

# JOURNAL OF THE SENATE

Wednesday, May 3, 1933

The Senate convened at 10:30 o'clock A. M. pursuant to adjournment on Tuesday, May 2, 1933.

The President in the Chair.

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

Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Tuesday, May 2, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

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

Senate Chamber,  
Tallahassee, Fla., May 2, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

Your Committee on Pensions, to whom was referred:

Senate Bill No. 327:

A bill to be entitled An Act granting a pension to Mrs. Helen G. Mitchell, of Macclenny, Florida.

Also—

Senate Bill No. 328:

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

Also—

Senate Bill No. 425:

A bill to be entitled An Act awarding special pensions to Robert F. Rogers, Sr., of Marion County, Florida and to J. A. Hendley, of Pasco County, Florida, who are the sole survivors of the State Constitutional Convention of 1885 and who have rendered great service to the State in various capacities, and who by reason of age and disabilities are now unable to pursue regular avocations as means of livelihood.

Also—

Senate Bill No. 185:

A bill to be entitled An Act granting a pension to Samuel Simons Savage, of Ocala, Florida.

Also—

Senate Bill No. 378:

A bill to be entitled An Act granting a pension to Mrs. Georgia Jackson, of Alachua County, Florida.

Also—

Senate Bill No. 344:

A bill to be entitled An Act to provide for the relief of the needy blind.

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

Very respectfully,

J. G. BLACK,  
Chairman of Committee.

And Senate Bills Nos. 327, 328, 425, 185, 378 and 344, contained in the above report, were placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

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

Senate Bill No. 65:

A bill to be entitled An Act relating to the foreclosure of liens, certificates and deeds existing or issued by virtue of laws relating to taxation and special assessments by the State, Counties, Municipalities and Special Taxing Districts.

And—

Senate Bill No. 97:

A bill to be entitled An Act to repeal Chapter 15789 of the Laws of Florida, General Acts of 1931, entitled: "An Act defining and classifying intangible personal property for the purpose of taxation and providing for the assessment and valuation of intangible personal property for the purpose of taxation, and the levy and collection of taxes upon such intangible personal property, providing rates of taxation on the different classes thereof under Section 1, Article 9 of the Constitution of the State of Florida, and providing for making returns by persons owning intangible personal property and providing the duties of the tax collector, tax assessor and boards of county commissioners in connection therewith, and providing a penalty for failure to make such returns, and other provisions relating to intangible personal property."

And—

Senate Bill No. 292:

A bill to be entitled An Act making the liens for State, County and Municipal taxes of equal dignity and effect.

And—

Senate Bill No. 353:

A bill to be entitled An Act relating to lands sold to the State for taxes.

And—

Senate Bill No. 405:

A bill to be entitled An Act relating to taxation, including regulations as to the manner of initiating and conducting contests of taxes and assessments of Counties, Cities and Towns, creating a Board of Review, prescribing its duties and powers and prescribing the jurisdiction of the courts and procedure in relation thereto.

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

Very respectfully,

W. T. GARY,  
Chairman of Committee.

And Senate Bills Nos. 65, 97, 292, 353 and 405, contained in the above report, were placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

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

Senate Bill No. 421:

A bill to be entitled An Act to designate and establish a certain State Road.

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

Very respectfully,

F. P. PARKER,  
Chairman of Committee.

And Senate Bill No. 421, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—  
Senator Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

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

Senate Bill No. 415:

A bill to be entitled An Act to declare, redesignate and establish a certain State Road in Levy County, Florida, known as State Road No. 77-A, and to repeal Chapter 14996, of the General Acts of the Legislature of Florida of 1931 at the regular session.

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

Very respectfully,

F. P. PARKER,  
Chairman of Committee.

And Senate Bill No. 415, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—  
Senator Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

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

Senate Bill No. 399:

A bill to be entitled An Act designating, declaring and establishing as a State Road and as an extension and part of State Road Number 136 that certain highway extending from Telogia Station in Liberty County in a most direct practical route to the Town of Bristol in said County.

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

Very respectfully,

F. P. PARKER,  
Chairman of Committee.

And Senate Bill No. 399, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—  
Senator Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

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

Senate Bill No. 398:

A bill to be entitled An Act designating, declaring and establishing as a State Road and as an extension and part of State Road Number 135 that certain highway extending from Telogia in Liberty County to a point in Gadsden County intersecting State Road Number 12 about five miles west of Quincy, Florida.

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

Very respectfully,

F. P. PARKER,  
Chairman of Committee.

And Senate Bill No. 398, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—  
Senator Gary, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

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

Senate Bill No. 123:

A bill to be entitled An Act relating to the redemption in cash or in installment on real property from tax liens and tax certificates for unpaid taxes; providing for the assessment for taxes of the properties on which such tax liens or certificates are being redeemed, and for the procedure in reference thereto.

Committee Amendments suggested:

Amendment No. 1:  
Strike out Section 5.

Amendment No. 2:  
Section 3, line 3, strike out word "twenty" and insert in lieu thereof the word "ten".

Amendment No. 3:  
Section 3, line 6, strike out the word "one-twentieth" and insert in lieu thereof the word "one-tenth".

Amendment No. 4:  
Section 3, line 7, strike out the word "one-twentieth" and insert in lieu thereof the word "one-tenth".

Amendment No. 5:  
Section 3, line 16, strike out the word "one-twentieth" and insert in lieu thereof the word "one-tenth".

Amendment No. 6:  
Have had the same under consideration, and recommend that the same, with amendments thereto, do pass.

Section 4, line 3, strike out the word "twenty" and insert in lieu thereof the word "ten".

Very respectfully,

W. T. GARY,  
Chairman of Committee

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

Also—  
Senator Stewart, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

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

Senate Bill No. 298:

A bill to be entitled An Act to fix the amount to be charged by the clerks and/or judges of the several courts in the State of Florida, except the clerk of the Supreme Court and judge and/or clerks of the Juvenile Courts, and except the County Judge as judge of the Probate Court, in all cases civil and criminal in the State of Florida, as fees for services rendered.

And—  
House Bill No. 306:

A bill to be entitled An Act to amend Section 5456 of the Revised General Statutes of the State of Florida, 1920; (sometimes referred to as Section 7599 of the Compiled General Statutes of Florida, 1927, and being the same as Sections 2 and 3 of Chapter 7286 of the Laws of Florida, 1917) relating to advertising the manufacture, sale or keeping for sale of liquors and penalty therefor; to provide that said law shall not apply to or prevent the advertisement of or the solicitation of orders for any malt or vinous beverages or fruit juices permitted by law to be manufactured, transported, and sold in this State.

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

Very respectfully,

J. B. STEWART,  
Chairman of Committee

And Senate Bill No. 298 and House Bill No. 306, contained in the above report, were placed on the Calendar of Bills on second reading.

Tallahassee, Fla., May 3, 1933.

Also—  
Senator Stewart, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

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

Senate Bill No. 345:

A bill to be entitled An Act creating a bureau of boiler i

spection, and record for the State of Florida, and to provide for the appointment of a chief boiler inspector with full charge of and supervision over said bureau of boiler inspection, and for the appointment of assistant inspectors, also providing the qualifications to be required of such chief boiler inspector and the assistant boiler inspectors, and providing the fees to be charged for inspection, and for the licensing of persons, firms and corporations engaged in manufacturing steam boilers and providing for certain inspection reports and certificates to allow boiler operation; providing for the enforcement of this Act.

And—  
Senate Bill No. 413:

A bill to be entitled An Act relating to the jurisdiction of courts to render, in the same cause in which certain super-sedeas and injunction bonds are given final judgments and degrees against the surety or sureties in such bonds, so as to obviate the necessity of the obligee having to bring separate actions on such bonds; to provide the procedure in such cases; to incorporate by operation of law the provisions of this Act into all such bonds given after the effective date of this Act; to provide that any surety by the execution and filing of any of such bonds shall thereby submit himself, herself or itself to the jurisdiction of the court for the purposes of this Act, and to repeal all laws or parts of laws in conflict herewith.

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

Very respectfully,

J. B. STEWART,  
Chairman of Committee.

And Senate Bills Nos. 345 and 413, contained in the above report, were placed on the table under the rule.

Also—

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

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

Senate Bill No. 341:

A bill to be entitled An Act making it unlawful to cut or fell or cause or procure to be cut or felled, or to remove or haul or transport or procure or cause to be removed or hauled or transported on or from any lands in this State any cedar, juniper, cypress, oak, pine, bay, poplar, ash, gum or other timber trees or wood without a license first had and obtained, and making it unlawful to buy or receive any such timber, trees or wood except from a licensee; and providing for the issuance of licenses by the clerks of the Circuit Courts and requiring the production to the clerks of the Circuit Courts of a written permit from the land owner before any license shall issue; and requiring that the licenses and permits shall contain a description of the lands and of the timber, trees or wood with respect to which the same are issued; and requiring that the said licenses or authenticated copies thereof shall be in the personal possession of any person engaging in or doing any of the acts for which a license is required by this Act; and prescribing penalties for the violation of any of the provisions of this Act.

Committee Amendment suggested:

Amendment No. 1:

And the end of Section 15, change the period to a comma and add the words "each daily ingress and egress shall constitute a separate offense under this Act".

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

Very respectfully,

J. B. STEWART,  
Chairman of Committee.

And Senate Bill No. 341, contained in the above report, together with committee amendment, was placed on the Calendar of Bills on second reading.

Also—

Senator Getzen, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 26, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

Your Committee on Education, to whom was referred:

Senate Bill No. 362:

A bill to be entitled An Act to amend Section 551 of the Compiled General Laws of the State of Florida of the 1927 annotated and to repeal Chapter 15033, Laws of the State of Florida, Acts of 1931, and repealing all other laws of the State of Florida in conflict herewith, relating to the salaries of County Superintendents of Public Instruction.

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

Very respectfully,

SAMUEL W. GETZEN,  
Chairman of Committee.

And Senate Bill No. 362, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

Senator Getzen, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

Your Committee on Education, to whom was referred:

Senate Bill No. 429:

A bill to be entitled An Act relating to public schools, and requiring that all youth not domiciled, but only residing temporarily, within the State, shall pay tuition for attending any public school of the State of Florida.

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

Very respectfully,

SAMUEL W. GETZEN,  
Chairman of Committee.

And Senate Bill No. 429, contained in the above report, was placed on the Calendar of Bills on second reading.

#### INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senator Mann—

Senate Resolution No. 14:

To provide for the investigation of the State Prison at Raiford, Florida, and all operations in connection therewith, and particularly the expense account of the Superintendent.

WHEREAS, during the year 1932 the expense account of Superintendent Blitch of the State Prison for groceries amounted to approximately fifty and no/100 (\$50.00) dollars per month, up until the time of his death on June 20th, 1932, and

WHEREAS, since that time beginning with the month of July, 1932, down to, and including January 1933, the expense account of said State Prison Farm for groceries has been in amounts greatly in excess of fifty and no/100 (\$50.00) dollars per month, amounting during the month of July 1932 to \$149.72; August 1932 to \$322.66; September 1932 \$226.25; October 1932 \$120.31; November 1932 \$180.00; December 1932 \$140.40, and January 1933 \$181.07; and

WHEREAS, during the six months period of 1932 the expense of Superintendent Blitch for groceries amounted to the total sum of three hundred thirty-six and 60/100 (\$336.60) dollars, and for the next ensuing seven months this item of expense under the present superintendent amounted to one thousand three hundred twenty-one and 40/100 (\$1,321.40) dollars, and

WHEREAS, there is no reason or justification for this exorbitant increase in this item of expense, and it shows and indicates a condition of extravagance, negligence and incompetency, and

WHEREAS, many other similar conditions exist in said State Prison Farm in connection with operation thereof, and said condition is such that immediate steps should be taken to eliminate all waste, extravagance and incompetency in the operation of said Prison Farm, as well as correct other bad conditions existing in connection therewith.

