

JOURNAL OF THE SENATE

Tuesday, April 9, 1935

The Senate convened at 11:00 o'clock A. M. pursuant to adjournment on Monday, April 8, 1935.

The President in the Chair.

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

Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, April 8th, was corrected, and as corrected was approved.

REPORTS OF COMMITTEES

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

Senate Chamber,
Tallahassee, Fla., April 4, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Judiciary "A" to whom was referred under Senate Rule VII, Senate Bill No. 122, being a bill to be entitled An Act providing for collection of the cost of maintaining patients in the Florida State Hospital from the estates, guardians or trustees of such patients or from those legally liable therefor; providing who shall be liable therefor; providing the duties of the Board of Commissioners of State Institutions, the Attorney General and the several State Attorneys in regard thereto; providing the remedies therefor and providing for other matters pertaining thereto.

Beg leave to report as follows:

(1) That said bill is, in the opinion of the committee, aided by its legal investigator, constitutional.

(2) That said bill proposes to change existing law by providing that the estate of any person committed to the Florida State Hospital for the Insane shall be liable for the care, maintenance or support of such person, and providing that certain named relatives of any such insane person shall be liable for such care, maintenance or support, and providing the method of investigation of such matters and suits to enforce payment of same.

Very respectfully,

S. L. HOLLAND,
Chairman of Committee.

And Senate Bill No. 122, contained in the above report, was recommitted to the Committee on Judiciary "A."

Also—

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

Senate Chamber,
Tallahassee, Fla., April 6, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Judiciary "A," to whom was referred, under Senate Rule VII, Senate Bill No. 91, being a bill to be entitled An Act relating to cigarette and cigarette paper taxes, providing for the enforcement and collection thereof and providing penalties for violations.

Beg leave to report as follows:

(1) That said bill is, in the opinion of the committee, aided by its legal investigator, unconstitutional, because the title of

said bill does not state the purposes for which said tax is intended, nor provide for the disposition thereof; and because the constitutionality of said bill is also questionable under the provisions of Article XIII, Section 3 of the Constitution, providing that the several counties of the State shall provide for the care of the aged and infirm.

(2) Said bill proposes to change existing law by enacting a new law providing for a tax on cigarette and cigarette paper, to be paid by all persons engaged in the business of buying and selling cigarettes and cigarette papers, and requiring said persons to secure a permit from the State Treasurer before so engaging in said business; and also providing for the payment of said tax into the State Treasury to be expended for the payment of Old Age Pensions.

Very respectfully,

S. L. HOLLAND,
Chairman of Committee.

And Senate Bill No. 91, contained in the above report, was re-referred to the Committee on Finance & Taxation.

Also—

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

Senate Chamber,
Tallahassee, Fla., April 4, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

Your Committee on Judiciary "A," to whom was referred, under Senate Rule VII, Senate Bill No. 93, being a bill to be entitled An Act to levy a tax on cigars; to provide for the collection of the same; to require the use of stamps as evidence of the payment thereof; to provide against evasions of the tax; to provide for regulations on that subject; to provide for the licensing of dealers of said goods and for the regulation of their business in aid of the enforcement of the tax; to provide penalties and punishments for violation of this Act; to provide for the seizure, forfeiture and sale, as contraband goods, of goods held, owned and possessed in violation of this Act and for the filing, trial and settlement of claims respecting the same, and for other purposes.

Beg leave to report as follows:

(1) That the constitutionality of said bill is, in the opinion of the committee, aided by its legal investigator, questionable, because same provides for the creation of a fund to be expended for a State purpose not now in existence, and because Article XIII, Section 3, of the Constitution requires the respective counties to provide for those of the inhabitants that, by reason of age, infirmity, or misfortune, may have claims upon the aid and sympathy of society.

(2) That said bill proposes to change existing law by providing for the payment of a stamp tax on all cigars by any persons, firms or corporations, wholesale and retail, engaging in the business of buying and selling same.

