

JOURNAL OF THE SENATE

Thursday, April 4, 1935

The Senate convened at 11:00 o'clock A. M. pursuant to adjournment on Wednesday, April 3, 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 Wednesday, April 3rd, was corrected, and as corrected was approved.

INTRODUCTION OF RESOLUTIONS

By Senator Gomez—
Senate Concurrent Resolution No. 3:

WHEREAS, there is now accumulated in the State Treasury a fund derived from race track sources; and

WHEREAS, said fund if immediately distributed to the several counties, their financial needs could be greatly relieved; and

WHEREAS, the several counties of the State included in their budgets this anticipated revenue and are in financial need of immediate payment thereof;

WHEREAS, distribution of said fund is being withheld pending legislative action by this Legislature.

THEREFORE, be it resolved by the Senate and the House of Representatives concurring that the Governor and other State officials having control of such fund be authorized and respectfully requested to make immediate distribution of the same to the several counties in equal proportion as heretofore pending enactment of legislation by this Legislature regarding future distribution of the same.

Which was read the first time in full and went over under the rule.

By Senators Black and Mann—
Senate Concurrent Resolution No. 4:

BE IT RESOLVED by the Florida Senate and House of Representatives concurring that the Governor of Florida be and is hereby authorized to install within thirty days from the adoption of this Resolution an elevator service or escalator system in the Capitol Building; and

BE IT FURTHER RESOLVED that sufficient funds for this purpose be and is hereby appropriated out of the general fund of the State not otherwise appropriated, but in no event to exceed the sum of five thousand (\$5,000.00) dollars.

Which was read the first time in full and went over under the rule.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Futch—
Senate Bill No. 67:

A bill to be entitled An Act relating to the admissibility in evidence of acknowledged and recorded instruments in writing.

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

By Senator Futch—
Senate Bill No. 68:

A bill to be entitled An Act to amend Section 4, of Chapter 16085, Laws of Florida, Acts of 1933, entitled "An Act to amend Section 1007, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chap-

ter 10182, Laws of Florida, Acts of 1925, being Section 1281, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1010, Revised General Statutes, being Section 1284, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; to amend Section 1011, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1285, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1012, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1286 Compiled General Laws of Florida, 1927, and to amend Chapter 14656, Acts of 1931, all of said Sections relating to the operation, licensing and taxing of motor vehicles, trailers, semi-trailers, and motorcycle sidecars and providing penalties for the violation thereof," relating to fractional license for motor vehicles.

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

By Senator MacWilliams—
Senate Bill No. 69:

A bill to be entitled An Act providing for the construction of new roads and the completion of roads partly constructed by the State Road Department of the State of Florida.

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

By Senator MacWilliams—
Senate Bill No. 70:

A bill to be entitled An Act providing whenever legal holidays as now established by law shall fall on the first Monday in the month, the day following shall be considered the rule day of said month and the meeting day of all governmental units required by law to hold meetings on said first Monday in each month.

Which was read the first time by title only and referred to the Committee on Internal Affairs.

By Senator MacWilliams—
Senate Bill No. 71:

A bill to be entitled An Act to amend Section 2891, Revised General Statutes of Florida, 1920, same being Section 4588, Compiled General Laws of Florida, 1927, relating to compensation of sheriffs.

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

By Senator MacWilliams—
Senate Bill No. 72:

A bill to be entitled An Act to amend Section 8492, Compiled General Laws of 1927, same being Section 6178, Revised General Statutes of 1920, relating to method of application for a pardon and notice to be given.

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

By Senator MacWilliams—
Senate Bill No. 73:

A bill to be entitled An Act providing for the cancellation of all tax sale certificates issued to the State of Florida for 1915 and prior years provided all subsequent taxes on all lands covered by said tax certificates are paid.

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

By Senator MacWilliams—
Senate Bill No. 74:

A bill to be entitled An Act to amend Section 6139 of the Revised General Statutes of Florida, 1920, same being Section 8444 of the Compiled General Laws of Florida, 1927, relating to the payment of fines received by Justice of the Peace, and the disposition of such fines.

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

By Senator MacWilliams—
Senate Bill No. 75:

A bill to be entitled An Act to amend Section 4465, Compiled General Laws of 1927, relating to selection of jury lists by county Commissioners for courts of County Judges in counties having no county court, criminal court or court of record.

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

By Senator MacWilliams—
Senate Bill No. 76:

A bill to be entitled An Act providing the manner in which ballots shall be marked by persons voting in primary elections.

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

By Senator MacWilliams—
Senate Bill No. 77:

A bill to be entitled An Act requiring all county officers to keep cash books and enter all cash receipts and disbursements of their office, balancing same daily, the form of said cash book to be prescribed by the Comptroller.

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

By Senator MacWilliams—
Senate Bill No. 78:

A bill to be entitled An Act to amend Section 318, Compiled General Laws of 1927, same being Section 262, Revised General Statutes of 1920, requiring Constitutional Amendments to be printed once on ballot, and providing method of marking same.

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

By Senator MacWilliams—
Senate Bill No. 79:

A bill to be entitled An Act making it unlawful to catch fish in the fresh and/or salt water rivers, creeks or streams of St. Johns County, Florida, by the use of seines, gill nets, fish traps or any other manner than by hook and line or cast net.

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

By Senator MacWilliams—
Senate Bill No. 80:

A bill to be entitled An Act designating that portion of State Road Number Fourteen from Deep Creek in St. Johns County, Florida to Crescent Beach in said county and state, and State Road Number One Hundred Eighty Nine from Hastings to St. Augustine in said county and state.

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

By Senator MacWilliams—
Senate Bill No. 81:

A bill to be entitled An Act requiring the State Road Department to take over for maintenance State Road No. 95 and State Road No. 189.

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

By Senator MacWilliams—
Senate Bill No. 82:

A bill to be entitled An Act to amend Section 2307, Compiled General Laws of 1927, same being Section 1529 revised general statutes of 1920, relating to estimate of expenses to be based on not more than 90% of the estimated revenues in making the annual budget for the various counties of the State.

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

By Senator MacWilliams—
Senate Bill No. 83:

A bill to be entitled An Act fixing the rate of 6% interest on all tax arrearages and all liens and tax sale certificates now owing or held by the State or any County, or which may hereafter be imposed or issued.

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

By Senator MacWilliams—
Senate Bill No. 84:

A bill to be entitled An Act to amend Section 20 of Chapter 12026, Acts of Florida, 1927, relating to the publishing of statements containing receipts, disbursements and conditions of the Florida Inland Navigation District.

