

JOURNAL OF THE SENATE

Tuesday, May 21, 1935

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 20, 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, May 20th, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Harper, Chairman of the Committee on County Organizations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:
Your Committee on County Organizations, to whom was referred:

Senate Bill No. 736:

A bill to be entitled An Act to define the boundary of the County of Polk in the State of Florida and to repeal all Laws and parts of Laws in conflict herewith.

Have had the same under consideration and report same without recommendation, with the following amendment:

Amendment No. 1:

In Section 1, lines 13 and 14, strike out the words: "thence northward meandering the eastern and northern shores of said Lake Hatchinehaw" and insert in lieu thereof the following: "thence northeasterly on a straight line across said Lake Hatchinehaw"

Very respectfully,

H. C. HARPER,
Chairman of Committee.

And Senate Bill No. 736, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Harper, Chairman of the Committee on County Organizations, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:
Your Committee on County Organizations, to whom was referred:

Senate Bill No. 853:

A bill to be entitled An Act authorizing the Boards of County Commissioners to purchase, lease, establish, construct, equip, maintain and operate airports or landing fields, within the limits of said counties; giving the right of condemnation to the Boards of County Commissioners; to acquire the property necessary therefor; to authorize the issuance of County Bonds therefor and for other purposes.

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

Very respectfully,

H. C. HARPER,
Chairman of Committee.

And Senate Bill No. 853, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Smith (14th), Chairman of the Committee on Prisons & Convicts, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:
Your Committee on Prisons & Convicts, to whom was referred:

Senate Bill No. 766:

A bill to be entitled An Act to prohibit the sale and offering for sale of goods, wares and merchandise manufactured, produced or mined, wholly or in part, by convicts and prisoners, or either, or in penal and reformatory institutions, and to provide penalties for violations.

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

Very respectfully,

S. C. SMITH,
Chairman of Committee.

And Senate Bill No. 766, contained in the above report, was placed on the Calendar of Bills on second reading.

REPORT OF ENROLLING COMMITTEE

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

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

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

Senate Bill No. 22:

A bill to be entitled An Act relating to the purchase, handling, sale and accounting of sales of Citrus Fruit Grown in the State of Florida; to prevent fraud and deception therein; to provide for the licensing and bonding of Citrus Fruit Dealers; to prescribe certain powers and duties of the Commissioner of Agriculture of the State of Florida in the administration and enforcement of this Act; and to prescribe penalties for the violations of the provisions of this Act.

Also—

Senate Bill No. 478:

A bill to be entitled An Act to amend Section 5297, Revised General Statutes of Florida, 1920, (being Section 7418 of the Compiled General Laws of Florida, 1927), relating to the destruction or injury of Telegraph Lines.

Also—

Senate Bill No. 769:

A bill to be entitled An Act relating to the expenditure and distribution of certain moneys derived from Gasoline Taxes placed to the credit of certain of several Counties of the State of Florida having a population of not less than four thousand one hundred and twenty (4120) and not more than four thousand one hundred and thirty (4130), according to the Federal Census of 1930 and conferring certain powers, authority, directions and duties upon the State Board of Administration with reference thereto.

Also—

Senate Bill No. 773:

A bill to be entitled An Act fixing the compensation of the members of the Boards of County Commissioners in all Counties of the State of Florida having a population of not less than 12,170 nor more than 12,190, according to the last preceding Federal Census.

Also—

Senate Bill No. 774:

A bill to be entitled An Act fixing the Compensation of members of the Boards of Public Instruction in all Counties of the State of Florida having a population of not less than

12,170 nor more than 12,190, according to the last preceding Federal Census.

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

Very respectfully,

F. P. PARKER,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:

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

House Bill No. 445:

A bill to be entitled An Act to amend Section 1 of Chapter 16562, Laws of the State of Florida, Acts of 1933, entitled "An Act to amend Section 43 of the Charter of the City of Miami Beach, being Chapter 7672 of the Laws of Florida, Acts of 1917, to provide for the levy of one mill for publicity and advertising purposes."

Also—

House Bill No. 1165:

A bill to be entitled An Act amending the Charter of the City of St. Cloud, Florida, by prohibiting said city from selling, mortgaging, leasing and encumbering its public utilities, except under certain restrictions and upon proper authority from the taxpayers of said city, and repealing Chapters 13358 and 13360, Special Acts of the 1927 Legislature, relating to the sale of said public utilities.

Also—

House Bill No. 1109:

A bill to be entitled An Act to authorize Naranja Drainage District in Dade County, Florida, to issue bonds to replace or refund its outstanding bonds, to authorize the sale of such bonds to the Reconstruction Finance Corporation or other Federal agency, validating any agreements made with such corporation, and to provide for the payment of such bonds.