Very respectfully,

S. L. HOLLAND,
Chairman of Committee.

And Senate Bill No. 93, contained in the above report, was re-referred to the Committee on Finance & Taxation.

REPORT OF COMMITTEE ON ENGROSSED BILLS

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

Senate Chamber,
Tallahassee, Fla., April 8, 1935.

Hon. Wm. C. Hodges,
President of the Senate.

Sir:

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

Senate Bill No. 51:

A bill to be entitled An Act to provide for the taking of the population census of the State of Florida in the year 1935 and making appropriation therefor.

Amendment No. 1:

In Section 4, line 5, strike out the words four cents and insert in lieu thereof the following: three and one half cents.

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

INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF SENATE RESOLUTIONS

By Senator Murphy—

Senate Resolution No. 6:

WHEREAS, the Head Stenographer is overcrowded with work and greatly needs an assistant;

THEREFORE BE IT RESOLVED that the President appoint an assistant to the Head Stenographer and that said assistant be instructed to assume her duties immediately.

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. 6 was adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Watson—

Senate Bill No. 183:

A bill to be entitled An Act providing for the payment of taxes with bonds and interest coupons.

Which was read the first time by title only and referred to the Committees on Judiciary "B" and Finance & Taxation in the order named.

By Senator Watson—

Senate Bill No. 184:

A bill to be entitled An Act defining perjury and fixing the penalty therefor.

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

By Senator Watson—

Senate Bill No. 185:

A bill to be entitled An Act providing that no one shall be appointed, elected, or hold the office of Judge of any Court of Record, in certain counties, who has not been admitted to practice law, and prohibiting any such Judge from practicing law.

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

By Senator Watson—

Senate Joint Resolution No. 186:

A Joint Resolution proposing the amendment of Section 6, Article VIII of the Constitution of Florida, relating to Counties.

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

That Section 6 of Article VIII of the Constitution of the State of Florida, be, and the same is hereby amended so as to read as follows:

"Section 6. The Legislature shall provide for the election by the qualified electors in each county, of the following county officers; A Clerk of the Circuit Court who shall hereafter be the Clerk of all Courts of Record of such county, a Sheriff, Constables, a County Assessor of Taxes, a Tax Collector, a Superintendent of Public Instruction, and a County Surveyor. The term of office of all county officers mentioned in this section shall be for four years, and the powers, duties, and compensation of such county officers shall be prescribed by law.

The valuation as placed on real estate by a County Assessor of Taxes and as equalized by the equalization authorities shall be taken and accepted as the basic value thereof for ad valorem taxes.

The Tax Collector shall be the only authority authorized by law to collect taxes for any purpose on real estate, and he shall perform the duties of those authorities heretofore authorized to collect taxes on real estate in the respective counties.

The tax levying authority for county taxes shall constitute a Board of Equalization for all ad valorem taxes.

There shall be only one tax sale for each year by reason of the non-payment of taxes on real estate, by each of the Tax Collectors, and it shall not be necessary to give a description of the property in a notice of such sale and a notice in general terms shall be sufficient.

All tax levying authorities levying taxes on real estate and all equalization boards therefor shall certify their acts and doings as such to the County Assessor of Taxes of the respective counties, who shall place all such levies and assessments for taxes for any year on one roll.

This amendment shall take effect on January 1 next, after its adoption."

Which was read the first time by title only and referred to the Committee on Constitutional Amendments.

By Senator Watson—

Senate Bill No. 187:

A bill to be entitled An Act providing for and regulating the drawing of grand juries and petit juries in term time and in vacation, the organization thereof, the length of service of Jurors, the duties of the Clerks of Courts relative thereto, and the repeal of Sections 4455, 4456, 4457, 4458, 4459, 4460 and 4461, Compiled General Laws of Florida of 1927, Sections 2777, 2778, 2779, 2780, 2781, 2782 and 2784, Revised General Statutes of Florida of 1920, and Chapter 12068, Laws of Florida, Acts of 1927, and Chapter 13675, Laws of Florida, Acts of 1929.