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

By Senator MacWilliams—
Senate Bill No. 85:

A bill to be entitled An Act requiring County Tax Collectors to enter date of payment of taxes and receipt number on tax roll in ink, and to add extra column in tax roll for address of tax payer:

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

By Senators Touchton, Smith (14th), Pannill, and Murphy—
Senate Bill No. 86:

A bill to be entitled An Act relating to the State Live Stock Sanitary Board, and prescribing the powers and duties of said Board with respect to the employment of a State Veterinarian as an employe of said Board, and with respect to said Board fixing the powers, duties and compensation of such State Veterinarian as an employe of said Board, and with respect to combating and treating contagious, infectious and communicable diseases of live stock or domestic animals, and defining live stock or domestic animals, and defining contagious, infectious or communicable diseases of live stock or domestic animals, and authorizing the State Live Stock Sanitary Board to examine or test any live stock or domestic animals under quarantine for contagious, infectious or communicable diseases, and making it unlawful for any person, firm or corporation knowingly or willfully to move or to allow to stray or drift into the State of Florida any live stock or domestic animals which are affected with contagious, infectious or communicable diseases, and authorizing the State Live Stock Sanitary Board to promulgate rules and regulations concerning the introduction of live stock or domestic animals into the State of Florida, and making it unlawful to manufacture for sale, sell, or offer for sale in Florida any biological product intended for diagnostic or therapeutic purposes with animals, except upon written permission from the State Live Stock Sanitary Board, unless such product is officially approved by the United States Bureau of Animal Industry, and making it unlawful for any person to inject or otherwise to administer to any live stock of domestic animal in Florida that is producing, or that is to be used as food for man, any virus or other substance containing pathogenic or disease producing germs of a kind that is virulent for man or for animals, except upon permission to do so from the State Live Stock Sanitary Board, and repealing all laws and parts of laws in conflict herewith, and expressly repealing Chapter 13892, Laws of Florida, Acts of 1929.

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

By Senators Smith (14th), Smith (29th), Bass, and Mann—
Senate Bill No. 87:

A bill to be entitled An Act to regulate the sale and transportation of meats and meat food products slaughtered within the State of Florida, and defining the powers and duties of the State Live Stock Sanitary Board in connection therewith.

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

By Senator Smith (14th)—
Senate Bill No. 88:

A bill to be entitled An Act to provide revenue for the State of Florida by the levy of a tax upon every person, firm, corporation, or association of persons, doing Domestic or Intrastate business within the State and engaging in the business of selling, manufacturing, purchasing, consigning, using, shipping, or distributing for the purpose of sale within this State any of the following articles or things, Viz: Soda Water, Ginger Ale, Coco-Cola, Lime Cola, Pepsi-Cola, Dr. Pepper, Near Beer, Beer, Fruit Juices, Bottled Drinks of every kind whatsoever and all fountain drinks or beverages and things commonly known as soft drinks, carbonic acid gas, Carbon Dioxide (Co 2), or other chemical or gas which is used, intended to be used, or may be used for the carbonization of the beverages or drinks herein enumerated, for the privilege of carrying on such business; and by the levy of a tax on all machines, machinery and/or apparatus used in the bottling and/or dispensing of beverages and/or soft drinks; fixing the liability for and prescribing the method of collecting and enforcing the payment of such tax; providing penalties for the violation of this Act; and repealing all laws in conflict herewith.

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

By Senator Smith (14th)—

Senate Bill No. 89:

A bill to be entitled An Act to levy a tax on theatres, opera houses, amphitheatres, academies of music, exhibition of moving pictures, theatoriums, skating rinks, miniature golf links, and similar places of amusement; to classify said places of amusement on a basis of their respective active income; requiring said places of amusement to keep certain records; requiring annual returns by the operator of the same, providing a method of collecting said taxes and providing for the disposition of the funds to be collected hereunder.

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

By Senator Smith (14th)—

Senate Bill No. 90:

A bill to be entitled An Act to authorize the municipalities of the State of Florida to levy license taxes upon every person, firm or corporation engaged in the business of selling, or making any charge for, advertising or advertisements, whether printed or published, or to be printed or published, in any newspaper, magazine, periodical or publication whatever having a circulation of more than one thousand copies per week, or displayed and exhibited, or to be displayed and exhibited, by means of moving pictures; to require reports of such business, in aid of the collection of such license taxes, and to provide for such collection and for the adoption of regulations relative thereto, to fix penalties for the violations of their ordinances adopted pursuant to this Act; and to provide for the disposition of the proceeds of such license taxes.

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

By Senator Smith (14th)—

Senate Bill No. 91:

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.

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

By Senator Smith (14th)—

Senate Bill No. 92:

A bill to be entitled An Act to assess, levy, and collect a tax on dogs and bitches; providing a method for collecting of the same and providing for the disposition of the sums collected hereunder.

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

By Senator Smith (14th)—

Senate Bill No. 93:

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.

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

By Senator Smith (14th)—

Senate Bill No. 94:

A bill to be entitled An Act to establish a municipal court in and for the City of Lake City, Florida, to be known as the municipal court of Lake City, Florida; providing for the election of a judge thereof; prescribing the manner in which a person may qualify as a candidate for election to said office; providing for a Judge to act in the place of said municipal Judge when the Judge of said court shall be unable to act, or be disqualified for any reason to perform the duties of such Judge; providing for the manner in which the Judge of said court shall be elected; prescribing the qualifications of said Judge, his term of office and compensation.

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

By Senator Smith (14th)—

Senate Bill No. 95:

A bill to be entitled An Act providing that in all counties of the State of Florida having a population of not less than

14,000 and not more than 14,050, according to the Federal census of 1930, candidates for election to the Board of County Commissioners, and candidates for election as members of the County Board of Public Instruction shall be nominated from the County at large instead of by districts.

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

By Senator Smith (14th)—

Senate Bill No. 96:

A bill to be entitled An Act to cancel and set aside, abolish and declare null and void any and all tax certificates now held by the City of Lake City, Columbia County, Florida, for and in the behalf of the City of Lake City, which have not been sold or transferred to a person, firm, partnership or corporation; providing the duties of the tax collector, tax assessor, clerk of the City of Lake City in Columbia County, Florida, in carrying out the provisions of this Act; providing for the cancellation of such certificates on all lands in the City of Lake City; providing also that any and all lands in the boundaries of the City of Lake City, Florida, which do not receive benefits from any tax assessments heretofore levied shall be excluded from further tax assessments and levies for any purpose whatsoever, and providing for the enforcement of this Act and providing penalties for violation of this Act.

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

By Senator Smith (14th)—

Senate Bill No. 97:

A bill to be entitled An Act providing for the election of the City Attorney of Lake City, Florida, prescribing his qualifications, duties, compensation, place and term of residence.

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

By Senator Smith (14th)—

Senate Bill No. 98:

A bill to be entitled An Act to provide that payment of poll taxes shall not be a prerequisite to the right to vote in municipal elections to be held in Lake City, Florida, during the year A. D. 1935.