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

Section 1. That the President of the Florida Senate be,

and he is hereby authorized and directed to appoint a committee to consist of five members of the present Senate with power and authority to investigate all expenditures heretofore and now being made in connection with the operation of said State Prison Farm, as well as to investigate the method of management of said Prison Farm, and all conditions existing in connection therewith; and to this end said committee is empowered with full authority to investigate all books and records of said prison farm, or in any other office where such records might be kept of transactions carried on in connection with the operation of said Prison Farm; as well as being authorized and empowered to subpoena witnesses, administer oaths and reduce the testimony to writing, and they are authorized to make a personal inspection of said institution and employ all necessary clerical assistance to make a thorough search and investigation of said institution; and said committee is directed to report its findings as to the condition that it finds existing in connection with the operation of said institution, including its fiscal affairs and all expenditures, together with all recommendations as said committee deems advisable.

Section 2. The expense of the committee shall be audited and paid as a legislative expense.

Which was read the first time in full.

Pending the adoption of the Resolution, Senator MacWilliams offered the following amendment to Senate Resolution No. 14:

In Section 1, line 5 (typewritten bill), strike out the word Five and insert in lieu thereof the following: Three.

Senator MacWilliams moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

The question was put on the adoption of the Resolution, as amended.

Which was agreed to.

And Senate Resolution No. 14, as amended, was adopted.

Senator Gillis, as Chairman of the Committee on Rules and Procedure, moved that beginning this day the Senate hold two sessions daily.

Which was agreed to.

And it was so ordered.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Parker—  
Senate Bill No. 433:

A bill to be entitled An Act to provide for the cancelling, annulling, and voiding of bonds of Taylor County, Florida, and prohibiting the issuance and sale of certain bonds, the issuance of which was authorized at an election held in said County on November 24, A. D. 1925.

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 433 when introduced in the Senate:

#### NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that a proposed special law will be introduced at the regular session of the Legislature of the State of Florida to be held during the year 1933, which said proposed law shall be in substance as follows:

An Act providing for the cancelling, annulling and voiding of bonds of Taylor County, Florida, of the par value of \$34,000, said bonds being all the remaining bonds unissued of the total issue of bonds voted in said County for County Road purposes at an election held in Taylor County, Florida, on November 24, 1925.

Be it enacted by the Legislature of the State of Florida:

Section 1. That all remaining bonds of the total issue of bonds voted in Taylor County, Florida, at an election held in said County of Taylor and State of Florida, on November 24, 1925, said remaining bonds being un-issued and being of the total par value of \$34,000 and having been voted as aforesaid for County Road purposes, be, and the same are hereby cancelled and rendered null and void, and same shall never be issued or sold by the Board of County Commissioners of Taylor County, Florida.

Section 2. All laws and parts of laws in conflict with the provisions of this law are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval.

This Notice is hereby given and published as required by law.

Board of County Commissioners of Taylor County, Florida.  
By J. PASCO MORGAN, Chm.  
JAMES R. JACKSON, Clerk.

(Seal)

Attest:  
STATE OF FLORIDA.  
COUNTY OF TAYLOR.

Before the undersigned authority personally appeared R. L. Thompson, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the complete subject matter of a contemplated law and proposed bill relating to the cancellation and voiding of certain bonds voted by Taylor County, Florida, for highway purposes has been published at least thirty days prior to this date, by being printed in the issue of the 23rd day of March, 1933, of the Taylor County News, a newspaper published in Taylor County, Florida; that a copy of the notice that has been published as aforesaid and also this proof of publication and affidavit thereof 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.

R. L. THOMPSON.

Sworn to and subscribed before me this 29th day of April, 1933.

JAMES R. JACKSON,  
Clerk Circuit Court.

Senator Parker moved that the rules be waived and Senate Bill No. 433 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 433 was read a second time by title only.

Senator Parker moved that the rules be further waived and Senate Bill No. 433 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. 433 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, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker.—38.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Committee on Citrus Fruit—

Senate Bill No. 434:

A bill to be entitled An Act to prohibit the sale or offering for sale, the transportation, and the preparation, receipt or delivery for transportation or market of any citrus fruit that is immature or otherwise unfit for human consumption, to provide for the enforcement thereof, and to provide penalties for the violation thereof.

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 Citrus Fruits—

Senate Bill No. 435:

A bill to be entitled An Act to repeal Chapter 11844 of the Acts of Florida of 1927 as amended by Chapter 14485 of the Acts of Florida of 1929, said Chapter 11844 being entitled "An Act to prohibit the use of arsenic or any of its derivatives or any combination, compound or preparation containing arsenic, as a fertilizer or spray on bearing citrus trees; to prohibit the sale or transportation of citrus fruit containing any arsenic; and to provide for enforcement thereof."

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

By Committee on Citrus Fruits—

Senate Bill No. 436:

A bill to be entitled An Act to prohibit the use of arsenic or any of its derivatives or any combination, compound or preparation containing arsenic, as a dust or spray on bearing orange trees; to define oranges and orange trees under the purview of this Act; to prohibit the sale or transportation of oranges which have been dusted or sprayed with arsenic or any of its derivatives or any combination, compound or preparation containing arsenic; to provide for enforcement thereof; and to provide penalties for the violation thereof.

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

By Senator Holland—  
Senate Bill No. 437:

A bill to be entitled An Act requiring persons, firms, corporations, associations, including fraternal benefit societies, reciprocal or inter-insurance exchanges and mutual benefit associations, now or hereafter writing insurance policies or certificates, surety or indemnity bonds or similar contracts for delivery in the State of Florida, to keep duplicates of such instruments or equivalent records and to furnish copies to certain persons when demanded; and requiring all persons, firms, corporations, associations, including fraternal benefit societies, reciprocal or inter-insurance exchanges and mutual benefit associations to furnish blank forms of proof of loss when loss shall occur under any policy of insurance, bond or similar contract, when demand is made therefor; and providing a time limit wherein the provisions of this Act shall be complied with; providing penalty for violation or refusal to comply with the provisions set out; and repealing all laws or parts of laws in conflict with the provisions of this Act. Which was read the first time by its title only and referred to the Committee on Insurance.

By Senator Holland—  
Senate Bill No. 438:

A bill to be entitled An Act requiring all mutual insurance companies now or hereafter doing an insurance business in the State of Florida to deposit cash, bonds or other security with the State Treasurer for the protection of the payment of legal claims against said companies; to provide that any policy holder in said company, his heirs and assigns, who may have a claim for loss under the provisions of any mutual company policy or contract in this State may proceed in a suit at law for the recovery thereof.

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

By Senator Caro—  
Senate Bill No. 439:

A bill to be entitled An Act to amend Chapter 14781, Laws of Florida, Acts of 1931, entitled, "An Act relating to Pensions."

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

By Senator Parrish—  
Senate Bill No. 440:

A bill to be entitled An Act to amend Section 4, of Chapter 12290, Laws of Florida, 1927, and Section 27, of Chapter 15637, Laws of Florida, 1931, relating to the issuing of certificates as certified public accountant to certain persons.

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

Senator Getzen moved that a committee of three be appointed to escort Mrs. Hortense K. Wells, National Committee Woman, to a seat on the rostrum of the Senate.

Which was agreed to.

And the Chair appointed Senators Getzen, Shivers and Shelley as the Committee.

By Senator Shivers—  
Senate Bill No. 441:

A bill to be entitled An Act for the relief of T. A. Dekle, formerly Tax Collector of Washington County, Florida, releasing him and the sureties on his bond as such Tax Collector from liability for a certain deposit in the Bank of Chipley, Chipley, Florida.

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

By Committee on Appropriations—  
Senate Bill No. 442:

A bill to be entitled An Act making appropriations for the salaries of officers and employees of the State and for the current operating expenses of the departments and branches of the State Government for the annual periods beginning July 1, 1933, and July 1, 1934.

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

By Senator Gomez—  
Senate Bill No. 443:

A bill to be entitled An Act regulating and limiting the hours of employment, or work, of females in certain stores, factories, laundries, bakeries, and other establishments in

order to safeguard the health of such employees; to provide for the enforcement of this Act; declaring any violation of it to be a misdemeanor and providing a penalty for its violation.

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

By Senator Gomez—  
Senate Bill No. 444:

A bill to be entitled An Act fixing the salary of certain State officers.

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

By Senator Gomez—  
Senate Bill No. 445:

A bill to be entitled An Act authorizing the Justices of the Supreme Court to call to their assistance one or more Circuit Judges to aid in the preparation of opinions and the disposition of causes in the Supreme Court.

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

By Senator Gomez—  
Senate Bill No. 446:

A bill to be entitled An Act to amend Section 2958 of the Revised General Statutes (Section 4687 C. G. L.) and providing what causes the Supreme Court shall hear as a body.

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

By Senator Gomez—  
Senate Bill No. 447:

A bill to be entitled An Act to authorize and empower State Road Department to construct and maintain State Road No. 164.

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

By Senator Larson—  
Senate Bill No. 448:

A bill to be entitled An Act to amend Chapter 6824, Acts of 1925, as amended by Chapter 7798, Acts of 1919 relating to annual appropriations for the maintenance of the Olustee Monument, the caretaker's cottage and the grounds belonging thereto near Olustee in the State of Florida.

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

Senator Hodges moved that five hundred (500) copies of Senate Bill No. 442 be printed.

Which was agreed to.  
And it was so ordered.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
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 the following amendments:

By Senate Joint Committees on Judiciary "A" and Temperance—

Senate Bill No. 427:

A bill to be entitled An Act regulating and controlling the manufacture; transportation and sale of malt and vinous beverages commonly known as beer, porter, ale, wine, or fruit juices, and such similar beverages as are not prohibited by the laws of this State; authorizing the Governor of the State of Florida to appoint supervisors to supervise the business of persons, associations of persons, or corporations engaged in such business and prescribing the powers and duties of said supervisors; prescribing a tax to be levied and assessed upon all such beverages manufactured or sold within this State and prescribing the method of assessing and collecting said tax and the distribution thereof; prescribing license fees and the collection and distribution thereof; appropriating funds necessary for the enforcement thereof; and prescribing penalties for the violation of the provisions of this Act; and providing for referendum.

Which amendments read as follows:

Amendment No. 1:

Strike out all of Section 11, and insert in lieu thereof the following: "All of the proceeds of the revenue to be derived hereunder, after the payment of all expenses incident to the enforcement of this Act as hereinbefore provided, shall be credited by the Comptroller, State of Florida, to the County School Fund to be disbursed in the manner as now provided by law."

Amendment No. 2:

In Section 4, line 8, page 6, after the words "lines of travel" strike out remainder of Section.

Amendment No. 3:

In Section 14, line 3, after the words "Eighteen Years" strike out the remainder of this Section.

Amendment No. 4:

In Section 17, line 3, strike out the word "four" and insert the following: "six".

Amendment No. 5:

In Section 17, line one, page 10, strike out the words "one-half" and insert in lieu thereof the following: "three-fourths".

Amendment No. 6:

In Section 5, Subsection B, line 9, strike out the words after the word "production", and insert the following: "or distribution".

Amendment No. 7:

In Section 4, line 1, page 6, strike out the word "Court" and insert the word "County".

Amendment No. 8:

In Section 5, Subsection B, line 9, strike out the words after the word "Manufacturers" and insert the following: "or distributors".

Amendment No. 9:

In Section 3, Subsection A, line 5, strike out the words after the word "record" and insert the following: "And make report".

Amendment No. 10:

In Section 3, Subsection B, line 4, strike out the words "said distributors may transport" and insert the following: "manufacturers and distributors may transport or cause to be transported".

Amendment No. 11:

In Section 3, line 4, page 4, strike out the words after word "said" and insert the following: "principal office and all".

Amendment No. 12:

In Section 4, line 24, strike out the words after the word "association," strike out the words "or persons" and insert the following: "of persons of a similar nature".

Amendment No. 13:

In Section 5, line 1, strike out the word "manufactured" and insert the following: "manufacturer".

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senate Bill No. 427, contained in the above Message, was read by its title, together with House Amendments thereto.

Senator MacWilliams moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 427

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 3 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 4 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 5 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 6 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 7 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 8 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 9 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 10 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 11 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 12 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the Senate do concur in House Amendment No. 13 to Senate Bill No. 427.

Which was not agreed to.

Senator Beacham moved that the House of Representatives be requested to recede from the foregoing amendments to Senate Bill No. 427.

Which was agreed to.

