

JOURNAL OF THE SENATE

Friday, May 19, 1933

The Senate convened at 10:30 o'clock A. M. pursuant to adjournment on Thursday, May 18, 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, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Thursday, May 18, was corrected, and as corrected was approved.

REPORTS OF COMMITTEES

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

Senate Chamber,
Tallahassee, Fla., May 19, 1933.

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

Sir:

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

Senate Bill No. 689:

A bill to be entitled An Act to repeal Sections 18 and 42 of Chapter 14572, Laws of Florida, 1929, relating to attorney's fees in proceedings for the foreclosure of tax certificates, to the sale of tax certificates by competitive bids, and the refunding of the purchase price of invalid tax certificates so sold.

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

Very respectfully,
W. T. GARY,
Chairman of Committee.

And Senate Bill No. 689, 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 19, 1933.

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

Sir:

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

House Bill No. 424:

A bill to be entitled An Act to amend Section 1528 of the General Statutes of 1920, being Section 2306 Compiled General Laws of 1927 relative to estimate of expenses to be prepared by Commissioners prior to the making of the annual tax levy.

Committee Amendment Suggested:

At the end of Section 2, add the words: "Provided, however, that this Act shall not repeal any special or local laws upon the same subject, or which are in conflict herewith."

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

Very respectfully,
W. T. GARY,
Chairman of Committee.

And House Bill No. 424, contained in the above report, together with committee amendment, 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 19, 1933.

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

Sir:

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

Senate Bill No. 646:

A bill to be entitled An Act to make the refilling of a bottle with milk, cream, buttermilk, or other dairy products, with the trade name or trade mark or trade name and trade mark of any persons, firm or corporation blown into said bottle, by any person, firm or corporation other than the person, firm or corporation whose trade name or trade mark or trade name and trade mark is blown into said bottle, a misdemeanor.

Have had the same under consideration, and recommend that the same do pass without recommendation.

Very respectfully,
J. B. STEWART,
Chairman of Committee.

And Senate Bill No. 646, contained in the above report, 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 19, 1933.

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

Sir:

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

Senate Bill No. 643:

A bill to be entitled An Act to promote public health, safety, morals and general welfare by providing for the construction and supervision of safe and sanitary housing for families of low income, and for the sale or rental thereof on reasonable terms, authorizing the incorporation of limited dividend housing companies, and prescribing the powers, rights and duties thereof, creating a State Board of Housing for the purpose of encouraging, approving, assisting, supervising and regulating such activities, prescribing and defining the powers and duties of the Board, including supervisory and regulatory powers over limited dividend housing companies engaged in such activities, authorizing the board to fix within certain limits the rentals or purchase price of housing accommodations furnished by limited dividend housing companies, and for other purposes.

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. 643, contained in the above report, 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:

Tallahassee, Fla., May 19, 1933.
Senate Chamber,

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

Sir:

Your Committee on Engrossed Bills to whom was referred (with amendment), after 3rd reading, House Amendment Concurred in:

Senate Joint Resolution No. 113:

A joint resolution proposing an amendment to Article VIII of the Constitution of the State of Florida relative to Cities and Counties.

Amendment:

In the second paragraph and sixth line strike out the word "of" and insert in lieu thereof the word "or."

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

Very respectfully,
J. W. TURNER,

Chairman of Committee.

And Senate Joint Resolution No. 113, contained in the above report, was referred to the Committee on Enrolled Bills.

Senator Andrews moved that a committee of three be appointed to escort Hon. Chas. E. Davis, former Senator from the 10th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the Chair appointed Senators Andrews, Anderson and MacWilliams as the Committee.

Senator Getzen 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 19, 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. Robineau, of Dade, and Bishop of Jefferson—
House Concurrent Resolution No. 17:

A Concurrent Resolution relating to an invitation to the Governor to address the House and Senate.

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

That the Honorable David Sholtz, Governor of the State of Florida, be invited to address a joint session of the House and Senate in the House Chamber at 11:00 o'clock A. M., on the 19th day of May, A. D. 1933.

BE IT FURTHER RESOLVED by the House of Representatives and Senate Concurring, that the House and Senate convene at 11:00 o'clock A. M. the 19th day of May, A. D. 1933, in the House Chamber for the purpose of hearing the message of the Governor.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Concurrent Resolution No. 17, contained in the above Message, was read the first time in full.

Senator Getzen moved that the rules be waived and House Concurrent Resolution No. 17 be read a second time in full.

Which was agreed to by a two-thirds vote.

And House Concurrent Resolution No. 17 was read a second time in full.

The question was put on the adoption of the Resolution.

Which was agreed to.

And House Concurrent Resolution No. 17 was adopted.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By the Committee on Banking—

Senate Bill No. 710:

A bill to be entitled An Act providing for the regulation of banks, trust companies, building and loan associations, small loan licensees, credit unions, and any other persons or corporations under the supervision of the State Comptroller and imposing penalties for making false reports and acts committed by officials of any such companies, with intent to deceive or defraud.

Which was read the first time by its title only.

Senator Anderson moved that the rules be waived and Senate Bill No. 710 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 710 was read a second time by title only.

Senator Anderson moved that the rules be further waived and Senate Bill No. 710 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. 710 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, Hilburn, Holland, Lewis, Lundy, MacWilliams, Mann, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—32.

Nays—None.

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

By unanimous consent, Senator Stewart withdrew his motion to reconsider the vote by which Senate Bill No. 212 passed the Senate.

By Senator Beacham—

Senate Bill No. 711:

A bill to be entitled An Act to repeal Section 2552 of the Revised General Statutes of the State of Florida, same being Section 4170 of the Compiled General Laws of Florida 1927, and to amend Section 3444 of the Revised General Statutes of the State of Florida, same being Section 5297 of the Compiled General Laws of the State of Florida, both of which relate to the compensation of garnishee.

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

By Senator Getzen—

Senate Bill No. 712:

A bill to be entitled An Act prescribing additional duties of the Prosecuting Attorney in the County Court in and for Sumter County, Florida, and providing a penalty to comply with the same.

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 712 when it was introduced in the Senate:

STATE OF FLORIDA,
COUNTY OF SUMTER.

Before the undersigned authority personally appeared John V. Monahan, Advertising Manager of The Wildwood Echo, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to: "An Act prescribing additional duties of the Prosecuting Attorney in the County Court in and for Sumter County, Florida, and providing a penalty to comply with the same;" has been published at least thirty days prior to this date, by being printed in the issue of March 17, A. D. 1933, of The Wildwood Echo, a newspaper published in Wildwood, Sumter County, Florida; that said newspaper has been regularly and continuously published at least once a week for a period of more than one year at and prior to the date of the insertion of the aforementioned advertisement and/or notice, and which said newspaper was duly entered as second class mailing matter at the post office in Wildwood, Sumter County, Florida, more than one year next preceding the insertion of said advertisement and/or notice of publication.

Witness my hand, this 15th day of May, A. D. 1933.

JOHN V. MONAHAN.

Subscribed and sworn to before me this 15th day of May, 1933.