Also—

House Bill No. 447:

A bill to be entitled An Act cancelling all delinquent special assessments or taxes on all land within the Eagle Bay Sub-Drainage District in Okeechobee County, Florida, upon condition that said district obtains from Federal agencies sufficient funds to refinance its indebtedness.

Also—

House Bill No. 443:

A bill to be entitled An Act to amend Sections 3, 4, 10 and 14 of Chapter 9836, Laws of the State of Florida, Acts of 1923, entitled "An Act to amend Chapter 9023 of the Laws of Florida, relating to the municipal government of the City of Miami Beach; and to amend Chapter 7672 of the Laws of Florida, relating to the municipal government of the City of Miami Beach."

Also—

House Bill No. 564:

A bill to be entitled An Act to repeal Chapter 9419 of the Laws of Florida, enacted in 1923 and entitled: "An Act to authorize and empower the Board of County Commissioners of Dade County, Florida, to levy upon all real and personal property, subject to taxation within Dade County, Florida, beginning with the year A. D. 1923, an annual tax in addition to all other taxes, not to exceed one mill, which shall be assessed and collected as other taxes are assessed and collected, for the purpose of maintaining, keeping in repair and improving the causeway or fill across Biscayne Bay, in said county, connecting the cities of Miami and Miami Beach, and the bridges,

viaducts and approaches connected thereto, and all property located thereon or attached thereto, owned by said county, or in which said county holds a beneficial interest."

Also—

House Concurrent Resolution No. 15:

Being a Resolution relating to the appointment of a Commission to make a comprehensive survey for the conservation of our natural resources, protecting the State against the ravages of fire, and preserving the artesian water supply of the State, with reference to a comprehensive program of legislation in connection therewith.

Also—

House Bill No. 1150:

A bill to be entitled An Act relating to the hunting and taking of game and fish in Walton County, Florida, and prescribing the license fees to be charged by said County, and creating and designating a game preserve in said County, and prescribing the manner and time that suckers may be taken from the waters of Shoal River in said county, and repealing all laws or parts of laws, local or special, in conflict herewith, and providing violations of this Act shall be a misdemeanor and providing penalties for the violation of this Act.

Also—

House Concurrent Resolution No. 14:

House Concurrent Resolution providing for an unpaid commission on Interstate cooperation.

Also—

House Bill No. 1102:

A bill to be entitled An Act authorizing fishing in waters in Osceola County, Florida.

Also—

House Bill No. 1133:

A bill to be entitled An Act to amend Chapter 7414 of the Special Acts of the 1917 Legislature of Florida, and providing for the time and manner of election and the term of office of Trustees of Special Road and Bridge District No. 1, Alachua County, Florida.

Also—

House Bill No. 830:

A bill to be entitled An Act to amend Subsection Third of Section 10 of Chapter 15900, Laws of Florida, Acts of 1933, relating to the creation of a Board of Public Instruction for each county of the State of Florida having a population of not less than 155,000 according to the last preceding Federal census, prescribing the powers, duties and compensation of such boards and the membership thereof, and prescribing certain duties of other officers incident to the functions of such Boards of Public Instruction.

Also—

House Bill No. 441:

A bill to be entitled An Act to amend Section 10 of Chapter 7672, Laws of the State of Florida, Acts of 1917, entitled "An Act to abolish the present municipal government of the town of Miami Beach, in the County of Dade, and State of Florida, and to establish, organize and incorporate a city government for the City of Miami Beach to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same, and to authorize the imposition of penalties for the violation of its ordinances."

Also—

House Bill No. 557:

A bill to be entitled An Act "to authorize Dade County to acquire and hold land for park purposes, and authorizing the levy of a special tax to pay for same and to pay for lands to be used for rights of way for roads."

Also—

House Bill No. 821:

A bill to be entitled An Act to authorize the Commission of the City of Coral Gables to sell and/or compromise and adjust certain taxes, tax sale certificates and assessment liens, either for cash, city bonds or other obligations; and to create an adjustment board to exercise such powers as are herein conferred upon the commission.

Also—

House Bill No. 1164:

A bill to be entitled An Act providing that no contract shall be entered into with, or franchise granted, to any utility company by the City of Okeechobee, Florida, until such contract

or Franchise has been submitted to a referendum vote of the qualified voters of said City of Okeechobee, Florida, except contracts of one thousand (\$1,000.00) dollars or less, certain of which contracts shall be published in said city.

Also—
House Bill No. 1161:

A bill to be entitled An Act regulating the sale of alcoholic beverages in all counties in the State of Florida having a population of not less than 23,100 and not more than 23,200, according to the Federal census of 1930; preventing the sale of such alcoholic beverages other than in sealed containers for consumption off the premises where sold; excepting certain beverages from the provision of this Act.