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

By Senator Smith (14th)—

Senate Bill No. 99:

A bill to be entitled An Act to provide for a method or means of electing the members of the City Commission of the City of Lake City, Florida; providing for the dates or time for holding said elections; providing for the terms of office of the said Commissioners; providing for the term of office of the Mayor-Commissioner of said city; providing for the election and designation of a Mayor-Commissioner and providing for the compensation of said Mayor-Commissioner; providing for a means and method of designating a Mayor-Commissioner pro tem; requiring said Commissioners to call elections so as to carry out the terms of this Act and providing for the duty of the Mayor-Commissioner to preside over meetings of the said Commissioners.

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

By Senator Tillman—

Senate Bill No. 100:

A bill to be entitled An Act authorizing Courts of Equity to pronounce declaratory judgments and decrees, whether or not further relief is or could be claimed.

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

By Senator Tillman—

Senate Bill No. 101:

A bill to be entitled An Act to eradicate the "chainstore", "commissary" and "itinerant merchant" evils, declaring an emergency to exist in this State by reason of the spread of these evils and providing regulations for the business of retail merchandising in intrastate commerce in this State to meet this emergency and to eradicate these evils; requiring a permit to sell merchandise at retail, limiting the issuance of such permits to individuals who are bona fide residents of Florida, to partnerships in which all part owners are bona fide residents of Florida and to corporations in which all stock is owned by bona fide residents of Florida, requiring that the charters of all corporations securing such permits shall contain certain provisions and restrictions upon the ownership of stock, the residence of officers, directors and stock-

holders, and the scope of activity and the authority of such corporations, limiting the issuance of permits to partnerships in which part owners have not as individuals or as members of other partnerships secured a permit, classifying merchandising and limiting the issuance of permits to one for each classification to any one person, firm or corporation, providing for a general merchandising permit and limiting the issuance of such permits to one for any one person, firm or corporation, providing that permits shall not be issued for a business to be conducted in connection with or incidental to any other retail, wholesale or distributing business and that the business to be conducted under any such permit shall be conducted in a store entirely separate from any other store and having no connection with any other store, providing that no permit may be issued for a business which is to be subsidiary to or related in anywise to any mill, mining or manufacturing business, providing that no such permit shall issue to any applicant who is engaged in any combination, conspiracy or agreement with other permittees to buy all or the large majority of his merchandise from one concern or in co-operation with other permittees, providing that no permit shall be issued to any applicant who is to be the agent of any concern whose principal business is that of retail merchandising, providing that no such permit shall be issued to any applicant who is engaged in any combination, conspiracy or agreement with some other person or firm to operate, manage or supervise the business to be conducted, providing that no such permit shall be issued to any applicant who is to purchase all or the large majority of his merchandise from any person or concern whose principal business is that of retail merchandising, providing that no such permit shall be issued if the business for which it is issued or the assets of said business or evidence of interest in said business has been hypothecated to any person or concern whose principal business is that of retail merchandising or to any person or concern in privity to a person or concern whose principal business is that of retail merchandising, providing for the application for the issuance of such permits, the fees to be paid for such permits, the substance of such permits, and the limits upon such permits, empowering the Comptroller of the State of Florida to enforce and administer these provisions and issue such permits, providing for the annual renewal of such permits, empowering the Comptroller to require information from permittees to determine whether such permits are subject to revocation, requiring that such permits be prominently displayed at the place of business issued for, empowering the Comptroller or the Circuit Court to revoke such permits on grounds enumerated therein, providing remedies for the enforcement of said Act, defining false statements made in securing such permits as perjury and providing penalties upon conviction thereof, defining the sale of merchandise at retail in intrastate commerce without first securing a permit as a misdemeanor and providing penalties upon conviction thereof, excepting from its operation certain services, labor and merchandise under certain circumstances, defining the terms "selling at retail", "retail merchandising" and "merchandise" and including a separability clause and an emergency clause as to effective date.

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

By Senators Bass, Murphy, Smith (14th), and Lundy—
Senate Bill No. 102:

A bill to be entitled An Act to levy, assess and collect a tax on charges for admission to all places in this State where an admission charge is made, or may be made, except such places as are expressly excepted from the operation of this Act; to provide means and procedure for the collection of said tax; to provide for the disposition of the proceeds of the tax so collected; to provide for the promulgation of rules and regulations for the operation and enforcement of this Act and the penalties for the violation thereof.

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

By Senator Smith (14th)—
Senate Bill No. 103:

A bill to be entitled An Act to levy, collect and enforce payment of an annual license tax on all persons, associations of persons, firms and corporations, engaged in or pursuing the business of issuing any form of insurance policy or contract; to prescribe the mode and method in which all persons, firms, corporations, associations of persons or companies subject to said license tax shall make report of their business; providing remedies for the enforcement hereof; prescribing penalties for violation of this Act; to provide that the license taxes

collected under the provisions of this Act shall be credited when paid to the general fund; providing for the expense of collecting taxes levied hereunder; providing how the funds when collected shall be kept; and providing a method or means to employ persons to carry out the terms of this Act.

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

By Senators Tillman, MacWilliams and Murphy —
Senate Bill No. 104:

A bill to be entitled An Act to further regulate the business of Life Insurance Companies, Fraternal Benefit Societies, Sick and Funeral Benefit Insurance Companies, and similar companies, corporations and associations doing business in the State of Florida; to regulate the forms of contracts which may be issued by such companies, corporations or associations, and to prohibit the inclusion of certain provisions therein; restricting the persons to whom payable and the medium of payment of benefits or indemnities which may accrue under such contracts and to provide penalties for the violation hereof.

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

By Senator Clarke—
Senate Bill No. 105:

A bill to be entitled An Act to repeal Section 284 (231) of the Compiled General Laws of Florida, relating to publication of list of qualified voters in the several counties of the State of Florida.

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

By Senator Sikes—
Senate Bill No. 106:

A bill to be entitled An Act to amend Sections 1 and 6 of Chapter 15859, Laws of Florida, Acts of 1933, fixing the annual salaries of certain State officers and employees.

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

By Senator Adams—
Senate Bill No. 107:

A bill to be entitled An Act to declare, designate and establish a certain State Road in Hamilton and Columbia Counties to be known and designated as Road Number 116 East.

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

By Senator Adams—
Senate Bill No. 108:

A bill to be entitled An Act to repeal Section 12192 of the Revised General Statutes of Florida of 1920, same being Section 1889 of the Compiled General Laws of Florida of 1927 relating to resident county hunting license.

