Winter Park; to designate the territorial boundaries of said municipality; and to define and prescribe the jurisdiction, powers, privileges and functions of said municipality."

Also—

(House Bill No. 31):

An Act to legalize, validate, ratify and confirm Ordinance No. 13 of the Town of Altamonte Springs, Florida, entitled "An Ordinance annexing certain territory to the present corporate limits of the Town of Altamonte Springs, Florida, and redefining the boundary lines and territorial limits of the Town of Altamonte Springs, Florida," passed by the Council of the Town of Altamonte Springs, Florida, on the 4th day of May, A. D. 1925, and approved on the 7th day of May, A. D. 1925, and to ratify, validate and confirm all taxes assessed, levied and collected on the real and personal property in the territory so annexed for all years subsequent to the 7th day of May, A. D. 1925.

Also—

(House Bill No. 122):

An Act to validate all tax assessment rolls of the Town of Oviedo, Florida, and the levies of taxes by said Town and the sale by the Tax Collector of the Town of Oviedo, Florida, of lands for non-payment of taxes to said Town.

Also—

(House Bill No. 408):

An Act authorizing the City Council of the City of Palmetto, Florida, to settle and adjust certain delinquent tax liens.

Also—

(House Bill No. 32):

An Act to prescribe the method of advertising the sale of real estate for delinquent taxes of the Town of Altamonte Springs, Florida, and to designate the time of such sale.

Also—

(House Bill No. 404):

An Act authorizing the City of Palmetto, Florida, to accept bonds in payment of special assessment liens and tax liens.

Also—

(House Bill No. 29):

An Act to provide for and establish a Bird Reservation in the Town of Longwood, Seminole County, Florida, defining its boundaries, prohibiting the killing, hunting or destroying of any wild birds or fowl within said described boundaries, and authorizing the Town of Longwood to make and enforce ordinances, rules and regulations necessary for the enforcement of this Act, and to provide by ordinance suitable penalties or punishment for violation of ordinances, rules and regulations pertaining to such enforcement.

Also—

(House Bill No. 265):

An Act legalizing, validating, ratifying and confirming all special assessments and re-assessments made by the City of Winter Park, Florida, prior to this Act becoming effective.

Also—

(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.

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.

REPORTS OF COMMITTEE ON ENGROSSED BILLS

Senator Watson, Chairman of the Committee on Engrossed Bills submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 4, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after 3rd reading—

Senate Bill No. 327:

A bill to be entitled An Act making it unlawful, and to prohibit setting and placing steel traps for, and trapping fur bearing animals within the boundaries of Franklin County,

Florida, within the period from July first, 1931, to July first, 1935, and providing a penalty for the violation thereof.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. WATSON,
Chairman of Committee.

And Senate Bill No. 327, contained in the above report, was ordered to be certified to the House of Representatives.

Also—

Senator Watson, Chairman of the Committee on Engrossed Bills submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 4, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after 3rd reading—

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, and 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 and providing for a referendum election upon the issuance of such bonds.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

J. W. WATSON,
Chairman of Committee.

And Senate Bill No. 232, contained in the above report, was ordered to be certified to the House of Representatives.

Also—

Senator Watson, Chairman of the Committee on Engrossed Bills submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 4, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), after 2nd reading—

Senate Bill No. 318:

A bill to be entitled An Act providing for the apportionment of public free school funds, the one mill Constitutional school tax and the interest on the State School Fund among the several Counties of the State by the State Superintendent of Public Instruction; providing for the apportionment of such funds in proportion to the instruction units in the several Counties; providing a method of determining the number of instruction units based on the average daily attendance in the several Counties; providing a method of determining instruction units for the purposes of this Act, including the elementary unit, the junior high school unit and the senior high school unit; providing a method of computing the number of instruction units of the County; providing for a limitation on the annual amount to be apportioned for an instruction unit or units in a given school; providing a plan of apportionment to Counties where the Board of Public Instruction is unable to immediately fix a minimum salary schedule; providing a method of obtaining the amount of money represented by an instruction unit for any one year and that the item to be apportioned for a teacher's salary plus a given percentage shall not exceed that amount; providing for the furnishing of a statement as to the number and salary of teachers employed in the schools of the County by the Superintendent of Public Instruction of such County, and providing for the withholding from said County an apportionment of the Public Free School Funds until an annual report is received; providing that the apportioned funds shall be disbursed by the several Counties

for public free school purposes only, and providing that the failure of the Superintendent of Public Instruction of the County to furnish such statement or such annual report or the data required for the purposes of this Act shall be grounds for his removal by the Governor, and providing for the repeal of all laws and parts of laws in conflict herewith.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,
J. W. WATSON,
Chairman of Committee.

And Senate Bill No. 318, contained in the above report, was referred to Calendar of Bills on third reading.

REPORTS OF COMMITTEES

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

Senate Chamber,
Tallahassee, Fla., May 4, 1931.

Hon. Pat Whitaker,
President of the Senate.

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

Senate Bill No. 255:

A bill to be entitled An Act relating to the incorporation and dissolution of non-profit corporations, and to require the filing of a statement by all non-profit corporations heretofore incorporated.