Also—
House Bill No. 1155:

A bill to be entitled An Act relating to the compensation of Clerk of the Circuit Court as County Auditor and Clerk of the Board of County Commissioners, the Sheriff, County Judge, Tax Collector and Tax Assessor in counties within the State of Florida having a population of not less than 3,150 and not more than 3,200 according to the last Federal Census, providing for the payment of such compensation and prescribing the time when this Act shall become a law.

Also—
House Concurrent Resolution No. 13:
House Concurrent Resolution calling the attention of the Senators and Representatives of Florida in the Congress of the United States to State Road No. 49 and asking Federal aid for same.

Also—
House Concurrent Resolution No. 16:
House Concurrent Resolution requesting the President of the United States to restore the tariff on all imported vegetables to the maximum rates allowed in the reciprocal agreement.

Also—
House Bill No. 1110:
A bill to be entitled An Act to legalize and validate all proceedings taken in the matter of incorporating and organizing Naranja Drainage District in Dade County, State of Florida, the appraisal of the lands within said District and the assessments of benefits and damages made thereon on account of the construction of the improvements set out in the plan of reclamation, the taxes assessed and levied against said lands, the proceedings taken by the Board of Commissioners authorizing the issuance and sale of \$80,000 of bonds to defray the costs of said construction together with the bonds and coupons appurtenant thereto issued and sold pursuant to such proceedings; to validate and confirm the taxes levied under Chapter 12099, Acts of 1927, and to continue such taxes for the payment of the bonds now outstanding and of any bonds issued in place of or to refund such bonds; and to declare such taxes special assessments for benefits and excepted from the homestead tax exemption.

Also—
House Bill No. 462:
A bill to be entitled An Act providing ways and means for readjusting, refunding and liquidating the indebtedness of any financially embarrassed political subdivision and taxing district in default; for a judicial proceeding to carry out such purpose; for the confirmation and validation of refunding bonds issued by any such taxing district; for the assessment and levy of taxes to pay principal and interest of such refunding bonds; for the assessment and levy of taxes to pay unfunded bonds or other indebtedness of such political subdivision or taxing district; and for other purposes germane thereto.

Also—
House Bill No. 468:
A bill to be entitled An Act to establish and designate a certain State Road in Dixie County, Florida.

Also—
House Bill No. 1044:
A bill to be entitled An Act to designate and establish as a State Road that certain Road running from Mt. Plymouth, in Lake County, Florida, on State Road No. 2, South by way of Rock Springs to Apopka intersecting State Road No. 2, thence southwesterly along the east side of Lake Apopka to Winter Garden intersecting State Road No. 22, thence south by way

of Vineland to the south line of Orange County, thence to Kissimmee intersecting State Road No. 2, designating the route of said road and a number designation to be given thereto by the State Road Department of Florida.

Also—
House Bill No. 1028:

A bill to be entitled An Act to designate and establish as a State Road that certain road extending from the present intersection of Orange Avenue and Fairbanks Avenue in Winter Park, thence southerly on Orange Avenue to its intersection with State Road 22 in the City of Orlando, said road to be designated as State Road 3-A by the State Road Department of Florida.

Also—
House Bill No. 584:

A bill to be entitled An Act setting the salary of County Commissioners, members of the Board of Public Instruction, and County Superintendents of Public Instruction in all counties of the State of Florida having a population of not less than 6,418 and not more than 6,500 according to the last Federal Census; and providing for the repeal of all laws, and parts of laws, in conflict with the provisions of this Act.

Also—
House Bill No. 1064:

A bill to be entitled An Act to designate and establish a certain Road in Brevard County as a State Road.

Also—
House Bill No. 685:

A bill to be entitled An Act to extend State Road No. 38 as heretofore designated and established.

Also—
House Bill No. 395:

A bill to be entitled An Act to declare and designate and establish a certain Road in Lee County, Florida, a State Road forming a part of the connecting system of State Roads of the State of Florida.

Also—
House Bill No. 1045:

A bill to be entitled An Act to designate and establish as a State Road that certain road beginning in the northeast quarter of Section 23, Township 22 South, Range 31 East, on State Road No. 22 East of Orlando, running thence northeasterly to Lake Pickett 4.7 miles, thence easterly and southeasterly 9.4 miles to the intersection of State Road No. 22 at Fort Christmas, designating the route of said road and a number designation to be given thereto by the State Road Department of Florida.

Also—
House Bill No. 652:

A bill to be entitled An Act to extend State Road Number 123 from Graceville in Jackson County, Florida, west to intersect with State Road Number 39 at or near Esto in Holmes County, Florida.