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

By Senators Tervin and Gomez—
Senate Bill No. 109:

A bill to be entitled An Act to provide for a refund or drawback of gasoline tax paid on gasoline used in certain motor boats and tractors, herein defined, and which tax is paid under Chapter 15659, Acts of 1931, Laws of Florida; providing for registration of such motor boats and tractors with the Comptroller of the State of Florida; providing for fees to be charged for such registration; methods of making such application for such refunds; method of making the payment of such refund; authorizing the Comptroller of the State of Florida and the Treasurer of the State of Florida to pay such refunds out of funds in the hands of the Treasurer of the State of Florida by virtue of Chapter 15659, Acts of 1931, Laws of Florida; and prescribing penalties for making any false statements in receipts given to any purchaser of gasoline by any dealer in gasoline; and to prescribe penalties for any person making any false statement or affidavit to be used for the purpose of securing a refund on the gasoline tax in this Act provided for; repealing all laws in conflict with this Act and providing time of the taking effect of this Act.

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

By Senator Beacham—
Senate Bill No. 110:

A bill to be entitled An Act relating to the rate of wages to be paid laborers and mechanics employed in production of manufactured goods produced within the State under contract for the State of Florida.

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

By Senator Beall—
Senate Bill No. 111:

A bill to be entitled An Act to provide payment to the Pensacola Hospital, a corporation, Crystal Pharmacy, a corporation, Moulton-Cobb Prescription Company, Bryan's Pharmacy and Cushman's Pharmacy, for certain hospitalization, services, labor, medicine, drugs and equipment furnished to Escambia County Health Unit.

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

By Senator Beall—
Senate Bill No. 112:

A bill to be entitled An Act to provide payment to Pensacola Tool & Supply Corporation for certain labor, material, supplies and equipment furnished to Escambia County, Florida.

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

By Senator Parker—
Senate Bill No. 113:

A bill to be entitled An Act to declare, designate and establish a certain State Road in Taylor County between State Road 5-A and the Foley Mill along the route of the present County Road, thence to State Road 19.

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

By Senator MacWilliams—
Senate Bill No. 114:

A bill to be entitled An Act amend Section 2306, Compiled General Laws of 1927, same being Section 1528, Revised General Statutes of 1920, as amended by Chapter 7810, Acts of 1919, requiring County Commissioners to make estimate of expenses; publication; effect of adoption of estimates.

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

Senator Gillis moved that when the Senate adjourns it adjourn to reconvene at 3:00 o'clock, P. M., today.

Which was agreed to and it was so ordered.

Senator Gillis moved that the hour of adjournment at the morning session tomorrow, April 5, 1935, be fixed at 12:00 o'clock, noon, and that when the Senate adjourns at that time it adjourn to reconvene on Monday, April 8, 1935, at 12:00 o'clock, noon.

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

The following message from the Secretary of State was received and read:

Office of the Secretary of State,
Tallahassee, Florida, April 3, 1935.

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

Sir:

In conformity with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for the consideration of the Senate, the following vetoed Acts with the Governor's objections attached thereto, viz:

(Senate Bill No. 85) (1933):

An Act for the relief of K. Borson, as Trustee.

(Senate Bill No. 611) (1933):

An Act to amend Sections 1, 3, 5, 6, 8 and 18 of An Act entitled "An Act to create and incorporate a Special Taxing District in Palm Beach County, State of Florida, to be known as Lake Worth Inlet District, embracing all of the land within the following described boundaries, to-wit: 'Beginning at the point of intersection of the Atlantic Ocean with the Township line between Townships 41 and 42 South; thence run West along said Township line and continuing West to the western boundary of Palm Beach County, Florida; thence run South along the western boundary of said Palm Beach County to a point where the Township line between Township 45 and 46 South, according to the United States Survey, if extended West, would intersect said West line of said Palm Beach County; thence run East to the Township line between Townships 45 and 46 South, and continuing East along said Township line to its intersection with the Range line between Ranges 41 and 42 East; thence North along the Range line between Ranges 41 and 42 East to the point of intersection

of said Range line with the Township line between Townships 43 and 44 South; thence run East along the Township line between Townships 43 and 44 South to the Atlantic Ocean; thence run North along the West shore of the Atlantic Ocean to the point of beginning; all being in Palm Beach county, Florida;' and to prescribe the boundaries of said District and to provide for the government and administration of the same, and to define the powers and purposes of said District and of the Board of Commissioners thereof, and to authorize said Board to construct an inlet in said District to connect the waters of Lake Worth with the Atlantic Ocean and all other works necessary or proper in connection therewith, and to empower said Board to levy and collect taxes upon all the taxable property in said District for said purposes authorized by this Act, and to authorize said Board to borrow money and to issue and sell bonds to procure money to carry out the provisions of this Act, and to prevent injury to any works constructed under this Act, and generally to provide for the erection and provide the powers of such District for the construction and maintenance of an inlet in said District connecting the waters of Lake Worth with the Atlantic Ocean." Approved June 4th, 1915, and being Chapter 7081, Laws of Florida, by amending Section 1 of said Chapter 7081 to provide a change in the name of said District to 'Port of Palm Beach'; by amending Section 3 of said Chapter 7081, Laws of Florida, 1915, to provide for the terms of office of Commissioners and for the filling of vacancies in the office of Commissioner, providing for the election of their successors in office, and providing for the administration and operation of said District, defining and providing certain duties of the Board of Commissioners thereof, providing for the budgeting of expenditures of said District, fixing the liability of the Commissioners of said District and prescribing the amount and conditions of their bonds, and fixing the compensation of Commissioners and auditing committee; by amending Section 5 of said Chapter 7081, Laws of Florida, 1915, as amended by Chapter 7522, Laws of Florida, 1917, increasing the purpose and scope of said Act to embrace in the declaration of purpose thereof 'The extension of commerce of the United States'; by amending Section 6 of said Chapter 7081, Laws of Florida, 1915, as amended by Chapter 7522, Laws of Florida, 1917, to provide and define the power and purpose of said District and said Board of Commissioners thereof, as regards the acquisition, disposition and operation of certain properties and facilities by the Board for said District; and confirming any acts of the Board of Commissioners heretofore committed in and about the acquisition, disposition and operation of such properties; by amending Section 8 of said Chapter 7081, Laws of Florida, 1915, as amended by Chapter 7522, Laws of Florida, 1917, as amended by Chapter 8800, Laws of Florida, 1921, as Amended by Chapter 14753, Laws of Florida, 1931, fixing and providing for the assessing, levying and collecting of taxes and fixing and providing the compensation of the Tax Assessor and Tax Collector of Palm Beach County, for the assessing and collecting of taxes levied by said District, and to provide for the manner and time at which funds collected by said Tax Collector shall be remitted to the Treasurer of said District; by amending Section 18 of said Chapter 7081, Laws of Florida, 1915, authorizing the investment of sinking funds of the said District in certain securities and providing for the method of such investment and the sale of such securities; and further amending said Chapter 7081, Laws of Florida, 1915, to authorize the Board of Commissioners of the Port of Palm Beach or their successors to deed, convey or transfer to the United States of America such portion of the property of the said Port of Palm Beach as may be required by the United States of America or any governmental department thereof, for the maintenance, operation or improvement of said property or by reason of the adoption, maintenance and improvement of the Lake Worth Inlet by the United States of America pursuant to an Act of Congress; prescribing the security to be required for any bank deposit of said District; authorizing the Board of Commissioners to accept certain bonds and coupons issued by said District for certain taxes due said District and confirming and validating any acts of the Board of Commissioners regarding such bonds heretofore accepted in the payment of such taxes and defining the duties of the various tax collecting agencies in this regard and authorizing and directing the Comptroller or the State Treasurer to deliver to said District any bonds held by the Comptroller or the State Treasurer for the account or credit of said District; authorizing the purchase of bonds issued by said District with certain funds received from the collection of certain past due taxes and providing for the manner of the purchase and sale of said bonds by the Commissioners of said District.