Also—

Senate Bill No. 287:

A bill to be entitled An Act to provide for the recovery of attorney's fees provided in any note, mortgage, bond, document or other written contract without the necessity of alleging or proving the reasonableness of such fee, nor the payment thereof, or any contract or obligation on the part of the plaintiff or complainant to pay same.

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

Very respectfully,
BERNARD H. ENGLISH,
Chairman of Committee.

And Senate Bills No's. 255 and 287, contained in the above report, were 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., May 4th, 1931.

Hon. Pat Whitaker,
President of the Senate.

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

Senate Bill No. 324:

A bill to be entitled An Act to amend section one of Chapter 14527, laws of Florida, Acts of 1929, relating to compensation for services in lunacy cases.

Also—

Senate Bill No. 399:

A bill to be entitled An Act to provide for the service of process in civil suits against foreign corporations, 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 herewith.

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

Very respectfully,
BERNARD H. ENGLISH,
Chairman of Committee.

And Senate Bills No's. 324 and 399, contained in the above report, were 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., May 4th, 1931.

Hon. Pat Whitaker,
President of the Senate.

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

Senate Bill No. 400:

A bill to be entitled An Act defining the word and/or terms "doing business" and/or "transacting business."

Have had the same under consideration and recommend that it do pass with the following amendment:

In Section 1, line 2, after the word "terms" insert the following: "Doing business and/or transacting business".

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

Very respectfully,
BERNARD H. ENGLISH,
Chairman of Committee.

And Senate Bill No. 400 with Committee Amendment, contained in the above report, was placed on the Calendar of Bills on second reading.

SENATE BILLS ON THIRD READING

Senate Bill No. 44:

A bill to be entitled An Act to amend Section 741 of the Revised General Statutes of Florida (1920), being Section 950 of the Compiled General Laws of Florida (1927), as amended by Section 2 of Chapter 14752, Acts of 1929, relating to the payment of taxes when due and allowance of a discount if paid before a certain time.

Was taken up 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 Adams, Bell, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hodges, King, Knabb, Lewis, Neel, Stewart, Swearingen, Taylor, Wagg, Watson, Young.—29.

Nays—Senators Anderson, Hinely, Irby, Parker, Turner.—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 Gomez moved that Senate Bill No. 260 be substituted for Senate Bill No. 66.

Which was agreed to.

And it was so ordered.

By unanimous consent Senator Gomez withdrew Senate Bill No. 66.

Senator Council moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 126 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 126:

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.

Was taken up and read a second time in full.

Senator Council moved that the rules be further waived and Senate Bill No. 126 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. 126 was read a third time in full.

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

Yeas—Senators Adams, Anderson, Bell, Caro, Chowning, Council, Dell, Gary, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Irby, King, Knabb, Neel, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson.—25.

Nays—Mr. President; Senators Bradshaw, Butler, Clarke, Futch, Getzen, Lewis, Parker, Young.—9.

So the Bill passed, title as stated.

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

Senator Council moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 127 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 127:

A bill to be entitled An Act to amend Chapter 3384 of the Revised General Statutes of Florida of 1920 being Section 5237 of the Compiled General Laws of Florida of 1927 relating to the fees and cost of Justices of the Peace.

Was taken up and read a second time in full.

Senator Council moved that the rules be further waived and Senate Bill No. 127 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. 127 was read a third time in full.

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

Yeas—Senators Adams, Bell, Caro, Chowning, Council, Gary, Harris, Hilburn, Hodges, King, Knabb, Stewart, Taylor, Turner, Wagg—15.

Nays—Mr. President; Senators Anderson, Bradshaw, Butler, Clarke, Dell, English, Futch, Gomez, Harrison, Hinely, Howell, Irby, Lewis, Neel, Parker, Swearingen, Young—18.

So the Bill failed to pass.

By unanimous consent Senator Stewart withdrew Senate Bill No. 92.

Senator Bell moved that the rules be waived and that Senate Bill No. 241 be re-referred to the Committee on Judiciary "A".

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Gary moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 295 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 295:

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.

Was taken up and read a second time in full.

Senator Gary moved that the rules be further waived and House Bill No. 295 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. 295 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, Bradshaw, Butler, Caro, Chowning, Clarke, Dell, English, Futch, Gary, Gomez, Harris, Harrison, Hilburn, Hinely, Irby, Knabb, Lewis, Parker, Parrish, Stewart, Taylor, Turner, Wagg, Watson, Young—29.

Nays—None.

So the bill passed, title as stated.

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

Senator Turner moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 139 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 139:

A bill to be entitled An Act to amend Section 43 of Chapter 13644, Laws of Florida, 1929, being Section 1977 of 1930 Supplement to Compiled General Laws of Florida, 1927, relating to the open deer season.

Was taken up and read a second time in full.

Senator Turner moved that the rules be further waived and Senate Bill No. 139 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. 139 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 Anderson, Andrews, Bradshaw, Butler, Caro, Council, Dell, English, Futch, Harris, Harrison, Hodges, Howell, Knabb, Lewis, Neel, Parker, Turner, Watson, Young—21.