BESSIE K. MOODY,
(nee Bessie Kinsey)

Notary Public, State of Florida at Large.
My Commission expires January 17, 1935.

(Seal)

Senator Getzen moved that the rules be waived and Senate Bill No. 712 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 712 was read a second time by title only.

Senator Getzen moved that the rules be further waived and Senate Bill No. 712 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. 712 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Getzen—
Senate Bill No. 713:

A bill to be entitled An Act to fix the salary of the Juvenile Judge of Sumter County, Florida, to provide for the payment of such salary in monthly installments, to provide penalties for the violation of this Act.

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 713 when it was introduced in the Senate:

STATE OF FLORIDA,
COUNTY OF SUMTER.

Before the undersigned authority personally appeared John V. Monahan, Advertising Manager of The Wildwood Echo, who on oath does solemnly swear that he has knowledge of the matters stated therein; that a notice stating the substance of a contemplated law or proposed bill relating to: "An Act to fix the salary of the Juvenile Judge of Sumter County, Florida, to provide for the payment of such salary in monthly installments, to provide penalties for the violation of this Act;" has been published at least thirty days prior to this date, by being printed in the issue of March 17, A. D. 1933, of The Wildwood Echo, a newspaper published in Wildwood, Sumter County, Florida; that said newspaper has been regularly and continuously published at least once a week for a period of more than one year at and prior to the date of the insertion of the aforementioned advertisement and/or notice, and which said newspaper was duly entered as second class mailing matter at the post office at Wildwood, Sumter County, Florida, more than one year next preceding the insertion of said advertisement and/or notice of publication.

Witness my hand, this 15th day of May, A. D. 1933.

JOHN V. MONAHAN.

Subscribed and sworn to before me this 15th day of May, 1933.

BESSIE K. MOODY,
(nee Bessie Kinsey)

Notary Public, State of Florida at Large.
My Commission expires January 17, 1935.

(Seal)

Senator Getzen moved that the rules be waived and Senate Bill No. 713 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 713 was read a second time by title only.

Senator Getzen moved that the rules be further waived and Senate Bill No. 713 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. 713 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Getzen—
Senate Bill No. 714:

A bill to be entitled An Act to provide for the working of prisoners of Sumter County, Florida, confined in the county jail of Sumter County, Florida, to provide the penalties for the violation of this Act.

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 714 when it was introduced in the Senate:

STATE OF FLORIDA,
COUNTY OF SUMTER.

Before the undersigned authority personally appeared John V. Monahan, Advertising Manager of The Wildwood Echo, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to: "An Act to provide for the working of prisoners of Sumter County, Florida, confined in the county jail of Sumter County, Florida; to provide the penalties for the violation of this Act;"

has been published at least thirty days prior to this date, by being printed in the issue of March 17, A. D. 1933, of The Wildwood Echo, a newspaper published in Wildwood, Sumter County, Florida; that said newspaper has been regularly and continuously published at least once a week for a period of more than one year at and prior to the date of the insertion of the aforementioned advertisement and/or notice, and which said newspaper was duly entered as second class mailing matter at the post office in Wildwood, Sumter County, Florida, more than one year next preceding the insertion of said advertisement and/or notice of publication.

Witness my hand, this 15th day of May, A. D. 1933.

JOHN V. MONAHAN.

Subscribed and sworn to before me this 15th day of May, 1933.

BESSIE K. MOODY,
(nee Bessie Kinsey)

Notary Public, State of Florida at Large.
My Commission expires January 17, 1935.

(Seal)

Senator Getzen moved that the rules be waived and Senate Bill No. 714 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 714 was read a second time by title only.

Senator Getzen moved that the rules be further waived and Senate Bill No. 714 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. 714 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Getzen—
Senate Bill No. 715:

A bill to be entitled An Act to regulate the feeding of prisoners confined in the county jail of Sumter County, Florida, to provide for the payment of such feeding, caring, and providing for such payment to be paid in monthly installments, and to provide penalties for the violation of this Act.

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 715 when it was introduced in the Senate:

STATE OF FLORIDA,
COUNTY OF SUMTER.

Before the undersigned authority personally appeared John V. Monahan, Advertising Manager of the Wildwood Echo, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to:

An Act to regulate the feeding of prisoners confined in the county jail of Sumter County, Florida, to provide for the payment of such feeding, caring, and providing for such payment to be paid in monthly installments, and to provide penalties for the violations of this Act.

has been published at least thirty days prior to this date, by being printed in the issue of March 17, A. D. 1933, of The Wildwood Echo, a newspaper published in Wildwood, Sumter County, Florida; that said newspaper has been regularly and continuously published at least once a week for a period of more than one year at and prior to the date of the insertion of the aforementioned advertisement and/or notice, and which said newspaper was duly entered as second class mailing matter at the postoffice in Wildwood, Sumter County, Florida, more than one year next preceding the insertion of said advertisement and/or notice of publication.

WITNESS MY HAND, this 9th day of May A. D. 1933.

JOHN V. MONAHAN.

Subscribed and sworn to before me this 9th day of May, A. D. 1933.

PAULINE WADE,
Notary Public, State of Florida at Large.
My Commission Expires Oct. 21, 1934.

(Seal)

Senator Getzen moved that the rules be waived and Senate Bill No. 715 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 715 was read a second time by title only.

Senator Getzen moved that the rules be further waived and Senate Bill No. 715 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. 715 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Lewis—

Senate Bill No. 716:

A bill to be entitled An Act prohibiting the betting or wagering, or the taking of bets or wagers of money or other things of value upon the result of any contest of speed, skill, or endurance and providing the penalty therefor.

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

By Senator Getzen—

Senate Bill No. 717:

A bill to be entitled An Act to cancel, set aside, abolish and declare null and void any and all tax certificates now held by the State of Florida for and in the behalf of Sumter County, Florida, which have not been sold or transferred to a person, firm, partnership or corporation. To provide the duties of the Tax Collector, Tax Assessor and Clerk of the Circuit Court of Sumter County in carrying out the provisions of this Act. Provide for the cancellation of such certificates on all lands in Sumter County, Florida. To provide for the enforcement of this Act, and to provide penalties for the violation of this Act.

Which was read the first time by its title only.

The following proof of publication was attached to Senate Bill No. 717 when it was introduced in the Senate:

**STATE OF FLORIDA,
COUNTY OF SUMTER.**

Before the undersigned authority personally appeared John V. Monahan, advertising manager of The Wildwood Echo, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to:

"An Act to cancel, set aside, abolish and declare null and void any and all tax certificates now held by the State of Florida for and in the behalf of Sumter County, Florida, which have not been sold or transferred to a person, firm, partnership or corporation. To provide the duties of the Tax Collector, Tax Assessor and Clerk of the Circuit Court of Sumter County in carrying out the provisions of this Act. Provide for the cancellation of such certificates on all lands in Sumter County, Florida. To provide for the enforcement of this Act, and to provide penalties for the violation of this Act";

Has been published at least thirty days prior to this date, by being printed in the issue of March 17, A. D. 1933 of The Wildwood Echo, a newspaper published in Wildwood, Sumter County, Florida; that said newspaper has been regularly and continuously published at least once a week for a period of more than one year at and prior to the date of the insertion of the aforementioned advertisement and/or notice, and which said newspaper was duly entered as second class mailing matter at the post office in Wildwood, Sumter County, Florida, more than one year next preceding the insertion of said advertisement and/or notice of publication.