(Senate Bill No. 705) (1933):

An Act for the relief of H. S. Wells, L. L. Moody, G. L. Broer, W. A. Williams, Jr., and the estate of G. W. Kellum, deceased, all of Palatka, Putnam County, Florida.

(Senate Bill No. 707) (1933):

An Act amending Section Forty-seven of the Revised Charter of the City of Tampa providing for the Civil Service Board for said city.

(Senate Bill No. 737) (1933):

An Act for the relief of Bob King, Sheriff of Lee County, Florida, W. L. Draughon, Clerk of the Circuit Court of Lee County; and Vivian Lee, Tax Collector of Lee County, Florida.

(Senate Bill No. 764) (1933):

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.

(Senate Bill No. 787) (1933):

An Act designating the Public Road in Hillsborough County beginning at the intersection of the West Bank of the Hillsborough River and Florida Ave., thence along said River in a southerly direction to the Bayshore Boulevard, thence along the Bayshore Boulevard to Gandy Boulevard, thence along Gandy Boulevard to the Gandy Bridge as a part of the system of State Roads.

(Senate Bill No. 807) (1933):

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 control 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.

(Senate Bill No. 833) (1933):

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 created 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 jurisdiction and powers of its officers," by amending Section Two thereof relating to the boundaries of said city.

(Senate Bill No. 862) (1933):

An Act authorizing Sumter County, Florida, Special Road and Bridge Districts in Sumter County, Florida, Special School Districts and other Taxing Districts in Sumter County, Florida, to issue refunding bonds, and providing how said bonds may be sold and/or exchanged, and providing for the payment of said bonds and making provisions for carrying out the purpose of this Act.

(Senate Bill No. 915) (1933):

An Act to provide a unified system of County Highways and Bridges in counties having a population of not less than ninety-nine hundred and not more than ten thousand five hundred according to the last preceding State or Federal Census; to declare certain roads and bridges a county purpose; to authorize the Board of County Commissioners of any of said counties to issue bonds of said counties for the purpose of refunding and retiring all outstanding bonds, time warrants and other indebtedness against any and all special road and bridge districts of said counties, and to exchange such county bonds for said district bonds, and to abolish such districts and to deliver the assets of said districts to said counties; and to provide for elections to be held in said counties for the purpose of approving the issuance of said county bonds.

(Senate Bill No. 932) (1933):

An Act relating to and fixing the fees of Clerk of Circuit Court, Sheriff, and Constable in Jefferson County, Florida, and making it unlawful for such officers to charge, collect or receive other or different amounts for the services designated and repealing all laws and parts of laws in conflict herewith.

Yours very truly,

R. A. GRAY,
Secretary of State.

Senate Bill No. 85 (1933), contained in the above message, was referred to the Committee on Pensions & Claims.

Senate Bill No. 611 (1933), contained in the above message was referred to the Committee on Judiciary "C".

Senate Bill No. 705 (1933), contained in the above message, was referred to the Committee on Pensions & Claims.

Senate Bill No. 707 (1933), contained in the above message, was referred to the Committee on Judiciary "C".

Senate Bill No. 737 (1933), contained in the above message, was referred to the Committee on Pensions & Claims.

Senate Bill No. 764 (1933), contained in the above message, was referred to the Committee on Internal Affairs.

Senate Bill No. 787 (1933), contained in the above message, was referred to the Committee on Public Roads & Highways.

Senate Bill No. 807 (1933), contained in the above message, was referred to the Committee on State Institutions.

Senate Bill No. 833 (1933), contained in the above message, was referred to the Committee on Judiciary "C".

Senate Bill No. 862 (1933), contained in the above message, was referred to the Committee on Public Roads & Highways.

Senate Bill No. 915 (1933), contained in the above message, was referred to the Committee on Public Roads & Highways.

Senate Bill No. 932 (1933), contained in the above message, was referred to the Committee on Judiciary "A".

MESSAGES FROM THE HOUSE OR REPRESENTATIVES

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

Tallahassee, Fla., April 3, 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—

Senate Bill No. 1.
With the following amendments:

Amendment No. 1:

Mr. Westbrook of Lake offered the following amendment to Senate Bill No. 1:

Strike out Section 1 and insert in lieu thereof:

Section 1. That the several County Tax Collectors of the several Counties of the State of Florida shall keep the tax books open for the collection of all State and County taxes assessed for the year 1934 until and inclusive of the first day of June, 1935, during which time such taxes shall be collected without penalty, and after which said date of June 1st, 1935, the said several Tax Collectors shall proceed according to law.

Amendment No. 2:

Mr. Westbrook of Lake offered the following amendment to Senate Bill No. 1:

In the Title, strike out the words First day of July and insert in lieu thereof the following: First day of June.

And respectfully requests the concurrence of the Senate therein.

Very Respectfully,

WELDON G. STARRY,
Chief Clerk House of Representatives.

Senate Bill No. 1, contained in the above Message, was read by title, together with House Amendments thereto.

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

Which was agreed to.

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

Senator Futch moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 1.

Which was agreed to.

And the Senate concurred in House Amendment No. 2, to Senate Bill No. 1.

And Senate Bill No. 1, as amended, was ordered referred to the Committee on Engrossed Bills.

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

Tallahassee, Fla., April 3, 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.

HOUSE CONCURRENT RESOLUTION NO. 1

A Concurrent Resolution to be entitled:

"A Concurrent Resolution Renewing the Concession of the Tallahassee Post of the American Legion Auxiliary for the Sale and Dispensation of Soft Drinks, Confections, Sandwiches, etc., in the Lobby of the State Capitol during the 1935 Session of the Florida Legislature":

WHEREAS, the Legislature of 1933 granted to the ladies of the American Legion Auxiliary at Tallahassee, Florida, the privilege of conducting a cold drink stand in the lobby of the Capitol during the 1933 Session for the sale of cold drinks, confections, sandwiches, cigars, etc., the profits derived from same to be used for the patriotic and charitable purposes for which the American Legion and its Auxiliary stands, and,

WHEREAS, the operation and conduct of said concession during the 1933 Session of the Legislature was in all respects satisfactory, and in consideration thereof the ladies of the said American Legion Auxiliary Post have requested a renewal of said concession by the Legislature of 1935 for the same purposes, to the same extent and with the same reservations as were applicable to the operation of the concession heretofore, Now Therefore,

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

That the ladies of the American Legion Post located at Tallahassee, Florida, be and they are hereby granted the concession to operate at a place in the lobby to be designated by the Speaker of the House upon the advice of the President of the Senate, in behalf of and for the uses and purposes of the American Legion Auxiliary, a cold drink stand and concession incidental thereto upon the same terms and conditions and with the same limitations as the same was operated during the 1933 Session of the Legislature, this Resolution to take effect immediately.

