

JOURNAL OF THE SENATE

TUESDAY, MAY 5, 1931

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 4, 1931.

The President in the chair.

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

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

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, May 4, was corrected, and as corrected was approved.

REPORT OF ENROLLING COMMITTEE

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

Senate Chamber,
Tallahassee, Florida, May 5, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

(House Bill No. 208):

An Act to Authorize the Board of Commissioners of Citrus Center Drainage District to Decrease the Taxes levied in said District for the Year 1931 and succeeding years to such an amount as they may deem proper.

Also—

(House Bill No. 346):

An Act to Provide for the Nomination in Primaries of Candidates for Office of County Commissioner by the Voters of the County at Large, in Walton County, Florida.

Also—

(House Bill No. 347):

An Act to Provide for the Nomination in Primaries of Candidates for Office of Members of Board of Public Instruction, by the Voters of the County at Large, of Walton County, Florida.

Also—

(House Bill No. 395):

An Act to Repeal Chapter 13683—(No. 119) Laws of 1929, Relating to and Creating the Lakeport Improvement District, Lying and Being wholly within Glades County, Florida.

Also—

(House Bill No. 396):

An Act to Repeal Chapter 11644—(309) Laws of 1926, Relating to the North LaBelle Drainage District Lying Wholly within Glades County, Florida.

Also—

(House Bill No. 616):

An Act in Relation to the City of Sanford, Florida, and to Authorize the Collection by Foreclosure of Taxes Heretofore or Hereafter Assessed by the City of Sanford, Florida, upon Real Property within such City, and Authorizing the Inclusion in any such Bill of Complaint for the Foreclosure of Tax Liens, the Foreclosure of Special Assessment Liens, if any, upon all or any of the Property Involved in any such Suit, and to Repeal all parts of the Charter of the City of Sanford, Florida, and Amendments Thereto Providing for the Sale of Real Property within said City for Non-Payment of Taxes.

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.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS ON THE PART OF THE SENATE

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 5th, 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 11,621 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. 266):

An Act ratifying, confirming, validating and legalizing the assessments, assessment roll, valuations of properties, levies of taxes and sales of Tax Certificate 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 Commission of the City of New Smyrna, Florida, the Mayor and 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 1897, Laws of Florida, the right to sponge, propagate and grow sponge within the bay, 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 dependants, 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 distinct properties owned by the same person, firm or corporation, irrespective of other parties interested in such properties, and to include any and all other parties interested in said properties in said suit, and providing for sale on foreclosure of same.

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 authoriza-

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

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 5th, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

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

(House Bill No. 208):

An Act to authorize the Board of Commissioners of Citrus Center Drainage District to decrease the taxes levied in said district for the year 1931 and succeeding years to such an amount as they may deem proper.

Also—

(House Bill No. 346):

An Act to provide for the nomination in primaries of candidates for office of County Commissioner by the voters of the county at large, in Walton County, Florida.

Also—

(House Bill No. 347):

An Act to provide for the nomination in primaries of candidates for office of Members of Board of Public Instruction, by the voters of the county at large, Walton County, Florida.

Also—

(House Bill No. 395):

An Act to repeal Chapter 13683—(No. 119) Laws of 1929, relating to and creating the Lakeport Improvement District, lying and being wholly within Glades County, Florida.

Also—

(House Bill No. 396):

An Act to repeal Chapter 11644—(309) Laws of 1925, relating to the North LaBelle Drainage District lying wholly within Glades County, Florida.

Also—

(House Bill No. 616):

An Act in relation to the City of Sanford, Florida, and to authorize the collection by foreclosure of taxes heretofore or hereafter assessed by the City of Sanford, Florida, upon real property within such city and authorizing the inclusion in any such bill of complaint for the foreclosure of tax liens the foreclosure of special assessment liens, if any, upon all or any of the property involved in any such suit, and to repeal all portions of the Charter of the City of Sanford, Florida, and Amendments thereto providing for the sale of real property within said city for non-payment of taxes.

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

Very respectfully,

J. W. TURNER,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

REPORTS OF COMMITTEES

Senator Swearingen, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 5th, 1931.

Hon. Pat Whitaker,

President of the Senate.

Sir:

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

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.

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

Very respectfully,
 JOHN J. SWEARINGEN,
 Chairman of Committee.