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

By Senator Watson—

Senate Bill No. 188:

A bill to be entitled An Act making lawful the sterilization of certain persons when consented to and done without force, and providing for hospitalization therefor.

Which was read the first time by title only and referred to the Committees on Judiciary "B" and Public Health in the order named.

By Senator Watson—

Senate Bill No. 189:

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

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

By Senator Watson—

Senate Bill No. 190:

A bill to be entitled An Act providing for sterilization of those afflicted with recurrent forms of insanity, idiocy imbecility, feeble-mindedness or epilepsy, the procedure for compelling same and hospitalization therefor in certain causes.

Which was read the first time by title only and referred to the Committees on Judiciary "B" and Public Health in the order named.

By Senator Watson—

Senate Bill No. 191:

A bill to be entitled An Act to amend Section 778 of the Revised General Statutes of Florida (Section 1002, Compiled General Laws of Florida, 1927), relating to taxation.

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

By Senator Watson—

Senate Joint Resolution No. 192:

Proposing the amendment of Section 15, Article IV, of the Constitution of Florida, relating to the Executive Department.

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

That Section 15 of Article IV of the Constitution of the State of Florida be, and the same is hereby amended so as to read as follows:

"All officers appointed or elected to office who are not liable to impeachment may be suspended from office by the Governor for willful malfeasance or misfeasance in office, for malpractice in office, or neglect of duty in office, for the commission of any felony, or for drunkenness, and the cause of the suspension shall be communicated to the officer suspended and the Supreme Court. Upon the suspension of any officer by the Governor, the Supreme Court sitting as a body shall order in a Circuit Court the trial of the charges and in a county wherein the acts are charged to have occurred, by three Circuit Judges who reside without the circuit wherein the

officer so suspended resides. If the charges are sufficient and found to be true, such three-judge court shall adjudge him removed from office, and if insufficient or untrue adjudge him reinstated.

Such charge shall be prosecuted by such State's Attorney, the Attorney General, or any of their assistants, as directed by the Governor, and laws may be passed governing such trial. No officer reinstated upon trial shall suffer any loss or other compensation in consequence of suspension unless ordered by the trial court, and no suspension shall relieve the officer from indictment for any misconduct in office.

This amendment shall take effect immediately upon its adoption.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Clarke—

Senate Bill No. 193:

A bill to be entitled An Act to amend Chapter 15875, Acts of 1933, to authorize State banks and trust companies chartered under the Laws of Florida to subscribe for or purchase stock in any Federal agency established by the Federal Government having for its purpose the insuring of deposits.

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

By Senator Clarke—

Senate Bill No. 194:

A bill to be entitled An Act to exempt Banking Institutions from furnishing security for any deposits to the extent such deposits are insured under Section 12-B of the Federal Reserve Act as amended.

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

By Senator Clarke—

Senate Bill No. 195:

A bill to be entitled An Act to amend Section 4161 Revised General Statutes of Florida (1920) as amended by Chapter 13576, Acts of 1929, Section 16, relating to the examination of banks and trust companies, and examination fees and providing for exchanging examination reports by the State Comptroller with the Federal Deposit Insurance Corporation and the acceptance (of reports) from the Federal Deposit Insurance Corporation by the State Comptroller of such reports in lieu of an examination made by the State.

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

By Senator Clarke—

Senate Bill No. 196:

A bill to be entitled An Act to repeal Chapter 11,848, Laws of Florida, Acts of 1927, relating to the advertising of insured bank deposits.

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

By Senator Clarke—

Senate Bill No. 197:

A bill to be entitled An Act to amend Section 4133, Revised General Statutes of Florida, 1920, relating to banks and banking; the Board of Directors thereof and other officers; the management of the affairs of said company and to add provisions requiring certain officers and employees thereof to furnish fidelity bonds and providing for approval by the State Comptroller of said bonds and related matters.

Which was read the first time by title only and referred to the Committees on Judiciary "A" and Banking & Building & Loans in the order named.

