

# JOURNAL OF THE SENATE

Friday, May 26, 1933

The Senate convened at 10:30 o'clock A. M. pursuant to adjournment on Thursday, May 25, 1933.

The President in the Chair.

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

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

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Thursday, May 25, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Watson, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 25, 1933.

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

Sir:

Your Committee on Game and Fisheries, to whom was referred:

House Bill No. 1270:

A bill to be entitled An Act to prohibit the taking of game fish commonly known as sheep head, channel bass (commonly known as red fish) and mango snappers from the fresh waters and from the salt waters of Hernando County, Florida, by means of nets and to prohibit the sale of such fish or the shipping thereof; and providing a penalty for the violation of this Act; and to repeal all laws in conflict herewith so far as they affect Hernando County, Florida.

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

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

And House Bill No. 1270, 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 26, 1933.

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 Bill No. 736:

A bill to be entitled An Act authorizing the County Boards of Public Instruction of the several counties of the State of Florida to borrow money; providing a rate of interest, and limiting the amount of such money so to be borrowed to 80% of the estimated revenue accruing; providing for the repayment of the money so borrowed and regulating the disposition and disbursement of the proceeds of any money borrowed under the provisions of this Act.

Amendment—

In Section 1, line 7, strike out the figures 6% and insert in lieu thereof the following: 8%.

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. 736, contained in the above report, was referred to the Committee on Enrolled Bills.

42—S. B.

## 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 26, 1933.

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

Sir:

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

House Bill No. 1383:

A bill to be entitled An Act to amend Sections 4846 and 4847, Revised General Statutes of the State of Florida, the same being Chapters 6932 and 6933, Compiled General Laws, 1927, relating to Legal Holidays.

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 26, 1933.

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

Sir:

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

Senate Bill No. 63:

A bill to be entitled An Act providing that in any mandamus suit seeking to compel application of monies on hand in the interest and sinking fund to payment of relator's past due bonds or interest coupons, the relator shall be paid only such pro rata share of said monies as the relator's amount of past due bonds or interest coupons bear to the whole amount of past due bonds or interest coupons then unpaid and outstanding; and providing that this Act shall not apply to obligations of governmental units, issued or incurred after passage of this Act.

Also—

Senate Bill No. 478:

A bill to be entitled An Act to provide for the incorporation of benevolent mutual benefit associations or societies on the assessment plan organized for the purpose of benefiting and protecting members in the case of dismemberment, and to the end of benefiting widows, orphans, heirs, devisees and estates of deceased members thereof; providing for the method of incorporation of such associations and the regulation and control of such associations as may be incorporated under the terms of this Act, and requiring those associations or organizations doing a similar business in the State of Florida to be incorporated under the terms of this Act, and providing a penalty for failure so to do; authorizing the State Treasurer to examine into the solvency and operation of such associations incorporated or reincorporated under the terms of this Act; providing for a valuation of certificates and providing for a reserve fund; providing for the payment of all benefits in cash only; providing for general State supervision and control of benevolent mutual benefit associations or societies that may be hereafter operated in the State of Florida, subject to the terms of this Act, on the assessment plan.

Also—

Committee Substitute for Senate Bill No. 26:

A bill to be entitled An Act to classify eggs: to regulate the sale of same; to define the term "wholesaler" to require registration by wholesalers; to provide exemptions, to require filing of invoices by wholesalers; to impose an inspection fee; to authorize rules and regulations; to provide for proper enforcement thereof; to provide penalties 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 bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

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 26, 1933.

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

Sir:

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

House Bill No. 748:

A bill to be entitled An Act to amend Section 1, of Chapter 12878, Laws of Florida, Acts of 1927, entitled "An Act to amend Section One of Article Four, Section Two of Article Fifteen, Section Eight of Article Twenty, Section Three of Article Twenty-two, Section Three of Article Twenty-five, of an Act passed by the Legislature in the regular session, 1927, and signed by the Governor June 1st, 1927, and entitled: 'An Act to abolish the municipality created by Chapter 11519 of the Acts of the Legislature of the State of Florida, approved November 25, 1925, and designated the City of Hollywood, County of Broward, State of Florida, and to create and establish a municipal corporation to be known as the City of Hollywood; to provide a Charter for said City; to define its territorial limits, to provide for its government; and to prescribe its jurisdiction,'" and to amend Section 2, Section 9, Section 11 and Section 13, of Article 4, of Chapter 12877, Laws of Florida, Acts of 1927, entitled: "An Act to abolish the municipality created by Chapter 11519 of the Acts of the Legislature of the State of Florida, approved November 25, 1925 and designated the City of Hollywood, County of Broward State of Florida, and to create and establish a municipal corporation to be known as the City of Hollywood; to provide a Charter for said City; to define its territorial limits; to provide for its government; and to prescribe its jurisdiction."

Also—

House Bill No. 1211:

A bill to be entitled An Act relating to and prohibiting the hunting or trapping of wild ducks, Hungarian partridges, California quail, Florida quail, geese, turkeys, pheasants and all other game birds, also prohibiting the hunting or trapping of foxes, opossums, deer, raccoons, otters, minks, beavers and all fur bearing animals within the following described territory, situate in Santa Rosa County, State of Florida, to-wit: Beginning for a starting point at the intersection of the South line of Township 2 North and the East line of Range 26 West, and running North on the East Range line of Range 26 to the intersection of said Range line and the North line of Section 25, Township 4 North, Range 26 West; thence West on the Section line to where said Section line intersects the West Range line of Range 27 West; thence South along the said Range line to where said Range line intersects the South line of Township 2 North; thence East along the said Township line to the point of beginning, and providing for the enforcement of said law and a penalty for the violation of said Act.

Also—

House Bill No. 1200:

A bill to be entitled An Act relating to the City of Eustis,

Florida, and authorizing and empowering the City Council of the City of Eustis, Florida, to reduce by thirty-three and one-third per centum the original principal amounts of certain special assessment liens, to provide for the payment of the amount of such reductions, and to provide for the making of refunds to persons who have paid more than two-thirds of the principal of said liens, by the issuance of certificates of indebtedness.

Also—

House Bill No. 1198

A bill to be entitled An Act amending paragraphs 3 and 4 of Section 8 of Article 8 of Chapter 6683, Laws of Florida, Special Acts of 1913, entitled: "An Act to abolish the present municipal government of the Town of Eustis, Lake County, Florida, and to organize a town government for the same and to provide its jurisdiction and powers; to erect the same into an independent road district of Lake County.

Also—

House Bill No. 1163:

A bill to be entitled An Act for the relief of County Tax Assessors and County Tax Collectors in all counties of the State of Florida having a population of not less than sixteen thousand (16,000) and not more than eighteen thousand four hundred (18,400), according to the last preceding census that has been or may be officially taken.

Also—

House Bill No. 1174:

A bill to be entitled An Act to provide for the sanitation, healthfulness and cleanliness of swimming pools, public bath houses and bathing places in that portion of Brevard County lying north of the line dividing Township 22 and 23 South, regulating and granting and revoking all permits therefor exclusively by the County Physician of Brevard County; providing for the inspection of said places; declaring nuisances and abatement of the same and providing a penalty for the violation of this Act.

Also—

House Bill No. 1199:

A bill to be entitled An Act approving, confirming and validating all compromises, abatements, rebates, refunds, discounts, waivers and adjustments of taxes on real and personal property, assessments and special assessment liens for local improvements, including interest, costs and penalties thereon, levied and assessed upon property in the Town of Umatilla, Florida, heretofore effected, made and allowed by the Town Council of the Town of Umatilla and/or by the officers of said Town in the collection of said taxes, assessments and special assessment liens; and authorizing and empowering the Town Council of the Town of Umatilla, Florida, from time to time, by resolution, motion or ordinance, to compromise, abate, refund, rebate discount, compound, waive, adjust and settle any and all taxes on real and personal property, assessments and special assessment liens for local improvements, including any and all interest, costs and penalties thereon, levied and/or assessed at any time upon property in the Town of Umatilla, Florida.

Also—

House Bill No. 1190:

A bill to be entitled An Act in relation to the government of the City of Pensacola and to limit and define its powers with respect to the levy of ad valorem taxes.

Also—

House Bill No. 751:

A bill to be entitled An Act authorizing the tonging, taking and gathering of oysters from the natural and artificial or planted beds, bars and reefs in Franklin County, Florida, during the month of September of each year and the possession, transportation and sale of such oysters so taken under the provisions, restrictions and limitations now enforced by law during the open season from October 1st to April 15th of each year, and repealing all laws, general or special, in conflict herewith.

Also—

House Bill No. 1069:

A bill to be entitled An Act to authorize in all counties in the State of Florida having a population of not less than sixty thousand and not more than one hundred thousand, in accordance with the last preceding census, for the redemption and cancellation of lands from tax sales or other evidences of delinquent taxes by the acceptance and exchange of bonds or delinquent interest coupons and other due or past due ob-

ligations of counties, districts, or municipalities; to provide for the disposition of the bonds or delinquent interest coupons or other due or past due obligations so received, and to create a department or fund to be known as "Bond Trading Fund" to carry this Act into effect.

Also—

House Bill No. 1184:

A bill to be entitled An Act legalizing, validating, ratifying, and confirming all assessments and collection of taxes by the Town of Howey-in-the-Hills, Florida, prior to this Act becoming effective.

Also—

House Bill No. 1151:

A bill to be entitled An Act to provide for the disbursement by the State Treasurer of the moneys derived under Chapter 14832, Laws of Florida, Acts of 1931, or any amendment or amendments thereto, or other laws of the State of Florida, with reference to licensed race tracks, which are apportioned to Dixie County, Florida, and providing for the division of such moneys between the Board of County Commissioners and the Board of Public Instruction for Dixie County, State of Florida, for the year 1933, and for the disbursement of such moneys to the Board of Public Instruction for Dixie County, State of Florida, thereafter, and repealing Chapter 15,769, Laws of Florida, Acts of 1931.