And Senate Bill No. 423, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—
 Senator Swearingen, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 5th, 1931.

Hon. Pat Whitaker,
 President of the Senate.

Sir:

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

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, of 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.

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

Very respectfully,
 JOHN J. SWEARINGEN,
 Chairman of Committee.

And Senate Bill No. 426, 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., May 5th, 1931.

Hon. Pat Whitaker,
 President of the Senate.

Sir:

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

Senate Bill No. 153:

A bill to be entitled An Act to provide and prescribe regulations for the conduct and operations of laundries, cleaning establishments, pressing clubs, and similar businesses; for the creation of a Board of Laundry Supervisors, with powers, duties and authority thereof; and prescribing penalties for violation of said regulations.

Committee Amendment suggested.

Amendment No. 1—

In Section 5, lines 7 and 8, strike out the words, "One (\$1.00) Dollar" and insert in lieu thereof the following: "Five (\$5.00) Dollars."

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. 153, contained in the above report, together with committee amendment, 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., May 5th, 1931.

Hon. Pat Whitaker,
 President of the Senate.

Sir:

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

Senate Bill No. 294:

A bill to be entitled An Act authorizing and permitting departments of the State of Florida engaged in the construction, maintenance and/or upkeep of public works and/or improvements to sue and be sued on claims or breaches hereafter arising out of contracts under seal, the subject matter of which shall have been provided for by law; and/or for work done and/or material furnished; and limiting said actions against any of said departments to actions not sounding in tort; and repealing laws and parts of laws in conflict with this Act.

Committee Amendment suggested:

Amendment No. 1—

In Section 1, line 3, after the word "Jurisdiction" insert the following words, "except in United States Courts."

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. 294, contained in the above report, together with committee amendment, was placed on the Calendar of Bills on second reading.

Also—

Senator Caro, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 5, 1931.

Hon. Pat Whitaker,
 President of the Senate.

Sir:

Your Committee on Claims, to whom was referred:

Senate Bill No. 367:

A bill to be entitled An Act for the relief of James R. Jackson, Clerk of the Circuit Court of Taylor County, Florida, on account of moneys on deposit in The First National Bank of Perry, Florida, belonging to the State of Florida and Taylor County for Tax Redemptions.

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

Very respectfully,
 HERBERT P. CARO,
 Chairman of Committee.

And Senate Bill No. 367, 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., May 5, 1931.

Hon. Pat Whitaker,
 President of the Senate.

Sir:

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

Senate Bill No. 69:

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

And—

Senate Bill No. 237:

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

And—

Senate Bill No. 305:

A bill to be entitled An Act to provide that the various counties of the State of Florida shall receive all of the interest collected on the sale and redemption of all State and County tax certificates and that the same shall become a part of the General Revenue Fund of Each of Such Counties.

And—

Senate Bill No. 307:

A bill to be entitled An Act to amend Section 2652 of the

Revised General Statutes of 1920, being Section 4318 of the Compiled General Laws of 1927, relating to pleas in actions at law.

And—

Senate Bill No. 309:

A bill to be entitled An Act to amend Section 6932 of the Compiled General Statutes of Florida of 1927; same being Section 4846 of the Revised General Statutes of 1920, relating to designation of legal holidays.

And—

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 States of 1920; and to repeal (Section 8290, Revised General States of Florida, of 1927), Section 5996 Revised General Statutes of Florida of 1920.

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

Very respectfully,

E. M. JOHNS,
Chairman of Committee.

And Senate Bills No's. 69, 237, 305, 307, 309 and 354, contained in the above report, were 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., May 5, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

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

Senate Bill No. 295:

A bill to be entitled An Act to amend Section 3168 of the Revised General Statutes of Florida of 1920 limiting the time of appeals in chancery.

And—

Senate Bill No. 297:

A bill to be entitled An Act to amend Section 2909 of the Revised General Statutes of Florida of 1920 limiting the time for suing out writs of error.

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

Very respectfully,

E. M. JOHNS,
Chairman of Committee.

And Senate Bills No's. 295 and 297, contained in the above report, were placed on the table under the rule.