Witness my hand, this 15th day of May, A. D. 1933.

JOHN V. MONAHAN.

Subscribed and sworn to before me this 15th day of May, 1933.

BESSIE K. MOODY,

(nee Bessie Kinsey)

Notary Public, State of Florida at Large.

My Commission Expires Jan. 17, 1935.

(Seal)

Senator Getzen moved that the rules be waived and Senate Bill No. 717 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 717 was read a second time by title only.

Senator Getzen moved that the rules be further waived and Senate Bill No. 717 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. 717 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Gary—

Senate Bill No. 718:

A bill to be entitled An Act to provide that no councilman in and for the City of Ocala shall be elected from or to represent any particular ward in said City, nor shall it be necessary for any such councilman to live or reside in any particular ward of said City; providing that, except as otherwise provided in this Act, the other qualifications to hold the office of councilman in and for the City of Ocala shall remain as they are now fixed and prescribed by law; repealing all laws or parts of laws in conflict with the provisions of this Act and providing that this Act shall take effect immediately upon its passage and approval by the Governor or upon its becoming a law without such approval.

Which was read the first time by its title only.

Senator Gary moved that the rules be waived and Senate Bill No. 718 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 718 was read a second time by title only.

Senator Gary moved that the rules be further waived and Senate Bill No. 718 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. 718 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Butler—

Senate Bill No. 719:

A bill to be entitled An Act for the appointment, compensation, expenses, duties and powers of a probation officer and assistant probation officers in all Counties of the State of Florida having a population of one hundred fifty-five thousand (155,000) inhabitants or more according to the last preceding State or Federal Census and providing for the repeal of Chapter 12009, Laws of Florida and for the effective date of this Act.

Which was read the first time by its title only.

Senator Butler moved that the rules be waived and Senate Bill No. 719 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 719 was read a second time by title only.

Senator Butler moved that the rules be further waived and Senate Bill No. 719 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. 719 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Chowning—

Senate Bill No. 720:

A bill to be entitled An Act ratifying, confirming, validating and legalizing the assessments, valuations of properties, levies of taxes and sales of tax certificates made by the City of New Smyrna, Volusia County, Florida, for the years A. D. 1930, 1931 and 1932, and authorizing the collection of said taxes in manner provided by law.

Which was read the first time by its title only.

Senator Chowning moved that the rules be waived and Senate Bill No. 720 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 720 was read a second time by title only.

Senator Chowning moved that the rules be further waived and Senate Bill No. 720 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. 720 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Chowning—

Senate Bill No. 721:

A bill to be entitled An Act ratifying, confirming, validating and legalizing all Acts and proceedings of the City Commission of the City of New Smyrna, Florida, heretofore done and taken in connection with the affairs of said City, and ratifying, confirming, validating and legalizing all Acts and proceedings of W. E. Swoope, C. E. Griffin and J. T. Courtney, as members of the City Commission of said City, done and taken during their respective terms of office.

Which was read the first time by its title only.

Senator Chowning moved that the rules be waived and Senate Bill No. 721 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 721 was read a second time by title only.

Senator Chowning moved that the rules be further waived and Senate Bill No. 721 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. 721 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Beacham—

Senate Bill No. 722:

A bill to be entitled An Act providing for the redemption or payment of taxes levied and assessed for Road and Bridge District No. 3 in Palm Beach County, State of Florida, with bonds or coupons heretofore issued by said district, repealing all laws or parts of laws in conflict herewith and providing for a referendum.

Which was read the first time by its title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 722 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 722 was read a second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 722 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. 722 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Beacham—

Senate Bill No. 723:

A bill to be entitled An Act fixing the amount and class of surety bonds to be provided by certain County officers in the State of Florida, and to repeal Chapter 10033, Laws of Florida, Acts of 1925, relating to County Tax Collectors' bonds.

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

By Senator Watson—

Senate Bill No. 724:

A bill to be entitled An Act to amend Section 104 of Chapter 10847, Laws of Florida, approved May 9, 1925, and entitled: "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said City and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances, and to ratify certain Acts and proceedings of the commission and of the officers of the City", relating to the publication and codification of ordinances.

Which was read the first time by its title only.

Senator Watson moved that the rules be waived and Senate Bill No. 724 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 724 was read a second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 724 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. 724 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Watson—

Senate Bill No. 725:

A bill to be entitled An Act to save money for the tax payers of the City of Miami and provide for the publication by the said City of a clear and understandable and inexpensive notice of sale of real estate because of the non-payment of past due municipal taxes when such sale is otherwise authorized by law.

Which was read the first time by its title only.

Senator Watson moved that the rules be waived and Senate Bill No. 725 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 725 was read a second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 725 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. 725 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

By Senator Whitaker—

Senate Bill No. 726:

A bill to be entitled An Act to provide for the reimbursement of William J. Skinner, County Solicitor of the Criminal Court of Record of Hillsborough County, Florida, for loss of salary and other compensation in consequence of his suspension from office by the Governor of the State of Florida under Section 15, of Article IV, of the Constitution of the State of Florida.

Which was read the first time by its title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 726 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 726 was read a second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 726 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. 726 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, Dell, English, Gary, Gillis, Gomez, Hilburn, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Parker, Parrish, Raulerson, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—31.

Nays—Senator Rose—1.

So Senate Bill No. 726 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1933 session of the Florida Legislature and the action of the Senate was ordered to be certified to the House of Representatives.

By Senators Stewart, MacWilliams and Chowning—

Senate Bill No. 727:

A bill to be entitled An Act to amend Section 7 of Chapter 10123, Laws of Florida, Acts of 1925, relating to and fixing the license to be paid by wholesale and retail fish dealers in the State of Florida.

Which was read the first time by its title only.

Senator Stewart moved that the rules be waived and Senate Bill No. 727 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 727 was read a second time by title only.

Senator Raulerson moved that the rules be waived and Senate Bill No. 727 be referred to the Committee on Game and Fisheries.

Which was agreed to by a two-thirds vote.

And it was so ordered.

The following communication from the Governor was received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 18, 1933

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

Sir:
I desire to address your Honorable Body in joint session with the House of Representatives tomorrow morning, May 19th, at eleven o'clock.

Very respectfully,

DAVE SHOLTZ,
Governor.

A committee from the House of Representatives, composed of Messrs. Kanner, Lanier and Stewart, appeared at the bar of the Senate and notified the Senate that the House of Representatives was ready to receive the Body in joint assembly for the purpose of receiving the message of the Governor.

The committee withdrew.

Senator MacWilliams moved that a committee of three be appointed to notify the House of Representatives that the Senate was ready to repair to the hall of the House of Representatives to receive the Governor's message in joint assembly.

Which was agreed to.

And the Chair appointed Senators MacWilliams, Anderson and Hilburn as the committee.