By Senator Clarke—

Senate Bill No. 198:

A bill to be entitled An Act providing for securing by mortgage or other instrument existing indebtedness and/or future advances, including optional and obligatory advances; providing for the priority of such mortgages or other instruments; and providing when this Act shall become effective.

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

By Senator Clarke—

Senate Bill No. 199:

A bill to be entitled An Act to provide for the recording of all bills of sale, conditional bills of sale, retain title contracts, contracts, liens other than mortgages, and leases upon personal property and/or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised, or of any interest therein; providing that such instruments

shall not be good and effectual in law or equity against creditors or subsequent purchasers for a valuable consideration and without notice unless the same be recorded in the county where such property is situate at the time the instrument is executed, or unless the property included in such instrument is delivered to the person relying upon such instrument; providing that this Act shall not apply to any such instrument affecting household furnishings or utensils; and providing when this Act shall become effective.

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

By Senator Clarke—

Senate Bill No. 200:

A bill to be entitled An Act to provide for the filing, indexing and recordation of a blank or master form of mortgage or other instrument conveying, transferring or reserving an interest in, or creating a lien on, real and/or personal property; to provide for incorporating by reference the provisions, terms, covenants, conditions, obligations, powers, and other contents, or any of them, set forth in such recorded blank or master form and the effect thereof; to fix the fee for filing, recording, and indexing the same; and to provide when this Act shall become effective.

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

By Senator Clarke—

Senate Bill No. 201:

A bill to be entitled An Act to amend Sections 5746 and 7866, Compiled General Laws of Florida, 1927, same being Sections 1 and 2 of Chapter 4918, Acts of 1901 of the State of Florida, entitled "An Act to provide for the cancellation and satisfaction of mortgages, liens and judgments, and providing a penalty for the failure to make such cancellation and satisfaction", as amended; so as to provide for payment of the cost of canceling and satisfying of record any such mortgage, lien or judgment; and to provide when this Act shall become effective.

Which was read the first time by title only and referred to the Committees on Judiciary "A" and Banking & Building & Loans in the order named.

By Senator Clarke—

Senate Bill No. 202:

A bill to be entitled An Act to limit to seven years the notice given by filing for record any mortgage, or other security instrument creating a lien on or conveying or reserving an interest in personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised; to provide for its application to such instruments heretofore filed or recorded; to provide for the renewal of such notice; to provide for the Clerk's fee, and for other purposes, and when this Act shall become effective.

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

By Senator Clarke—

Senate Bill No. 203:

A bill to be entitled An Act relating to mortgages on personal property, and agricultural, horticultural or fruit crops, planted, growing, or to be planted, grown or raised, and the contents and effects thereof; to authorize and provide for powers of sale under such mortgages; to provide the manner and effect of exercising such powers of sale; and to provide when this Act shall become effective.

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

By Senator Clarke—

Senate Bill No. 204:

A bill to be entitled An Act to provide a fee for the filing, indexing and recording of any mortgage, or other instrument creating a lien on or conveying or reserving an interest in personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised, or any transfer or assignment thereof to or in favor of the government of the United States, or any department, agency or officer thereof, the Reconstruction Finance Corporation, Land Bank Commissioner, the Federal Farm Mortgage Corporation, any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, and amendments thereto, any corporation organized under the Act of Congress known as the Federal Farm Loan Act, and amendments thereto, or any other corporation which rediscounts notes or other obligations with, or procures loans from, a Federal Intermediate Credit bank; to authorize the pasting or otherwise securely fastening of a copy

of any such instrument, a copy of any transfer or a copy of any assignment thereof in the book provided for that purpose; to provide the effect of such pasting or fastening; and for other purposes, and when this Act shall become effective.

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

By Senator Smith (29th)—
Senate Bill No. 205:

A bill to be entitled An Act for the relief of Mrs. Rose Tyson, wife of Joseph Tyson, and providing appropriation to compensate her for the injury and death of her husband, Joseph Tyson, a former employee of the Florida State Road Department, who was fatally injured while operating a tractor cutting the grass along the State highway, said tractor being operated by the said Joseph Tyson, an employee of the State Road Department.