INTRODUCTION OF RESOLUTIONS

By Senator Gomez—

Senate Concurrent Resolution No. 16:

WHEREAS, a movement is now in progress to locate the PAN-AMERICAN HIGHWAY route through this State, and it is recognized that interesting the Federal Government in co-operating with this movement will be of inestimable value to the State of Florida, therefore

BE IT RESOLVED by the Senate, the House of Representatives concurring:

FIRST, that the Legislature of the State of Florida urge upon all our citizens, communities and civic groups all reasonable and proper activity in furthering the movement to locate the PAN-AMERICAN HIGHWAY route through the State of Florida.

SECOND, that the Legislature of the State of Florida hereby adds its endorsement to such movement and requests that all State Agencies cooperate as far as possible in this movement.

Which was read the first time in full.

Senator Gomez moved that the rules be waived and Senate Concurrent Resolution No. 16 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 16 was read a second time in full.

Senator Gomez moved the adoption of Senate Concurrent Resolution No. 16.

Which was agreed to.

And Senate Concurrent Resolution No. 16 was adopted.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Gomez—

Senate Bill No. 437:

A Bill to be Entitled An Act Relating to Judicial Bonds in this State when executed by personal sureties, creating liens on real and personal property of such sureties, on the property listed and described in such bonds, prescribing the duty of any officer or court approving such bonds and providing for the filing and recordation of such bonds in the office of the clerk of the Circuit Court in a book to be kept for such purpose to be entitled and marked "Judicial Bonds."

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

By Senator Lewis—

Senate Bill No. 438:

A Bill to be entitled An Act providing that Certain Lands owned by the State of Florida in Special Tax School District Number Nine (9) in Jackson County, Florida, be Assessed for the Millage Levied and Imposed in said District to Raise Interest and Sinking Fund for the Payment of Bonds, Heretofore Issued by Said Special Tax School District; and Providing for the Levying and Assessment against said Lands of Taxes for the Support and Maintenance of the Public Free School by the said Special Tax School District and Authorizing the Board of Commissioners of State Institutions to pay such Tax and Making an Appropriation Therefor.

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

By Committee on Agriculture and Live Stock—

Senate Bill No. 439:

A Bill to be Entitled an Act making it Discretionary with the Commissioner of Agriculture to use and Direct the Use of Tags or Stamps in Relation to Inspection Fees, and when Tags are so Used that all Laws and Regulations Now Applying to such Stamps shall apply to the Use of the Tags.

Which was read the first time by its title only and placed on the Calendar of Bills on second reading without reference.

By Committee on Agriculture and Live Stock—

Senate Bill No. 440:

A Bill to be Entitled an Act providing for the Sale of Eggs by Grades or Standards; Requiring Retail Sale by Grade or Quality; defining Various Grades of Eggs; Prohibiting Sales Misrepresentation; providing for Making and Filing Invoices; requiring Labeling of Eggs Sold at Retail; Licensing Wholesale Dealers; authorizing the Commissioner of Agriculture to Promulgate Rules and Regulations; and Providing Penalties for the Violation of this Act.

Which was read the first time by its title only and placed on the Calendar of Bills on second reading without reference.

By Committee on Agriculture and Live Stock—

Senate Bill No. 441:

A Bill to be Entitled An Act providing for Inspection of Weights and Measures; Adopting Standards for Weights and Measures; Providing for Character of Construction and Permanency of Weights and Measures; Providing Methods of Inspection of Weights and Measures; Defining Responsibility of all Who Own or Operate Weights, Measures and Devices Covered by this Act; Prescribing Requirements as to Weight, Size and Quantity of Various Commodities; Defining Authority of Enforcement Agents; Providing for Condemnation Proceedings in the Enforcement of this Act; Authorizing the Commissioner of Agriculture to Promulgate General Rules and Regulations; and Providing Penalties for the Violation of this Act.

Which was read the first time by its title only and placed on the Calendar of Bills on second reading without reference.

By Senator Getzen—

Senate Bill No. 442:

A bill to be entitled An Act regulating the production, sale, dispensation and other traffic in narcotic drugs as defined herein; making exceptions; providing for the identification of said drugs and the containers thereof and for the execution of prescriptions and orders therefor; providing for the confinement, treatment and parole of persons addicted to such drugs; providing for the making of reports by persons affected by this Act; providing for the revocation of the licenses of physicians and others for violating the provisions hereof; regulating the planting, cultivating and use of drug producing

plants and declaring as common nuisances places resorted to by drug addicts and prohibiting the visiting of such places; providing for the seizure of conveyances of said drugs; providing generally the means and method of enforcement and for the prosecution and confinement of persons violating the provisions hereof; providing for presumptions and burden of proof; prescribing offenses, fines, penalties and punishment; providing for the adoption of rules and regulations and for the enforcement of certain provisions by the State Board of Health and the State Health Officer and for the seizure of drugs.