The committee withdrew.

The committee appointed to notify the House of Representatives that the Senate was ready to meet in joint session appeared at the bar of the Senate and reported to the President that the duty had been performed.

The committee was discharged.

Senator MacWilliams moved that the Senate do now repair to the hall of the House of Representatives to unite with that body for the purpose of receiving the Governor of the State.

Which was agreed to.

The Senate formed in processional order and marched to the hall of the House of Representatives as a body.

The House of Representatives received the Senate with due courtesy, and the President of the Senate took his seat as presiding officer of the joint assembly.

The President of the Senate in the Chair.

By direction, the Secretary called the roll of the Senate 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, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37

A quorum of the Senate present.

The Chief Clerk of the House was directed to call the roll of the House of Representatives and the following members answered to their names:

Mr. Speaker; Messrs. Albury, Anderson, Auvil, Baskin, Bass, Bell, Bishop, Bonifay, Booth, Boyd, Boynton, Brannon, Brown, Burchard, Butler, (Bradford), Butler (Charlotte), Butt, Byington, Byrd, Carey, Christie, Collier, Crocker, Denison, Dickey, Dickinson, Dixon, Driver, Dugger, Early, Edney, Endsley, Entzminger, Ezell, Folks, Frost, Gaston, Geiger, Goff, Harrell, Hatch, Hendry, Herrin, Holly, Hosford, Hubbell, Ives, Kanner, Kelly, Kennedy, Kilgore, Knight, Laney, Lanier, Lewis, MacWilliam, Martin, Middleton, Murphree, O'Bryan, Pearce, Peoples, Price, Rawls, Register, Rehwinkel, Rivers, Roberts, Robineau, Rogers, Sandler, Sapp, Scofield, Simmons, Sims, Smith, Stewart, Stone, Strickland, Teague, Trammell, Untreiner, Victor, Waller, Wand, Ward, Westbrook, Willis, Wood, Worth, Wynn, Zim—93.

A quorum of the House of Representatives present.

The President declared a quorum of the joint assembly present.

Mr Westbrook moved that a committee of three be appointed to wait upon the Governor and notify him that the joint assembly was organized and awaited his pleasure, and to escort the Governor to the rostrum of the House of Representatives.

Which was agreed to.

The President appointed Senator Holland and Messrs. Westbrook and Christie as the committee.

The committee withdrew.

The committee appointed to wait upon the Governor appeared escorting the Governor who was received by the joint assembly standing; and Governor Dave Sholtz was duly escorted to the platform.

The President introduced the Governor to the joint assembly, and the Governor delivered his message to the Legislature.

The Senate then withdrew and returned to the Senate Chamber to resume its session.

The Senate resumed its session at 11:34 o'clock A. M.

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, Holland, Larson, Lewis, Lundy MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

A quorum present.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., May 19, 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 the Constitutional three-fifths vote of all members elected to the House of Representatives for the 1933 regular session of the Florida Legislature, with amendment:

Senate Joint Resolution No. 113:

A Joint Resolution proposing an amendment to Article VIII of the Constitution of the State of Florida relative to Cities and Counties.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA: That the following amendment to Article VIII of the Constitution of the State of Florida relative to Cities and Counties, to be numbered Section 9 of said Article VIII, be and the same is hereby agreed to and shall be submitted to the electors of the State at the general election to be held on the first Tuesday after the first Monday in November, A. D. 1934 for ratification or rejection, to-wit:

Section 9. The Legislature shall have power to establish, alter or abolish, a municipal corporation to be known as the City of Jacksonville, extending territorially throughout the present limits of Duval County, in the place of any or all county, district, municipal and local governments, boards, bodies and officers, constitutional or statutory, legislative, executive, judicial, or administrative, and shall prescribe the jurisdiction, powers, duties and functions of such municipal corporation, its legislative, executive, judicial and administrative departments and its boards, bodies and officers; to divide the territory included in such municipality into subordinate districts, and to prescribe a just and reasonable system of taxation for such municipality and districts; and to fix the liability of such municipality and districts. Bonded and other indebtedness, existing at the time of the establishment of such municipality, shall be enforceable only against property theretofore taxable therefor. The Legislature shall, from time to time determine what portion of said municipality is a rural area, and a homestead in such rural area shall not be limited as if in a city or town. Such municipality may exercise all the powers of a municipal corporation and shall also be recognized as one of the legal political divisions of the State with the duties and obligations of a county and shall be entitled to all the powers, rights and privileges, including representation in the State Legislature, which would accrue to it if it were a county. All property of Duval County and of the municipalities in said county shall vest in such municipal corporation when established as herein provided. The offices of Clerk of the Circuit Court and Sheriff shall not be abolished but the Legislature may prescribe the time when, and the method by which, such offices shall be filled and the compensation to be paid to such officers and may vest in them additional powers and duties. No county office shall be abolished or consolidated with another office without making provision for the performance of all State duties now or hereafter prescribed by law to be performed by such county officer. Nothing contained herein shall affect Section 20 of Article III of the Constitution of the State of Florida, except as to such provisions therein as relate to regulating the jurisdiction and duties of any class of officers to summoning and impanelling grand and petit juries, to assessing and collecting taxes for county purposes and to regulating the fees and compensation of county officers. No law authorizing the establishing or abolishing of such municipal corporation pursuant to this Section, shall become operative or effective until approved by a majority of the qualified electors participating in an election held in said County, but so long as such municipal corporation exists under this section the Legislature may amend or extend the law authorizing the same without referendum to the qualified voters unless the legislative act providing for such amendment or extension shall provide for such referendum.

Which amendment is as follows:

In the second paragraph and sixth line strike out the word "of" and insert in lieu thereof the word "or".

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senate Joint Resolution No. 113, contained in the above Message, was read in full, together with House Amendment thereto.

Senator Butler moved that the Senate do concur in House Amendment to Senate Joint Resolution No. 113.

Which was agreed to.

And the Senate concurred in House Amendment to Senate Joint Resolution No. 113.

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

And Senate Joint Resolution No. 113, as amended, was ordered referred to the Committee on Engrossed Bills.

Also—

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

Tallahassee, Fla., May 19, 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 Stewart—

Senate Bill No. 637:

A bill to be entitled An Act to provide for a distribution of funds received for the years A. D. 1932 and 1933, and which may be received by the County of Nassau, State of Florida, from race track funds under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, or any Acts amendatory or supplementary thereto, or any other race track Acts; and providing penalties for violation of this Act.

Proof of publication attached to bill:

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senate Bill No. 637, contained in the above Message, was read by its title and ordered referred to the Committee on Enrolled Bills.

Also—

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

Tallahassee, Fla., May 18, 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 requests the return of:

By Mr. Rawls of Alachua—

House Bill No. 403:

A bill to be entitled An Act relating to the qualifications of electors to vote at elections held in the City of High Springs, Florida, for the election of Mayor and City Commissioners.

For further consideration.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senator Dell moved that the request of the House of Representatives contained in the above Message be granted and House Bill No. 403 be immediately returned to the House of Representatives.