Also—

House Bill No. 1215:

A bill to be entitled An Act enabling the City of Kissimmee, Osceola County, Florida, a municipal corporation, to borrow money, when necessary, for the purpose of replacing machinery in the municipal electric light plant and/or municipal water works, when authorized by a majority of the qualified voters of the City of Kissimmee voting in a special election held for such purpose.

Also—

House Bill No. 1020:

A bill to be entitled An Act authorizing the County Commissioners of each county of the State of Florida having a population of one hundred and fifty-five thousand or more according to the last preceding State or Federal Census to build and maintain fire towers and establish and maintain County Fire Control Units and providing that the appropriation for said purpose by said Board of County Commissioners shall not exceed four thousand (\$4,000.00) dollars per annum.

Also—

House Bill No. 1144:

A bill to be entitled An Act to extend the corporate limits of the City of Jacksonville.

Also—

House Bill No. 1067:

A bill to be entitled An Act authorizing the Board of County Commissioners, and the constituted authority of each municipality, in all counties having a population of not less than sixty thousand and not more than one hundred thousand, according to the last preceding census, to accept compromise settlements of tax sale certificates and other evidences of unpaid taxes for the year 1931 and prior thereto.

Also—

House Bill No. 1201:

A bill to be entitled An Act amending paragraph 4 of Section 9 of Article 8 of Chapter 8376, Laws of Florida, Special Acts of 1919, entitled: "An Act to abolish the present municipal government of the Town of Umatilla, Lake County, Florida, and to organize a town government for the same and to provide its jurisdiction and powers; to erect the same into an independent road district of Lake County."

Also—

House Bill No. 925:

A bill to be entitled An Act relating to gigging fish in the day time in the fresh water streams, lakes and ponds of Holmes County, Florida.

Also—

House Bill No. 1182:

A bill to be entitled An Act requiring electors in all counties of the State of Florida having a population of not less than four thousand forty (4040) and not more than four thousand eighty (4080), according to the Federal Census of 1930, to re-register in said counties prior to any special or primary election which may hereafter be held in said counties.

Also—

House Bill No. 1171:

A bill to be entitled An Act authorizing Calhoun County, Florida, to construct a bridge across the Apalachicola River opposite Blountstown, between said Calhoun County and Liberty County, Florida; to authorize said Calhoun County to own and operate said bridge as a toll bridge; to authorize said Calhoun County to construct and own approaches to said bridge; to authorize Calhoun County, by and through its Board of County Commissioners to borrow money with which to construct said bridge and the approaches thereto; to authorize said Calhoun County by and through its Board of County Commissioners to issue and sell bridge bonds, or revenue bonds, as evidence of indebtedness for money with which to construct said bridge and the approaches thereto; to provide for sinking fund to pay the principal and interest of such bridge bonds, or revenue bonds, the same to be derived from the income of such bridge and the approaches thereto; to provide that the bridge bonds, or revenue bonds, issued and sold under the provisions of this Act shall be a first lien, and exclusive lien, on and against said bridge and the approaches thereto; and on and against the income from the operation of such bridge and approaches; to provide that the lien on said bridge and approaches may be foreclosed for default in the payment of principal and/or interest due on said bridge bonds, or revenue bonds, to provide that a contract may be made to take over said bridge and approaches in lieu of foreclosure proceedings as an optional remedy; to provide there shall be no general obligation against Calhoun County; to provide for the employment of an attorney and/or engineers in connection with such bridge matters; to fix the maximum tolls in certain instances; and to grant to Calhoun County, Florida, full powers incident to the carrying out, and to make effective, the purposes of this Act, and to repeal all laws in conflict herewith in so far as such conflict exists.

Also—

House Bill No. 974:

A bill to be entitled An Act to authorize and empower the City of Pompano through its City Council, to sell and/or compromise and adjust, any and all taxes, assessments, liens for local improvements, and any and all interest and penalties thereon levied and/or assessed, either for cash, city bonds or other obligations; and to provide for advertisement for sale of delinquent taxes.

Also—

House Bill No. 1147:

A bill to be entitled An Act to extend the corporate limits of the City of Jacksonville.

Also—

House Bill No. 1183:

A bill to be entitled An Act legalizing and providing for the sale of lands for certain unpaid taxes assessed by the Town of Howey-in-the-Hills, Florida.

Also—

House Bill No. 1002:

A bill to be entitled An Act providing for the collection of delinquent sums due the City of Jacksonville for street improvement and sidewalk liens and providing for prima facie proof thereof.

Also—

House Bill No. 1218:

A bill to be entitled An Act to cancel all delinquent municipal taxes on all property in the City of Port St. Joe for the year 1931 and prior years.

Also—

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.

Also—

House Bill No. 1003:

A bill to be entitled An Act affecting the government of the City of Jacksonville, fixing the salary of the City Attorney and City Auditor.

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

same for the signature of the President and Secretary of the Senate.

Very respectfully,

S. W. ANDERSON,  
Chairman of the Joint Committee on Enrolled  
Bills on the Part of the Senate.

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

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

By Senator Murphy—  
Senate Resolution No. 28:

WHEREAS, nearly all States are engaged in making legislative and governmental researches for the purpose of supplying extensive, systematic and up-to-date information for the use of members of the legislature and legislative committees in making laws, in order that the State government may correspondingly develop its organization to meet the necessities of the increasing complexity of a growing society, and

WHEREAS, the Florida Legislative and Governmental Association will gather, arrange, catalogue and index information for members of the Legislature during and between the bi-annual sessions; also employ, as soon as sufficient funds are contributed, an able attorney to assist members of the Legislature to draft bills, motions, briefs, resolutions, committee reports and other papers, thereby eliminating considerable ill-considered, contradictory, obscure and unconstitutional legislation, and

WHEREAS, there will be gradually collected considerable highly specialized and up-to-date literature on legislative and administrative subjects, thus creating and constituting a valuable legislative reference bureau and library for the use of the members of the Legislature, and

WHEREAS, It is also very desirable in our State that extensive, systematic and up-to-date information be collected and researches made in legislative and administrative affairs; that an able attorney be employed to assist in drafting bills and other papers; that a legislative reference bureau and library be gradually collected, all these benefits for the use of members of the Legislature, and

WHEREAS, Members of the Legislature of both the Senate and House of Representatives, being the principal officials, will control and direct the various activities and determine the policies of the association, and

WHEREAS, No appropriations whatever are being asked or implied, and resolutions of commendation only are desirable as they would help the association in its various activities, be it therefore,

RESOLVED, (1) That we, as members of the Senate, commend the Florida Legislative and Governmental Association on its proposed plans for gathering extensive, systematic and up-to-date information and making researches in legislative and governmental affairs, and publish the same; and for creating a legislative reference bureau and library for the use of the members of the Legislature.

(2) That we commend said organization for placing members of the Legislature in control, and for directing its work and determine its policies; also for any work it may do in the direction of a better knowledge of our government, state, city and county, among the voting citizens of our state.

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. 28 was adopted.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Andrews—  
Senate Bill No. 817:

A bill to be entitled An Act relating to unfair competition and discrimination, making certain unfair and discriminatory practices unlawful, defining the duties of the attorney general in regard thereto, declaring certain contracts illegal and forbidding recovery thereon, providing for actions to enjoin unfair competition and discrimination and to recover damages therefor, making the violation of the provisions of this Act a misdemeanor and providing penalties.

Which was read the first time by its title only.

Senator Andrews moved that the rules be waived and Senate Bill No. 817 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 817 was read a second time in full.

Senator Andrews moved that the rules be further waived and Senate Bill No. 817 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. 817 was read a third time in full.

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

Yeas—Senators Anderson, Andrews, Bass, Beacham, Black, Caro, Chowning, Clarke, Dell, English, Gillis, Harrison, Hilburn, Hodges, Holland, MacWilliams, Mann, Murphy, Parker, Parrish, Rose, Sikes, Turner, Whitaker—24.

Nays—Senators Gomez, Lundy, Shivers—3.

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

By Senator Futch—

Senate Bill No. 818:

A bill to be entitled An Act to create and establish a special taxing district in Lake County, Florida, to be known as South Lake County special road and bridge district of Lake County, Florida, to validate and legalize the Acts and proceedings of the Board of County Commissioners and an election held in said district to create a special road and bridge district in said county, embracing the same territory, to validate and legalize bonds heretofore issued by the Board of County Commissioners for and on behalf of said special road and bridge district, to validate all proceedings of the Board of County Commissioners relative to the issuance of refunding bonds for and on behalf of said district, and to validate and legalize the assessment of taxes in said district, to authorize the continued levy and assessment of taxes for the purpose of paying the principal and interest of such bonds, and further to define the powers and duties of the Board of County Commissioners with respect to said district.

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

By Senator Futch—

Senate Bill No. 819:

A bill to be entitled An Act to amend Section 262 Revised General Statutes relating to the manner in which constitutional amendments and other public measures shall be stated on the general election ballots and voted on for ratification or rejection.

Which was read the first time by its title only.

Senator Parrish moved that the rules be waived and Senate Bill No. 819 be placed on the Calendar of Bills on second reading, without reference.

Which was agreed to by a two-thirds vote.

And it was so ordered.

By Senator Hilburn—

Senate Bill No. 820:

A bill to be entitled An Act to contract the corporate limits of the Town of Pomona, a municipal corporation in Putnam County, Florida.

Which was read the first time by its title only.

Senator Hilburn moved that the rules be waived and Senate Bill No. 820 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 820 was read a second time by title only.

Senator Hilburn moved that the rules be further waived and Senate Bill No. 820 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. 820 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, Harrison, Hilburn, Hodges, 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 certified to the House of Representatives.

By Senator Hilburn—

Senate Bill No. 821:

A bill to be entitled An Act authorizing the City of Palatka to purchase and install electrical equipment and machinery for the operation of its water works system and street illumination, and providing the method of payment therefor and the manner in which the power hereby conferred may be exercised.