Nays—Senators Adams, Chowning, Clarke, Gary, Getzen, Gomez, Hilburn, Irby, King, Parrish, Stewart, Swearingen,

Taylor, Wagg—14.

The following pair was announced on the passage of the bill:

I am paired with Senator Bell. If he were here he would vote "yea" and I would vote "nay."

S. A. HINELY.

So the Bill passed, title as stated.

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

Senator Wagg moved that the rules be waived and that the Senate do not meet in afternoon session during the remainder of the present week.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Gomez moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 258 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 258:

A bill to be entitled An Act to prohibit live stock from running or roaming at large within the following territorial limits of Lee County, in the State of Florida, and providing for the enforcement of this Act and for the impounding of live stock found running or roaming at large in said portion of Lee County in the State of Florida, and providing that persons damaged by such live stock running or roaming at large may recover damages therefor and providing a penalty for the violation of the provisions of this Act and for the taking effect of said Act.

Was taken up and read a second time in full.

Senator Gomez moved that the rules be further waived and House Bill No. 258 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. 258 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, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—37.

Nays—None.

So the Bill passed, title as stated.

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

Senator Whitaker moved that the rules be waived and Senate Bill No. 164 be recalled from the Committee on Judiciary "A".

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Whitaker moved that the rules be further waived and the Senate do now take up the consideration of Senate Bill No. 164.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 164:

A bill to be entitled An Act to declare, designate and establish the degree of disability of Veterans of the Spanish American War and the World War to be deemed to have been disabled in war.

Was taken up and read a second time in full.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 164 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. 164 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, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Lowell, Irby, King, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—34.

Nays—None.

So the Bill passed, title as stated.

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

Senator Harris moved that the rules be waived and the

Senate do now take up the consideration of Senate Bill No. 104 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 104:

A bill to be entitled An Act to repeal Sub-Section D of Section 6 of Chapter 14491, Acts of 1929, Laws of Florida, imposing a license tax upon apartment houses.

Was taken up and read a second time in full.

Senator Harris moved that the rules be further waived and Senate Bill No. 104 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. 104 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, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, King, Parrish, Stewart, Swearingen, Taylor, Wagg, Watson—30.

Nays—Senator Young—1.

So the Bill passed, title as stated.

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

Senator English moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 351 out of its order.

Which was agreed to by a two-thirds vote.

And—

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.

Was taken up and read a second time in full.

Senator English moved that the rules be further waived and Senate Bill No. 351 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. 351 was read a third time in full.

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

Yeas—Senators Adams, Anderson, Andrews, Bradshaw, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, King, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—33.

Nays—Senator Butler—1.

So the Bill passed, title as stated.

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

Senator Howell moved that the rules be waived and the hour of adjournment be extended ten minutes.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Clarke moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 148 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 148:

A bill to be entitled An Act to amend Section 1984 of the Compiled General Laws of Florida 1927, relating to the number of copies of statutes and disposition thereof.

Was taken up and read a second time by its title only.

Committee Substitute for Senate Bill No. 148:

A bill to be entitled An Act to amend Section 1984, Compiled General Laws of Florida, 1927, being Section 1308, Revised General Statutes of Florida, 1920, relating to the number of copies of statutes and disposition thereof.

The above Committee Substitute for Senate Bill No. 148 was taken up and read the first time by its title only.

Senator Clarke moved that the rules be further waived and Committee Substitute for Senate Bill No. 148 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 148 was read a second time in full.

Senator Clarke moved the adoption of the Committee Substitute for Senate Bill No. 148.

Which was agreed to.

And Committee Substitute for Senate Bill No. 148 was adopted.

Senator Clarke moved that the rules be further waived and Committee Substitute for Senate Bill No. 148 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. 148 was read a third time in full.

Upon the passage of Committee Substitute for Senate Bill No. 148 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Andrews, Bradshaw, Butler, Caro, Chowning, Clarke, Council, Dell, Futch, Gary, Getzen, Harris, Hilburn, Hinely, Hodges, Howell, Irby, King, Knabb, Lewis, Neel, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson—30.

Nays—Senators English, Parker—2.

So the Committee Substitute passed, title as stated.

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

Senator Howell moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 421 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 421:

A bill to be entitled An Act to validate and confirm the issue of \$300,000 of bonds, which was issued by the city of Panama City, Florida, under date of May 1, 1930, and the action of the city commissioners of said city in relation thereto.

Was taken up.

Senator Howell moved that the rules be further waived and House Bill No. 421 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 421 was read a second time by its title only.

Senator Howell moved that the rules be further waived and House Bill No. 421 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. 421 was read a third time in full.

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

Yeas—Mrs. 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, King, Knabb, Lewis, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Watson, Young—37.

Nays—None.

So the Bill passed, title as stated.

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

The hour of adjournment having arrived a point of order was called and thereupon, the Senate stood adjourned at 5:10 o'clock P. M., until 11:00 o'clock A. M., Tuesday, May 5, 1931.