Which was agreed to.

And it was so ordered.

Also—

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

Tallahassee, Fla., May 19, 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. Wood of Lee—
House Bill No. 1180:

A bill to be entitled An Act authorizing, directing and ordering the City of Fort Myers, Florida, by and through its proper officers, to accept any and all bonds and interest coupons of said City in full payment of any and all tax certificates now held by said City, and also in full payment of all interest on street improvement assessments to the date of this Act becoming a law, and authorizing, ordering and directing the City of Fort Myers, Florida, by its proper officers, to accept any and all past due bonds of the City in full payment of the taxes levied by said City for the year 1932; fixing the date when such bonds and interest coupons shall be offered to said City in payment of said indebtedness owing to the City, and providing a penalty for violation of this Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bill No. 1180, contained in the above Message, was read the first time by its title only.

Senator Gomez moved that the rules be waived and House Bill No. 1180 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1180 was read a second time by title only.

Senator Gomez moved that the rules be further waived and House Bill No. 1180 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. 1180 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

Also—

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

Tallahassee, Fla., May 19, 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 concurred in Senate Amendments Nos. 1, 2, 3, 4, 6 and 7, and has adopted a substitute amendment to Senate Amendment No. 5 to:

Joint Committee Substitute for House Bill No. 356:

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 to provide for the employment 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 qualifications 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 to 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 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.

Which amendments are as follows:

Senate Amendment No. 1:

In Section 3:B after the last word in House Amendment add the following: "Provided further that nothing in this Act shall be construed to mean that any high school whose distance is 15 miles or more from any other high school in the same County shall on account of small classes be deprived of State funds."

Senate Amendment No. 2:

In Subdivision F of Section 3, after the words "Public Instruction," wherever the same appear in the Subdivision, add the words "or County Budget Commissions."

Senate Amendment No. 3:

In Subdivision G, line 1 of Section 3, after the words "Public Instruction" add the words "or County Budget Commissions."

House Substitute Amendment to Senate Amendment No. 5:

Strike out said Senate Amendment No. 5 entirely and insert in lieu thereof the following: "Provided that such application shall not be made unless and until the approval of the County Budget Commission thereto has been obtained in any County where such County Budget Commission exists."

Senate Amendment No. 4:

Add the following to Section 16: "Provided this Act shall be construed in connection with Chapter 14678, Laws of Florida, 1931, entitled:

"An Act to create a County Budget Commission in Counties having a population of more than one hundred and fifty thousand by the last preceding State or Federal Census; to prescribe the powers, duties and functions of such County Budget Commission and the qualifications, terms of office, and methods of appointment or election of members thereof; and to authorize such County Budget Commission to make and control the budgets of receipts and expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, Parental Home Board and all other boards, Commissions and officials of such Counties or of taxing districts (except school districts) situate therein authorized to raise and expend moneys for County or district purposes, as amended by Chapter 15610, Laws of Florida, Acts of 1931, and as further amended by Chapter 15727, Laws of Florida, Acts of 1931."

Senate Amendment No. 5:

In Section 9, at end of Section add the following: "Provided that in Counties where there are County Budget Commissions the County Budget Commission shall consent to be exercised all powers conferred in this Section upon the Board of Public Instruction."

Senate Amendment No. 6:

In line 18 of the title add the words "and County Budget Commissions."

Senate Amendment No. 7:

Add at the end of Section 6 (printed bill): provided however nothing in this Section shall infringe upon the supervisory powers of the local school trustees of Special School Districts as provided by Section 10 of Article 12 of the Constitution.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Joint Committee Substitute for House Bill No. 356, contained in the above Message, was read by its title, together with House Substitute Amendment for Senate Amendment No. 5 to Joint Committee Substitute for House Bill No. 356.

Senator Holland moved that the Senate do concur in House Substitute Amendment for Senate Amendment No. 5 to Joint Committee Substitute for House Bill No. 356.

Which was agreed to.

And the Senate concurred in House Substitute Amendment for Senate Amendment No. 5 to Joint Committee Substitute for House Bill No. 356.

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

Also—

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

Tallahassee, Fla., May 19, 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. Kanner of Martin—
House Bill No. 1230:

A bill to be entitled An Act to authorize the acceptance and exchange of bonds, interest coupons or other obligations of all counties in the State of Florida having a population of more than 5000 and less than 5400, according to the last State or Federal census, and other taxing districts and municipalities of said counties at par in redemption of lands from tax sales and in payment in part, or in full, of other taxes due on same.

Also has passed—

By Messrs. Roberts, Brown and Robineau of Dade—
House Bill No. 1229:

A bill to be entitled An Act repealing Section ninety-one of Chapter 13425, Special Acts of 1927, being entitled "An Act to abolish the present municipal government of the Town of South Miami, Dade County, Florida, and to create, establish, and reorganize a municipality to be known and designated the City of South Miami, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges, and to authorize the issuance of municipal bonds and for other purposes."

Also has passed—

By Messrs. Burchard of Hendry, Stone of Gulf, and Collier of Collier—

House Bill No. 1228:

A bill to be entitled An Act to regulate the carrying of firearms in all counties of Florida having a population of not more than 3600 and not less than 2800 according to the last preceding Federal census; requiring persons who carry firearms in said counties, to first register with the County Judge; pay certain fees and secure a license; to prescribe the duties of such persons and the duties of county officers herewith; to provide exemption hereunder and provide for the enforcement of this Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bill No. 1230, contained in the above Message, was read the first time by its title only.

Senator Raulerson moved that the rules be waived and House Bill No. 1230 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1230 was read a second time by title only.

Senator Raulerson moved that the rules be further waived and House Bill No. 1230 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. 1230 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, Holland, Larson, Lewis, Lundy, MacWilliams, 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, the rule being waived.

House Bill No. 1229, contained in the above Message, was read the first time by its title only and placed on the Calendar of Local Bills on second reading.

House Bill No. 1228, contained in the above Message, was read the first time by its title only and referred to the Committee on Judiciary "B".

By permission the following resolution was introduced:

By Senators Whitaker, Gomez and Butler—
Senate Resolution No. 24:

A Resolution providing that the Secretary of State of the State of Florida be directed to purchase for the use of the Senate 38 sets of the Compiled General Laws of Florida, of 1927, annotated, with the 1932 supplement.

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

That the Secretary of State of the State of Florida be and is hereby directed to purchase for the use of the State Senate 38 sets of the Compiled General Laws of 1927, annotated, with the 1932 supplement.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to.

And Senate Resolution No. 24 was adopted.

Senator Gary requested that Senate Bills Nos. 452 and 458 be recalled from the Committee on Judiciary "B" and placed on the Calendar of Bills on second reading under the rule.

And it was so ordered

The hour having arrived for the consideration of House Joint Committee Bill No. 1128, as a Special Order.

House Joint Committee Bill No. 1128:

A bill to be entitled An Act relating to the number of judicial circuits in the State of Florida and the counties composing same; providing for the establishment of 24 judicial circuits, and fixing their territorial boundaries; providing for the appointment of circuit judge or judges for each of said circuits; providing for the appointment of one State attorney and one court reporter for each circuit; providing for the holding of terms of court in each circuit; providing for the disposition of all cases pending and the carrying into effect of the provisions of this Act.