Which was read the first time by its title only.

Senator Hilburn moved that the rules be waived and Senate Bill No. 821 be read a second time by title only.

Which was agreed to by a two-thirds vote.  
And Senate Bill No. 821 was read a second time by title only.

Senator Hilburn moved that the rules be further waived and Senat Bill No 821 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. 821 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, Harrison, Hilburn, Hodges, 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 certified to the House of Representatives.

By Senator Hilburn—  
Senate Bill No. 822:

A bill to be entitled An Act relating to East Palatka Drainage District in Putnam County, Florida, and authorizing said District to adjust, settle, compromise and refund its outstanding bonded indebtedness, and to borrow money from any governmental agency, and to secure repayment thereof.

Which was read the first time by its title only.  
Senator Hilburn moved that the rules be waived and Senate Bill No. 822 be read a second time by title only.

Which was agreed to by a two-thirds vote.  
And Senate Bill No. 822 was read a second time by title only.  
Senator Hilburn moved that the rules be further waived and Senate Bill No. 822 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. 822 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, Harrison, Hilburn, Hodges, 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 certified to the House of Representatives.

By Senator Butler—  
Senate Bill No. 823:

A bill to be entitled An Act relating to motions for new trial and the effect thereof.

Which was read the first time by its title only and referred to the Committee on Judiciary "B".  
Senate Concurrent Resolution No. 16 was taken up in its order and the consideration of same was informally passed.

The following communication from the Governor was received:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
May 26, 1933

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

Sir:  
Complying with the request of the Senate, I am pleased to return herewith Senate Bill No. 519.

Very respectfully,  
DAVE SHOLTZ,  
Governor.

Senator Getzen moved that Senate Bill No. 519 be indefinitely postponed.  
Which was agreed to.  
And it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., May 26, 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 Getzen—  
Senate Bill No. 807:  
A bill to be entitled An Act providing for the handling and disposition by the State Board of Administration of all funds coming into the possession of said Board or under contract of said Board to the credit of Sumter County, Florida, and providing that the Board of County Commissioners shall reduce the millage hereof possessed or collected or at this time possessed and collected in such County, and providing for the penalty for violation of this Act.

Also—  
By Senator Parker—  
Senate Bill No. 803:  
A bill to be entitled An Act to apportion equally between the Board of County Commissioners and the Board of Public Instruction in Lafayette County, Florida, all monies received from race track taxes to be paid to said County under the provisions of Chapter 4832, Laws of Florida, Acts of 1931, and requiring the State Comptroller to draw separate warrants for said boards.

Also—  
By Senator Hilburn:  
Senate Bill No 798:  
A bill to be entitled An Act to abolish the Town of San Mateo City, Florida, and to make provision for the protection of its creditors; to provide for the holding of an election to determine whether this Act shall take effect; to provide for the qualifications of the electors to participate in said election; to provide for the appointment of Clerk and Inspectors of said election; to provide for the calling and giving of notice of said election.

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

Senate Bills Nos. 807, 803 and 798, contained in the above Message, were read by their titles 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 26, 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 indefinitely postponed consideration of:

By Senator Caro—  
Senate Bill No. 670:  
A bill to be entitled An Act in relation to the Government of the City of Pensacola and to limit and define its powers with respect to the levy of ad valorem taxes.

Also—  
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.

Also—  
By Senator Caro—  
Senate Bill No. 765:  
A bill to be entitled An Act to create a County Budget Commission in Counties having a population of not less than 52,000 nor more than 55,000 by the last preceding State Census; to prescribe the powers, duties and functions of such County Budget Commission, and the qualifications terms of office, and method 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, and providing for a referendum election determining whether or not this Act shall be approved, accepted and made effective.

And respectfully requests the concurrence of the Senate therein.

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

Also—

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

Tallahassee, Fla., May 25, 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 Hilburn—  
Senate Bill No. 85:

A bill to be entitled An Act for the relief of K. Borson, as Trustee.

Also—

By Senator Hilburn—  
Senate Bill No. 86:

A bill to be entitled An Act for the relief of W. A. Williams, Jr., individually and as Clerk of the Circuit Court of Putnam County, Florida, together with the surety of his official bond.

Also—

By Senator Lundy—  
Senate Bill No. 756:

A bill to be entitled An Act authorizing the Board of County Commissioners of Santa Rosa County, Florida, to transfer certain monies from the special road and bridge district fund to the general road and bridge fund and expend certain balances of special road and bridge district funds for the construction of a certain road.

Also—

By Senator Watson—  
Senate Bill No. 752:

A bill to be entitled An Act Authorizing the County Commissioners of Counties having a population according to the last Federal Census of not less than 140,000 and not more than 145,000 to adjust delinquent County taxes, and prescribing the conditions under which such adjustments may be made and the method of procedure.

Also—

By Senator Lewis—  
Senate Bill No. 761:

A bill to be entitled An Act providing for the payment to the Board of Public Instruction for Jackson County, Florida, of any money to be received from the State Treasurer, or any other State agency by Jackson County, or the Board of County Commissioners thereof, under any law now existing or hereafter passed relating to the distribution of money among the several Counties of the State arising from the operation of race tracks, and providing for the use of such money by said Board of Public Instruction.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senate Bills Nos. 85, 86, 756, 752 and 761, contained in the above Message, were read by their titles 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 25, 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 Butler—  
Senate Bill No. 389:

A bill to be entitled An Act providing for and creating Jury Commissioners in all counties of the State of Florida having a

population exceeding 155,000 by the last preceding Federal census, and prescribing their qualifications, methods of appointment, powers duties, functions and official terms, and providing for the selection, listing and procurement of jurors in such counties.

Also—

By Senator Getzen—  
Senate Bill No. 762:

A bill to be entitled An Act providing for the compensation of the County Tax Assessor, County Tax Collector, County Judge, Superintendent of Public Instruction, Clerk of the Circuit Court, Sheriff of Sumter County, Florida; providing that all fees collected and paid by such officers be paid into a special fund to be known as the "County Officers' Fund," and that all such officers to be compensated from such fund and the expenses of their respective offices to be paid from such fund, and providing for the budgeting of all expenses of all such officers, and providing the duty of the County Commissioners of Sumter County, Florida.

Also—

By Senator Caro—  
Senate Bill No. 764:

A bill to be entitled an Act to regulate the business of cleaning and pressing clothes, and persons, firms and corporations acting as agents for such business in Counties of the State of Florida, having a population of not less than 53,000 and not more than 60,000 inhabitants, according to the Federal census of 1930 and providing that any person, firm or corporation violating the provisions of this Act may be enjoined by a court of competent jurisdiction.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senate Bills Nos 389, 762 and 764, contained in the above Message, were read by their titles 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 26, 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 indefinitely postponed consideration of:

By Senator Hilburn—  
Senate Bill No. 653.

A bill to be entitled An Act to abolish the Town of San Mateo City, Florida, and to make provision for the protection of its creditors.

Also—

By Senator Watson—  
Senate Bill No. 558:

A bill to be entitled An Act fixing the compensation of County Commissioners in Counties having a population of not less than 140,000 and not more than 145,000, according to the last State or Federal Census.

Also—

By Senator Getzen—  
Senate Bill No. 615:

A bill to be entitled An Act to create a County Budget Commission in Counties having a population of not more than eleven thousand and not less than ten 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 method 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.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

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

Tallahassee, Fla., May 26, 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 receded from its amendments, No. 1 and No. 2, to:

Senate Bill No. 586:

A bill to be entitled An Act prescribing the duties and compensation of County Prosecuting Attorneys in counties of the State of Florida having a population of not less than thirty-one thousand (31,000) and not more than thirty-two thousand (32,000) according to the last State or Federal Census, and requiring a surety bond to be given by such County Prosecuting Attorney guaranteeing the faithful performance of his duties.

Which amendments are as follows:

Amendment No. 1—

In title, lines 6 and 7, strike out the words Last State or, and insert in lieu thereof the following: 1930.

Amendment No. 2—

In Section 1, line 5, strike out the words last State or, and insert in lieu thereof the following: 1930.

And refuses to recede from Amendment No. 3 to said Bill, which amendment reads as follows:

Amendment No. 3—

In Section 2, line 3, strike out the words and figures, "Two Thousand Four Hundred (\$2,400.00)" and insert in lieu thereof the following: One Thousand Eight Hundred (\$1,800.00).

And respectfully requests the concurrence of the Senate therein.

Very respectfully,  
FRANK WEBB,

Chief Clerk House of Representatives.

Senator Lewis moved that the Speaker of the House of Representatives be requested to appoint a conference committee to confer with a similar committee on the part of the Senate to adjust the differences between the Bodies on the House Amendments to Senate Bill No. 586.

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 25, 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 Watson—  
Senate Bill No. 267:

A bill to be entitled An Act abolishing the municipal corporation now existing and known as the Town of Biscayne Park in Dade County, Florida, and creating a new municipality to be known as the Village of Biscayne Park in Dade County, Florida, to succeed the former municipality of the Town of Biscayne Park.

Also—  
By Senator Whitaker—  
Senate Bill No. 707:

A bill to be entitled An Act amending Section forty-seven of the Revised Charter of the City of Tampa providing for the Civil Service Board for said City.

Very respectfully,  
FRANK WEBB,

Chief Clerk House of Representatives.

Senate Bills Nos. 267 and 707, contained in the above Message, were read by their titles 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 25, 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 Watson—  
Senate Bill No. 625:

A bill to be entitled An Act to declare; designate and establish as a State road the following road: Beginning at the intersection of Northeast 79th street and State Road No. 4, City of Miami, Florida, thence west along Northeast 79th street and Northwest 79th street to a point where Northwest 79th street intersects with Bougainvillae avenue in the City of Miami.