And the action of the Senate was ordered certified to the House of Representatives immediately, the rule being waived.

Senator Getzen moved that Committee Substitute for Senate Bill No. 182 be printed in the Journal.

Which was agreed to.

And it was so ordered.

By Committee on Education—

Committee Substitute for Senate Bill No. 182:

A bill to be entitled An Act relating to the establishment and maintenance of a uniform system of free public schools in the State of Florida; creating a teachers salary fund of each County of the State; authorizing the State Board of Education to fix the maximum salary of teachers in the public free schools of the State payable out of the teachers salary fund of the several Counties; defining the supervising powers and duties of the State Board of Education over schools of higher grades, and defining what shall constitute schools of higher grades within the meaning of this Act; authorizing the State Board of Education to fix and determine the establishment, classification and character of all schools of higher grades which shall receive State aid and to determine the course of study therein and to prescribe for the division of such schools into groups when deemed advisable and to prescribe the minimum size for classes therein and provide for the enrollment of assistants to the State Superintendent of Public Instruction and to prescribe duties of and fix the compensation of such assistants, and to provide for a uniform system of accounting, budgets, records, audits and reports by County Boards of Public Instruction, and to have certain powers with reference to transportation of pupils including equipment of vehicles and qualification of drivers, and to have powers of examination, supervision and revision of school budgets in counties not levying a certain millage for school purposes; prescribing certain additional duties of the State Treasurer and State Superintendent of Public Instruction; providing that title of all property held for educational purposes by trustees of special tax school districts in any county shall be vested in the Board of Public Instruction for said County; providing that the State Treasurer shall be ex-officio treasurer and depository of a designated portion of the county school fund of each county and providing the manner, and for what purposes said funds so held by the State Treasurer may be expended; abolishing the positions of State Supervisor of High Schools, the position of State Supervisor of Physical and Health Education, the positions of Rural School Inspectors, the position of Director of Buildings and Building Standards and to provide the penalties for violation of this Act; and repealing all laws creating and providing for the positions so abolished, and repealing all laws or parts thereof in conflict with this Act.

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

SECTION 1. There shall be and there is hereby established in this State, as required by Section 1 of Article XII of the Constitution of the State of Florida, and under the terms and provisions of this Act and other applicable laws now in force or hereafter enacted, a uniform system of free public schools in the State of Florida.

SECTION 2. The State Board of Education shall have the specific power to fix and determine a maximum salary scale to be paid to teachers employed in the public free schools of the State, out of the Teachers Salary Funds of the several

Counties created by Section 7 of this Act, if said Board in its discretion shall deem it advisable so to do.

SECTION 3. The State Board of Education in addition to such general power of supervision as is now provided by law, and without limiting the same, shall have the following several additional specific powers and duties:

A. To fix and determine the establishment, classification and character of all schools of higher grades that shall be operated in or hereafter constructed in any county in this State receiving State aid, and to fix and determine the course or courses of study to be taught in such high schools, such schools of higher grades being defined for the purpose of this Act as those schools embracing the grades from the Ninth to Twelfth inclusive;

B. Upon the recommendation of the State Superintendent of Public Instruction, to divide schools of higher grades into groups according to the enrollment and to prescribe the minimum size of any class in any subject in each of the several groups of such schools of higher grades for the teaching of which teachers may be paid from the "Teachers' Salary Fund" described in Section 7 of this Act.

C. To employ such subordinate assistants as the State Superintendent of Public Instruction may recommend, and as said Board of Education shall find necessary, to serve under and as assistants to the State Superintendent of Public Instruction so as to insure the maintenance of the uniform system of public free schools hereby established and upon the recommendation of the State Superintendent to provide for and fix the duties and compensation of such assistants to the State Superintendent of Public Instruction; provided, however, that such compensation shall never exceed the sums biennially appropriated by the Legislature of this State as salaries for such assistants, but such salaries may be reduced below that sum by said State Board of Education.

D. To provide for a uniform system of accounting, budgets, records, audits and reports to be required by said State Board of Education of and from the several county boards of Public Instruction.

E. To fix and enforce standards of maximum cost, minimum requirements of equipment, qualifications of drivers, distance traveled and pupil-miles per bus in the transportation of school children.

F. To require the Boards of Public Instruction of the several counties of the State of Florida to submit prior to June 15th of any year, for examination by the said State Board of Education their annual budgets and estimates of receipts or expenditures for the ensuing year; and, after examination by the State Board of Education, if it shall determine that the proposed levy is insufficient in any county not proposing to levy the maximum ten mills of ad valorem tax under Section 8 of Article XII of the Constitution, to assure the proper maintenance and support of the public free schools of such county for the ensuing year, the County Board of Public Instruction of such County shall amend its proposed budget and estimates in accordance with the direction of the State Board of Education.

G. Any member of any Board of Public Instruction of any County or any Superintendent of Public Instruction of any County, who, without prior authority from the State Board of Education, shall consent to or authorize the expenditure of any school funds in excess of the amount or amounts contained in the annual budgets or estimates of expenditures adopted by said Board and certified to the State Board of Education, and any member of any Board of Public Instruction of any County, or any Superintendent of Public Instruction of any County, who fails or refuses to comply with any order promulgated by the State Board of Education hereunder shall be guilty of misfeasance and malfeasance in office, and shall be subject to immediate removal from office.

SECTION 4. The Governor shall be the president of the State Board of Education, the State Treasurer shall be its Treasurer, and the State Superintendent of Public Instruction shall be its Secretary.

SECTION 5. The State Superintendent of Public Instruction shall have the several powers and duties now vested in him as provided by law, and shall, in addition thereto, formulate the rules and regulations for submission to the State Board of Education for its adoption, and shall be charged with the duty of carrying out and enforcing the same.

SECTION 6. In any county where any property, real or personal is now held by, for or in the name of the Trustees of Special Tax School Districts for Public Educational purposes, such Trustees or other persons or corporations holding such title shall within sixty days after the passage of this Act convey or cause the same to be conveyed to the Board of Pub-

lic Instruction for said County, so that all property in said County devoted to public educational purposes shall be held by said Board.

SECTION 7. The proceeds of the one (1) mill tax levied pursuant to Section 6 of Article XII of the Constitution and the interest on the State School Fund and all funds appropriated by the Legislature of the State of Florida for public free schools shall be apportioned to and among the several counties in the State in the manner provided by law, and shall be disbursed to said counties by payment of such sums to the State Treasurer as ex officio Treasurer of that portion of the County School Funds described in this paragraph to be held by him as part of the county school funds. But all such funds shall be held in a separate fund to be known generally as "Teachers' Salary Fund of ..... County", and shall be disbursed by warrant drawn by the respective Board of Public Instruction on the State Treasurer as Ex Officio Treasurer of that portion of the County School Fund of the said County in this paragraph described. No warrant shall be drawn against the Teachers' Salary Fund of any County save and except for the purpose of paying the salaries of teachers in the public free schools of each county in the current scholastic year and for expense incurred in the transportation of pupils in said period, and each warrant drawn must state upon such warrant that the same is drawn for one of these purposes and none other.

SECTION 8. No warrant shall be drawn by any County Board of Public Instruction against said Teachers' Salary Fund of such county to pay any employee of such Board except principals and assistant principals in schools and teachers actually employed in teaching in the free public schools of such county, and for expenses incurred in transportation as provided by law.

SECTION 9. If said State Board of Education, pursuant to the authority hereinbefore granted to said Board shall hereafter fix and determine a maximum salary scale to be paid to the several teachers in the public free schools out of the Teachers' Salary Funds of the several counties, then and in that event, and thereafter no warrant shall be drawn against said Teachers' Salary Fund in any county to pay the salary of any teacher in an amount over and above the scale of maximum salary fixed and provided by said State Board of Education to be paid out of the Teachers' Salary Fund; provided, however, that any county board of Public Instruction may contract to pay any teacher a salary in excess of the maximum scale provided by said State Board of Education to be paid out of the Teachers' Salary Fund, in which case such excess salary shall be wholly provided for by said county board of Public Instruction out of funds other than the Teachers' Salary Fund; with the further proviso however, that if in any county it is found and determined by the State Board of Education that the Teachers' Salary Fund will be more than sufficient to pay all teachers in said county for a full term of eight months the maximum salary as provided by said scale of maximum salaries adopted by the State Board of Education to be paid out of the Teachers' Salary Fund, then and in that event the county board of Public Instruction for such county may use the excess in such Teachers' Salary Fund to pay salaries to the teachers in such county over and above the scale of maximum salaries as provided by said State Board of Education.

SECTION 10. No part of the salary of any teacher who is teaching or has been employed to teach in schools of higher grades, a subject not authorized by said State Board of Education, shall or can be paid from the Teachers' Salary Fund for the teaching of such subject.

SECTION 11. The position of State Supervisor of High Schools, and the position of State Supervisor of Elementary Schools created by Chapter 10257 of the Laws of Florida, Acts of 1925, be and the same are hereby severally abolished, and said Chapter 10257 of the Laws of Florida, Acts of 1925, be and the same is hereby repealed.

SECTION 12. The position of State Supervisor of Physical and Health Education, created by Chapter 12324 of the Laws of Florida, Acts of 1927, be and the same is hereby abolished and said Chapter 12324 of the Laws of Florida, Acts of 1927, be and the same is hereby repealed.

SECTION 13. The positions of Rural School Inspectors created by Chapter 6539 of the Laws of Florida, Acts of 1913, be and the same are hereby abolished and said Chapter 6539 of the Laws of Florida, Acts of 1913, and Sections 539 and 540 of the Revised General Statutes of Florida with reference thereto, be and the same are hereby repealed.

SECTION 14. The position of Director of Buildings and Building Standards under the authority of the State Board

of Education created by Chapter 14504 of the Laws of Florida, Acts of 1929 be and the same is hereby abolished and said Chapter 14506 of the Laws of Florida, Acts of 1929 be, and the same is hereby repealed.

SECTION 15. If any part of this Act shall hereafter be declared unconstitutional by a Court of competent jurisdiction, then and in that event, all remaining parts of said Act shall remain in full force and effect.

SECTION 16. All laws and parts of laws inconsistent herewith be, and the same are, hereby repealed.

SECTION 17. This Act shall take effect immediately upon its passage and approval by the Governor.

Also—

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
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 Clarke—  
Senate Bill No. 288:

A bill to be entitled An Act to amend Section 4340 of the Revised General Statutes of Florida of 1920, the same being Section 6303 of the Compiled General Laws of Florida, 1927, relating to final judgments against Surety Companies, and providing for the disposition of Florida assets of such Surety Companies and the securities deposited with the State Treasurer under Section 4339 of the Revised General Statutes of Florida of 1920, in event of insolvency or liquidation of said Companies.

Very respectfully,

FRANK WEBB,  
Chief Clerk House of Representatives.

Senate Bill No. 288, contained in the above Message, was ordered referred to the Committee on Enrolled Bills.

Also—

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

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

Committee Substitute for Senate Bill No. 350:

A bill to be entitled An Act to amend Section 4269, Revised General Statutes of Florida, 1920, (same being Section 6228, Compiled General Laws of Florida, 1927), relating to proceedings by State Treasurer against insolvent and defaulting insurance companies.

Very respectfully,

FRANK WEBB,  
Chief Clerk House of Representatives.

Committee Substitute for Senate Bill No. 350, contained in the above Message, was ordered referred to the Committee on Enrolled Bills.

Also—

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
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 Mr. Andrews of Holmes—  
House Bill No. 865:

A bill to be entitled An Act apportioning the moneys received from the State Treasurer by the County Commissioners of Holmes County, which said moneys have been received or may be hereafter received from the State Treasurer under and by virtue of the Laws of the State of Florida, to-wit: Senate Bill 361, providing for a State Racing Commission, etc., which said bill is an Act of the Legislature of 1931; and providing that said moneys so received by said County Com-

missioners shall be paid over to the County School Board for the purpose of paying certain outstanding indebtedness.

Proof of publication attached to bill.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bill No. 865, contained in the above Message, was read the first time by its title only.

Senator Gillis moved that the rules be waived and House Bill No. 865 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 865 was read a second time by title only.