Which was pending amendment on May 17, 1933, was taken up.

The following amendment offered by Senator Mann to House Joint Committee Bill No. 1128 was pending adoption on May 17, 1933:

In Section 1, line 9, after the Dixie and before the counties, insert the following: Bradford, Union and Baker.

Senator Mann moved the adoption of the amendment.

Which was not agreed to.

Senator Turner offered the following amendment to House Joint Committee Bill No. 1128:

In Section 1, page 3 (printed bill), under heading "Twenty-fourth Circuit" in line one, after word "of" strike out the words: "Gilchrist, Levy".

Senator Turner moved the adoption of the amendment.

Upon which a roll call was demanded.

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

Yeas—Senators Anderson, Bass, Black, Butler, Caro, Chowning, Clarke, Dell, Gary, Getzen, Gillis, Gomez, Hale, Hilburn, Holland, Larson, Lewis, Lundy, Murphy, Parrish, Raulerson, Rose, Shelley, Shivers, Turner, Watson, Whitaker—27.

Nays—Mr. President; Senators, Andrews, Beacham, MacWilliams, Mann, Sikes—6.

Which was agreed to.

And the amendment was adopted.

Senator Turner also offered the following amendment to House Joint Committee Bill No. 1128:

In Section 1, page 2 (typewritten bill) under heading "Eighth Circuit", line one, after comma and before word "Union", add the following words Levy and Gilchrist.

Senator Turner moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Turner also offered the following amendment to House Joint Committee Bill No. 1128:

Strike out at the end of the Section relating to the Eighth Circuit the words "County of Alachua" and insert in lieu thereof the words: "Counties of Alachua, Levy and Gilchrist."

Senator Turner moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Gomez offered the following amendment to House Joint Committee Bill No. 1128:

In Section 1, page two (typewritten bill), strike out all of paragraph starting "Eleventh Circuit, etc.," and insert in lieu thereof the following: Eleventh Circuit—Composed of Dade County and said Circuit shall have three (3) Circuit Judges. Senator Gomez moved the adoption of the amendment.

Which was agreed to.
And the amendment was adopted.

Senator Larson offered the following amendment to House Joint Committee Bill No. 1128:

In Section 1, page 4 after line 9 (typewritten bill), add: "Provided that the Twenty-sixth Circuit shall be composed of Union, Bradford and Baker Counties and shall have one Circuit Judge."

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

Senator Gomez offered the following amendment to House Joint Committee Bill No. 1128:

In Section 1, page 4 (typewritten bill), add after the paragraph starting "Twenty-fifth Circuit, etc.," the following paragraph: Twenty-seventh Circuit. Composed of Monroe County and said Circuit shall have one (1) Circuit Judge.

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

Senator Larson offered the following amendment to House Joint Committee Bill No. 1128:

In title (typewritten bill), strike out wherever words and figures (24) twenty-four appear and insert in lieu thereof the following: (26) twenty-six.

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

Senator Holland moved that House Joint Committee Bill No. 1128 be re-referred to the Special Joint Committee on Judicial Re-Circuiting.

Which was not agreed to.
Senator MacWilliams moved that the rules be waived and the further consideration of House Joint Committee Bill No. 1128 be informally passed and the bill retain its place on the Calendar as a Special Order.

Which was agreed to by a two-thirds vote.
And it was so ordered.
Senator English moved that the Senate do now adjourn.
Which was not agreed to.

The hour having arrived for the consideration of Senate Joint Resolution No. 582, as a Special Order.

Senate Joint Resolution No. 582:

A Joint Resolution proposing an amendment to Article V of the Constitution of Florida relating to the judiciary by adding thereto an additional Section to be known as Section 45 providing for the reduction of the number of Judicial Circuits of this State and requiring the reapportionment of such Circuits and the Judges thereof.

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

That the following amendment to Article V of the Constitution of this State relating to the Judiciary by adding thereto additional Section 45 as hereinafter set forth, be and the same is hereby agreed to and shall be submitted to the qualified voters of the State of Florida for ratification or rejection at the next ensuing general election, that is to say, that an additional Section to be designated as Section 45 of Article V of the Constitution of Florida be adopted to read as follows, to-wit:

"Section 45. (a) There shall be no more than fifteen judicial circuits of the State of Florida to be appropriately designated, numbered and defined by a suitable law enacted by the Legislature for that purpose in accordance with the amendment: provided that no judicial circuit as defined by law hereunder shall embrace less than fifty thousand inhabitants according to the last preceding State or Federal census; and provided further, that no judicial circuit existing at the time of the ratification of this amendment shall be affected, altered, or abolished, except in the manner provided in this amendment for carrying the same into execution, nor shall any existing Circuit Judge or State Attorney be disturbed in the tenure of his office until the expiration of any commission held by him on the date this amendment is ratified.

(b) It shall be the duty of the Legislature at its next regu-

lar session after the amendment shall have been ratified to pass suitable laws to carry this amendment into effect, and to make effective the re-apportionment and reduction of judicial circuits and Circuit Judges hereby contemplated.

(c) There shall be one Circuit Judge to each Judicial Circuit but additional Circuit Judges for judicial circuit may be provided for by law as authorized by Section 43 of amended Article V of this Constitution, but the total number of Circuit Judges apportioned to any one judicial circuit shall not exceed one Circuit Judge for every fifty thousand inhabitants, or major fraction thereof, after this amendment shall have been put into effect.

(d) The re-apportionment of Circuits and Judges thereof hereby provided for shall become effective sixty days after the Act providing for same shall have become a law."

Was taken up and read a second time in full.

Senator MacWilliams offered the following amendment to Senate Joint Resolution No. 582:

In typewritten bill add as Sub-Section "d", the following: "In Circuits having more than one Judge, the Legislature may designate the place of residence of any such additional Judge or Judges.

Senator MacWilliams moved the adoption of the amendment.

Which was agreed to.
And the amendment was adopted.

Senator Shelley moved that the Senate do now adjourn.
Which was not agreed to.

Senators Hale, Sikes and Getzen offered the following amendment to Senate Joint Resolution No. 582:

In typewritten bill, page 2, Section C, line 6 strike out word fifty and insert in lieu thereof the following: thirty.

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

Senator Beacham moved that the hour of adjournment be extended ten minutes.

Which was agreed to.
And it was so ordered.

Senator MacWilliams moved that the rules be further waived and Senate Joint Resolution No. 582, 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 Joint Resolution No. 582, as amended, was read a third time in full.

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

Yeas—Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

Nays—None.

So Senate Joint Resolution No. 582, as amended, passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1933 Session of the Florida Legislature, and Senate Joint Resolution No. 582, as amended, was ordered referred to the Committee on Engrossed Bills.

Senator Parrish moved that the rules be waived and when the Senate do adjourn it adjourn until 10:30 o'clock A. M., Monday, May 22, 1933.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Parrish the roll was called and the vote was:

Yeas—Senators Beacham, Butler, Chowning, Dell, Gomez, Harrison, Hilburn, Lewis, Lundy, Mann, Parrish, Shelley, Stewart, Turner, Watson, Whitaker—16.