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 in full and went over under the rule.

Senator Parrish moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 11:57 o'clock, A. M. until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate convened at 3:00 o'clock P. M. pursuant to recess order.

The President in the chair.

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

Mr. President; Senators 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.

Senator Beacham moved that Senate Bills Nos. 611 (1933) and 833 (1933), being bills vetoed by the Governor, be recalled from the Committee on Judiciary "C".

Which was agreed to.

Senator Beacham asked unanimous consent of the Senate to take up and consider Senate Bill No. 611 (1933) at this time.

Which was agreed to.

And—

Senate Bill No. 611 (1933):

"An Act to amend Sections 1, 3, 5, 6, 8 and 18 of An Act entitled "An Act to create and incorporate a Special Taxing District in Palm Beach County, State of Florida, to be known as Lake Worth Inlet District, embracing all of the land within the following described boundaries, to-wit: 'Beginning at the point of intersection of the Atlantic Ocean with the township line between Townships 41 and 42 South; thence run west along said Township line and continuing West to the Western boundary of Palm Beach County, Florida; thence run South along the Western boundary of said Palm Beach County to a point where the Township line between Township 45 and 46 South, according to the United States survey, if extended West, would intersect said West line of said Palm Beach County; thence run East to the Township line between Townships 45 and 46 South, and continuing East along said Township line to its intersection with the Range line between Ranges 41 and 42 East; thence North along the Range line between Ranges 41 and 42 East to the point of intersection of said Range line with the Township line between Townships 43 and 44 South; thence run East along the Township line between Townships 43 and 44 South to the Atlantic Ocean; thence run North along the West shore of the Atlantic Ocean to the point of beginning; all being in Palm Beach County, Florida;' and to prescribe the boundaries of said District and to provide for the government and administration of the same, and to define the powers and purposes of said District and of the Board of Commissioners thereof, and to authorize said Board to construct an inlet in said District to connect the waters of Lake Worth with the Atlantic Ocean and all other works necessary or proper in connection therewith, and to empower said Board to levy and collect taxes upon all the taxable property in said District for said purposes authorized by this Act, and to authorize said Board to borrow money and to issue and sell bonds to procure money to carry out the provisions of this Act, and to prevent injury to any works constructed under this Act, and generally to provide for the erection and provide the powers of such District for the construction and maintenance of an inlet in said District connecting the waters of Lake Worth with the Atlantic Ocean." Approved June 4th, 1915, and being Chapter 7081, Laws of Florida, by amending Section 1 of said Chapter 7081 to provide a change in the name of said District to 'Port of Palm Beach'; by amending Section 3 of said Chapter 7081, Laws of Florida, 1915, to provide for the terms of office of Commissioners and for the filling of vacancies in the office of Commissioner, providing for the election of their successors in office, and providing for the administration and operation of said District, defining and providing certain duties of the Board of Commissioners thereof, providing for the budgeting of expenditures of said District, fixing the liability of the Commissioners of said District and prescribing the amount and conditions of their bonds, and fixing the compensation of Commissioners and Auditing Committee; by amending Section 5 of said Chapter 7081, Laws of Florida, 1915, as amended by Chapter 7522, Laws of Florida, 1917, increasing the purpose and scope of said Act to embrace in the declaration of purpose thereof "The extension of commerce of the United States"; by amending Section 6 of said Chapter 7081, Laws of Florida, 1915, as amended by Chapter 7522, Laws of Florida, 1917, to provide and define the power and purpose of said District and said Board of Commissioners thereof, as regards the acquisition, disposition and operation of certain properties and facilities by the Board for said District; and confirming any acts of the Board of Commissioners heretofore committed in and about the acquisition, disposition and operation of such properties; by amending Section 8 of said Chapter 7081, Laws of Florida, 1915, as amended by Chapter 7522, Laws of Florida, 1917, as amended by Chapter 8800, Laws of Florida, 1921, as amended by Chapter 14753, Laws of Florida, 1931, fixing and providing for the assessing, levying and collecting of taxes and fixing and providing the compensation of the Tax Assessor and Tax Collector of Palm Beach County, for the assessing and collecting of taxes levied by said District, and to provide for the manner and time at which funds collected by said Tax Collector shall be remitted to the Treasurer of said District; by amending Section 18 of said Chapter 7081, Laws of Florida, 1915, authorizing the investment of sinking funds of the said District in certain securities and providing for the method of such investment and the sale of such securities; and further amending said Chapter 7081, Laws of Florida, 1915, to authorize the Board of Commissioners of the Port of Palm Beach or their successors to deed, convey or transfer to the United States of America such portion of the property of the said Port of Palm Beach as may be required by the United

States of America or any governmental department thereof, for the maintenance, operation or improvement of said property or by reason of the adoption, maintenance and improvement of the Lake Worth Inlet by the United States of America pursuant to an Act of Congress; prescribing the security to be required for any bank deposit of said District; authorizing the Board of Commissioners to accept certain bonds and coupons issued by said District for certain taxes due said District and confirming and validating any acts of the Board of Commissioners regarding such bonds heretofore accepted in the payment of such taxes and defining the duties of the various tax collecting agencies in this regard and authorizing and directing the Comptroller or the State Treasurer to deliver to said District any bonds held by the Comptroller or the State Treasurer for the account or credit of said District; authorizing the purchase of bonds issued by said District with certain funds received from the collection of certain past due taxes and providing for the manner of the purchase and sale of said bonds by the Commissioners of said District."

Was taken up and read by title.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding."

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

Yeas—None.

Nays—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.

So the bill failed to pass over the Governor's objections thereto.

Senator Beacham asked unanimous consent of the Senate to take up and consider Senate Bill No. 833 (1933) at this time.

Which was agreed to.

And—

Senate Bill No. 833 (1933):

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 jurisdiction and powers of its officers," by amending Section Two thereof relating to the boundaries of said city.

Was taken up and read by title.

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding."

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

Yeas—None.

Nays—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.

So the bill failed to pass over the Governor's objections thereto.

By unanimous consent Senator MacWilliams withdrew Senate Bill No. 79.