Senator Gillis moved that the rules be further waived and House Bill No. 865 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. 865 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, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker.—38.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Also—

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted:

By Mr. Baskin of Marion County—

House Concurrent Resolution No. 11:

WHEREAS, the United States Government has heretofore allocated and expended the necessary moneys to procure an economic survey and an engineering survey to determine the feasibility of the construction of a steamship canal extending from the Atlantic Ocean across the State of Florida to the Gulf of Mexico, and

WHEREAS, it is believed that such economic survey and engineering survey has been completed and will soon be reported to the Public Works Committee now arranging the Public Works Program for President Roosevelt, and

WHEREAS, it is the belief of the Legislature of the State of Florida that such economic survey and engineering survey will determine the construction of a steamship canal across the State of Florida to be sound and of vast benefit to the United States, and

WHEREAS, the construction of a steamship canal across the State of Florida is believed to be of military and strategic importance to the United States Government, and

WHEREAS, the construction of a steamship canal across the State of Florida will provide work for the relief of unemployment in direct employment to the extent of some seventeen thousand citizens of the United States and will provide work for the relief of unemployment in the manufacture and transportation of materials and equipment for some twenty-five thousand citizens of the United States,

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

That the Public Works Committee of President Roosevelt, the Federal Bureau Works, our Senators and Congressmen in Washington, and President Roosevelt, are hereby requested to use every effort at their command to allocate funds to and for the immediate construction of a steamship canal from the Atlantic Ocean across the State of Florida to the Gulf of Mexico.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Secretary of the State of Florida under the Great Seal of the State of Florida in due form to the Congress of the United States, and the several members thereof from Florida, and to President Roosevelt.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Concurrent Resolution No. 11, contained in the above Message, was read the first time in full.

Senator Gary moved that the rules be waived and House Concurrent Resolution No. 11 be read a second time in full. Which was not agreed to.

And House Concurrent Resolution No. 11 was referred to the Committee on Commerce and Navigation.

Also—

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted:

By Messrs. Robineau of Dade, Murphree of Alachua, Rawls of Alachua, Rogers of Broward, Trammell of Calhoun, Scofield of Citrus, Brown of Dade, Bell of Escambia, Teague of Franklin, Boynton of Gadsden, Herrin of Gadsden, Peoples of Glades, Kennedy of Lake, Martin of Leon, Waller of Leon, Hosford of Liberty, Ezell of Manatee, Kanner of Martin, Tomasello of Okeechobee, Lewis of Palm Beach, Booth of Pinellas, Bonifay of Santa Rosa—

House Concurrent Resolution No. 10:

WHEREAS, the American Legion Department of Florida has been seeking for ten years to have the National Convention of the American Legion held in this State, and

WHEREAS, this Convention is one of the largest attended gatherings in the United States and should it be held in Florida more than one hundred thousand visitors would be brought into the State by reason of such Convention and Florida would have the opportunity to gain favorable publicity of immeasurable value, and

WHEREAS, the American Legion Department of Florida has endorsed and is actively supporting the invitation of the City of Miami to be designated as the Convention City of 1934 of the National Convention of the American Legion, and

WHEREAS, the National Executive Committee of the American Legion will be in session on the 4th and 5th instant engaged among other things in making preliminary surveys of the proposed Convention Cities, and

WHEREAS, the Governor of the State of Florida is a member of the American Legion and the Secretary of State of the State of Florida is a member of the American Legion and Past Department Commander for Florida,

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

THAT the Legislature of the State of Florida express to the National Executive Committee of the American Legion and to the National Convention of the American Legion the hope that its 1934 National Convention will be held in Florida and that the Governor of Florida, or in case of his inability, the Secretary of State of Florida be authorized and requested to appear before the National Executive Committee of the American Legion and present in person to that body this concurrent resolution and express to such National Executive Committee the hope of the people of Florida that the National Convention of the American Legion for 1934 be held in this State, and to convey the cordial good wishes of Florida, the land of flowers and the winter playground of the Nation, to that great host of a million ex-Service men, members of the American Legion.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Concurrent Resolution No. 10, contained in the above Message, was read the first time in full.

Senator Holland moved that the rules be waived and House Concurrent Resolution No. 10 be read a second time in full. Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 10 was read a second time in full.

18—S. E.

The question was put on the adoption of the Resolution. Which was agreed to.

And House Concurrent Resolution No. 10 was adopted.

Also—

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

Tallahassee, Fla., May 2, 1933.

Hon. T. G. Futch,  
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 Messrs. Bass of Palm Beach and Burchard of Hendry—  
House Bill No. 795:

A bill to be entitled An Act relating to South Florida Conservancy District; amending Sections 5, 6, 7, and 19, of Chapter 13802, Laws of Florida, Acts of 1929, relating to said South Florida Conservancy District; providing for the levying of taxes or special assessments upon lands within said District for the year 1933 and subsequent years; fixing the time within which certain tax sale certificates issued for the non-payment of taxes assessed by said District may be redeemed; determining the amount of benefits which have accrued to certain lands within said District from the construction of Public Improvements by said District; providing methods whereby certain tax sale certificates may be redeemed and certain taxes may be paid.

Also has passed—

By Mr. Hosford of Liberty—

House Bill No. 610:

A bill to be entitled An Act relating to commissions of County Assessors of taxes for assessing special taxes and special tax district taxes in Counties having a population of not less than 4040 and not more than 4080, according to the Federal Census of 1930.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives

House Bill No. 795, contained in the above Message, was read the first time by its title only and referred to the Committee on Finance and Taxation.

House Bill No. 610, contained in the above Message, was read the first time by its title only.

Senator Shelley moved that the rules be waived and House Bill No. 610 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 610 was read a second time by title only.

Senator Shelley moved that the rules be further waived and House Bill No. 610 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. 610 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, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker.—37.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Also—

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
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 Messrs. Kanner of Martin and Christie of Duval—

House Bill No. 271:

A bill to be entitled An Act relating to wills and the probate thereof, to descent and distribution of decedents' estates, to dower, to the administration of decedents' estates and the

practice and procedure relating thereto, to county judges and their jurisdiction in probate and administration and to appellate procedure relating thereto, to revise and consolidate the law relating to the estates of decedents and to repeal all laws and statutes in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bill No. 271, contained in the above Message, was read the first time by its title only.

Senator Holland moved that the rules be waived and House Bill No. 271 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Also—

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

Tallahassee, Fla., May 2, 1933.

Hon. T. G. Futch,  
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 the following amendment:

By Senator Watson—

Senate Bill No. 366:

A bill to be entitled An Act to amend the Charter of the City of Hialeah, Florida.

Which amendment reads as follows:

In Section 9, line 18, strike out the words "(c) No other State revenue producing law shall in any wise or in any manner whatsoever restrict or interfere, curtail or affect the revenue producing channels of the said City of Hialeah, Florida."

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senate Bill No. 366, contained in the above Message, was read by its title, together with House amendment thereto.

Senator Watson moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 366.

Which was agreed to.

And the Senate concurred in House Amendment No. 1 to Senate Bill No. 366.

And Senate Bill No. 366, as amended, was ordered referred to the Committee on Engrossed Bills.

Senator Gary moved that a committee of three be appointed to escort Hon. J. B. Baskin, former Senator from the 20th Senatorial District, to the rostrum of the Senate.

Which was agreed to.

And the Chair appointed Senators Gary, Rose, and Sikes as the Committee.

The hour having arrived for the consideration of Senate Bills Nos. 147 and 47, as Special Orders.

Committee Substitute for Senate Bill No. 47:

A bill to be entitled An Act to amend Section 1007, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1281, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1010, Revised General Statutes, being Section 1284, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; to amend Section 1011, Revised General Statutes, as amended by Chapter 8310, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1285, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1012, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1286, Compiled General Laws of Florida, 1927, and to amend Chapter 14657, Acts of 1931, all of said Sections relating to the Operation, Licensing and Taxing of Motor Vehicles, Trailers, Semi-Trailers and Motorcycle Side Cars.

Which was pending amendment on May 2, 1933, was taken up.

The following amendment by Senator Holland was pending adoption:

On page 27 of printed bill immediately before Section 5 insert the following:

Section 4½: Any weight or load limit set for any vehicle by any section of this Act in excess of 16,000 pounds of gross weight, including weight of such vehicle, shall be held as applying only to highways maintained by the State Road Department and to municipal streets; as to all other highways the maximum load limit for any vehicle shall be 16,000 pounds of gross weight, including the weight of such vehicle.

The following amendment to the amendment (of Senator Holland) by Senator MacWilliams was pending adoption:

Amendment to amendment (of Senator Holland):

Strike out "Municipal Streets".

By unanimous consent Senator MacWilliams withdrew the pending amendment to the amendment (of Senator Holland).

By unanimous consent Senator Holland withdrew the pending amendment.

Senator Holland offered the following amendment to Committee Substitute for Senate Bill No. 47:

On page 27 of printed bill immediately before Section 5, insert the following:

Section 4½: Any weight or load limit set for any vehicle by any section of this Act in excess of 16,000 pounds of gross weight, including weight of such vehicle, shall be held as applying only to highways maintained by the State Road Department and to municipal streets; as to all other highways of concrete, asphaltic concrete, bitulithic concrete, or sheet asphalt construction the maximum load limit for any vehicle shall be 16,000 pounds of gross weight, including the weight of such vehicle; provided, however, that on application the Board of County Commissioners of any county may permit a greater load than that authorized herein with respect to county roads located in their respective counties.

Senator Holland moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Holland the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Chowning, Gillis, Gomez, Hale, Hilburn, Hodges, Holland, Larson, Lewis, Mann, Murphy, Parrish, Raulerson, Rose, Watson.—17.

Nays—Senators Anderson, Andrews, Bass, Black, Butler, Caro, Clarke, Dell, English, Gary, Getzen, Lundy, MacWilliams, Parker, Shelley, Shivers, Sikes, Stewart, Turner, Whitaker.—20.

Which was not agreed to.

Senator MacWilliams offered the following amendment to Committee Substitute for Senate Bill No. 47:

In Section 3, Sub-section 9, page 10 (printed bill), strike out all after the word "provided" in line 253, all of line 254, all of line 255, all of line 256 and all of line 257 down to word "provided."

Senator MacWilliams moved the adoption of the amendment.

Which was not agreed to.

Senator Gillis offered the following amendment to Committee Substitute for Senate Bill No. 47:

At the end of Section 5, change the period to a comma, and add, except where the same are in conflict herewith.

Senator Gillis moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Gillis the roll was called and the vote was:

Yeas—Mr. President; Senators Anderson, Bass, Butler, Chowning, Clarke, Dell, Gary, Getzen, Gillis, Gomez, Hilburn, Hodges, Holland, Larson, Lundy, MacWilliams, Mann, Parrish, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson.—26.

Nays—Senators Andrews, Beacham, Caro, English, Hale, Harrison, Lewis, Murphy, Parker Raulerson, Whitaker.—11.

Which was agreed to.

And the amendment was adopted.

Senator Beacham moved the adoption of the Committee Substitute for Senate Bill No. 47, as amended.

Which was agreed to.

And the Committee Substitute for Senate Bill No. 47, as amended, was adopted.

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

Senator MacWilliams moved that the Special Re-Circuiting Committee appointed pursuant to Senate Concurrent Resolution No. 2 be permitted to hold committee meetings during the hours the Senate is in session.

Which was agreed to.

And it was so ordered.

Senator Parrish moved that the rules be waived and House Bill No. 153 be recalled from the Committee on Game and Fisheries and placed on the Calendar of Bills on second reading.

Which was agreed to by a two-thirds vote.  
And it was so ordered.

By permission the following bills were introduced:

By Senator Dell—  
Senate Bill No. 449:

A bill to be entitled An Act to amend Section 3024, Revised General Statutes of 1920, same being Section 4767 Compiled General Laws of Florida of 1927, relating to percentage and expenses paid state attorneys upon collections.

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

By Senator Bass—  
Senate Bill No. 450:

A bill to be entitled An Act amending Chapter 10186, Acts of 1925, Section 1, being Section 1318, Compiled General Laws of Florida, 1927, relating to the speed of motor vehicles.