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

By Senator Whitaker—

Senate Bill No. 443:

A bill to be entitled An Act to grant a pension to William M. Youmans of Hillsborough County, Florida.

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

By Senator Howell—

Senate Bill No. 444:

A bill to be entitled An Act to relieve the County of Washington in the State of Florida of the payment of \$722.85 due to the State Live Stock Sanitary Board of the State of Florida for serum and virus furnished said County by said Board, and directing the State Live Stock Sanitary Board to charge off on its serum account book the balance of \$722.85 due by the County of Washington.

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

By Senator Butler—

Senate Bill No. 445:

A bill to be entitled An Act relating to the holding of inquests of the dead by justices of the peace, abolishing juries in such inquests, providing rules and regulations for holding such inquests, fixing the compensation of the justice of the peace for holding such inquest, and repealing Section 6191, Section 6192, Section 6193, Section 6194, Section 6195, Section 6196, Section 6197, Section 6198, Section 6199, Section 6200, Section 6201, Section 6203, Section 6204, Revised General Statutes of Florida, repealing Chapters 8581, Acts of 1921, repealing Chapter 10101 Acts of 1925, repealing Section 6205, Section 6206, Section 6207, Revised General Statutes of Florida.

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

By Senator Futch—

Senate Bill No. 446:

A bill to be entitled An Act authorizing the Commissioner of Agriculture of Florida to purchase from the Cora B. Williams Estate Field Notes and Township Plats covering portions of the Forbes Purchase, located in Gadsden, Liberty, Leon and Wakulla Counties in the State of Florida, and making appropriation therefor.

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

By Senator Parrish—

Senate Bill No. 447:

A bill to be entitled An Act to amend Section One of Chapter 12453, Laws of Florida, Acts of 1927, the same being: An Act to provide for the conservation and protection of certain wild trees, shrubs and plants in the State of Florida.

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

By Senator Lewis—

Senate Bill No. 448:

A bill to be entitled An Act to amend Section 4276 of the Revised General Statutes of Florida, being Section 6235 of the Compiled General Laws of Florida, relating to contracts of Fire Insurance Companies.

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

By Senator Lewis—

Senate Bill No. 449:

A bill to be entitled An Act to amend Section 4267 of the Revised General Statutes of Florida, being Section 6224 of the Compiled General Laws of Florida, relating to contracts of Casualty Insurance Companies.

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

By Senator Young—

Senate Bill No. 450:

A bill to be entitled An Act to create in the several counties of the State of Florida a commission to be known as the County Budget Commission, and to prescribe the qualifications, powers and duties of said Budget Commission severally, and to prescribe and regulate the functions thereof.

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

By Senator Turner—(by request).

Senate Bill No. 451:

A bill to be entitled An Act to authorize the Board of Commissioners of State Institutions of Florida to lease for the purpose of prospecting and drilling for and producing oil and gas and other minerals, for the benefit of the Seminole Indians of Florida, the lands of their reservation in Monroe County and to provide for the distribution of monies arising therefrom.

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

By Senators Wagg, King and Neel—

Senate Bill No. 452:

A bill to be entitled An Act relating to Commissions of county assessors of taxes for assessing special taxes and special tax district taxes.

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

By Senator Swearingen—

Senate Bill No. 453:

A bill to be entitled An Act designating, declaring and establishing as a State road that certain highway running South from the City of Polk City, Florida, in Polk County, to the Town of Florence Villa, out of Winter Haven, Polk County, Florida.

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

By Senator Swearingen—

Senate Bill No. 454:

A bill to be entitled An Act designating, declaring and establishing as a State road that certain highway running from the City of Polk City, Florida, in Polk County, to the Town of Haines City, Polk County, Florida.

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

Senator Hodges moved that the rules be waived and Senate Bill No. 406 be recalled from the Committee on Insurance and re-referred to the Committee on Finance and Taxation.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Howell moved that the rules be waived and Senate Bills Nos. 358, 386 and 357 be re-referred to the Committee on Pensions.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By unanimous consent Senator Gary withdrew Senate Bill No. 70.