Nays—Mr. President; Senators Anderson, Andrews, Caro, Clarke, English, Gary, Gillis, Hale, Holland, Larson, MacWilliams, Parker, Raulerson, Rose, Shivers, Sikes—17.

Which was not agreed to.

Senator Gillis requested that Senate Bill No. 58, reported unfavorably by the Committee on Public Health, be restored to the Calendar of Bills on second reading.

And it was so ordered.

By unanimous consent, Senator Anderson withdrew Senate Bill No. 409.

Senator MacWilliams moved that the Senate do now adjourn.

Which was agreed to.

And the Senate took a recess at 1:07 o'clock P. M., until 3:00 o'clock P. M. this day.

AFTERNOON SESSION

The Senate convened at 3:30 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, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

A quorum present.

By permission the following reports were submitted:

REPORTS OF COMMITTEES

Senator English, Chairman of the Committee on Privileges and Elections, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 19, 1933.

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

Sir:

Your Committee on Privileges and Elections, to whom was referred:

Senate Bill No. 602:

A bill to be entitled An Act to provide for the removal of members of State, Congressional, and County Party Committee for disloyalty to the party or corruption in office.

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

Very respectfully,

BERNARD H. ENGLISH,
Chairman of Committee.

And Senate Bill No. 602, contained in the above report, was placed on the table under the rule.

REPORT OF COMMITTEE ON ENGROSSED BILLS

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

Senate Chamber,
Tallahassee, Fla., May 19, 1933.

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

Sir:

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

Senate Joint Resolution No. 582:

A Joint Resolution proposing an amendment to Article V of the Constitution of Florida relating to the judiciary by adding thereto an additional section to be known as Section 45 providing for the reduction of the number of Judicial Circuits of this State and requiring the reapportionment of such Circuits and the Judges thereof.

Amendment:

Add as Sub-Section "D", the following: "In Circuits having more than one Judge, the Legislature may designate the place of residence of any such additional Judge or Judges.

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

Very respectfully,

J. W. TURNER,
Chairman of Committee.

And Senate Joint Resolution No. 582, 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 19, 1933.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred

(with amendment) after 3rd reading passed as amended:

Senate Bill No. 597:

A bill to be entitled An Act to provide for the settlement of delinquent taxes on real estate in the State of Florida, and to further defer the enforcement of liens for such delinquent taxes, and for the assessment of lands upon or against which taxes are delinquent, and for the redemption of delinquent tax certificates with bonds.

Amendment—

In Section 7 strike out the words: "the bonds or matured interest coupons received in redemption of such lands shall be cancelled by the Clerk and delivered to the Board of County Commissioners of said county or agents of the taxing district entitled to receive the same," and insert in lieu thereof the following: "the bonds or matured interest coupons received in redemption of such lands shall be held by the Clerk of the Circuit Court uncancelled and proper account shall be kept thereof for adjustments of accounts between the county and such other taxing units or districts as may be interested at such time or times as the Board of County Commissioners may direct".

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. 597, contained in the above report, was ordered to be certified to the House of Representatives.

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 19, 1933.

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

Sir:

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

House Bill No. 1180:

A bill to be entitled An Act authorizing, directing and ordering the City of Fort Myers, Florida, by and through its proper officers, to accept any and all bonds and interest coupons of said City in full payment of any and all tax certificates now held by said City, and also in full payment of all interest on street improvement assessments to the date of this Act becoming a law, and authorizing, ordering and directing the City of Fort Myers, Florida, by its proper officers, to accept any and all past due bonds of the City in full payment of the taxes levied by said City for the year 1932; fixing the date when such bonds and interest coupons shall be offered to said City in payment of said indebtedness owing to the City, and providing a penalty for violation of this Act.

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 bill contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Also—

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 19, 1933.

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

Sir:

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

House Bill No. 1135:

A bill to be entitled An Act to abolish the present municipal

government of the City of Coronado Beach, in the County of Volusia, and the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Coronado Beach, and to define its territorial boundaries, and provide for its government, jurisdiction, powers, franchises and privileges.

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 bill contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Senator Caro moved that Senate Bill No. 667 be recalled from the House of Representatives.

Which was agreed to.

And it was so ordered.

Senator Hilburn was excused from further attendance upon the Session until May 22, 1933.

Senator Futch moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 597 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 597:

A bill to be entitled An Act providing for the settlement of delinquent taxes on real estate in the State of Florida, and to further defer the enforcement of liens for such delinquent taxes, and for the assessment of lands upon or against which taxes are delinquent, and for the redemption of delinquent tax certificates with bonds.

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

Senator Futch offered the following amendment to Senate Bill No. 597:

In Section 7 (typewritten bill), strike out the words: "the bonds or matured interest coupons received in redemption of such land shall be cancelled by the Clerk and delivered to the Board of County Commissioners of said county or agents of the taxing district entitled to receive the same" and insert in lieu thereof the following: "the bonds or matured interest coupons received in redemption of such lands shall be held by the Clerk of the Circuit Court uncanceled and proper account shall be kept thereof for adjustment of accounts between the county and such other taxing units or districts as may be interested at such time or times as the Board of County Commissioners may direct."

Senator Futch moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator English offered the following amendment to Senate Bill No. 597:

In Section 1, line 8 (typewritten bill), strike out the words: 1938. and insert in lieu thereof the following: 1935.

Senator English moved the adoption of the amendment.

Which was not agreed to.

Senator Futch moved that the rules be further waived and Senate Bill No. 597, 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. 597, 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 Bass, Beacham, Black, Gary, Getzen, Gomez, Harrison, Hodges, Larson, Lewis, Mann, Murphy, Parrish, Raulerson, Rose Shivers, Sikes, Stewart, Watson—20.

Nays—Senators Anderson, Andrews, Butler, Caro, Chowning, Clarke Dell, English, Gillis, Hale, Holland, Lundy, MacWilliams, Parker, Shelley, Turner, Whitaker—17.

So the bill passed, as amended, and Senate Bill No. 597 was ordered referred to the Committee on Engrossed Bills.

Senator Anderson moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 401 out of its order.

—S. B.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 401:

A bill to be entitled An Act to ratify and confirm the action of the Governor in declaring on March fourth, 1933, a five day moratorium on bank withdrawals and extending such moratorium by proclamation on March eighth, 1933 and in issuing proclamation on March fifteenth, 1933, permitting State Banks to resume business under certain conditions; ratifying and confirming the actions taken and regulations made by the Comptroller of the State of Florida in permitting State Banks to resume business on a limited basis and pursuant to the Governor's proclamation of March fifteenth, 1933; and continuing the right of the Comptroller to modify and change any conditions and restrictions heretofore imposed by him in granting a license to a State Bank to resume business.