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

By Senator Raulerson (by Request)—  
Senate Bill No. 451:

A bill to be entitled An Act relating to loans and to amend Section 19 of Chapter 10177, Laws of Florida, Acts of 1925, entitled: "An Act to license and regulate the business of making loans in certain counties in sums of three hundred (\$300) dollars or less, secured or unsecured, at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned when given as security for any such loan." Being Section 4016, Compiled General Laws of Florida, 1927, and providing this Act shall apply only in counties having a population not less than 7,000 and not more than 7,100 according to last State or Federal Census.

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

By permission the following report of the Joint Conference Committee on the House Amendment to Senate Bill No. 125, was submitted:

Tallahassee, Fla., May 2, 1933.

Hon. T. G. Futch,  
President of the Senate,  
And

Hon. Peter Tomasello, Jr.,  
Speaker of the House of Representatives.

Sirs:

Your committee on conference consisting of Senators Anderson, MacWilliams and Clarke for the Senate, and Representatives Teague, Sapp and Robineau on the part of the House, met in conference on the amendment adopted by the House to Senate Bill No. 125, which amendment was as follows:

"Nothing in this Act shall be construed to abrogate or diminish the double liability against common stock now in existence or which may hereafter come into existence. Any state bank or trust company which may hereafter commence business shall not have outstanding in preferred stock more than fifty per centum of its total capital structure at any time."

The conferees in considering this amendment adopted the following amendment for such amendment:

"Provided always however that nothing in this Act shall be construed to abrogate or diminish the double liability against common stockholders now or hereafter imposed by the laws of this State. Any state bank or trust company which may hereafter commence business shall not have outstanding in preferred stock more than fifty per centum of its total capital structure at any time."

In lieu of the one adopted by the House.

Your conferees recommend that the House recede from the amendment adopted by it, and in lieu recommend the adoption of the amendment proposed by the conferees.

Conferees further recommend that upon the adoption of

the House of the amendment agreed upon by your conferees, that the Senate concur in said amendment.

Respectfully submitted,

S. W. ANDERSON,  
S. D. CLARKE,  
W. A. MacWILLIAMS,  
Conferees on part of Senate.  
S. E. TEAGUE,  
J. M. SAPP,  
S. P. ROBINEAU,  
Conferees on part of House.

Senator Anderson moved that the rules be waived and the Senate do now take up the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

And the Senate took up the consideration of Messages from the House of Representatives.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted the Joint Conference Committee report on Senate Bill No. 125:

By Senator Anderson—  
Senate Bill No. 125:

A bill to be entitled An Act relating to the issuance of preferred stock of banking companies, providing for the payment of dividends thereon; providing how it may be retired and determining its priority over common stock; limiting the liability of the holders of preferred stock and fixing the rights of holders of preferred stock.

And has also receded from its former amendment, which amendment is as follows:

"Nothing in this Act shall be construed to abrogate or diminish the double liability against common stock now in existence or which may hereafter come into existence. Any state bank or trust company which may hereafter commence business shall not have outstanding in preferred stock more than fifty per centum of its total capital structure at any time."

And has adopted the amendment offered in the Joint Conference Committee report, which amendment is as follows:

"Provided always however that nothing in this Act shall be construed to abrogate or diminish the double liability against common stockholders now or hereafter imposed by the laws of this State. Any state bank or trust company which may hereafter commence business shall not have outstanding in preferred stock more than fifty per centum of its total capital structure at any time."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,  
Chief Clerk House of Representatives.

Senator Anderson moved that the Senate do concur in the House Amendment to Senate Bill No. 125, contained in the above Message.

Which was agreed to.

And the Senate concurred in the House Amendment to Senate Bill No. 125.

And Senate Bill No. 125, as amended, was ordered referred to the Committee on Engrossed Bills.

The motion made by Senator Getzen to reconsider the vote by which Senate Bill No. 138 passed the Senate was taken up in its order and the consideration of same was informally passed.

House Memorial No. 3 was taken up in its order and the consideration of same was informally passed.

Senator Whitaker moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 329 out of its order.

Which was not agreed to.

Committee Substitute for Senate Bill No. 15:

A bill to be entitled An Act to fix the annual salaries of certain State Officers and employees, and repealing Chapter

15720, Laws of Florida, Acts of 1931, relating to same subject. Was taken up in its order.

Senator Whitaker offered the following amendment to Committee Substitute for Senate Bill No. 15:

In Section 1, line 17, strike out \$4,800.00 and insert in lieu thereof the following: \$5,000.

Senator Whitaker moved the adoption of the amendment.

Pending the adoption of the amendment offered by Senator Whitaker, Senators Holland and Stewart offered the following substitute amendment to Committee Substitute for Senate Bill No. 15:

In Section 1, line 17 (printed bill,) strike out the figures "4800" and insert "5400."

Pending the adoption of the substitute amendment offered by Senators Holland and Stewart, the hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:00 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 Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—38.

A quorum present.

By permission the following reports were submitted:

### REPORTS OF COMMITTEES

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 448:

A bill to be entitled An Act to amend Chapter 6824, Acts of 1915, as amended by Chapter 7798, Acts of 1919, relating to annual appropriations for the maintenance of the Olustee monument, the caretaker's cottage and the grounds belonging thereto near Olustee in the State of Florida.

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

Very respectfully,

W. C. HODGES,  
Chairman of Committee.

And Senate Bill No. 448, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

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

Senate Bill No. 314:

A bill to be entitled An Act to provide for the recording of all bills of sale, conditional sales contract, retain title contracts, contracts, mortgages, liens and leases upon livestock; providing when this Act shall become effective and providing for priority of purchaser or lien holders.

Committee Amendment suggested:  
Amendment No. 1:

In the title of said bill, in the second line thereof, strike out the word "Contract", being the fourth word in said line, and insert in lieu thereof the word "Contracts".

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

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 314, contained in the above report, together with committee amendment, was placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

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

Senate Bill No. 313:

A bill to be entitled An Act prescribing additional duties of County Commissioners and Clerks of the Circuit Court, in their respective counties of the State of Florida in connection with the recording and indexing of chattel mortgages, bills of sale, conditional bills of sale, retain title contracts, or any other instrument affecting the title to personal property.

Have had the same under consideration and recommend that said bill be substituted by the following entitled bill:

Committee Substitute for Senate Bill No. 313:

A bill to be entitled An Act prescribing additional duties of County Commissioners and Clerks of the Circuit Court, in their respective counties of the State of Florida in connection with the recording and indexing of chattel mortgages, bills of sale, conditional bills of sale, retain title contracts, or any other instrument affecting the title to personal property.

And further recommend that said Committee Substitute Bill for Senate Bill No. 313 do pass.

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 313 and Committee Substitute Bill for Senate Bill No. 313, contained in the above report, were placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

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

Senate Bill No. 315:

A bill to be entitled An Act to amend Section 913 Compiled General Laws of 1927 relating to taxation.

Have had the same under consideration and respectfully offer the following entitled bill as a committee substitute for said Senate Bill No. 315, to-wit:

Committee Substitute for Senate Bill No. 315:

A bill to be entitled An Act to amend Section 913, Compiled General Laws of 1927, same being Section 12 of Chapter 5596, Acts of 1907 of the State of Florida, relating to taxation.

And your committee recommend that the Committee Substitute Bill for Senate Bill No. 315 do pass.

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 315 and Committee Substitute Bill for Senate Bill No. 315, contained in the above report, were placed on the Calendar of Bills on second reading.

Also—

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

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

House Bill No. 302:

A bill to be entitled An Act to define when a judge is disqualified; to establish the manner and mode of determining

such disqualification; to define the effect of acts by judges who are, were, or may be disqualified; and for the repeal of Section 2525 of the Revised General Statutes of 1920, shown as Section 4152 of the Compiled General Laws of 1927, and Section 2528 of the Revised General Statutes of 1920, shown as Section 4155 of the Compiled General Laws of 1927, said sections relating to the disqualifications of judges.

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

Very respectfully,  
S. L. HOLLAND,  
Chairman of Committee.

And House Bill No. 302, contained in the above report, was placed on the Calendar of Bills on second reading.

Also—  
Senator Holland, Chairman of the Committee on Judiciary "B", submitted the following report:  
Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:  
Your Committee on Judiciary "B", to whom was referred: Senate Bill No. 139:  
A bill to be entitled An Act to amend Section 5058 Revised General Statutes, being Section 7160 Compiled General Laws of Florida, 1927, relating to kidnapping and punishment therefor.

Committee Amendment suggested:  
Amendment No. 1:  
In Section 1, in the last line of said section, strike out the word "punishable" and insert in lieu thereof the word "punished".  
Have had the same under consideration, and recommend that the same, with amendment thereto, do pass.

Very respectfully,  
S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 139, contained in the above report, together with committee amendment, was placed on the Calendar of Bills on second reading.

Also—  
Senator Holland, Chairman of the Committee on Judiciary "B", submitted the following report:  
Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:  
Your Committee on Judiciary "B", to whom was referred: House Bill No. 33:  
A bill to be entitled An Act to amend Section 5150 of the Revised General Statutes of Florida of 1920, the same being Section 7251 of the Compiled General Laws of Florida, 1927, relating to embezzlement of bank funds and punishment therefor.

Have had the same under consideration and recommend that same be substituted for:

Senate Bill No. 177:  
A bill to be entitled An Act to amend Section 5150 of the Revised General Statutes of Florida of 1920, the same being Section 7251 of the Compiled General Laws of Florida, 1927, relating to embezzlement of bank funds and punishment therefor.

Committee Amendments suggested:  
Amendment No. 1:  
In Section 1, second paragraph, third line from beginning of said paragraph, strike out the word "of" being the second word in said third line and insert in lieu thereof the word "or".

Amendment No. 2:  
At the end of Section 1 and preceding Section 2 insert the following paragraph:

Section 1½. This Act shall not affect any pending litigation.

And recommend that said House Bill No. 33, with amendments thereto, do pass.

Very respectfully,  
S. L. HOLLAND,  
Chairman of Committee.

And House Bill No. 33, contained in the above report, together with committee amendments, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:  
Your Committee on Judiciary "B", to whom was referred: Senate Bill No. 177:

A bill to be entitled An Act to amend Section 5150 of the Revised General Statutes of Florida of 1920, the same being Section 7251 of the Compiled General Laws of Florida, 1927, relating to embezzlement of bank funds and punishment therefor.

Committee Amendments suggested:  
Amendment No. 1:  
In Section 1, line 1, strike out the figures "5051" and insert in lieu thereof the following: "5150".

Amendment No. 2:  
In Section 1, second paragraph, third line from beginning of said paragraph, strike out the word "of", being the third word in said third line, and insert in lieu thereof the word "or".

Amendment No. 3:  
At the end of Section 1 and preceding Section 2 insert the following paragraph:

Section 1½. This Act shall not affect any pending litigation.

Have had the same under consideration, and recommend that the same be substituted by House Bill No. 33, with amendments thereto.

Very respectfully,  
S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 177, contained in the above report, together with committee amendments, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:  
Your Committee on Judiciary "B", to whom was referred: House Bill No. 762:

A bill to be entitled An Act to prohibit hunting and the discharging of firearms upon, from, across and within one-half mile of State Road No. 27, as now designated by the State Road Department of the State of Florida, and commonly known as the Tamiami Trail from the southerly corporation limits of Fort Myers, Florida, to the easterly corporation limits of Coral Gables, Florida, and providing a penalty for violation of the provisions of this Act.

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

Very respectfully,  
S. L. HOLLAND,  
Chairman of Committee.

And House Bill No. 762, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:  
Your Committee on Judiciary "B", to whom was referred: Senate Bill No. 93:

A bill to be entitled An Act denying to divorced women the right to use their former husband's surname, and requiring them to resume their former names.

And—  
Senate Bill No. 242:  
A bill to be entitled An Act providing for the taking and the use of testimony reported by a stenographer other than

a regularly appointed court reporter.

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

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bills Nos. 93 and 242, contained in the above report, were placed on the table under the rule.

Also—

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

Your Committee on Judiciary "B", to whom was referred: Senate Bill No. 410:

A bill to be entitled An Act relating to Trade Marks, Labels, and the like, providing for the registration thereof with the Secretary of State and fees therefor, providing also for the re-registration of Trade Marks, Labels and the like heretofore registered under the laws of this State, fixing the term of such registration and providing for the renewal thereof and providing remedies for the infringement and penalty thereof of said Trade Marks, Labels, and the like.