Senator Andrews moved that the rules be waived and Senate Bill No. 181 be recalled from the Committee on Judiciary "A".

Which was agreed to by a two-thirds vote.

And it was so ordered.

By unanimous consent Senator Andrews withdrew Senate Bill No. 181.

Senator Bell moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 589 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 589:

A bill to be entitled An Act to abolish the Istokpoga Sub-Drainage District, situated in Highlands County, Florida, and to abolish the Indian Prairie Sub-Drainage District, situated in Highlands and Glades Counties, Florida, and to provide

for payment of outstanding indebtedness of said Districts; and create a Sub-Drainage District from territory embraced in said Istokpoga Sub-Drainage District and Indian Prairie Sub-Drainage District and additional territory to be named ISTOKPOGA CONSOLIDATED SUB-DRAINAGE DISTRICT; and to prescribe the boundaries of said Istokpoga Consolidated Sub-Drainage District; to provide for election of Board of Supervisors for said District; and to prescribe powers and duties of such Supervisors; to provide for levy and collection of taxes and assessments of benefits in said Istokpoga Consolidated Sub-Drainage District; and to provide for retirement of all outstanding bonds of the Istokpoga Sub-Drainage District and Indian Prairie Sub-Drainage District by payment or exchange for the bonds of Istokpoga Consolidated Sub-Drainage District; and to authorize and provide for issue of bonds of Istokpoga Consolidated Sub-Drainage District; to provide for assessments against all land not heretofore embraced in Istokpoga Sub-Drainage District and Indian Prairie Sub-Drainage District that are included in Istokpoga Consolidated Sub-Drainage District for benefits derived or to be derived from improvements made or to be made; to prescribe the powers, duties and liabilities of said Istokpoga Consolidated Sub-Drainage District; to provide for collection of all past due tax assessments levied in Istokpoga Sub-Drainage District or Indian Prairie Sub-Drainage District and to declare the creation of Istokpoga Consolidated Sub-Drainage District to be for purpose of reclaiming and protecting wet and over-flow lands or lands subject to over-flow situated in said District and declare lands situated in said District to be wet and over-flow lands or subject to over-flow and necessary to be drained for sanitary and agricultural purposes and give to Istokpoga Consolidated Sub-Drainage District right of Eminent Domain with full power to acquire such property or land as may be necessary for its purpose.

Was taken up.

Senator Bell moved that the rules be further waived and House Bill No. 589 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 589 was read a second time by its title only.

Senator Bell offered the following amendment to House Bill No. 589:

In Section 47, line 3, after the word Florida add the following: "Provided that nothing in this Act shall in any wise affect any litigation now pending involving the validity of any tax or assessment levied in either of said districts or of the validity of any of the bonds of said districts."

Senator Bell moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Bell moved that the rules be further waived and House Bill No. 589, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 589, as amended, was read a third time in full.

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

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

Nays—None.

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

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

By unanimous consent Senator Hilburn withdrew Senate Bill No. 200.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

House of Representatives,
Tallahassee, Fla., May 5, 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 concurred in Senate Amendment to—

House Bill No. 203:

A bill to be entitled An Act amending Sections one (1), of Chapter 7913, Acts of 1919, the same being Section 747, of the Compiled General Laws of Florida and relating to the consolidation, division and merger of Special Tax School Districts.

Which amendment is as follows:

In Section 1, line 8, strike out the word five, and insert in lieu thereof the following: one.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

Also—

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

House of Representatives,
Tallahassee, Fla., May 4, 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 refuses to comply with the request of the Senate that House Bill No. 401 be returned to the Senate.

By Committee on Judiciary "A"—

House Bill No. 401:

A bill to be entitled An Act to repeal Chapter 14533 of the Acts of Florida, 1929, being An Act entitled, "An Act to authorize the Supreme Court of Florida to select commissioners to assist the Court in the performance of its duties and describing the duties of such commissioners and providing for their compensation."

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

Also—

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

House of Representatives,
Tallahassee, Fla., May 4, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Watson—

Senate Bill No. 416:

A bill to be entitled An Act providing for the appointment of assistants to county solicitors of criminal courts of record in certain counties and providing for their compensation.

Very respectfully,

FRANK WEBB,
Chief Clerk, House of Representatives.