Also—  
By Senator Parker—  
Senate Bill No. 640:

A bill to be entitled An Act fixing the time of holding the Spring and Fall term of Circuit Court, Third Judicial Circuit of Florida, in and for Lafayette County.

Also—  
By Senators Caro and Beacham—  
Senate Bill No. 630:

A bill to be entitled An Act apportioning the moneys received by the State Treasurer under and by virtue of the law of the State of Florida, to-wit: Senate Bill No. 361 providing for a State Racing Commission, etc., which said bill is an Act of the Legislature of 1931; providing that the said State Treasurer of the State of Florida, when the said moneys have been received and disbursements are to be made, that the said Treasurer of the State of Florida in distributing the moneys to the several Counties of the State of Florida having a population of not less than 50,000 and not exceeding 55,000, according to the last State or Federal Census; that he shall distribute such moneys to such Counties to the Boards of Public Instruction for the purpose of paying teachers' salaries and bus drivers in said Counties.

Very respectfully,  
FRANK WEBB,

Chief Clerk House of Representatives.

Senate Bills Nos. 625, 640 and 630, contained in the above Message, were read by their titles and ordered referred to the Committee on Enrolled Bills.

Senator MacWilliams moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 678 passed the Senate.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which House Bill No. 678 passed the Senate.

The question recurred on the passage of the bill.

Pending the passage of the bill, Senator MacWilliams moved that the rules be waived and the further consideration of House Bill No. 678 be informally passed and the bill retain its place on the Calendar of Bills on third reading.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator MacWilliams moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 924 passed the Senate.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which House Bill No. 924 passed the Senate.

The question recurred on the passage of the bill.

Pending the passage of the bill, Senator MacWilliams moved that the rules be waived and the further consideration of House Bill No. 924 be informally passed and the bill retain its place on the Calendar of Bills on third reading.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Senator Gary moved that House Bill No. 1337 be recalled from the House of Representatives.

Which was agreed to,  
And it was so ordered.

Senator Gary moved that the rules be waived and the Senate do now reconsider the vote by which House Bill No. 1337 passed the Senate.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which House Bill No. 1337 passed the Senate.

The question recurred on the passage of the bill.

Pending the passage of the bill, Senator Gary moved that the rules be waived and the further consideration of House

Bill No. 1337 be informally passed and the bill retain its place on the Calendar of Bills on third reading.

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

Also—

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

Tallahassee, Fla., May 26, 1933.

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

Sir:

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

By Mr. Andrews of Holmes—  
House Bill No. 1339:

A bill to be entitled An Act to create a County Budget Commission in counties of Florida having a population of not less than twelve thousand nine hundred (12,900) and not more than twelve thousand nine hundred and fifty (12,950), 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 of members thereof; and to authorize such County Budget Commission to make and control the budget receipts and expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, and all other Boards, Commissions and officials of such counties or of taxing districts, situate therein authorized to raise and expend monies for county or district purposes.

Also—

By Mr. Herrin, of Gadsden—  
House Bill No. 1387:

A bill to be entitled An Act to legalize, ratify, validate and confirm the levies and assessments of taxes by the City of Quincy, Florida, for the years, A. D. 1928, 1929, 1930, 1931 and 1932, and all acts and proceedings heretofore done, had and performed by the City Commission, Tax Assessor, Tax Collector and all other officials of said City in connection with or relating to the assessment and levy of taxes, either general or special, for said years, and providing for the collection thereof.

Also—

By Messrs. Bell and Untreiner of Escambia—  
House Bill No. 1388:

A bill to be entitled An Act authorizing all Counties of the State of Florida having a population of not less than 52,000 and not more than 60,000, according to the Federal Census of 1930 to employ home demonstration agents and agricultural and farm agents; and to fix and pay their salaries and expenses.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1339, 1387 and 1388, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 26, 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 to the House for the purpose of further consideration:

By Messrs. Ward and Dickinson of Orange—  
House Bill No. 1373:

A bill to be entitled An Act redefining and establishing the boundaries of the Town of Lake Maitland, in Orange County, Florida, reducing the area over which said Town heretofore exercised jurisdiction, validating assessments and tax levies, providing for liens and enforcement thereof as to property excluded from the Town limits, and providing that Sections 1916 and 1917 of the Revised General Statutes shall not apply to said Town.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

Senator Rose moved that the request of the House of Representatives contained in the above Message be granted and House Bill No. 1373 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 26, 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. Herrin, of Gadsden—  
House Bill No. 1389:

A bill to be entitled An Act to amend Sections 21 and 23 of Chapter 9892, Laws of Florida, 1923, the same being An Act to abolish the present municipal government of the City of Quincy in the County of Gadsden, State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Quincy, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges, by authorizing the City Commission of said City to codify the ordinances of the City of Quincy and to make such changes and additions to the present ordinances of said City as the City Commission of said City shall deem expedient, by one ordinance, and providing for the method and time of publishing said ordinance.

Also—

By Mr. Wood (By request) of Lee—  
House Bill No. 1392:

A bill to be entitled An Act authorizing and empowering the Boards of Public Instruction in all counties having a population of not less than 14,700 and not more than 15,300, according to the last Federal census, to pay to the County Tax Assessors of such counties commissions for the assessments heretofore made by such assessors of special taxes and tax district taxes; authorizing and empowering such Boards of Public Instruction to pay such assessors such commissions; authorizing and empowering such Boards of Public Instruction to relieve such assessors from refunding to such boards of Public Instruction all moneys heretofore paid to such assessors as commissions for making assessments of taxes in special districts and special school districts.

Also—

By Mr. Rogers, of Broward—  
House Bill No. 1393:

A bill to be entitled An Act to exclude certain lands from the limits of the City of Fort Lauderdale, a municipal corporation of Broward County, Florida.

Also—

By Mr. Rogers, of Broward—  
House Bill No. 1394:

A bill to be entitled An Act to validate, ratify, legalize and confirm the assessment, levy and collection of taxes and interest and penalties thereon for the years 1931 and 1932 by the City of Fort Lauderdale, a municipal corporation of Broward County, Florida; and to validate and confirm all settlements, compromises and adjustments made with reference to taxes and tax certificates for the year 1932 and all years prior thereto, and the sales of tax sale certificates for said years; and to validate and confirm all special assessments assessed and levied for local improvements and the adjustments and compromises made with reference thereto.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1389, 1392, 1393 and 1394, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 26, 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. Herrin of Gadsden—  
House Bill No. 1395:

A bill to be entitled An Act relating to Torreya trees in all counties of the State of Florida having a population of not more than 4,080 and not less than 4,040 inhabitants according to the last Federal census.

Also—

By Mr. Byington of Volusia—  
House Bill No. 1396:

A bill to be entitled An Act to authorize, regulate and control the assessment and levy of taxes in the City of Daytona Beach, Volusia County, Florida, and providing for the regulation of the budget of said city, and providing a method for giving the freeholders of the City of Daytona Beach the right to amend the budget by petition and election of the freeholders, and also providing for a referendum for the ratification or rejection of this Act, and for other purposes.

Also—

By Mr. Kanner of Martin—  
House Bill No. 1397:

A bill to be entitled An Act providing for certain additional, alternative and supplemental duties and powers of the State Board of Administration in connection with carrying out its functions as a fiscal agent for Martin County, Florida, under Chapter 14486, Acts of 1929, Laws of Florida, and any Acts amendatory thereof or supplementary thereto, and requiring the State Board of Administration to use any or all moneys derived from gasoline taxes and credited to Martin County, Florida, or to any road district, road and/or bridge district, special road and/or bridge district, in said Martin County, to be used in the purchase of bonds issued by or on behalf of Martin County, Florida, or the road and/or bridge districts therein, under the circumstances and conditions prescribed by this Act.

Proof of Publication attached to bill.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1395 and 1396, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

House Bill No. 1397, 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. 1397 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1397 was read a second time by title only.

Senator Raulerson moved that the rules be further waived and House Bill No. 1397 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. 1397 was read a third time in full.

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

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

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered 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 26, 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. Laney of Washington—  
House Bill No. 1398:

A bill to be entitled An Act providing for the appointment by the Council of the City of Chipley, Florida, of a Clerk of said city and of a Marshal thereof, that said officers shall be subject to removal by said Council at any time, for the fixing by said Council of the salaries of said officials and for the repeal of all laws in conflict herewith.

Also—

By Mr. Early, of Sarasota—  
House Bill No. 1340:

A bill to be entitled An Act fixing the compensation of the Judge and the Prosecuting Attorney of the County Court in every County now or hereafter having a population of not less than eleven thousand (11,000) and not more than thirteen thousand (13,000) inhabitants, according to the last or any subsequent Federal census, in which counties a county court has been or may hereafter be created.

Also—

By Messrs. Worth, Sandler and Kilgore of Hillsborough, and Robineau, Roberts and Brown of Dade—  
House Bill No. 1386:

A bill to be entitled An Act fixing the fees and compensation to be charged and received by the Justices of the Peace in Counties of the State of Florida having a population of more than one hundred thousand, and less than one hundred fifty-five thousand, according to the last Federal Census.

Also—

By Mr. Westbrook of Lake—  
House Bill No. 1399:

A bill to be entitled An Act to create and establish a special taxing district in Lake County, Florida, to be known as South Lake County Special Road and Bridge District of Lake County, Florida, to validate and legalize the Acts and proceedings of the Board of County Commissioners and an election held in said district to create a special road and bridge district in said county, embracing the same territory; to validate and legalize bonds heretofore issued by the Board of County Commissioners for and on behalf of said special road and bridge District, to validate all proceedings of the Board of County Commissioners relative to the issuance of refunding bonds for and on behalf of said district, and to validate and legalize the assessment of taxes in said district, to authorize the continued levy and assessment of taxes for the purpose of paying the principal and interest of such bonds, and further to define the powers and duties of the Board of County Commissioners with respect to said district.