Also—
House Bill No. 394:

A bill to be entitled An Act to declare, designate and establish a certain Road in Lee County, Florida, a State Road forming a part of the connecting system of State Roads of the State of Florida.

Also—
House Bill No. 484:

A bill to be entitled An Act to declare, designate, and establish a certain State Road in Dade County, Florida.
Have examined the same and find them correctly enrolled.

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

Very respectfully,

F. P. PARKER,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

Senator MacWilliams requested that Senate Bill No. 70 be recalled from the Committee on Internal Affairs and placed on the Calendar of Bills on second reading, having been in said Committee more than seven (7) days.

And it was so ordered, under the rules.

Senator Beall requested that House Bill No. 887 be recalled from the Committee on Judiciary "B" and placed on the Calendar of Bills on second reading, having been in said Committee more than seven (7) days.

And it was so ordered, under the rules.

Senator Parrish moved that the Senate reconsider the vote by which the following amendment offered by Senator Smith (29th) to House Committee Substitute for Senate Bill No. 130 was adopted on May 20, 1935.

House Committee Substitute for Senate Bill No. 130:

A bill to be entitled An Act to amend Sections 2407, 178, 5712, 5711, Revised General Statutes of the State of Florida, 1920, being also published respectively, as Sections 3816, 214, 7935, 7934, Compiled General Laws of Florida, 1927; and further to amend Section 2401, Revised General Statutes of the State of Florida, 1920, as amended by Section 1, Chapter 10128, Acts 1925, being also published as Section 3810, Compiled General Laws of Florida, 1927; and further to amend Section 2405, Revised General Statutes of the State of Florida, 1920, as amended by Section 1, Chapter 9128, Acts 1923; and as further amended by Section 3, Chapter 10128, Acts 1925, being also published as Section 3814, Compiled General Laws of Florida, 1927; and further to amend Section 2406, Revised General Statutes of the State of Florida, 1920, as amended by Section 4, Chapter 10128, Acts 1925, being also published as Section 3815, Compiled General Laws of Florida, 1927; and further to amend Sections 2416, 2417, 2418, 2419 Revised General Statutes of the State of Florida, 1920, being also published respectively, as Sections 3826, 3827, 3828, and 3829, Compiled General Laws of Florida, 1927; and further to amend Section 2398, Revised General Statutes of the State of Florida, 1920, as amended by Section 1, Chapter 9127, Acts 1923, and further amended by Section 2, Chapter 10128, Acts 1925, and Section 1, Chapter 14510, Acts 1929, Extra Session, being also published as Section 3807, Compiled General Laws of Florida, 1927; and further to amend Sections 2402 and 5710, Revised General Statutes of the State of Florida, 1920, also published respectively as Sections 3811 and 7933, Compiled General Laws of Florida, 1927; relating to and defining commercial fertilizer, mixed fertilizer and fertilizer materials; defining various fertilizer elements and ingredients and forms of commercial fertilizer; defining certain terms and words used in the Act; providing for registration and analysis of commercial fertilizer, as in the Act defined, and the duty of the State Chemist and others with reference thereto; providing for the taking of special samples by purchasers and official samples by or under the direction of the State Chemist or the Commissioner of Agriculture; providing the formula for and the method and procedure of analyzing and reporting the analysis of commercial fertilizer, as herein defined, by the State Chemist; prohibiting the sale or offer of sale of pulverized leather, hair or wool waste as a commercial fertilizer or as an ingredient thereof, except under certain conditions, and prescribing a penalty for the violation of the provisions thereof; providing for a lawful variation from the guaranteed analysis and defining deficiency analysis and excess analysis; requiring reports designating agents; providing for guaranteed analysis of commercial fertilizer, as in this Act defined, and the requirements as to form and contents of the statement of the guaranteed analysis; providing for the classification, and guaranteed analysis of cottonseed meal and penalty for the violation of the provision thereof; providing for the labeling of commercial fertilizer, as in this Act defined, and for registration of brands and changes thereof and for the payment of registration fees and penalties for failure to comply therewith; defining major and minor penalties, prescribing the degree or extent of the penalty in each case and prescribing the method of collection; providing penalties for misrepresentation of commercial fertilizer and the elements and ingredients thereof.

Which amendment reads as follows:

In Section 9, line 6 (typewritten bill), strike out the figure 30c and insert in lieu thereof the following: 20c.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Tillman—

Senate Bill No. 856:

A bill to be entitled An Act for the relief of Pithagoras

Lodge Association (Order of the Knights of Pythias) and Italian Country Club, nonprofit, social, fraternal, benevolent, charitable, civic, and patriotic corporations in the County of Hillsborough and State of Florida, on account of city tax liens against property acquired by the said institutions.