By unanimous consent Senator Beall withdrew Senate Bills Nos. 111 and 112.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Touchton—

Senate Bill No. 115:

A bill to be entitled An Act to amend Section 13 of Chapter 10177, Laws of Florida, Acts of 1925, entitled "An Act to license and regulate the business of making loans in certain counties

in sums of three hundred (\$300) dollars or less, secured or unsecured, at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned when given as security for any such loan," (said Section 13 appearing as Section 4011 of the Compiled General Laws of Florida, 1927).

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

By Senators Turner and Touchton—

Senate Bill No. 116:

A bill to be entitled An Act amending Section 8182, Compiled General Laws of Florida, 1927, being Section 5918, Revised General Statutes of Florida, 1920, relating to expenditures allowed in furtherance of candidacy at a primary election and penalty for violation thereof.

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

By permission the following memorial was introduced:

By Senator Parker—
Senate Memorial No. 5:

MEMORIAL TO THE CONGRESS OF THE UNITED STATES OF AMERICA

A Memorial to the Congress of the United States of America Now Convened in Session as the Seventy-fourth Congress of the United States of America.

WHEREAS, The navigable water way by name and known as the Steinhatchee River, traversing the Counties of Taylor, Lafayette and Dixie, with its outlet in the Gulf of Mexico, possesses and has within its channel sand bars and obstructions, preventing travel of River boats and boats of similar character, and

WHEREAS, The said citizens of the State of Florida are using their best efforts in the expenditure of monies, labor and materials to their best ability in the opening up, removing sand bars and other obstructions from the channel of the said Steinhatchee River, and

WHEREAS, That the said Steinhatchee River would prove and be of great importance to the United States of America and to the State of Florida in the protection of life and property in time of war, and would provide a safe harbor for ships in time of storms and add to the commerce and shipping within this particular part of the State, and

WHEREAS, It is the desire of the citizens of Florida that the said work of removing such sand bars and obstructions from the channel of the said Steinhatchee River and desiring to secure the assistance of the United States Government to carry on and complete the work now in progress, and

WHEREAS, Expenditures of monies by the United States Government in conjunction with monies now being expended by the counties and citizens, would provide employment for labor and for usage of materials and supplies in the removing of said sand bars and other obstructions from the channel of the said Steinhatchee River;

BE IT THEREFORE RESOLVED BY THE FLORIDA LEGISLATURE: That the Senators and Representatives of the United States Congress of America, now convened in this the Seventy-fourth Congress, be and they are herewith and hereby respectfully requested and urged to make every effort and to appropriate such sums of monies by their acts, for the purpose and usage to be spent and used in the removing of all sand bars and other obstructions from the channels of the Steinhatchee River, traversing the counties of Taylor, Lafayette and Dixie, with its outlet in and to the Gulf of Mexico, and

BE IT FURTHER RESOLVED, That the Senators and Representatives of Congress, now convened in this the Seventy-fourth Congress of the United States, be and they are hereby respectfully requested and urged to appropriate sufficient sums of money, in addition to the removing of sand bars and other obstructions from the channel of the Steinhatchee River to maintain a channel in the said River clear of all obstructions and sand bars.

BE IT FURTHER RESOLVED, by the Membership of the Florida Legislature now convened in regular session that a copy of this Memorial be immediately forwarded under the Great Seal of the State of Florida, by the Secretary of State, of Florida, to the President of the United States of America,

a copy to the Vice President of the United States of America, a copy to the Speaker of the House of Representatives of Congress and a copy to each of the United States Senators from the State of Florida and a copy to each member of the House of Representatives from Florida, now serving in the Congress of the United States, and a copy to be furnished to the Press for publication.

Which was read the first time in full.

Senator Parker asked unanimous consent to take up and consider Senate Memorial No. 5 at this time.

Which was agreed to.

And Senate Memorial No. 5 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

And Senate Memorial No. 5 was adopted.

By Senator MacWilliams—

Senate Bill No. 117:

A bill to be entitled An Act to cancel certain State and County Tax Certificates against certain lots, pieces or parcels of land, situate in the Town of Hastings, St. Johns County, Florida, and owned by the Town of Hastings, Florida, and in this Act described, and to cancel all State and County taxes assessed against said lands and premises subsequent to the year 1932, and to exempt said lands and premises from taxation beginning with the year 1935, and continuing until said Town of Hastings, Florida shall have sold and conveyed said lands and premises.

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

The following proof of publication was attached to Senate Bill No. 117 when it was introduced in the Senate:

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF ST. JOHNS: ss

On this day personally appeared before me, the undersigned authority, one J. A. Wallace who, being by me first duly sworn, deposes and says that he is the Editor of The Hastings Herald, a newspaper of general circulation, published in St. Johns County, Florida; That the subjoined "Notice That The Town of Hastings' Intention To Seek Special Legislation": which is hereby made a part of this affidavit, was published for a period of One (1) week by being printed in the issue of Friday, March 15th, A. D., 1935 of the said The Hastings Herald; that said newspaper, at the time of said publications, had been continuously published at least once a week and been entered as second class mail matter at the Post Office in Hastings, St. Johns County, Florida, for a period of one year next preceding the said first insertion of said publication; further that said newspaper was being published on the 20th day of May, A. D., 1931; and further that said newspaper has been published in accordance with the Act of the Legislature relating to the publication of legal notices and process in newspapers in Florida, known as Senate Bill No. 58, approved May 20th, 1931.

J. A. WALLACE,

Editor.

Sworn to and subscribed before me this the 16th day of March, A. D., 1935.

(SEAL)

CARY H. HUGH,

Notary Public, State of Florida at Large.

My Commission Expires Apr. 6, 1938

NOTICES

Notice of Intention To Seek Special Legislation.

TO WHOM IT MAY CONCERN: You are hereby notified that the Town of Hastings will seek to have special bill passed by the Legislature in substance as follows:

AN ACT to cancel certain state and county Tax Certificates against certain lots, pieces or parcels of land, situate in the Town of Hastings, St. Johns County, Florida, and owned by the Town of Hastings, Florida, and in this act described and to cancel all state and county taxes assessed against said lands and premises subsequent to the year 1932, and to exempt said lands and premises from taxation beginning with the year 1935, and continuing until said Town of Hastings, Florida, shall have sold and conveyed said lands and premises.

Be It Enacted By the Legislature of the State of Florida:

Section 1. That State and County Tax Certificates Nos. 177 and 178, dated 1921, for the unpaid taxes of 1920, and also

State and County Tax Certificate No. 1521, dated 1933, for the unpaid taxes of 1932, against those certain lots, pieces or parcels of land situate in the Town of Hastings, St. Johns County, Florida, and described as follows, to-wit:

That lot in Hastings, next south of the Cold Storage plant, the beginning in the survey or description is located as follows: From the southeast corner of the NE $\frac{1}{4}$ of Section 18-9-28, on the section line between Sections 17 and 18, in the center of the street known as the Boulevard, run north 20 deg., W. 157 feet and 6 inches for a starting point, from said point for said southeast corner of said lot hereby conveyed, run west 150 feet; thence north 50 feet; thence east 150 feet to west line of said Boulevard; thence south 50 feet to point of beginning; being a lot 50 feet north and south and 150 feet east and west.