Proof of Publication attached to bill.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1398, 1340 and 1386, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

House Bill No. 1399, contained in the above Message, was read the first time by its title only.

Senator Turner moved that the rules be waived and House Bill No. 1399 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1399 was read a second time by title only.

Senator Turner moved that the rules be further waived and House Bill No. 1399 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. 1399 was read a third time in full.

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

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

Nays—None.

So the bill passed, title as stated, and the action of the Senate was ordered 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 25, 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. Rogers of Broward—  
House Bill No. 1357:

A bill to be entitled An Act to validate, legalize, ratify and confirm the covenants and provisions of a certain deed made by Raymond A. West and wife to Broward County Port Authority on December 20th, A. D. 1932, relating to the release by the Broward County Port Authority of a special assessment made by it against the lands of said Raymond A. West, and the payment by the Broward County Port Authority of certain taxes.

Also has passed—

By Mr. Boyd of DeSoto—  
House Bill No. 1364:

A bill to be entitled An Act providing for an annual budget, for the assessment and collection of the taxes for the City of Arcadia, and for the collection of the delinquent taxes of said City.

Also has passed—

By Mr. Rogers of Broward—  
House Bill No. 1358:

A bill to be entitled An Act to authorize the Broward County Port Authority to impose and levy special assessments upon lands situate within Broward County Port District and to provide a method for levying and collecting such assessments. And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1357, 1364 and 1358, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Byington of Volusia—  
House Bill No. 1342:

A bill to be entitled An Act to provide for the re-assessment and collection of delinquent real estate taxes for the City of Daytona Beach, Volusia County, Florida, for the years 1928, 1929, 1930, 1931, and 1932; to continue the lien for such taxes; to cancel the lien of delinquent taxes for the year 1927 and prior years; and to provide when such re-assessed delinquent taxes shall be due: to provide for the payment of such re-assessed taxes prior to the specified time of payment; to provide for the re-assessment and collection of delinquent special assessments for the years 1932 and prior years: to continue the lien of such special assessments of indebtedness; and to provide when such re-assessed delinquent special assessments shall be due: to provide for the payment of such re-assessed special assessment taxes prior to the specified time of payment; and to repeal all laws and parts of laws in conflict with the provisions of this Act; and to provide a referendum for the ratification or rejection of this Act.

Also—

By Messrs. Lewis and Bass of Palm Beach—  
House Bill No. 1345:

A bill to be entitled An Act repealing Chapter 15725, Laws of Florida, 1931, entitled: "An Act providing for additional compensation for Circuit Judges in judicial circuits composed of one county having a population of not less than 50,000 and not more than 53,000 according to the last preceding Federal census, and requiring such additional compensation to be paid from the excess fee fund returned by County Officers to and held by the Board of County Commissioners."

Also—

By Mr. Trammell of Calhoun—  
House Bill No. 1348:

A bill to be entitled An Act fixing the compensation of mem-

bers of the Board of County Commissioners in counties of the State of Florida having a population of not less than seven thousand one hundred (7,100) and not more than seven thousand four hundred (7,400) according to the last State or Federal census; and repealing all laws in conflict herewith in so far as such conflict may exist.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1342, 1345 and 1348, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Smith of Clay—

House Bill No. 1361:

A bill to be entitled An Act to validate and confirm the assessment and levy of taxes made by the Town of Green Cove Springs, Florida, for the years 1929 to 1932, inclusive.

Also has passed—

By Mr. Herrin of Gadsden—  
House Bill No. 1346:

A bill to be entitled An Act relating to Torreya Trees in all Counties in the State of Florida having a population of not more than 30,000 and not less than 29,800 inhabitants, according to the last Federal census.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1361 and 1346, contained in the above Message, were read by their titles 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 25, 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. Worth, Sandler and Kilgore of Hillsborough—  
House Bill No. 1283:

A bill to be entitled An Act amending Section One of Chapter 14745 of the Laws of Florida of 1931 fixing the salaries of the judges of the Criminal Courts of Record in counties having a population of more than 80,000 and less than 155,000; the population of such counties to be determined by the last census of the State, whether taken by authority of the United States Government or the State of Florida.

Also has passed—

By Messrs. Lewis and Bass of Palm Beach—  
House Bill No. 1288:

A bill to be entitled An Act to amend Chapter 14179 of the Legislature of the State of Florida for the year 1929 entitled: "An Act repealing Chapter 10764 of the Legislature of the State of Florida for the year 1925, entitled: An Act to abolish the present municipal government of the Town of Lake Worth in Palm Beach County, Florida; to create and establish a new municipality to be known as the City of Lake Worth, in Palm Beach County, Florida; to legalize and validate the ordinances of said City of Lake Worth and official acts thereunder; to fix and provide its territorial limits, jurisdiction and powers and the jurisdiction and powers of its officers; approved June 3, 1925, and creating and establishing a municipality known as the City of Lake Worth, in Palm Beach County, Florida, legalizing and validating the ordinances of said City of Lake Worth and official acts thereunder; fixing and providing its territorial limits, jurisdiction and powers and the jurisdiction

and powers of its officers" by amending Section 7 of Article XI relating to the sale, lease or transfer of its light plant or water plant, and the granting of franchise to build, construct, maintain or operate any water plant or electric light plant or business within the City.

Also has passed—

By Messrs. Lewis and Bass of Palm Beach—  
House Bill No. 1289:

A bill to be entitled An Act providing for the redemption or payment of taxes levied and assessed by the municipality of Kelsey City, Palm Beach County, Florida, with bonds or coupons heretofore issued by said municipality, repealing all laws or parts of laws in conflict herewith and providing for a referendum.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1283, 1288 and 1289, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Register, of Union—

House Bill No. 1210:

A bill to be entitled An Act to authorize, empower and direct the Board of County Commissioners of Union County, Florida, to establish, construct and maintain a certain road and bridges thereon in Union County, Florida, and providing for the payment thereof; and providing for a referendum.

Also has passed—

By Mr Register of Union—

House Bill No. 1209:

A bill to be entitled An Act to authorize and require the County Commissioner in all counties in the State of Florida having a population of not less than seven thousand four hundred (7400) and not more than seven thousand four hundred twenty-eight (7428), according to the Federal census of 1930, and having a balance of funds on hand on June 1st, 1933, received from race track taxes, to transfer six thousand five hundred dollars (\$6,500.00) thereof, where there is that amount of balance on hand, to the Board of Public Instruction of said counties.

Also has passed—

By Mr. Middleton of Putnam—

House Bill No. 1279:

A bill to be entitled An Act to abolish the Board of Bond Trustees of Putnam County, Florida, and providing that the rights, powers, duties, functions and property of said Board be vested in the Board of County Commissioners of Putnam County, Florida, and providing that property and machinery of the Board of Bond Trustees be delivered to and receipted by said Board of County Commissioners and providing for a referendum and when this Act shall take effect.

Proof of publication attached to bill.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1210, 1209 and 1279, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Scofield of Citrus—

House Bill No. 1335:

A bill to be entitled An Act authorizing and directing the State Treasurer of the State of Florida to pay over to the Board of County Commissioners of Citrus County, Florida, all monies paid into his hands as ex-officio County Treasurer of Citrus County, Florida, that have been recovered in that certain suit of W. V. Knott as State Treasurer, and others—versus—G. I. Singleton, and others, lately pending in the Circuit Court of Citrus County, State of Florida, which said cause was lately transferred to the Federal Court in and for the southern district of Florida, and which suit has been settled, and providing for the disposition of said monies by the Board of County Commissioners

Proof of publication attached to bill.

Also has passed—

By Mr. Byrd of Flagler—

House Bill No. 1244:

A bill to be entitled An Act authorizing, directing and empowering Boards of County Commissioners in all Counties of the State of Florida whose total assessed valuation is not less than \$814,000.00 and not more than \$814,250.00 in 1932 and having a total population of not less than 2,466 or not more than 2,500, according to the 1930 Federal Census and whose area is not more than 323,089 acres, to compromise the settlement of all outstanding tax certificates held by the State Treasurer in so far as same relates to County taxes and providing for the manner and method of such settlement.

Also has passed—

By Messrs. Kennedy and Westbrook of Lake—

House Bill No. 1336:

A bill to be entitled An Act authorizing and empowering the City of Eustis, Florida, to accept bonds of said City at their face value, whether matured or unmatured, and/or matured coupons of said City in payment of any special assessments liens levied or assessed by said City prior to the year 1933, and in payment of any taxes levied or assessed by said City prior to the year 1931, provided that the taxes for the year 1931 are paid as hereinafter set forth, and the taxes for the years subsequent to 1931 are paid in cash at the same time, and fifty per cent. of taxes for the year 1931, provided the remaining fifty per cent. for the year 1931, and the taxes for the years subsequent thereto are paid in cash at the same time.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1335 and 1244, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

House Bill No. 1336, contained in the above Message, was read the first time by its title only.

Senator Turner moved that the rules be waived and House Bill No. 1336 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 1336 was read a second time by title only.

Senator Turner moved that the rules be further waived and House Bill No. 1336 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. 1336 was read a third time in full.

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

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

Nays—None.

So the Bill passed title as stated and the action of the Senate was ordered 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 25, 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. Lewis and Bass of Palm Beach—  
House Bill No. 1290:

A bill to be entitled An Act to amend Chapter 14179 of the Legislature of the State of Florida for the year 1929 entitled: "An Act repealing Chapter 10764, of the Legislature of the State of Florida for the year 1925, entitled: 'An Act to abolish the present municipal government of the Town of Lake Worth in Palm Beach County, Florida; to create and establish a new municipality to be known as the City of Lake Worth, in Palm Beach County, Florida; to legalize and validate the ordinances of said City of Lake Worth and official acts thereunder; to fix and provide its territorial limits, jurisdiction and powers and the jurisdiction and powers of its officers,' approved June 3, 1925, and creating and establishing a municipality known as the City of Lake Worth, in Palm Beach County, Florida legalizing and validating the ordinances of said City of Lake Worth and official acts thereunder; fixing and providing its territorial limits, jurisdiction and powers and the jurisdiction and powers of its officers," by inserting a new section empowering the City Commission to impose license taxes upon businesses, professions, occupations and privileges.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bill No. 1290, 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.