Which was read the first time by title only.

The following proof of publication was attached to Senate Bill No. 856 when it was introduced in the Senate:

NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that there will be introduced at the regular session of the Legislature of the State of Florida which has convened since April, 1935, an act or acts concerning Pythagoras Lodge Association with regard to East One Hundred Eight Feet (108') of Lot Four (4) of Block B of Kammerers Subdivision, recorded in Plat Book 1, Page 126; and concerning Deutsch Amerikanischer Verein (German American Club), situated at the North six (6) acres of Government Lot Four (4) of Section Thirty-five, (35) Township Twenty-eight (28), South Range Eighteen (18), East, and also known as the North Three Hundred Thirty (330) Feet of said Government Lot Four (4) together with all Riparian Rights, as recorded in Deed Book 964, Page 61; and concerning the Italian Country Club, situated at Lots 2 and 3 of Block 1 of Belmont Subdivision, according to map of Plat Book No. 2, pages 51 and 54; all of which property descriptions as above stated are according to the Public Records of Hillsborough County, Florida. All of the above mentioned organizations are non-profit, benevolent, social, and fraternal corporations in the State of Florida. The aforesaid act or acts will contain provisions for the entire and total cancellation of any and all back taxes and interest, costs, and penalties accrued thereon (State, County and City), which now constitute liens against the aforesaid properties, from the above described properties. Tampa, Florida, May 1, A. D., 1935. Dr. J. L. Avellanal and Albert D'Arpa, Attorneys.

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF HILLSBOROUGH.

I, Ralph Nicholson, General Manager of The Tampa Daily Times, a newspaper of general circulation, published in the City of Tampa, County of Hillsborough, State of Florida, do swear that said newspaper at the times of publication herein noted has been published continuously daily (except Sundays) and has been duly entered as second-class mail matter at the Post Office in Tampa, Hillsborough County, Florida, for a period of more than one year next preceding the date of the first insertion of such publication as herein noted; and I further swear that the notice, order or publication hereto attached in the cause of Notice of Special Legislation in re: Pythagoras Lodge Association, was published in said Tampa Daily Times, on the following dates, to-wit: May 1st, 1935.

(Signed) RALPH NICHOLSON.

Sworn to and subscribed before me this 1st day of May, A. D. 1935.

(SEAL) AMOSS MCKAY,
Notary Public, State of Florida at Large.
\$4.00. My Commission Expires Sept. 6, 1937.

Senator Tillman asked unanimous consent of the Senate to take up and consider Senate Bill No. 856 at this time.
Which was agreed to.

Senator Tillman moved that the rules be waived and Senate Bill No. 856 be read the second time by title only.

Which was agreed to by a two-thirds vote.
And Senate Bill No. 856 was read the second time by title only.

Senator Tillman moved that the rules be further waived and Senate Bill No. 856 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 856 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, Sav-

age, Shelley, Shivers, Sikes, Smith (14), Smith (29th), Swe-
ger, Tervin, Tillman, Touchton, Turner—37.

Nays—None.

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

By Senator McKenzie—

Senate Bill No. 857:

A bill to be entitled An Act authorizing the State Board of
Conservation of the State of Florida to investigate and report on
the water resources of the State of Florida and to cooper-
ate with the United States government and such other agencies
in procuring such data.

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

By the Committee on Legislative Re-Appportionment—

Senate Bill No. 858:

A bill to be entitled An Act to apportion the representation
of the State of Florida in the Senate of the State of Florida,
and to apportion the representation of the State of Florida in
the House of Representatives of the State of Florida.

Which was read the first time by title only.

Senator McKenzie asked unanimous consent of the Senate
to take up and consider Senate Bill No. 858 at this time.

Which was agreed to.

And Senate Bill No. 858 was read the second time in full.

Senator McKenzie moved that the rules be waived and Sen-
ate Bill No. 858 be read the third time in full and put upon its
passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 858 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, Clarke, Futch, Gillis, Gomez, Lewis, McArthur, McKenzie,
MacWilliams, Mann, Murphy, Nordman, Pannill, Parker,
Raulerson, Savage, Shelley, Shivers, Sikes, Smith (29th), Swe-
ger, Tillman, Touchton, Turner, Watson—29.

Nays—Senators Beacham, Butler, Holland, Lundy, Rose,
Smith (14th), Tervin—7.

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

By Senator Lewis—

Senate Bill No. 859:

A bill to be entitled An Act fixing the term of office of the
mayor, city clerk, and city marshal of the City of Marianna,
and providing the time for holding elections to fill such of-
fices; providing that no election shall be held to fill such of-
fices for 1936, and continuing the present incumbents in of-
fice for said year and extending their terms accordingly.