And Senate Bill No. 416, contained in the above message, was read by its title and referred to the Committee on Enrolled Bills.

Also—

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

House of Representatives,
Tallahassee, Fla., May 4, 1931.

Hon. Pat Whitaker,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 197:

A bill to be entitled An Act relating to the City of Pensacola, granting powers to said City, changing the form of government, creating a council form of government with a City manager as administrative head whose duties are defined, and who is to act under and be responsible to the city council; providing rules of procedure for city council, investigation of transactions of departments and officials, creating administrative departments and board, defining duties of each; providing for finance and taxation, payment of claims, keeping

of funds, accounts and issuing warrants; providing for indebtedness, creating tax assessor and board of equalization; also providing for the assessment and collection of taxes; providing for franchises, courts and fines and bonds of officials; creating a civil service board for city employees and prescribing rules and regulations for civil service and applicants and employees; providing for compensation of council, mayor, officers and employees; prohibiting certain acts of officials; providing for oath of officials, pension fund and the continuance of present officials and employees until replaced, and officials hours; providing for division of the city into wards and for the election for the ratification of this charter and the election of councilmen as provided; and the adoption of measures for carrying on the above.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk, House of Representatives.

And House Bill No. 197, contained in the above message, was read the first time by its title and ordered to be 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 was informally passed.

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

House Concurrent Resolution No. 15:

A Concurrent Resolution resolving that our Florida delegation in Washington together with our National Republican Committeeman be requested to introduce at an early date a bill in Congress, and work for its passage, providing for the location, construction and maintenance of a hospital for nurses in the State of Florida.

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

Senator Gomez moved the adoption of House Concurrent Resolution No. 15.

Which was not agreed to.

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

CONSIDERATION OF SENATE BILLS ON THIRD READING

Senate Bill No. 82:

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

Was taken up 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 Adams, Anderson, Andrews, Bell, Bradshaw, Caro, Chowning, Clarke, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Harrison, Hilburn, Hinely, Hodges, Howell, Irby, Johns, King, Knabb, Neel, Parker, Parrish, Stewart, Swearingen, Taylor, Turner, Wagg, Young—35.

Nays—None.

So the Bill passed, title as stated.

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

Senate Joint Resolution No. 19:

A JOINT RESOLUTION providing an amendment to Section One, Article Ten of the Constitution of the State of Florida relating to Homesteads and Exemptions, and providing that no actual homestead shall be subject to State or County taxation.

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

That the following Amendment to Section One, Article Ten, of the Constitution of the State of Florida, relating to Homesteads and Exemptions be, and the same is hereby agreed to and shall be submitted to the electors of the State of Florida at the general election of Representatives to be held in 1932, for approval or rejection. That said Section One of Article Ten shall be amended so as to read as follows:

Article Ten (Section One): A Homestead to the extent of One Hundred and Sixty acres of land or the half of one acre within the limits of any incorporated city or town, owned by the head of a family, actually residing in this State, together with One Thousand Dollars worth of personal property and the improvements on the real estate, shall be exempt from forced sale under process of any court, and

the real estate shall not be alienable without the joint consent of husband and wife when that relation exists. But no property shall be exempt from sale for the payment of obligations contracted for the purchase of said property or for the erection or repair or improvement on the real estate exempted, or for house, field or other labor performed on the same. The exemption herein provided for in a city or town shall not extend to more improvements or buildings than the residence or business house of the owner; and no judgment or decree or execution shall be a lien upon exempted property except as provided in this article. And no assessment for any State or County taxation shall be levied upon that part of the actual homestead of any person who is an actual citizen of this State and residing therein ordinarily for nine months of the year when such homestead is herein defined is actually used for home purposes and no other purpose and after such citizens or resident files with the tax collector collecting taxes for the State and County in the County in which such homestead is located, a proper description of the property so claimed as exempt and as heretofore defined by this Section. The part of the homestead to be exempted from State and County taxation shall be the house wherein such citizen or resident lives with his family and that part of the land which is used for house and barnyard purposes, under fence, and within the curtilage of the dwelling.

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

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

Yeas—Mr. President; Senators Andrews, Bell, Bradshaw, Butler, Caro, Council, Dell, English, Futch, Gary, Getzen, Gomez, Harris, Hilburn, Hodges, Johns, King, Knabb, Lewis, Parker, Parrish, Taylor, Turner, Wagg, Watson, Young—27.