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

By Senator Smith (29th)—
Senate Bill No. 206:

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

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

By Senator Beacham—
Senate Bill No. 207:

A bill to be entitled An Act relating to taxation, levying and imposing an excise tax on gasoline or other like products of petroleum; levying and imposing a license tax on every dealer in gasoline or other like products of petroleum; providing for reports of sale of such commodities to the Comptroller of the State of Florida; providing for the collection and payment of such taxes; providing the purposes of such taxes and for the appropriation and disposition of the proceeds derived from such taxes; providing that the gasoline inspection laws of the State of Florida shall apply to this Act; fixing the penalty for the violation of any of the provisions of this Act, and repealing Chapter 15659 Laws of Florida, 1931.

Which was read the first time by title only and referred to the Committees on Judiciary "C" and Finance & Taxation in the order named.

By Senator Beacham—
Senate Bill No. 208:

A bill to be entitled An Act to amend Chapter 16172, Laws of Florida, Acts of 1933, being "An Act to appropriate all monies in the treasury of the State of Florida in a fund known as 'Unappropriated Funds' and derived from Senate Bill 427, Laws of Florida, Acts of 1933, to and for the use of the County School Fund" by appropriating the money in the said "Unappropriated Funds" to the State Road Department.

Which was read the first time by title only and referred to the Committees on Judiciary "C" and Finance & Taxation in the order named.

By Senator Shivers—
Senate Bill No. 209:

A bill to be entitled An Act to prescribe that all automobiles, motorcycles, or other motor vehicles, belonging to or purchased with the funds of the State of Florida, or any county, city, or political subdivision of said State, shall be painted with a distinctive color as herein provided; and to prescribe penalties for the violation hereof.

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

By Senator Shivers—
Senate Bill No. 210:

A bill to be entitled An Act to prohibit the use of any motor vehicle, the property of the State of Florida or any political subdivision thereof, or any county or municipality or taxing district therein; and to prescribe penalties for the violation hereof.

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

By Senators Black and McArthur—
Senate Joint Resolution 211:

A Joint Resolution proposing an amendment to Article Nine (9) of the Constitution of the State of Florida relative to taxation and finance, to be known as Section 12 of Article Nine (9).

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

THAT, the following amendment to Article Nine (9) of the Constitution of the State of Florida, to be known as Section 12 of said Article Nine (9), be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida at the general election to be held on the first Tuesday after the first Monday, in November, A. D. 1936, for ratification or rejection.

"Section 12, that on and after January 1st, 1937, A. D., all real and personal property in the State of Florida shall be exempt from ad valorem taxes, except for special assessments for benefits."

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Savage—
Senate Bill No. 212:

A bill to be entitled An Act granting a pension to Samuel Savage, Sr. of Marion County, Florida.

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

By Senator Savage—
Senate Bill No. 213:

A bill to be entitled An Act granting a pension to Thomas B. Folks, of Marion County, Florida.

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

By Senator Savage—
Senate Bill No. 214:

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

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

By Senator Savage—
Senate Bill No. 215:

A bill to be entitled An Act granting a pension to Mrs. Mary Y. Tribble, widow of Milton Pyles Tribble, of Marion County, Florida.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 9, 1935

Hon. Wm. C. Hodges,
President of the Senate,
Sir:

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

By Mr. Robineau of Dade—
House Concurrent Resolution No. 3:

A concurrent resolution extending an invitation to Town and City Officials to address the House and Senate in Joint Session.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,
WELDON G. STARRY,
Chief Clerk House of Representatives

House Concurrent Resolution No. 3, contained in the above message, was read the first time in full.

Senator Nordman asked unanimous consent of the Senate to take up and consider House Concurrent Resolution No. 3 at this time.

Which was agreed to.
And House Concurrent Resolution No. 3 was read the second time in full.

The question was put on the adoption of the Resolution
Which was not agreed to.