Also—

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

Tallahassee, Fla., May 25, 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. Rogers of Broward—  
House Bill No. 1356:

A bill to be entitled An Act to validate expenditures of tax funds by the Broward County Port Authority for the years 1931 and 1932 and until the time of the passage of this Act.

Also—

By Mr. Boyd of DeSoto—  
House Bill No. 1365:

A bill to be entitled An Act ratifying, confirming, validating and legalizing the tax assessments and levies of taxes made by the governing authority of the City of Arcadia, DeSoto County, Florida, for the years of 1924, 1925, 1926, 1927, 1928, 1929, 1930 and 1931, and authorizing the collection of said taxes in the manner provided by law.

Also—

By Mr. Rogers of Broward—  
House Bill No. 1359:

A bill to be entitled An Act to validate, legalize, ratify and confirm a conveyance made by the trustees of the internal improvement fund of the State of Florida to Hollywood Development and Harbor Company, a Florida corporation, of the shallow flats and bottoms composing the bed of Lake Mabel situated in Broward County, Florida, and the satisfaction of a purchase money mortgage on said property by the trustees of the internal improvement fund of the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1356, 1365 and 1359, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Boyd of DeSoto:  
House Bill No. 1366:

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 7,500 and less than 8,000, 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—

By Mr. Booth of Pinellas—  
House Bill No. 1376:

A bill to be entitled An Act redefining the territorial limits of the City of Clearwater, Florida, excluding certain territory from the corporate limits of said City, preserving the liens of all municipal taxes and assessments heretofore levied and assessed against lands in the territory excluded by this Act, and providing for a referendum to determine whether or not this Act shall go into effect.

Also—

By Mr. Rogers of Broward—  
House Bill No. 1354:

A bill to be entitled An Act to provide for the cancellation and release of all State, Broward County, City of Fort Lauderdale, City of Hollywood and Special Tax District, Tax Sales Certificates and Tax Deeds issued to and owned by the State of Florida, County of Broward, City of Fort Lauderdale, City of Hollywood and other Special Taxing Districts on lands owned by the Broward County Port Authority or to which it holds a deed of conveyance.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1366, 1376 and 1354, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Bass of Palm Beach—  
House Bill No. 1374:

A bill to be entitled An Act to amend Sections 54 and 84 of Chapter 9872, Laws of Florida, Acts of 1923, the same being: "An Act to abolish the present municipal government of the Town of Pahokee in Palm Beach County, Florida; to legalize and validate the ordinances of said Town and official acts thereunder, to create and establish a new municipality to be known as the Town of Pahokee, in Palm Beach County, Florida; and to fix and provide its territorial limits, jurisdiction and powers, and the jurisdiction and powers of its officers."

Also—

By Messrs. Ward and Dickinson of Orange—  
House Bill No. 1373:

A bill to be entitled An Act redefining and establishing the boundaries of the Town of Lake Maitland, in Orange County, Florida, reducing the area over which said Town heretofore exercised jurisdiction, validating assessments and tax levies, providing for liens and enforcement thereof as to property excluded from the town limits, and providing that Sections 1916 and 1917 of the Revised General Statutes shall not apply to said Town.

Also—

By Mr. Boyd of DeSoto—  
House Bill No. 1367:

A bill to be entitled An Act to amend Section twenty of Chapter 5080, Laws of Florida, approved May 29, 1901, entitled: "An Act to abolish the present municipal government of the Town of Arcadia, in the County of DeSoto and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Arcadia, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1374, 1373 and 1367, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Carey of Pinellas—

House Bill No. 1377:

A bill to be entitled An Act to supplement and amend Chapter 15505, Laws of Florida, Session 1931, known as the City Charter of the City of St. Petersburg, Florida, a municipal corporation, and to enlarge and extend the authority and powers of the City of St. Petersburg; to prescribe the manner and form for making applications for license as an auctioneer in said City, the qualifications of applicants, and regulations with which they must comply before license shall issue; to prescribe the manner and form for making applications for permits to hold or conduct auction sales in said City, and to prescribe rules and regulations with which applicants must comply before permit shall issue; to provide for the levying or fixing of a tax and/or an occupational license fee for auctioneers and/or auction sales to be held in said City; to provide rules and regulations governing the manner of operation of all auction sales in the City of St. Petersburg, Florida; and to prescribe a penalty for the violation thereof.

Also—

By Mr. Byington of Volusia—

House Bill No. 1381:

A bill to be entitled An Act authorizing the City Commissioners of the City of Daytona Beach, Volusia County, Florida, to adjust delinquent city taxes and outstanding improvement liens, and prescribing the conditions under which such adjustments may be made and the method of procedure, and providing for a referendum for the ratification or rejection of this Act, and for other purposes.

Also—

By Mr. Middleton of Putnam—

House Bill No. 1378:

A bill to be entitled An Act to enforce an open and closed season for taking fish for commercial purposes with the exception of taking black bass in the waters of Crescent Lake and Dunns Creek, Florida.

Proof of Publication attached to bill.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1377, 1381 and 1378, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Ward and Dickinson of Orange—

House Bill No. 1372:

A bill to be entitled An Act abolishing and dissolving the Town of Lake Maitland in Orange County, Florida; creating and appointing a Board of Trustees to receive, administer and dispose of its property, prescribing their duties and providing for their successors; making provision for the payment of the debts and obligations of said Town; validating certain acts and proceedings of said Town; prescribing the duties and powers of the several officers of Orange County in carrying out the purposes of this Act in winding up the affairs of said Town and the payment of its debts and obligations; and providing for the assessment and collection of taxes and the refunding of bonds in furtherance of said purposes, subject to a referendum election to be held in said Town of Lake Maitland.

Also—

By Mr. Byington of Volusia—

House Bill No. 1380:

A bill to be entitled An Act to amend Section 2 of Chapter 11088, Laws of Florida, Acts of 1925, same being entitled "An Act to abolish the present municipal government of the Town of Port Orange, Volusia County and State of Florida, and to define its territorial boundaries and provide for its jurisdiction, powers and privileges." and to contract, fix and define the territorial limits and boundaries of the Town of Port Orange in Volusia County, Florida, and to provide a referendum for the ratification or rejection of this Act, and for other purposes.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bills Nos. 1372 and 1380, contained in the above Message, were read the first time by their titles only and placed on the Calendar of Local Bills on second reading.

Also—

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

Tallahassee, Fla., May 25, 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. Byington of Volusia—

House Bill No 1341:

A bill to be entitled An Act to amend Sections 46, 47 and 48 of Chapter 10466 of the Laws of Florida, 1925, the same being "An Act to abolish the present municipal government of the City of Daytona, Town of Daytona Beach, and Town of Seabreeze, in the County of Volusia and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Daytona Beach in Volusia County and State of Florida to define its territorial boundaries and to provide for its jurisdiction, powers and privileges," and to provide that the office of City Manager in the City of Daytona Beach, Volusia County, Florida, shall be performed by the City Clerk and Collector of said City and to provide a referendum for the ratification or rejection of this Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

House Bill No. 1341, 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.

Senator Shelley moved that the rules be waived and the Senate do now take up the consideration of House Bill No. 543 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 543:

A bill to be entitled An Act to authorize and empower the State Road Department to rent, lease, take over, maintain and operate free of tolls any bridge constructed by a county of the State which bridge is authorized by law to be operated as a Toll Bridge by such county only for the purpose of paying off and retiring obligations of such county created for the Cost of Construction of said Toll Bridge after payment of which it is provided by law that such bridge will become the property of the State Road Department; and prescribing the terms and conditions of such rental or lease.

Was taken up out of its order.

Senator Shelley moved that the rules be further waived and House Bill No. 543 be read a second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 543 was read a second time by title only.

Senator Shelley moved that the rules be further waived and House Bill No. 543 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. 543 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, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Gillis, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Shelley, Shivers, Stewart, Turner, Watson, Whitaker—31.

Nays—Senators Gomez, Rose—2.

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 Bass withdrew Senate Bills Nos. 430 and 431.

By unanimous consent Senator Futch withdrew Senate Bill No. 818.

The hour having arrived for the consideration of House Bill No. 30, as a Special Order, a point of order was called.

House Bill No. 30:

A bill to be entitled An Act to amend Section 14 of Chapter 14486, Acts of 1929 Laws of Florida, entitled "An Act providing for Depository of Sinking Funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the State or otherwise, authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a board of administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges," by providing certain additional powers and duties of the state board of administration in connection with its functions as a fiscal agent for the several counties of the State of Florida with reference to road district, road and bridge district, special road and bridge district, and county road bonds, and bond issues subject to said chapter.

Was taken up and read a second time in full.

The Committee on Judiciary "B" offered the following amendment to House Bill No. 30:

In Section One (1) of the typewritten engrossed bill strike out sub-sections D, E, F and G, and insert in lieu thereof the following:

D. Any surplus in any county accounts, except sinking fund accounts, after such application as is provided for in sub-sections A, B and C hereof, shall be remitted to the county for the use of which such account was created and shall be used by such county only in the construction and/or maintenance of roads therein.