Which was read the first time by title only.

Senator Lewis asked unanimous consent of the Senate to
take up and consider Senate Bill No. 859 at this time.

Which was agreed to.

Senator Lewis moved that the rules be waived and Senate
Bill No. 859 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 859 was read the second time by title
only.

Senator Lewis moved that the rules be further waived and
Senate Bill No. 859 be read the third time in full and put
upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 859 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, Mur-
phy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Sav-
age, Shelley, Shivers, Sikes, Smith (14), Smith (29th), Swe-
ger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

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

By Senator Shelley—

Senate Bill No. 860:

A bill to be entitled An Act to designate and establish a cer-
tain State Road.

Which was read the first time by title only.

Senator Shelley asked unanimous consent of the Senate to
take up and consider Senate Bill No. 860 at this time.

Which was agreed to.

Senator Shelley moved that the rules be waived and Senate
Bill No. 860 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 860 was read the second time by title
only.

Senator Shelley moved that the rules be further waived and
Senate Bill No. 860 be read the third time in full and put
upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 860 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, Mur-
phy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Sav-
age, Shelley, Shivers, Sikes, Smith (14), Smith (29th), Swe-
ger, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

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

By Senator Beacham—

Senate Bill No. 861:

A bill to be entitled An Act for the relief of Young Women's
Christian Association of West Palm Beach, Florida, a corpora-
tion not for profit; providing for the cancellation of certain
taxes and for the payment of certain taxes out of the Treas-
ury of Palm Beach County, Florida, and for other purposes.

Which was read the first time by title only.

The following proof of publication was attached to Senate
Bill No. 861 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY FOR LEGISLATION.

To whom it may concern: Notice is hereby given that Young
Women's Christian Association of West Palm Beach, Florida, a
corporation not for profit, will during the 1935 session of the
Legislature of Florida, apply for and cause to be introduced in
said Legislature an Act, providing:

1. That the Comptroller of the State of Florida, the Clerk
of the Circuit Court of Palm Beach County, Florida, and Tax
Collector of Palm Beach County, Florida, be authorized, em-
powered and directed to cancel the 1930, 1931, 1932, 1933 and
1934 taxes upon the East 90 feet of lots 1 and 2 of block 2 of
Potter's Addition to the City of West Palm Beach in Palm
Beach County, Florida, which said property is owned and
held by the Young Women's Christian Association of West
Palm Beach, Florida, a corporation not for profit.

2. Appropriating from money in State Treasury not other-
wise appropriated the sum of ninety-nine dollars and fifteen
cents (\$99.15) for the relief of Young Women's Christian Asso-
ciation of West Palm Beach, Florida, a corporation not for
profit, with which to pay and redeem that portion of the 1929
taxes received by the State upon the East 90 feet of lots 1 and
2 of Block 2 of Potter's Addition and lot 1 of Graham Park
Addition to the City of West Palm Beach, Florida, the certifi-
cates for which are held by an individual, and authorizing, em-
powering and directing the State Comptroller to issue a war-
rant for said amount payable to the Young Women's Christian
Association of West Palm Beach, Florida, a corporation as
aforesaid.

3. Authorizing, empowering and directing the Board of
County Commissioners of Palm Beach County, Florida, to draw
its warrant in favor of Young Women's Christian Association
of West Palm Beach, Florida, a corporation as aforesaid in
the sum of five hundred ninety-four dollars and ninety-two
cents (\$594.92) with which to pay and redeem that portion
of the 1929 taxes received by the County and its special tax-
ing districts upon the East 90 feet of lots 1 and 2 of block 2
of Potter's Addition and lot 1 of Graham Park Addition to the
City of West Palm Beach, Florida, the certificates for which

are held by an individual, and authorizing, empowering and directing said Board of County Commissioners to pay said warrant.

4. Repealing all laws and parts of laws in conflict with said law.

5. Providing that said law shall take effect immediately upon its passage and approval by the Governor or upon becoming a law without his approval.

(Seal)

YOUNG WOMEN'S CHRISTIAN
ASSOCIATION (SEAL)
By MABEL G. BABCOCK,

As Its President.

Attest:

EDITH WALKER,
As Its Secretary.
Pub. April 5, 1935.

PROOF OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF PALM BEACH.

Before the undersigned authority personally appeared Don Morris, General Manager, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a law or proposed bill relating to An Act for the relief of the Young Women's Christian Association of West Palm Beach, Florida, a corporation not for profit; providing for the cancellation of certain taxes and for the payment of certain taxes out of the State Treasury and Treasury of Palm Beach County, Florida, and for other purposes, has been published at least thirty days prior to this date by being printed in the April 5th, 1935, issue of the Palm Beach Times, a newspaper published in Palm Beach County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit or proof of publication are attached to the proposed bill or contemplated law and such copy of the notice so attached is by reference made a part of this affidavit.