Committee Amendments Suggested:

Amendment No. 1:

On the second page of the typewritten bill in the third line from the top of said page strike out the word "office" and insert in lieu thereof the word "officer."

Amendment No. 2:

On the third page of the bill, Section 5, line 9, strike out the word "an" being next to the last word in said line 9 and insert in lieu thereof the word "and."

Amendment No. 3:

On the fourth page of said bill, Section 6, in the fourth line from the top of said page, strike out the word "unfavorable" and insert in lieu thereof the word "unfavorably."

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

Very respectfully,

S. L. HOLLAND,  
Chairman of Committee.

And Senate Bill No. 410, contained in the above report, together with committee amendments, was placed on the Calendar of Bills on Second reading.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS

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

Senate Chamber,  
Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,  
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments) after second reading:

Committee Substitute for Senate Bill No. 47:

A bill to be entitled An Act to amend Section 1007, Revised General Statutes as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1281, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1010, Revised General Statutes, being Section 1284, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; to amend Section 1011, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1285, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1012, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1286, Compiled General Laws of Florida, 1927, and to amend Chapter 14656, Acts of 1931, all of said sections relating to the operation, licensing and taxing of Motor Vehicles, Trailers, Semi-Trailers and Motorcycle Side Cars.

Amendments:

In Title line 16, (typewritten bill), strike out the words: 14657, and insert in lieu thereof the following: 14656.

In Section 1, line 59, (printed bill,) strike out the figures 10 cents and insert in lieu thereof the following: 25 cents.

In Section 3, Sub-Section (4), page 16, line 194, strike out the figures "20,000", and insert in lieu thereof the following: "18,000".

In Section 3, line 343½, (printed bill,) after the word Government, strike out the words: or by officers or enlisted men actually serving in Florida in the United States Army or Navy, by performing duties for the Federal Government.

In Section 3, line 404, (printed bill,) add Sub-Sec. 16 as follows: 16—Hearses and Ambulances as licensed herein shall not be deemed as "For Hire" Carriers not subject to regulation as such, provided such Hearses and Ambulances shall be operated by licensed embalmers and Morticians, their agents and employees, in this State.

In Section 3, line 269, page 20, (printed bill,) after the word "treatment" insert the following: "and persons transporting from point of production or growth to point of manufacture or shipment (not to exceed thirty-five miles) any article which from its nature is not capable of being dis-jointed or dismantled or whose fitness for the use to which it is intended would be destroyed by severing." Provided no such vehicle shall be parked on any Public Highway after sun down:

In Section 3, at end of paragraph (12) insert and add paragraph (12a) as follows: This Act is not intended to and shall not apply to buses operating within the corporate limits of any city or suburban territory adjacent thereto within a radius of ten miles, or between cities whose boundaries ad-join, and which operate over definite routes on regular schedules and that are regulated by the Legislative body of such cities, where other license taxes have been provided for by law for such buses.

In Section 3, line 44 and 45, (printed bill,) strike out the figures 1.50 per cwt. and insert in lieu thereof the following: 1.00 per cwt.

In Section 3, line beginning 333, (printed bill,) strike out the words: and except those owned and operated by officers and enlisted men of the Army and Navy, stationed in Florida to perform duties for the Federal Government.

In Section 3, page 8, (printed bill,) strike out lines 27 and 28.

In Section 3, line 25, (printed bill,) strike out the figures "4,000," and insert in lieu thereof the following: "5,000."

In Section 3, paragraph designated "Definition," strike out the words: "less fuel and water," in line 2 typewritten bill.

In Section 3, line 6 (printed bill,) strike out the words: 14657, and insert in lieu thereof the following: 14656.

In Section 3, line 23, end of (printed bill,) pick up trucks for private use shall be included in the above schedule according to weight.

In Sub-Section 4, of Section 3, of Committee Substitute for Senate Bill No. 47, after the word "tire" in line 197, strike out the remainder of line 197, and all of lines 198, 199, 200, 201, 202, 203, 204, through line 205, in the printed bill.

At the end of Section 5, change the period to a comma, and add, except where the same are in conflict herewith.

In Section 6, line 1 and 2, (printed bill,) strike out the Section, and insert in lieu thereof the following: This Act shall take effect December 31st, 1933.

In Section 3, line 128 (typewritten bill), after the word "hire," strike out the period and insert the following: "and such definition shall be deemed to include 'Travel Bureaus,' or such person, firm, corporation or association who by personal solicitation or by advertisement, offers to provide transportation by Motor Vehicle on a 'Share-Expense' basis."

In Section 3, line 136, (printed bill), after the words "for hire" insert the following: "Corporations and Associations transporting the goods, wares, and merchandise and other personal property of their stock holders, shareholders, and members, cooperative or otherwise, shall be construed as within the definition 'for hire.' Provided, however, that vehicles used in the transportation of horticultural and/or agricultural supplies direct to the growers or consumers of said supplies or to associations of said growers and consumers shall not be deemed 'for hire' vehicle within the terms of this Act."

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

Very respectfully,

J. W. TURNER,  
Chairman of Committee.

And Committee Substitute for Senate Bill No. 47, contained in the above report, was referred to the Calendar of Bills on the third reading.

Also—  
 Senator Turner, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
 Tallahassee, Fla., May 3, 1933.

*Hon. T. G. Futch,*  
*President of the Senate.*

Sir:  
 Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading passed:

Senate Bill No. 366:  
 A bill to be entitled An Act to amend the Charter of the City of Hialeah, Florida.

House Amendment:  
 In Section 9, line 18, strike out the words "(c) No other State revenue producing law shall in any wise or in any manner whatsoever restrict or interfere, curtail or affect the revenue producing channels of the said City of Hialeah, Florida."  
 Have carefully examined same, and find same correctly engrossed, and return same herewith.

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

And Senate Bill No. 366, contained in the above report, was referred to the Committee on Enrolled Bills.

Also—  
 Senator Turner, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
 Tallahassee, Fla., May 3, 1933.

*Hon. T. G. Futch,*  
*President of the Senate.*

Sir:  
 Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading and passed as amended:

Senate Bill No. 303:  
 A bill to be entitled An Act amending Chapter 14656 of the Acts of 1931, Laws of Florida, relating to registration fees to be paid for the licensing of passenger busses furnishing public transportation within incorporated Cities.

Amendment:  
 Strike out Section 6 and insert in lieu thereof the following: "This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval."

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

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

And Senate Bill No. 303, contained in the above report, was ordered to be certified to the House of Representatives.

Also—  
 Senator Turner, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
 Tallahassee, Fla., May 3, 1933.

*Hon. T. G. Futch,*  
*President of the Senate.*

Sir:  
 Your Committee on Engrossed Bills, to whom was referred (with amendments) after third reading, House amendments concurred in.

Senate Bill No. 125:  
 A bill to be entitled An Act relating to the issuance of preferred stock of banking companies, providing for the payment of dividends thereon, providing how it may be retired and determining its priority over common stock; limiting the liability of the holders of preferred stock and fixing the rights of the holders of preferred stock.

House Amendments:  
 In Section 1, add at end of Section "Provided always, however, that nothing in this Act shall be construed to abrogate or diminish the double liability against common stockholders

now or hereafter imposed by the laws of this State. Any state bank or trust company which may hereafter commence business shall not have outstanding in preferred stock more than fifty per centum of its total capital structure at any time."

At the end of Section 2 strike out the period and insert the following: A comma, and add the following: "provided always however that such preferred stock issue shall never be issued to permit the diminution, avoidance or evasion of the common stockholders' liability, nor shall it be permissible hereunder to create a capital structure of any bank or trust company whereby at least 50 per cent of the total capital of such bank, including both common and preferred stock, shall not be secured by common stockholders' liability."

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

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

And Senate Bill No. 125, contained in the above report, was referred to the Committee on Enrolled Bills.

Also—  
 Senator Turner, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
 Tallahassee, Fla., May 3, 1933.

*Hon. T. G. Futch,*  
*President of the Senate.*

Sir:  
 Your Committee on Engrossed Bill, to whom was referred (with amendments) after 3rd reading and passed as amended.

Senate Bill No. 304:  
 A bill to be entitled An Act to amend Section 6 of Chapter 15625, Acts of 1931, Laws of Florida, amending Sections 1007, 1010, 1011 and 1031, Revised General Statutes of Florida, relating to the operation, licensing and taxing of motor vehicles, trailers, semi-trailers and motorcycle side cars, and for other purposes in relation to motor vehicles and registration thereof.

Amendment:  
 Strike out Section 3, and insert in lieu thereof the following: "This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval."

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

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

And Senate Bill No. 304, contained in the above report, was ordered referred to the Committee on Enrolled Bills.

REPORT OF ENROLLING COMMITTEE

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

Senate Chamber,  
 Tallahassee, Fla., May 3, 1933.

*Hon. T. G. Futch,*  
*President of the Senate.*

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

Senate Bill No. 318:  
 A bill to be entitled An Act to abolish the jurisdiction of the City of Hialeah, Dade County, Florida, a municipal corporation, over certain lands in Dade County, Florida, and to exclude the same from its corporate limits and to repeal all laws or parts of laws in conflict therewith.

Also—  
 Senate Bill No. 245:  
 A bill to be entitled An Act abolishing the City of Elfers in Pasco County, Florida, and repealing Chapter 10540 (No. 518), Special Act of 1925, creating said City, and repealing all Acts amendatory thereof.

Also—  
 Senate Bill No. 310:  
 A bill to be entitled An Act regulating the summons of petit jurors in Circuit Courts, Criminal Courts of Record, County Courts, the Court of Record in and for Escambia County, Florida, and amending Section 2786 and 2787 of the Revised General Statutes of Florida.

Also—

Senate Bill No. 257

A bill to be entitled An Act permitting municipal improvement liens heretofore assessed by the City of Miami to be payable in bonds.

Also—

Senate Bill No. 168:

A bill to be entitled An Act relating to the government of the City of Miami, Florida, and providing for a budget of expenditures.

Also—

Senate Bill No. 343:

A bill to be entitled An Act providing for a pension to be paid by the City of Tampa to F. P. King.

Also—

Senate Bill No. 256:

A bill to be entitled An Act to permit the City of Miami to receive municipal bonds in payment of taxes assessed prior to the year 1932.

Also—

Senate Concurrent Resolution No. 8:

WHEREAS, after a long life, rich in public service, the fullness of years has prompted the Honorable Phillip Keyes Yonge, one of the most useful of Florida's son, to withdraw from active personal participation in the affairs of our State; and WHEREAS, etc.

Also—

Senate Bill No. 174:

A bill to be entitled An Act with reference to the St. Johns River Bridge in Duval County, Florida, with reference to the retention of tolls thereon; ordering the St. Johns River Bridge Bond Trustees to use the proceeds of the tolls of the St. Johns River Bridge in Duval County, Florida, for the operation, maintenance and repair of the said Bridge and for the purchase and retirement by said trustees of any outstanding St. Johns River Bridge Bonds; and for the purchase of outstanding bonds for Duval County, Florida, with certain stated moneys; ordering and directing the trustees of the St. Johns River Bridge Bonds to cancel certain outstanding Duval County bonds now in their possession and ordering and instructing said trustees to assign and transfer into the sinking funds of certain Duval County, Florida, bond issues administered by the Board of Administration of the State of Florida, other outstanding Duval County, Florida, bonds, now in their possession; authorizing and directing the trustees of the St. Johns River Bridge Bonds to cancel and surrender to the proper authorities all bonds hereinafter purchased out of funds hereinafter coming into their hands; and making any and all other proper provisions in connection with each and all of the foregoing.

Have examined the same and find them correctly enrolled. The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

S. W. ANDERSON,

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 Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Committee Substitute for Senate Bill No. 15:

A bill to be entitled An Act to fix the annual salaries of certain State Officers and employees, and repealing Chapter 15720, Laws of Florida, Acts of 1931, relating to same subject.

Which was pending at the hour of recess was taken up.