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

Senator Anderson moved that the rules be further waived and Senate Bill No. 401 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. 401 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, Black, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Harrison, Hodges, Holland, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Shivers, Sikes, Stewart, Watson, Whitaker—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 Raulerson moved that Senate Bill No. 727 be recalled from the Committee on Game and Fisheries and placed on the Calendar of Bills on second reading.

Which was agreed to.

And it was so ordered

Senator Getzen moved that the Senate do now proceed to the consideration of executive communications.

Which was agreed to.

And the Senate went into Executive Session at 4:03 o'clock P. M.

The Senate emerged from Executive Session at 4:20 o'clock P. M. and resumed its session.

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, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

The hour having arrived for the consideration of Committee Substitute for House Bill No. 153, as a Special Order.

A bill to be entitled An Act creating a State Board of Conservation; fixing its powers and duties; abolishing the department of State Geologist, the Florida Board of Forestry, the Department of Game and Fresh Water Fish, the office of State Game Commissioner, the office of Shell Fish Commissioner; providing for the transfer of property, equipment, accounts obligations and funds of such departments to the State Board of Conservation; providing for the use of all appropriations of such departments to be made for the biennium, beginning July 1, 1933 by the State Board of Conservation; providing for the establishment of a State conservation fund; providing for the conservation and protection of wild life resources and authorizing the State Board of Conservation to make and establish rules and regulations in furtherance of the purposes of this Act; providing a penalty for violation of rules and regulations authorized to be made and repealing all laws and parts of laws in conflict with this Act.

Was taken up and read a second time in full.

Senator Lewis offered the following amendment to Committee Substitute for House Bill No. 153:

In Section 2, line 4 (typewritten bill), after the words "Board of Conservation" insert the following: "except the power of appointing and employing such, help assistants and agents as are herein provided for to carry out the provisions of this Act, which said power shall be vested in the Governor."

Senator Lewis moved the adoption of the amendment.

Pending the adoption of the amendment offered by Sena-

tor Lewis to Committee Substitute for House Bill No. 153, Senator Gomez moved that the rules be waived and the further consideration of Committee Substitute for House Bill No. 153, with pending amendment, be informally passed and the bill retain its place on the Calendar as a Special Order on second reading.

Which was not agreed to.

The question recurred on the adoption of the amendment offered by Senator Lewis to Committee Substitute for House Bill No. 153.

Which was not agreed to.

Senator Parrish offered the following amendment to Committee Substitute for House Bill No. 153:

In Section 10, line 5 (typewritten bill), insert after the word "hunting" and before the word "taking," the following words: "Planting or propagating."

Senator Parrish moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Shelley offered the following amendment to Committee Substitute for House Bill No. 153:

In Section 8 after the word "fix" insert the following: "provided that nothing herein contained shall change, alter, or modify that part of Section 1243, Revised General Statutes of Florida, with regard to the State rent or tax on leased bottoms for the culture of oysters and clams as to applications heretofore filed with the Shell Fish Commissioner of the State of Florida, and for which survey deposits were made prior to January 1st, 1933."

Senator Shelley moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Shelley also offered the following amendment to Committee Substitute for House Bill No. 153.

In Section 8, line 17 (typewritten bill), strike out the words: "cancelled" and insert in lieu thereof the following: "valid as to all applications pending on which the survey fee has been deposited prior to January 1, A. D. 1933."

Senator Shelley moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Shelley also offered the following amendment to Committee Substitute for House Bill No. 153:

In Section 8, lines 17 and 18 (typewritten bill), strike out the words: "and any rights claimed thereunder are hereby terminated."

Senator Shelley moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Gillis offered the following amendment to Committee Substitute for House Bill No. 153:

In Section 2, line 2 (typewritten bill), between the words "geologist" and "the" insert "State Board of Forestry."

Senator Gillis moved the adoption of the amendment.

Which was not agreed to.

Senator Futch offered the following amendment to Committee Substitute for House Bill No. 153:

At end of Section 8, add: "Provided no lessee of the State shall be permitted to re-lease, sub-lease, sell or transfer any such bottoms or property."

Senator Futch moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Lundy moved that the Senate do reconsider the vote by which the following amendment offered by Senator

Lewis to Committee Substitute for House Bill No. 153 failed of adoption.

In Section 2, line 4 (typewritten bill), after the words "Board of Conservation" insert the following: "except the power of appointing and employing such help, assistants and agents as are herein provided for to carry out the provisions of this Act, which said power shall be vested in the Governor."

And the motion went over under the rule.

Senator Lundy moved that the rules be waived and the Senate do now take up for consideration his motion to reconsider the vote by which the foregoing amendment offered by Senator Lewis to Committee Substitute for House Bill No. 153 failed of adoption.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Lundy the roll was called and the vote was:

Yeas—Senators Bass, Butler, Caro, Chowning, Clarke, Dell, English, Gillis, Gomez, Hale, Larson, Lewis, Lundy, MacWilliams, Mann, Shelley, Shivers, Sikes, Watson—19.

Nays—Mr. President; Senators Anderson, Andrews, Black, Gary, Getzen, Harrison, Hodges, Holland, Murphy, Parker, Parrish, Raulerson, Rose, Stewart, Turner, Whitaker—17.

Which was not agreed to.

Senator Gomez offered the following amendment to Committee Substitute for House Bill No. 153:

Strike out all of Section 1 and insert in lieu thereof the following: Section 1. A State Board of Conservation is hereby created, which shall be composed of the Governor of Florida, the Attorney General, and the Commissioner of Agriculture.

Senator Gomez moved the adoption of the amendment.

Which was not agreed to.

Senator Gomez also offered the following amendment to Committee Substitute for House Bill No. 153:

Strike out all of Section 8 and insert in lieu thereof the following: Section 8. The said State Board of Conservation shall have and exercise the exclusive power over the water bottoms in the State not held under some grant or alienation heretofore made, and any bottoms heretofore granted, if cancelled or vacated, may be leased by said Board for the purpose of giving the exclusive rights to plant oysters or clams thereon. The said Board may lease any water bottoms in the State of Florida to any person or persons, firm or corporation providing the person is an American citizen or the firm or corporation owned by an American citizen. No person, firm or corporation shall lease more than 500 acres of such water bottoms.

Senator Gomez moved the adoption of the amendment.

Pending the adoption of the amendment offered by Senator Gomez, Senator Stewart moved that the rules be waived and when the Senate do adjourn it adjourn until 10:30 o'clock A. M., May 22, 1933.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Stewart the roll was called and the vote was:

Yeas—Senators Black, Butler, Chowning, Dell, Getzen, Gillis, Gomez, Hale, Harrison, Hodges, Lewis, Lundy, Parrish, Raulerson, Shelley, Stewart, Turner, Watson, Whitaker—19.

Nays—Mr. President; Senators Anderson, Andrews, Bass, Clarke, English, Gary, Holland, Larson, MacWilliams, Mann, Murphy, Parker, Shivers, Sikes—15.

Which was not agreed to.

The question recurred on the adoption of the amendment offered by Senator Gomez.

Pending the adoption of the amendment offered by Senator Gomez, the hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 5:30 o'clock P. M., until 10:30 o'clock A. M., Saturday, May 20, 1933.