E. Provided that the State Board of Administration is hereby directed (save only in those cases covered by the provisions of sub-section J hereof) to use all of the moneys derived from gasoline tax and credited to the account of any county, road district, road and bridge district, or other unit coming under the provisions of this Act, which was on March 1st, 1933, in default in the payment of either principal or interest of its bonds which come under the provisions of this Act, for so long a period of time as said unit shall continue in default, for the following purpose, namely: to purchase for a price below the par value thereof and at the lowest bid offered any bond or bonds of such respective county, road district, road and bridge district or other unit coming under the provisions of this Act, the purpose and intention of this proviso being to direct and to require that all moneys derived from the additional sources of revenue provided by this Act as amended shall be used in such cases for the best interests

of such overburdened and defaulting counties, road districts, road and bridge districts and other units, by the purchase and acquisition of all outstanding bonds thereof which may be acquired at greatly depreciated prices below the par value thereof whether such bonds be matured or unmatured or be in default or not for either principal or interest.

F. Provided also that any county, road district, road and bridge district or other unit coming under the provisions of this Act and which has become in default since March 1st, 1933, in the payment of either principal or interest of its bonds which come under the provisions of this Act, or may become in such default at any time hereafter, shall be entitled (save only in those cases covered by the provisions of sub-section J hereof) to have used all of the moneys derived from gasoline tax and credited to its account in the same fashion and for the same purpose as outlined hereinabove in sub-section E hereof in the cases of those counties, road districts, road and bridge districts or other units coming under the provisions of this Act which were in default on March 1st, 1933, whenever the State Board of Administration after an analysis and survey shall have found and determined that the total obligations of said county, road district, road and bridge district or other unit coming under the provisions of this Act exceed its ability to pay, the purpose and intention of this proviso being to limit the extension of the benefits of sub-section E of this Act to those counties, road districts, road and bridge districts or other units coming under the provisions of this Act and becoming in default, as aforesaid, subsequent to March 1st, 1933, to those cases where such defaults are necessitated by the inability of the unit affected to pay its obligations.

G. On request of the local governing body of any county, road district, road and bridge district or other unit coming under the provisions of this Act and becoming in default after March 1st, 1933, in the payment of principal or interest of any of its bonds coming under the provisions of this Act, said request to be evidenced by appropriate resolution addressed to said Board of Administration, the Board of Administration shall cause to be made a survey of the financial resources of such unit, an appraisal of its assets, an analysis of its tax paying history, an analysis of its obligations of all kinds, and any other information desired by said Board of Administration and bearing on the ability of the particular county or other unit to pay its obligations and to sustain at the same time its necessary functions of government. Based upon said survey the Board of Administration shall make its finding as to whether said county or other unit has total obligations in excess of its ability to pay. Any finding of the State Board of Administration hereunder may be vacated and set aside by a suit in chancery in the Circuit Court of Leon County, Florida, brought by the officials of the public unit affected or by any bond creditor if said finding is not in accord with the facts and equity of the case. Said finding shall be presumed to be true and correct and in accord with the justice of the case and the burden of proof shall be on any party assailing it.

H. The State Board of Administration shall give due notice of its purpose to purchase any of such bonds as provided in sub-sections E and F hereof by publication of such notice, at least one of which notices shall be published in a newspaper regularly published in the county where such bonds were issued. Such notice shall call for sealed bids and shall state the time and place at which said bids shall be opened, and said Board of Administration shall have the right to prescribe the security for performance by the bidder.

I. All bonds purchased and acquired by the said Board of Administration under sub-sections E and F hereof shall be cancelled and destroyed by the said Board of Administration and that fact certified to the county or other unit which issued said bonds, and the Board of Administration shall keep a full and complete record of each such transaction.

J. In any case arising under sub-section E or sub-section F hereof where any county, road district, road and bridge district or other unit coming under the provisions of this Act shall have refunded its bonded indebtedness coming under the provisions of this Act, or shall hereafter refund the same, the County Commissioners or other local governing body may, by their resolutions addressed to the State Board of Administration, elect to have applied all or any stated portion of the moneys derived from gasoline tax and credited to said unit to meet the requirements of interest and principal or sinking funds of said refunding bonds, and said election shall be binding on the State Board of Administration.

Senator Holland moved the adoption of the amendment.

Pending the adoption of the amendment offered by the

Committee on Judiciary "B" to House Bill No. 30, Senator Gillis moved that the Senate do now proceed to the consideration of Executive communications.

Which was agreed to.

And the Senate went into Executive Session at 12:09 o'clock P. M.

The Senate emerged from Executive Session at 1:35 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, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—38.

A quorum present.

Senator MacWilliams moved that the rules be waived and when the Senate do adjourn it recess until 3:30 P. M. this day.

Which was agreed to by a two-thirds vote.

And it was so ordered.

The hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:37 o'clock P. M., until 3:30 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, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—38.

A quorum present.

By permission the following reports were submitted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

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 26, 1933.

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

Sir:

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

Senate Bill No. 63:

A bill to be entitled An Act providing that in any mandamus suit seeking to compel application of monies on hand in the interest and sinking fund to payment of relator's past due bonds or interest coupons, the relator shall be paid only such pro rata share of said monies as the relator's amount of past due bonds or interest coupons bear to the whole amount of past due bonds or interest coupons then unpaid and outstanding; and providing that this Act shall not apply to obligations of governmental units, issued or incurred after passage of this Act.

Also—

Senate Bill No. 478:

A bill to be entitled An Act to provide for the incorporation of Benevolent Mutual Benefit Associations or Societies on the assessment plan organized for the purpose of benefitting and protecting members in the case of dismemberment, and to the end of benefitting widows, orphans, heirs, devisees and estates of deceased members thereof; providing for the method of incorporation of such associations and the regulation and control of such associations as may be incorporated under the terms of this Act and requiring those associations or organizations doing a similar business in the State of Florida to be incorporated under the terms of this Act, and providing a penalty for failure so to do; authorizing the State Treasurer to examine into the solvency and operation of such associations incorporated or reincorporated under the terms of this Act; providing for a valuation of certificates and providing for a reserve fund; providing for the payment of all benefits in

cash only; providing for general State supervision and control of Benevolent Mutual Benefit Associations or Societies that may be hereafter operated in the State of Florida, subject to the terms of this Act, on the assessment plan.

Also—

Committee Substitute for Senate Bill No. 26:

A bill to be entitled An Act to classify eggs; to regulate the sale of same; to define the term "wholesaler"; to require registration by wholesalers; to provide exemptions; to require filing of invoices by wholesalers; to impose an inspection fee; to authorize rules and regulations; to provide for proper enforcement thereof; to provide penalties for violation of this Act.

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

Very respectfully,

S. W. ANDERSON,  
Chairman of the Joint Committee on Enrolled Bills  
on the Part of the Senate.

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 26, 1933.

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

Sir:

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

House Bill No. 1383:

A bill to be entitled An Act to amend Sections 4846 and 4847, Revised General Statutes of the State of Florida, the same being Chapters 6932 and 6933, Compiled General Laws, 1927, relating to legal holidays.

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

Very respectfully,

S. W. ANDERSON,  
Chairman of the Joint Committee on Enrolled Bills  
on the Part of the Senate.

The following communications from the Governor were received and read:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
May 24, 1933

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

Sir:

I have the honor to inform you that I have today signed the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 314, relating to livestock.

Committee Substitute for Senate Bill No. 313, relating to mortgages.

Committee Substitute for Senate Bill No. 315, relating to taxation.

Respectfully yours,

DAVE SHOLTZ,  
Governor.

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
May 24, 1933

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

Sir:

I have the honor to inform you that I have today caused the following Acts, which originated in your Honorable Body, to be filed in the office of the Secretary of State, the same having remained in this office for the full Constitutional period of five days and will become a law without my approval:

Senate Bill No. 306, relating to Atlantic Beach.

Senate Bill No. 414, relating to fishing.  
 Senate Bill No. 417, relating to Coral Gables.  
 Senate Bill No. 518, relating to Sumter County.  
 Senate Bill No. 527, relating to Sumter County.  
 Senate Bill No. 528, relating to Sumter County.  
 Senate Bill No. 529, relating to Sumter County.  
 Senate Bill No. 532, relating to Sumter County.  
 Senate Bill No. 544, relating to Sumter County.  
 Senate Bill No. 576, relating to Atlantic Beach.  
 Senate Bill No. 584, relating to Suwannee County.  
 Senate Bill No. 590, relating to supervisors of registration.  
 Senate Bill No. 592, relating to Duval County.

Respectfully yours,  
 DAVE SHOLTZ,  
 Governor.

STATE OF FLORIDA  
 EXECUTIVE DEPARTMENT  
 TALLAHASSEE  
 May 24, 1933

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

Sir:

I have the honor to inform you that I have today signed the following Act, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 329, relating to drugs and narcotics.

Respectfully yours,  
 DAVE SHOLTZ,  
 Governor.

STATE OF FLORIDA  
 EXECUTIVE DEPARTMENT  
 TALLAHASSEE  
 May 25, 1933

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

Sir:

I have the honor to inform you that I have today signed the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 680, relating to Tampa.

Senate Bill No. 681, relating to Tampa.

Respectfully yours,  
 DAVE SHOLTZ,  
 Governor.

STATE OF FLORIDA  
 EXECUTIVE DEPARTMENT  
 TALLAHASSEE  
 May 25, 1933

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

Sir:

I have the honor to inform you that I have today signed the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 755, relating to Hillsborough County.

Senate Joint Resolution No. 113, relating to Constitution of Florida.

Respectfully yours,  
 DAVE SHOLTZ,  
 Governor.

House Bill No. 30:

A bill to be entitled An Act to amend Section 14 of Chapter 14486, Acts of 1929, Laws of Florida, entitled: "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the State or otherwise, authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a Board of Administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges," by providing certain ad-

ditional powers and duties of the State Board of Administration in connection with its functions as a fiscal agent for the several counties of the State of Florida with reference to road district, road and bridge district, special road and bridge district, and county road bonds, and bond issues subject to said chapter.

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

The following amendment offered by the Committee on Judiciary "B" to House Bill No. 30, which was pending adoption at the hour of recess, was taken up:

In Section One (1) of the typewritten engrossed bill, strike out sub-sections D, E, F and G, and insert in lieu thereof the following:

D. Any surplus in any county accounts, except sinking fund accounts, after such application as is provided for in sub-sections A, B and C hereof, shall be remitted to the county for the use of which such account was created and shall be used by such county only in the construction and/or maintenance of roads therein.