The following amendment by Senator Whitaker was pending adoption at the hour of recess:

In Section 1, line 17 (printed bill), strike out \$4800.00 and insert in lieu thereof the following: \$5000.00.

Senator Whitaker moved the adoption of the amendment.

Pending the adoption of the amendment by Senator Whitaker, Senators Holland and Stewart offered the following substitute amendment to Committee Substitute for Senate Bill No. 15 which was pending adoption at the hour of recess.

In Section 1, line 17 (printed bill), strike out the figures "4800" and insert in lieu thereof the following: "5400".

Senator Holland moved the adoption of the substitute amendment.

Upon which a roll call was demanded.

Upon the adoption of the substitute amendment offered by Senators Holland and Stewart the roll was called and the vote was:

Yeas—Senators Anderson, Beacham, Clarke, Dell, Hodges, Holland, Watson—7.

Nays—Mr. President; Senators Andrews, Bass, Black Caro, Chowning, English, Gary, Hilburn, Larson, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Turner, Whitaker—22.

Which was not agreed to.

The question recurred on the adoption of the amendment offered by Senator Whitaker to Committee Substitute for Senate Bill No. 15.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Whitaker the roll was called and the vote was:

Yeas—Mr. President; Senator Anderson, Andrews, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gomez, Hale, Hilburn, Hodges, Holland, Lewis, Murphy, Parker, Parrish, Stewart, Turner, Watson, Whitaker—24.

Nays—Senators Bass, Gary, Getzen, Gillis, Harrison, Larson, Lundy, MacWilliams, Mann, Raulerson, Rose, Shelley, Shivers, Sikes—14.

Which was agreed to.

And the amendment was adopted.

Senator Anderson moved that the rules be waived and the Senate do now take up the consideration of Messages from the House of Representatives, out of their order.

Which was agreed to by a two-thirds vote.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., May 3, 1933.

Hon. T. G. Futch,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives refuses to recede from its amendments to Senate Bill No. 427. The Speaker of the House has appointed a committee consisting of Messrs. Frost, Teague and Kelly to confer with a like committee on the part of the Senate to adjust the differences existing between the two Houses on this Bill. The request of the House of Representatives is that the conference committee on the part of the Senate be immediately appointed.

By Senate Joint Committees on Judiciary "A" and Temperance—

Senate Bill No. 427:

A bill to be entitled An Act regulating and controlling the manufacture, transportation and sale of malt and vinous beverages commonly known as beer, porter, ale, wine, or fruit juices, and such similar beverages as are not prohibited by the laws of this State; authorizing the Governor of the State of Florida to appoint supervisors to supervise the business of persons, associations of persons, or corporations engaged in such business and prescribing the powers and duties of said supervisors; prescribing a tax to be levied and assessed upon all such beverages manufactured or sold within this State and prescribing the method of assessing and collecting said tax and the distribution thereof; prescribing license fees and the collection and distribution thereof; appropriating funds necessary for the enforcement thereof; and prescribing penalties for the violation of the provisions of this Act; and providing for referendum.

Which amendments are as follows:

Strike out all of Section 11 and insert in lieu thereof the following: All the proceeds of the revenue to be derived hereunder, after the payment of all expenses incident to the enforcement of this Act, as hereinbefore provided, shall be credited by the Comptroller, State of Florida, to the County School Fund to be disbursed in the manner as now provided by law.

In Section 4, line 8, page 6, after the words "lines of travel" strike out remainder of Section.

In Section 14, line 3, after the words "Eighteen Years" strike out the remainder of this section.

In Section 17, line 3, strike out the word four and insert the following: six.

In Section 17, page 10, line 1, strike out the words one-half, and insert the following: three-fourths.

In Section 5, Sub-section b, line 9, strike out the words after the word "production," and insert the following: "or distribution".

In Section 4, line 1, page 6, strike out the word "Court", and insert the word "County".

In Section 5, Sub-section B, line 9, strike out the words after the word manufacturers, and insert the following: or distributors.

In Section 3, Sub-section A, line 5, strike out the words after the word "record", insert the following: and make report.

In Section 3, Sub-section B, line 4, strike out the words said distributors may transport, and insert the following: manufacturers and distributors may transport or cause to be transported.

In Section 3, line 4, page 4, strike out the words after word "said" and insert the following: "principal office and all."

In Section 4, line 24 after the word "association" strike out the words "or persons" and insert the following; "of persons of a similar nature".

In Section 5, line 1 strike out the word "manufactured" and insert the following: "manufacturer".

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senator Anderson moved that a committee be appointed on the part of the Senate to confer with the committee on the part of the House of Representatives to adjust the differences between the Bodies on the House amendments to Senate Bill No. 427, in compliance with the request of the House of Representatives.

Which was agreed to.

And the Chair appointed Senators Butler, Black and Beacham, as the Conference Committee on the part of the Senate.

And the action of the Senate was ordered certified to the House of Representatives immediately, the rule being waived.

Senator Rose moved that a committee of three be appointed to escort Hon. Franklin O. King, former Senator from the 19th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the Chair appointed Senators Rose, Parrish and Gary as the Committee.

Senator Whitaker offered the following amendment to Committee Substitute for Senate Bill No. 15:

In Section 1, line 12 (printed bill,) strike out the words and figures: "each of the four members of State Road Department \$600.00."

Senator Whitaker moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Whitaker the roll was called and the vote was:

Yeas—Senators Andrews, Bass, Mann, Whitaker.—4.

Nays—Mr. President; Senators Anderson, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson.—34.

Which was not agreed to.

Senator Hodges offered the following amendment to Committee Substitute for Senate Bill No. 15:

In Section 1, line 6-7-8-9-9½-10 (printed bill,) strike out the figures 4800 and insert in lieu thereof the following: 6000.

Senator Hodges moved the adoption of the amendment.

Pending the adoption of the amendment offered by Senator Hodges, Senators Getzen and Parker offered the following substitute amendment to Committee Substitute for Senate Bill No. 15:

In Section 1, lines 6, 7, 8, 9, 9½ and 10 strike out the figures \$4800.00 and insert in lieu thereof the following: \$5000.00.

Senator Getzen moved the adoption of the substitute amendment.

Upon which a roll call was demanded.

Upon the adoption of the substitute amendment offered by Senators Getzen and Parker the roll was called and the vote was:

Yeas—Senators Andrews, Bass, Chowning, Gary, Getzen, Gillis, Hale, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker.—23.

Nays—Mr. President; Senators Anderson, Clarke, Dell, Hodges, Holland.—6.

Which was agreed to.

And the substitute amendment was adopted.

Senator Whitaker offered the following amendment to Committee Substitute for Senate Bill No. 15:

In Section 1, (printed bill,) strike out line eleven.

Senator Whitaker moved the adoption of the amendment. Which was not agreed to.

Senator English moved that the rules be waived and the Senate do now take up the consideration of Committee Substitute for Senate Bill No. 47 out of its order.

Which was agreed to by a two-thirds vote.

And—

Committee Substitute for Senate Bill No. 47:

A bill to be entitled An Act to Amend Section 1007, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921 and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1281, Compiled General Laws of Florida, 1927, as Amended by Chapter 15625, Laws of Florida, Acts of 1931; and to Amend Section 1010, Revised General Statutes, Being Section 1284, Compiled General Laws of Florida, 1927, as Amended by Chapter 15625, Laws of Florida, Acts of 1931; to Amend Section 1011, Revised General Statutes as Amended by Chapter 8310, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1285, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1012, Revised General Statutes, as Amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182 Laws of Florida, Acts of 1925, being Section 1286, Compiled General Laws of Florida, 1927, and to amend Chapter 14657, Acts of 1931, all of said Sections relating to the Operation, Licensing and Taxing of Motor Vehicles, Trailers, Semi-Trailers, and Motorcycle Side Cars.

Was taken up out of its order and read a third time in full, and put upon its passage.

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

Yeas—Senators Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, MacWilliams, Mann, Parker, Parrish, Raulerson, Rose, Sikes, Stewart, Watson, Whitaker.—30.

Nays—Mr. President; Senators Anderson, Gillis, Lundy, Murphy, Shelley, Shivers, Turner.—8.

So the bill passed title as stated, and the action of the Senate was ordered immediately certified to the House of Representatives, the rule being waived.

Senator Watson moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 606 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 606:

A bill to be entitled An Act apportioning the moneys received from the State Treasurer by the County Commissioners of the several Counties of the State of Florida having a population of not less than one hundred forty thousand (140,000) and not more than one hundred fifty thousand (150,000) according to the last State or Federal Census which said moneys have been received from the State Treasurer under and by virtue of Chapter 14832 of the Laws of Florida, 1931, providing for a State Racing Commission and providing for licensing and taxing such racing and apportioning the moneys derived therefrom among the several Counties, etc., to provide that said moneys so received by said County Commissioners shall be paid over to the County School Board for public school purposes.

Was taken up out of its order.

Senator Watson moved that the rules be waived and House Bill No. 606 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 606 was read a second time by title only.

Senator Watson moved that the rules be further waived and House Bill No. 606 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. 606 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, Bass,

Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered immediately certified to the House of Representatives.

Senator Caro moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 303 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 303:

A bill to be entitled An Act amending Chapter 14656 of the Acts of 1931, Laws of Florida, relating to registration fees to be paid for the licensing of passenger busses furnishing public transportation within incorporated cities.

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

The Committee on Motor Vehicles offered the following amendment to Senate Bill No. 303:

(Typewritten bill,) strike out Section 6 and insert in lieu thereof the following: "This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval."

Senator Caro moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Caro moved that the rules be further waived and Senate Bill No. 303, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 303, 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 Anderson, Andrews, Bass, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Raulerson, Shivers, Sikes, Stewart, Watson, Whitaker.—27.

Nays—None.

So the bill passed and was ordered referred to the Committee on Engrossed Bills.

Senator Caro moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 304 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 304:

A bill to be entitled An Act to amend Section 6 of Chapter 15625, Acts of 1931, Laws of Florida amending Sections 1007, 1010, 1011 and 1031, Revised General Statutes of Florida, relating to the operation, licensing and taxing of motor vehicles, trailers, semi-trailers and motorcycle side cars, and for other purposes in relation to motor vehicle and registration thereof.

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

The Committee on Motor Vehicles offered the following amendment to Senate Bill No. 304:

(Typewritten bill,) strike out Section 3 and insert in lieu thereof the following: "This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval."

Senator Caro moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Caro moved that the rules be further waived and Senate Bill No. 304, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 304, 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 Anderson, Andrews, Bass, Caro, Chowning, Clarke, Dell, English, Gary, Gillis, Gomez, Hilburn, Hodges, Holland, Lewis, Lundy, MacWilliams, Mann,

Raulerson, Shelley, Shivers, Stewart, Turner, Watson, Whitaker—26.

Nays—None.

And Senate Bill No. 304 was ordered referred to the Committee on Engrossed Bills.

Senator Shelley moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 663 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 663:

A bill to be entitled An Act relating to Commissions of County Assessors of Taxes assessing Special Taxes and Special Tax Districts taxes in certain Counties of the State of Florida and providing for the relief of such Tax Assessors of all liability for the payment of Commissions received for the assessments of Special Taxes and Special Tax District taxes, in Counties having a population of not less than six thousand and not more than six thousand four hundred according to the last preceding State or Federal Census.

Was taken up out of its order.

Senator Shelley moved that the rules be waived and House Bill No. 663 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 663 was read a second time by title only.