So the Resolution failed of adoption.
Senator Shelley moved that a committee of two be appointed to escort Senator J. M. Simmons, member of the Georgia State Senate, to a seat on the rostrum.

Which was agreed to.
And the President appointed Senators Shelley and Turner as the Committee.

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

April 9, 1935

JOURNAL OF THE SENATE

55

Tallahassee, Fla., April 9, 1935

Hon. Wm. C. Hodges,
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. McKinney of Dixie—
House Bill No. 177:

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, with reference to licensed race tracks which are apportioned to all counties of the State of Florida having a population of not more than 6,500 and of not less than 6,416 according to the last Federal Census, providing that such funds shall be disbursed for the year 1935 and subsequent years from the State Treasurer to the Board of County Commissioners of such counties, and providing that said Board of County Commissioners shall disburse said monies solely for the purpose of retiring the principal and paying the interest on school bonds or school time warrants of said counties, and providing for the repeal of Chapter 16115, Acts of 1933, Laws of Florida, and providing for the Repeal of all other Laws of Florida in conflict with the provisions of this Act.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

WELDON G. STARRY,

Chief Clerk House of Representatives.

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

Senate Bill No. 28:

A bill to be entitled An Act for the relief of Samuel F. Lusk for his necessary and actual expenses incurred and paid by him because of serious bodily injuries sustained by him, both temporary and permanent, without any fault of his own, while serving in line of duty as a citrus fruit inspector in the Department of Agriculture of the State of Florida.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—Clarke—1.

So Senate Bill No. 28 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1935 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

And—

Senate Bill No. 34:

A bill to be entitled An Act granting a pension to Mrs. Lillias C. Leath, widow of James M. Leath, who received a pension until his death on July 17th, 1932, under the general pension law.

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

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

Yeas—Mr. President; Senators Adams, Bass, Black, Futch, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Tervin, Touchton, Turner, Watson—27.

Nays—Senators Beacham, Beall, Butler, Clarke, Gillis, Gomez, Harper, Parker, Smith (14th), Sweger, Tillman—11.
So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 61:

A bill to be entitled An Act prescribing additional duties to be performed by the State Attorney of each and every judicial circuit in the State of Florida.

Was taken up in its order and read the second time in full and placed on the Calendar of Local Bills on third reading.

And—

Senate Bill No. 128:

A bill to be entitled An Act to correct errors and omissions which occurred in the drafting and enactment of the Probate Act, and to amend Section 35, Section 58, Section 72, Section 74, Section 93, Section 97, Section 115, Section 123, Section 149, Section 151, and Section 187, of Chapter 16,103, Laws of Florida, Acts of 1933, Repeal Section 2765 of the Revised General Statutes of Florida, and Chapter 9283, Laws of Florida, Acts of 1923, and re-enact Section 2675 of the Revised General Statutes of Florida.

Was taken up in its order and read the second time in full and placed on the Calendar of Local Bills on third reading.

And—

Senate Bill No. 176:

A bill to be entitled An Act providing that the taxing officials of all drainage districts and of all sub-drainage districts in the State of Florida shall keep the tax books open for the collection of such taxes until June 1, A. D. 1935, and providing that such taxes shall be collected until June 1, A. D. 1935 without interest or penalty.

Was taken up in its order and read the second time in full and placed on the Calendar of Local Bills on third reading.

Senate Bill No. 37 was taken up in its order and the consideration of same was informally passed.

And—

Senate Bill No. 151:

A bill to be entitled An Act relating to Commissions of County Assessors of taxes, assessing special taxes and special tax district taxes in counties having a population of not less than eighteen thousand one hundred (18,100) and not more than eighteen thousand seven hundred (18,700), according to the last preceding Federal census.

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

Senator MacWilliams asked unanimous consent of the Senate to take up and consider Senate Bill No. 151 at this time.

Which was agreed to.

And Senate Bill No. 151 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

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

Senate Bill No. 171 was taken up in its order and the consideration of same was informally passed.

Senator Gillis moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:24 o'clock P. M. until 11:00 o'clock A. M. Wednesday, April 10, 1935.