Also that certain lot of land in the Town of Hastings, being the D. A. Middleton and Martha J. Middleton old home place, at Hastings, and being also a part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18, Twp. 9 South Range 28 East and described as being bounded on the north by the land formerly owned by B. Genovar, which is the first tract herein described; on the west by land of M. E. Cunningham, on the south by land of L. S. Killingsworth, on the east by road known as the Boulevard, in Hastings, and being the same land conveyed by Martha J. Middleton to Thomas R. Byrd, by warranty Deed dated February 15, 1912, and recorded in Deed Record 23, page 193, of the Public Records of St. Johns County, in the office of the Clerk of the Circuit Court of said county.

This second tract being more particularly described as commencing at a point on the west line of the street in Hastings, known as the Boulevard, which is the southeast corner of the Genovar lot, and the first tract herein described, from said point of beginning, run south along the west line of Boulevard, 70 feet to northeast corner of Killingsworth land; thence run west along the north line of Killingsworth land 150 feet; thence north and parallel with the west line of said Boulevard, 70 feet to the southwest corner of the old Genovar lot; thence run east along said first tract herein described, known as the old Genovar lot, 150 feet to beginning. Being a lot fronting 70 feet on the Boulevard and being 150 feet deep in the Town of Hastings, County of St. Johns, State of Florida.

Saving and excepting therefrom the following described portion:

Beginning at the NE corner of the Byrd Bldg. and run north 3 ft. 4 inches to south line of Cold Storage Lot; thence west along lot line 85 ft. 10 inches to point of beginning of this survey; thence from said point run south 6 ft. 4 in., thence west 32 ft., thence north 6 ft. 4 in. to south line of Cold Storage Lot; thence east along said line 32 ft. to point of beginning containing 202 2-3 sq. ft. and being part of the NE $\frac{1}{4}$ of Sec. 18, Twp. 9 South, Range 28 East. be and the same is hereby cancelled and the Comptroller of the State of Florida is hereby authorized and directed to cancel the same upon the records of his office, and the Clerk of the Circuit Court of St. Johns County, Florida, is hereby authorized and directed to note the cancellation of said tax certificates on the records thereof in his said office.

Section 2. That State and County Tax Certificate No. 466, dated 1929, for the unpaid taxes of 1928, and also State and County Tax Sale Certificate No. 1471 dated 1933, for the unpaid taxes of 1932, against those certain lots, pieces or parcels of land situate in the Town of Hastings, St. Johns County, Florida, and described as follows, to-wit:

Lots 1, 2, 3 and 4 of Block "A" according to plat of the L. S. Killingsworth subdivision of lots lying on the west side of the Boulevard in Hastings, Florida, be and the same are hereby cancelled and the Comptroller of the State of Florida is hereby authorized and directed to cancel the same upon the records of his office, and the Clerk of the Circuit Court of St. Johns County, Florida, is hereby authorized and directed to note the cancellation of said tax certificate on the records thereof in said office.

Section 3. That all state and county taxes assessed against the lands and premises described in Sections 1 and 2 hereof subsequent to the year 1932 be and the same are hereby cancelled and discharged and the Clerk of the Circuit Court and Tax Collector of St. Johns County, Florida, are hereby authorized and directed to note the cancellation thereof on the public records of their respective offices.

Section 4. That the lands and premises described in Sections 1 and 2 hereof be and the same are hereby exempted from assessment for all state and county taxes beginning with the year 1935, this exemption, however, to exist only so long as said lands and premises are owned by the Town of Hastings,

Florida, and in the event of sale and conveyance thereof by the said Town of Hastings, Florida, this exemption shall cease and said lands and premises shall be subject to assessment for state and county taxes for the year beginning with the year following the year in which said Town of Hastings, Florida, shall have sold and conveyed said lands and premises.

Section 5. That all laws or parts of laws in conflict herewith be and the same are hereby repealed.

Section 6. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its becoming a law without such approval.

By Senators Turner and Touchton—
Senate Bill No. 118:

A bill to be entitled An Act amending Section 305, Compiled General Laws of Florida, 1927, being Section 249 of the Revised General Statutes of Florida, 1920, relating to the appointment of Inspectors and Clerks of Election, and Division of Registration books; and amending Section 318, Compiled General Laws of Florida, 1927, being Section 262, Revised General Statutes of Florida, 1920, relating to Constitutional Amendments; and amending Section 317, Compiled General Laws of Florida, 1927, being Section 261, Revised General Statutes of Florida, 1920, relating to the order of titles and names on ballots; and amending Section 302, Compiled General Laws of Florida, 1927, being Section 246, Revised General Statutes of Florida, 1920, relating to the time for the payment of poll taxes.

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

By Senators Turner and Touchton—
Senate Bill No. 119:

A bill to be entitled An Act amending Section 411, Compiled General Laws of Florida, 1927, being Section 354, Revised General Statutes of Florida, 1920, as amended, relating to determination of result of primary election where no candidate receives a majority of the votes cast in the first primary election so as to include candidates for State, County and Congressional Executive Committeemen of political parties; and amending Section 421, Compiled General Laws of Florida, 1927, being Section 364, Revised General Statutes of Florida, 1920, as amended, relating to sworn statements of campaign expenses so as to except candidates for State, County and Congressional Executive Committeemen from the operation thereof.

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

By Senator Sweger—
Senate Bill No. 120:

A bill to be entitled An Act to amend Section 2309 of the Revised General Statutes of Florida, and to amend Section 2311 of the Revised General Statutes of Florida, and to repeal Section 2303, Revised General Statutes of Florida, as amended by Chapter 10179, Laws of Florida, Acts of 1925, and relating to proceedings in cases of supposed insanity, the duties and functions of the committing judge, the appointment of an examining committee, and its duties in the premises; providing for notice to the State Attorney, and his duties in the premises; providing for the duties of the Board of Commissioners of State institutions; providing for a contest of the charge of insanity and the procedure thereon; providing for the order of commitment and the transportation of the person committed; and providing for the payment of costs of transportation of the person adjudged insane and the attendant of such person.

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

By Senator Sweger—
Senate Bill No. 121:

A bill to be entitled An Act to amend Section 3806, Revised General Statutes of Florida, and providing that upon the adjudication of insanity of the husband, the wife shall become a free dealer.

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

By Senator Sweger—
Senate Bill No. 122:

A bill to be entitled An Act providing for the 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.

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

Senator Gillis moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 3:21 o'clock P. M., until 11:00 o'clock A. M., Friday, April 5, 1935.