Provided that the State Board of Administration is hereby directed (save only in those cases covered by the provisions of sub-section J hereof) to use all of the moneys derived from gasoline tax and credited to the account of any county, road district, road and bridge district, or other unit coming under the provisions of this Act, which was on March 1st, 1933, in default in the payment of either principal or interest of its bonds which come under the provisions of this Act, for so long a period of time as said unit shall continue in default, for the following purpose, namely; to purchase for a price below the par value thereof and at the lowest bid offered any bond or bonds of such respective county, road district, road and bridge district or other unit coming under the provisions of this Act, the purpose and intention of this provision being to direct and to require that all moneys derived from the additional sources of revenue provided by this Act as amended shall be used in such cases for the best interests of such overburdened and defaulting counties, road districts, road and bridge districts and other units, by the purchase and acquisition of all outstanding bonds thereof which may be acquired at greatly depreciated prices below the par value thereof whether such bonds be matured or unmatured or be in default or not for either principal or interest.

F. Provided also that any county, road district, road and bridge district or other unit coming under the provisions of this Act and which has become in default since March 1st, 1933, in the payment of either principal or interest of its bonds which come under the provisions of this Act, or may become in such default at any time hereafter, shall be entitled (save only in those cases covered by the provisions of sub-section J hereof) to have used all of the moneys derived from gasoline tax and credited to its account in the same fashion and for the same purpose as outlined hereinabove in sub-section E hereof in the cases of those counties, road districts, road and bridge districts or other units coming under the provisions of this Act which were in default on March 1st, 1933, whenever the State Board of Administration after an analysis and survey shall have found and determined that the total obligations of said county, road district, road and bridge district or other unit coming under the provisions of this Act exceed its ability to pay, the purpose and intention of this proviso being to limit the extension of the benefits of sub-section E of this Act to those counties, road districts, road and bridge districts or other units coming under the provisions of this Act and becoming in default, as aforesaid, subsequent to March 1st, 1933, to those cases where such defaults are necessitated by the inability of the unit affected to pay its obligations.

G. On request of the local governing body of any county, road district, road and bridge district or other unit coming under the provisions of this Act and becoming in default after March 1st, 1933, in the payment of principal or interest of any of its bonds coming under the provisions of this Act, said request to be evidenced by appropriate resolution addressed to said Board of Administration, the Board of Administration shall cause to be made a survey of the financial resources of such unit, an appraisal of its assets, an analysis of its tax paying history, an analysis of its obligations of all kinds, and any other information desired by said Board of Administration and bearing on the ability of the particular county or other unit to pay its obligations and to sustain at the same time its necessary functions of government. Based upon said survey the Board of Administration shall make its finding as to whether said county or other unit has total obligations in excess of its ability to pay. Any finding of the State Board of Administration hereunder may be vacated and set aside

by a suit in chancery in the Circuit Court of Leon County, Florida, brought by the officials of the public unit affected or by any bond creditor if said finding is not in accord with the facts and equity of the case. Said finding shall be presumed to be true and correct and in accord with the justice of the case and the burden of proof shall be on any party assailing it.

H. The State Board of Administration shall give due notice of its purpose to purchase any of such bonds as provided in sub-sections E and F hereof by publication of such notice, at least one of which notices shall be published in a newspaper regularly published in the county where such bonds were issued. Such notice shall call for sealed bids and shall state the time and place at which said bids shall be opened, and said Board of Administration shall have the right to prescribe the security for performance by the bidder.

I. All bonds purchased and acquired by the said Board of Administration under sub-section E and F hereof shall be cancelled and destroyed by the said Board of Administration and that fact certified to the county or other unit which issued said bonds, and the Board of Administration shall keep a full and complete record of each such transaction.

J. In any case arising under sub-section E or sub-section F hereof where any county, road district, road and bridge district, or other unit coming under the provisions of this Act shall have refunded its bonded indebtedness coming under the provisions of this Act, or shall hereafter refund the same, the county commissioners or other local governing body may, by their resolutions addressed to the State Board of Administration, elect to have applied all or any stated portion of the moneys derived from gasoline tax and credited to said unit to meet the requirements of interest and principal or sinking funds of said refunding bonds, and said election shall be binding on the State Board of Administration.

Senator Holland moved the adoption of the amendment.

Pending the adoption of the amendment offered by the Committee on Judiciary "B" Senator Butler offered the following amendment to the amendment: "Strike out Section J." Senator Butler moved the adoption of the amendment to the amendment.

Which was not agreed to.

The question recurred on the adoption of the amendment offered by the Committee on Judiciary "B" to House Bill No. 30.

Which was not agreed to.

Senator Lundy offered the following amendment to House Bill No. 30:

At the end of Section 1 add "Provided that any surplus in any county accounts, except sinking fund accounts, after such application as is provided herein shall be remitted to the county for the use of which such account was created and shall be used by such county only in the construction and/or maintenance of roads therein."

Senator Lundy moved the adoption of the amendment.

Which was agreed to.

And the amendment was adopted.

Senator Beacham moved that the rules be waived and House Bill No. 30, as amended, be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 30, 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, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Larson, Lewis, Lundy, MacWilliams, Murphy, Parrish, Raulerson, Rose, Shivers, Sikes, Stewart, Watson, Whitaker—23.

Nays—Senators Anderson, Andrews, Butler, Clarke, Dell, English, Gary, Holland, Mann, Parker, Shelley, Turner—12.

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

Senator Hale moved that the rules be waived and House Bill No. 1270 be recalled from the Committee on Game and Fisheries and placed on the Calendar of Local Bills on second reading.

Which was agreed to by a two-thirds vote.

And it was so ordered.

Pursuant to motion made by Senator MacWilliams on May 25, 1933, the Senate proceeded to call the roll and permitted each Senator, as his name was called, to take up any bill he desired.

Senator Anderson moved that the rules be waived and the

Senate do now take up the consideration of House Bill No. 482 out of its order.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 482:

A bill to be entitled An Act to authorize and empower liquidators and receivers of closed State Banks to borrow money from the Reconstruction Finance Corporation, or other party, and to pledge and/or sell the assets of any such bank.

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

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

Yeas—Mr. President; Senators Anderson, Andrews, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Harrison, Hilburn, Hodges, Holland, Lewis, Mann, Murphy, Parrish, Raulerson, Shelley, Sikes, Turner, Watson, Whitaker—26.

Nays—Senators MacWilliams, Rose—2.

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 Whitaker withdrew his motion to reconsider the vote by which Senate Bill No. 337 passed the Senate.

Senator Andrews moved that the rules be waived and the Senate do now take up the consideration of Senate Bill No. 197 out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 197:

A bill to be entitled An Act to extend and enlarge the jurisdiction, powers, and duties of the Railroad Commission of the State of Florida, placing all public utilities in Florida, including electric light and power companies, under the jurisdiction, control, and regulation of the Railroad Commission; providing certain exceptions of utilities from said Act; conferring and vesting in said Railroad Commission full and complete power to hold hearings, fix and establish rates to be charged by public utilities; fixing the salary of the Railroad Commissioners and providing for the employment of clerical assistance; providing for certain fees to be fixed and collected by said Railroad Commission, and to supervise, regulate, and control: the issuance of stock or other evidence of indebtedness; fixing the basis for the ascertainment of value of any public utility for rate-making purposes; providing for emergency rates; providing for place of holding hearings; defining certain words and terms used in this Act; providing who may own or control any franchise, license, permit, or right to engage in any public utility business in Florida covered by the terms of this Act; providing for a system of accounts to be kept by public utilities; providing the place of office to be kept by public utilities; providing that the books, records, papers, accounts, and all other documents of public utilities shall be open to inspection at all times by said Railroad Commission; vesting in said Railroad Commission full power to promulgate rules and regulations to carry out and give force and effect to this Act as well as to enter orders therefor; vesting and extending the jurisdiction, powers and duties of said Railroad Commission over all businesses and enterprises which might be conducted by a utility other than those embraced in this Act; providing for penalties for the violation of any of the provisions of this Act; providing for the manner and method of appeal from the orders or rulings of the Railroad Commission.

Was taken up out of its order.

Pending the second reading of Senate Bill No. 197, Senator Stewart 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 5:28 o'clock P. M.

The Senate emerged from Executive Session at 5:35 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, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker—37.

A quorum present.

By unanimous consent Senator Anderson withdrew Senate Bill No 400.

By unanimous consent Senator Gary withdrew his motion to reconsider the vote by which Senate Bill No. 406 passed the Senate.

The Chair announced the appointment of Senators Getzen, Beacham and Sikes as a conference committee to confer with a similar committee on the part of the House of Representatives to adjust the differences between the bodies on the Senate Amendment to House Bill No. 728.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:38 o'clock P. M., until 10:30 o'clock A. M., Saturday, May 27, 1933.

#### EXECUTIVE SESSION CONFIRMATIONS

The Senate in Executive Session on May 26, 1933, advised

and consented to the following appointments made by the Governor:

E. Dixie Beggs, Jr., State's Attorney, First Judicial Circuit, State of Florida, for a period ending April 23, 1937.

William J. Porter, Judge of the Criminal Court of Record, Duval County, Florida, for a period ending August 12, 1935.

The Senate in Executive Session on May 26, 1933, refused to advise and consent to the suspension and removal from office by the Governor of the following named officials:

Fred Pine, Solicitor of the Criminal Court of Record, Dade County, Florida.

A. C. Daniels, Constable in and for the Ninth District, Dade County, Florida.

The Senate in Executive Session on May 26, 1933, advised and consented to the suspension and removal from office by the Governor of the following named official:

L. D. Williams, Member of the Board of Public Instruction in and for District No. 2, Brevard County, Florida.