Nays—Senators Adams, Anderson, Chowning, Clarke, Harrison, Hinely, Howell, Irby, Neel, Stewart, Swearingen—11.

So Senate Joint Resolution No. 19 passed by the Constitutional three fifths vote.

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

Senator Young moved that Senate Bill No. 332 be made a Special and Continuing order for 12:00 o'clock noon, Wednesday, May 6, 1931.

Which was agreed to.

And it was so ordered.

Senator Gomez moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 12:43 o'clock P. M.

The Senate emerged from Executive Session at 12:55 o'clock P. M.

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

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

A quorum present.

Senator Butler gave notice that he would move to reconsider the vote by which Senate Joint Resolution No. 19 passed the Senate.

Senator Neel gave notice that he would move to reconsider the vote by which Senate Bill No. 126 passed the Senate.

Senator Neel moved that the rules be waived and Senate Bill No. 126 be recalled from the House of Representatives.

Which was agreed to by a two-thirds vote.

And it was so ordered.

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

Which was agreed to by a two-thirds vote.

And it was so ordered.

By permission the following bills were introduced:

By Senator King—

Senate Bill No. 455:

A bill to be entitled An Act authorizing Cities, Towns, and other municipalities to levy a tax for advertising purposes of not to exceed one mill in each year.

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. 456:

A bill to be entitled An Act creating a Civil Service Board for the City of St. Petersburg, Florida, defining its membership, powers and duties; designating the members of the police and fire departments who are within the terms of said Act; and providing for a referendum on said Act and when said Act shall take effect and other matters in regard thereto.

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

By Senator Watson—
Senate Bill No. 457:

A bill to be entitled An Act to regulate the employment and limit the working hours of females in the State of Florida, and to provide for their working conditions and for the enforcement of this Act.

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

By Senator King—
Senate Bill No. 458:

A bill to be entitled An Act amending Section 2 and Section 4 of Chapter 10254, Laws of Florida, entitled: "An Act to provide for the furnishing by the State of Florida of free text books for the use of the pupils in the first six grades of the Public Free Schools in the State of Florida, and to provide for the levy and collection of a tax for said purpose, and appropriating the amount so collected on account of said tax levy for the payment of said text books and other expenses herein provided for, and providing penalties for violation of this Act." Approved May 26, 1925.

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

By Senator Swearingen—
Senate Bill No. 459:

A bill to be entitled An Act to make an appropriation for advertising the citrus resources of the State of Florida through the Florida Orange Festival annually held at Winter Haven, Polk County, Florida; and to provide for the payment of such appropriation.

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

By Senator Watson—
Senate Bill No. 460:

A bill to be entitled An Act fixing the fees and/or compensation to be charged and received by the justices of the peace of the several counties 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 Watson (by request)—
Senate Bill No. 461:

A bill to be entitled An Act to appropriate a five year annual fund of two hundred fifty thousand dollars (\$250,000.00) for a unified program of advertising and publicity for the State of Florida, to create an advisory committee on state advertising, and to provide the manner of expending state advertising funds.

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

By Senator Young—
Senate Bill No. 462:

A bill to be entitled An Act to establish and maintain a branch experimental station in Indian River County, Florida, to conduct a field research on laboratory problems; to make it the duty of the board of control to establish such branch station and provide for carrying on investigation thereat and appropriating the money for the expense thereof.

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

By Senator Harrison—
Senate Bill No. 463:

A bill to be entitled An Act to protect and control the artesian waters of the State of Florida and to provide a penalty for the violation of said Act.

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

By Senator Harrison—
Senate Bill No. 464:

A bill to be entitled An Act for the relief of J. L. Kilgore, Manatee County, Florida.

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

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:05 o'clock P. M., until 11:00 o'clock A. M., Wednesday, May 6, 1931.

EXECUTIVE SESSION

Confirmations

The Senate in executive session on May 5, 1931, advised and consented to the following appointments made by the Governor:

L. D. Howell, Solicitor Criminal Court of Record in and for Duval County, Florida;

B. F. Camp, Jr., Harbor Master for the port of Jacksonville, Florida;

H. Mason Smith of Tampa, Henry E. Palmer of Tallahassee, Edward M. L'Engle of Jacksonville, Members of the State Board of Health.