Senator Shelley moved that the rules be further waived and House Bill No. 663 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. 663 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, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Whitaker moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 329 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 329:

A bill to be entitled An Act to regulate the manufacture, sale, possession, control, prescribing, administering, dispensing, compounding, mixing, cultivation and growth of narcotic drugs in the State of Florida; to define certain words and phrases as used in this Act, to make it unlawful to manufacture, possess, have under control, sell, prescribe, administer, dispense or compound any narcotic drug, except as authorized by this Act; to make it unlawful to manufacture, compound, mix, cultivate, grow, or by any other process to produce or prepare narcotic drugs, or as a wholesaler to supply the same, without having first obtained a license to do so from the State Board of Health except in the case of physicians and others specifically exempted therefrom; to provide for and regulate the issuance of licenses therefor by the State Board of Health; to designate the persons to whom licensed manufacturers or wholesalers may sell and dispense narcotic drugs but only upon official written orders; to make lawful the possession and control of narcotic drugs obtained as authorized by this Act; to regulate such sales and to require the keeping of proper records thereof; to regulate the administering, dispensing and use of narcotic drugs obtained under the provisions of this Act; to provide for and to regulate the sale and dispensing of narcotic drugs by apothecaries upon written prescriptions of physicians, dentists and veterinarians; to make lawful the sale of stocks of narcotic drugs in pharmacies upon discontinuance of dealings in said drugs; to manufacturers wholesalers and apothecaries upon official written orders; to provide for sales by apothecaries upon official written orders; to physicians, dentists and veterinarians of limited quantities of narcotic drugs and solutions thereof for medical purposes; to authorize and to regulate the prescribing, administering, dispensing, mixing or otherwise preparing of narcotic drugs by physicians and dentists in good faith and in the course of their professional practices only, and the administering of the same by nurses and internes under their direction; to authorize and to

regulate the prescribing, administering and dispensing of narcotic drugs by veterinarians in good faith and in the course of their professional practices only and the administering of the same by assistants or orderlies under their supervision; to require the return to physicians, dentists and veterinarians of the unused portions of narcotic drugs procured from them under the preceding sections; to provide for cases which shall be exceptions and exemptions from the operation of this Act; and to impose conditions upon such exceptions and exemptions; to require the keeping of records by every physician, dentist, veterinarian and other persons authorized to administer and professionally use narcotic drugs, of such drugs received and of such drugs administered, dispensed and professionally used by him, and to define what shall constitute a sufficient compliance with this requirement in certain cases, and to dispense with the keeping of such records in certain cases; to require the keeping of records by manufacturers and wholesalers of all narcotic drugs compounded, mixed, cultivated, grown, produced, prepared, received and disposed of by them; to require the keeping of records by apothecaries of all narcotic drugs received and disposed of by them; to require every person who purchases for resale, or who sells narcotic drug preparations exempted by Section 8 of this Act, to keep a record of all such preparations received, sold or disposed of; to authorize and direct the State Board of Health to prescribe the form of records required under this Act; to require such records to contain certain prescribed information; to require the retention of such records for a period of two years from the date of the transaction recorded; to provide that the keeping of records required by the Federal narcotic laws containing substantially the same information as required under this Act shall constitute compliance with said section, with certain exceptions herein contained; to require that whenever a manufacturer sells and dispenses a narcotic drug, and whenever a wholesaler sells and dispenses a narcotic drug prepared by him, he shall affix a label thereon containing certain specific information, and prohibiting any person except an apothecary to make such distribution to hospitals, and that it may destroy, alter, deface, or remove such label, to require that whenever an apothecary sells or dispenses any narcotic drug on a prescription issued by a physician, dentist, or veterinarian said apothecary shall affix to the container a label containing certain specified information, and to prohibit the altering, defacing or removing of any label so affixed so long as any of the original contents remains; to provide that the person to whom or for whose use, and the owner of any animal for whose use any narcotic drug has been prescribed, sold or dispensed, may lawfully possess such drug only in the container in which it was delivered to him by the person selling or dispensing it; to except from the application of this Act restricting the possession and control of narcotic drugs, common carriers and warehousemen, and their employees, while engaged in lawfully transporting or storing such drugs, public officers and employees in the performance of their official duties requiring possession or control of narcotic drugs, and certain other persons; to define a common nuisance under this Act and to prohibit the maintenance of the same; to provide for the forfeiture of all narcotic drugs coming into the custody of peace officers where the lawful possession of the same cannot be established or the title thereto ascertained, and for the destruction and disposal of the same; to provide that the Court decreeing the forfeiture of such drugs may upon application of the State Board of Health order forfeited narcotic drugs delivered to said State Board of Health for official distribution to hospitals for medicinal use; to provide that the State Board of Health may or deliver to the United States Commissioner of Narcotics excess stocks of such drugs; to require the keeping by the State Board of Health of certain records pertaining to the receipt and disposal of narcotic drugs under this Section; to provide for the revocation and suspension of licenses and registrations of physicians, dentists, veterinarians, manufacturers, wholesalers, and apothecaries convicted of the violation of any provision of this Act and for reinstatement of the same; to authorize the inspection by certain officers of prescriptions, orders and records required by this Act, and stocks of narcotic drugs, and to prohibit the divulging by such officers of knowledge so obtained except in the cases provided for; to provide for the enforced confinement and treatment of any person found upon proceedings had in conformity with the provisions of this Act to be such a habitual user of narcotic drugs as to endanger the public morals, health, safety or welfare and of any person so far addicted to the use of narcotic drugs as to have lost the power of self control over his addiction; to provide for the commitment by any Court of competent jurisdiction of a defendant in a criminal action or pro-

ceeding of such defendant for enforced confinement and treatment in a public hospital or institution under medical supervision, designated by the State Board of Health, when such defendant is a habitual user of narcotic drugs; to provide for the stay of further criminal proceedings and for deferring the imposition of sentence pending discharge of the patient from treatment in accordance with the preceding Section, to provide for the commitment of drug addicts upon voluntary application, to such institutions, to prohibit obtaining or attempting to obtain narcotic drugs or the administration thereof by fraud, deceit, misrepresentation or subterfuge, by the forgery or alteration of a prescription or written order or by the use of a false name or a false address; to prohibit the willful making of any false statement in any prescription, order, report or record required by this Act; to provide that no person shall for the purpose of obtaining a narcotic drug falsely assume the title of, or represent himself to be a manufacturer, wholesaler, apothecary, physician, dentist, veterinarian, or other authorized person, to prohibit the forging of a prescription or written order, or the uttering of a false or forged prescription or written order for narcotic drugs; to prohibit the affixing of any false or forged label to a package or receptacle containing any narcotic drugs; to provide that it shall not be necessary in any complaint, information or indictment, or in any proceeding brought for the enforcement of any provision of this Act to negative any exception to or exemption from the same; to provide that the burden of providing such exceptions and exemptions shall be upon the defendant, to make it the duty of the State Board of Health, its officers, agents, inspectors, and representatives, of all peace officers and prosecuting attorneys to enforce this Act, except provisions thereof which specifically delegate such enforcement; to provide that such officers shall cooperate with agencies charged with the enforcement of narcotic laws of this State or other States, and of the United States, to provide for and to prescribe the punishments which may be imposed for violations of this Act; to provide that acquittal or conviction under the Federal Narcotic Laws shall be a bar to prosecution for the same act under this Act; to provide that the invalidity or unconstitutionality of any provision of this Act shall not affect the remaining provisions thereof; to state the general purposes of this Act; to designate the short title thereof, and for other purposes.

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

Senator Whitaker moved that the rules be further waived and Senate Bill No. 329 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. 329 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, Bass, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Gillis, Hale, Harrison, Hilburn, Hodges, Holland, Lewis, Lundy, MacWilliams, Mann, Raulerson, Shelley, Shivers, Stewart, Turner, Whitaker.—27.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shelley moved that the hour of adjournment be extended thirty (30) minutes.

Which was agreed to.

And it was so ordered.

Senator Holland moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 404 out of its order.

Which was agreed to by a two-thirds vote.

And—  
House Bill No. 404:

A bill to be entitled An Act authorizing the disposition of undisposed of funds raised or created for the purpose of applying toward the payment of principal or interest of refunding bonds when such refunding bonds are not issued.

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

Senator Holland moved that the rules be further waived and House Bill No. 404 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. 404 was read a third time in full.

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

Yeas—Senators Andrews, Bass, Beacham, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Hodges, Holland, Lewis, Lundy, MacWilliams, Mann, Parker, Parrish, Raulerson, Rose, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—26.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By permission the following bills were introduced:

By Senator Gary—  
Senate Bill No. 452:

A bill to be entitled An Act relating to the title to extinct churches and Religious Societies.

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

By Senator Black (By Request)—  
Senate Bill No. 453:

A bill to be entitled An Act relating to pensions.

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

By Senator Black (By Request)—  
Senate Bill No. 454:

A bill to be entitled An Act to prohibit the payment of State pensions to inmates of the ex-Confederate Soldiers' and Sailors' Home in Duval County.

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

By Senator Black (By Request)—  
Senate Bill No. 455:

A bill to be entitled An Act to require that the maintenance and care of the ex-Confederate Soldiers' and Sailors' Home in Duval County be paid from the State Pension Fund.

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

By Senator Stewart—  
Senate Bill No. 456:

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 Chapter 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".

Senator Gary moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 228 out of its order.

Which was agreed to by a two-thirds vote.

And—  
Senate Bill No. 228:

A bill to be entitled An Act relating to Qualifications and Licensing of Life Insurance Agents.

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

Senator Gary moved that the rules be further waived and Senate Bill No. 228 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. 228 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, Bass, Beacham, Caro, Chowning, Clarke, Dell, English, Gary, Gillis, Harrison, Hilburn, Hodges, Holland, Lewis, Lundy, Mann, Parker, Raulerson, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—27.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Futch moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 393 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 393:

A bill to be entitled An Act establishing as "The Richey-Simpson Memorial Highway," a certain portion of State Road No. 2, in Lake County, Florida.

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

Senator Futch moved that the rules be further waived and Senate Bill No. 393 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

An Senate Bill No. 393 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, Bass, Beacham, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Harrison, Hilburn, Hodges, Holland, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Shelley, Shivers, Sikes, Turner, Watson, Whitaker.—30.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Futch moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 395 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 395:

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

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

Senator Futch moved that the rules be further waived and Senate Bill No. 395 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. 395 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, Bass, Beacham, Caro, Chowning, Clarke, Dell, English, Gary, Gillis, Harrison, Hilburn, Hodges, Holland, Lundy, MacWilliams, Mann, Murphy, Parker, Raulerson, Rose, Shelley, Shivers, Sikes, Turner, Watson.—28.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Futch moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 394 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 394:

A bill to be entitled An Act providing for the distribution and use of moneys received from the State Treasurer during the year 1933 which is derived from licensed race tracks by counties of the State of Florida having a population of more than 23,150 and less than 23,165 according to the last State or Federal Census.

Was taken up out of its order.

Senator Futch moved that the rules be waived and Senate Bill No. 394 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 394 was read a second time by title only.

Senator Futch moved that the rules be further waived and Senate Bill No. 394 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. 394 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, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Holland moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 776 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 776:

A bill to be entitled An Act providing for appointment of Deputy Constables in all Justice of the Peace Districts in all Counties of the State of Florida having a population of not less than seventy thousand (70,000) nor more than one hundred thousand (100,000), according to the last preceding State or Federal Census; providing for their powers, duties, responsibilities and dismissal.

Was taken up out of its order.

Senator Holland moved that the rules be waived and House Bill No. 776 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 776 was read a second time by title only.

Senator Holland moved that the rules be further waived and House Bill No. 776 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. 776 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, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

Nays—None.

So the bill passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 142 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 142:

A bill to be entitled An Act to further establish, declare and designate State Road Number 19.

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

The Committee on Public Roads and Highways offered the following amendment to Senate Bill No. 142:

Section 3. That said part of this road shall be and become and rank as a preferential road on the Third preferential system.

Senator Shivers moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

The Committee on Public Roads and Highways also offered the following amendment to Senate Bill No. 142:

Section 4. This Act shall take effect immediately upon its passage and approval by the Governor, or on its becoming a law without such approval.

Senator Shivers moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Shivers moved that the rules be further waived and Senate Bill No. 142, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 142, 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 Anderson, Andrews, Bass, Beacham, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Harrison, Hilburn, Hodges, Holland, Lewis, Lundy, Parker, Raulerson, Rose, Shelley, Shivers, Sikes, Turner, Watson, Whitaker—28.

Nays—None.

So the bill passed, as amended, and was ordered referred to the Committee on Engrossed Bills.

Senator Shelley requested that Senate Bill No. 225 be recalled from the Committee on Miscellaneous Legislation and placed on the Calendar of Bills on second reading, under the rule.

And it was so ordered.

Senator Hodges moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 5:58 o'clock P. M., until 10:30 o'clock A. M. Thursday, May 4, 1933.