DON MORRIS.

Sworn and subscribed to before me this 6th day of May, A. D. 1935.

W. A. HENDRY,

Notary Public, State of Florida at Large.

My Commission expires July 5, 1937.

(SEAL)

Senator Beacham asked unanimous consent of the Senate to take up and consider Senate Bill No. 861 at this time.
Which was agreed to.

Senator Beacham moved that the rules be waived and Senate Bill No. 861 be read the second time by title only.
Which was agreed to by a two-thirds vote.

And Senate Bill No. 861 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 861 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 861 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 (14), Smith (29th), Sweager, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

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

By Senator Sweger—

Senate Bill No. 862:

A bill to be entitled An Act prescribing the compensation of county judges as Judges of the County Courts and Juvenile Courts of their respective counties in counties in the State of Florida having a population of not more than 31,000, and not less than 29,600, according to the last preceding Federal census.

Which was read the first time by title only.

Senator Sweger asked unanimous consent of the Senate to take up and consider Senate Bill No. 862 at this time.

Which was agreed to.

Senator Sweger moved that the rules be waived and Senate Bill No. 862 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 862 was read the second time by title only.

Senator Sweger moved that the rules be further waived and Senate Bill No. 862 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 862 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 (14), Smith (29th), Sweager, 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 immediately certified to the House of Representatives.

By Senator Beacham—

Senate Bill No. 863:

A bill to be entitled An Act amending, modifying and repealing certain sections and articles of 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."

Which was read the first time by title only.

Senator Beacham asked unanimous consent of the Senate to take up and consider Senate Bill No. 863 at this time.

Which was agreed to.

Senator Beacham moved that the rules be waived and Senate Bill No. 863 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 863 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 863 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 863 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 (14), Smith (29th), Sweager, Tervin, Tillman, Touchton, Turner, Watson—38.

Nays—None.

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

By Senator Beacham—

Senate Memorial No. 24:

A Memorial to the Congress of the United States requesting it to make investigation of the various Bondholders Committees holding bonds of municipalities and political subdivisions of States.

WHEREAS, A large percent of the Municipalities of the State of Florida are hopelessly insolvent due to the amount of bonds issued by such Municipalities, and

WHEREAS, The amount of said bonds issued by the various Municipalities are in most cases far beyond their ability to pay, and

WHEREAS, A satisfactory adjustment of such bond indebtedness in accordance with the ability of the Municipality to pay would have a tendency to and probably would do more than any other one thing to bring prosperity to such municipalities and to lift our State from the depression, and

WHEREAS, most of said bonds have been deposited with various bondholders committees and such municipalities in trying to adjust their financial problems and obtain a settlement of their bonded indebtedness have found it necessary to deal with these committees, and

WHEREAS, it has been the experience of municipalities in dealing with such bondholders committees that such committees do not want a fair settlement but are actuated by selfish motives in order to perpetuate themselves in their position, and being so actuated, refuse to settle on any fair and reasonable basis but insist on settlements that they know such municipalities cannot live up to and will necessarily bring about further defaults, and

WHEREAS, such committees in some cases are running a racket at the expense of their depositing bondholders on the one side and such insolvent municipalities of the State on the other side,

NOW, THEREFORE, BE IT RESOLVED by the Legislature of the State of Florida that the Congress of the United States of America is hereby respectfully petitioned to make provision for and have all such bondholders committees holding bonds of municipalities or other political subdivisions of States, thoroughly investigated to the end that their nefarious practices, where they are guilty of such, may be brought to light, so that where necessary, proper law may be enacted to meet such situations.

Which was read the first time in full.

Senator Beacham asked unanimous consent of the Senate to take up and consider Senate Memorial No. 24 at this time. Which was agreed to. And Senate Memorial No. 24 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. 24 was adopted.

Senator Gillis, Chairman of the Committee on Rules & Calendar, submitted the following report:

*Honorable William C. Hodges,
President of the Senate.*

Sir: Your Committee on Rules and Calendar respectfully report and recommend that the following bills be placed upon a special calendar to be known as Special Order Calendar, same to be taken up and considered in the order in which they appear, beginning at 3:00 P. M., May 21st, 1935, to-wit:

- House Bill No. 267: Page 15, Calendar of May 21, 1935.
 - Senate Bill No. 858: Legislative re-apportionment (not on printed calendar).
 - Senate Bill No. 658: Page 2, Calendar of May 21, 1935.
 - Senate Bill No. 724: Page 7, Calendar of May 21, 1935.
 - Senate Bill No. 282: Page 3, Calendar of May 21, 1935.
 - Senate Bill No. 637: Page 6, Calendar of May 21, 1935.
 - Senate Bill No. 526: Page 2, Calendar of May 21, 1935.
 - Senate Bill No. 4: Page 11, Calendar of May 21, 1935.
 - Senate Bill No. 506: Page 1, Calendar of May 21, 1935.
 - Senate Bill No. 847: Page 14, Calendar of May 21, 1935.
 - Senate Bill 585: Page 4, Calendar of May 21, 1935.
 - H. Bill No. —: Welfare bill. (Not on printed calendar).
 - Senate Bill No. 783: Page 5, Calendar of May 21, 1935.
 - Senate Bill No. 791: Page 13, Calendar of May 21, 1935.
 - Senate Bill No. 404: Page 6, Calendar of May 21, 1935.
 - Senate Bill No. 275: Page 3, Calendar of May 21, 1935.
 - Senate Bill No. 589: Page 11, Calendar of May 21, 1935.
 - Senate Bill No. 666: Page 7, Calendar of May 21, 1935.
 - Senate Bill No. 590: Page 5, Calendar of May 21, 1935.
 - Senate Bill No. 391: Page 3, Calendar of May 21, 1935.
- and that the same be and remain a continuing order until disposed of.

Respectfully submitted,
D. STUART GILLIS,
Chairman Rules and Calendar Committee.

Senator Gillis moved that the foregoing report of the Committee on Rules & Calendar be adopted.

Which was agreed to.

And the foregoing report of the Committee on Rules & Calendar was adopted.

Senator Futch asked unanimous consent of the Senate to take up and consider Senate Bill No. 839 out of its order at this time.

Which was agreed to.

Senate Bill No. 839:

A bill to be entitled An Act to amend Section 7, Chapter 16252, Acts of 1933, entitled "An Act to provide for the settlement of delinquent taxes on real estate in the State of Florida, and to further defer the enforcement of liens for such delinquent taxes, and for the assessment of lands upon or against which taxes are delinquent, and for the redemption of delinquent tax certificates with bonds known as the Futch bill; so as to provide for the collection of principal and interest as they mature on the bonds taken in by the Clerk of the Circuit Court in redemption of tax sale certificates.

Was taken up and read the second time in full.

Senator Futch moved that the rules be waived and Senate Bill No. 839 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 839 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, Holland, Lundy, McArthur, McKenzie, MacWilliams, Mann, Nordman, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—31.

Nays—None.

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

Senator Tillman asked unanimous consent of the Senate to take up and consider Senate Bill No. 515 out of its order at this time.

Which was agreed to.

Senate Bill No. 515:

A bill to be entitled An Act to promote the public health, safety and welfare by authorizing municipalities in the State of Florida to construct, extend, operate and maintain water works systems, sewerage systems, sewage treatment works, garbage collection and garbage disposal plants; to provide method of financing the same; to provide for municipal or private ownership and to provide for the granting of franchises in the event of private ownership; to provide for the fixing of rates or charges for the use of utilities described herein; to provide for the granting of the right of eminent domain necessary for the accomplishment of the purposes of this Act; to provide for the fixing of zones or areas to be served by the utilities constructed or operated under authority of this Act; and to provide for a referendum and fixing the conditions of the same.

Was taken up and read the third time in full.

By unanimous consent Senator Tillman offered the following amendment to Senate Bill No. 515:

In title, line 6 (typewritten bill), add after the word "plants" the following word: "airports."

Senator Tillman moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 3, line 13 (typewritten bill), add after the figure "7" the following: "to construct, maintain and operate airports."

Senator Tillman moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 4, line 4 (typewritten bill), add after the word "works", the following: "and airports".

Senator Tillman moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 4 (typewritten bill), strike out "sub-paragraph b of Section 4," and insert in lieu thereof the following: "Sub-paragraph b. Whenever any municipality shall decide to avail itself of the provisions of this Act for the extension or improvement of any existing utility plant or system, any then existing plant or system may be included as a part of a whole plant or system and any two or more utilities may be included in one project hereunder. The revenues of all or any part of any existing plants or systems or any plants or systems constructed hereunder may be pledged to secure moneys advanced for the construction or improvements of any utility plant or system or any part thereof or any combination thereof."

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 1, sub-section (e) after the words, "to be constructed" in line 4 thereof, add "or extended."

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 1, sub-section (e), line 5 (typewritten bill), strike out the word: "that," and insert in lieu thereof the following: "what."

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 1, sub-section (e), line 6 (typewritten bill), after the words, "or debenture," add the words, "if any."

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 1, sub-section (g), line 7 (typewritten bill), after the words, "of the utility" add the words, "or any extension thereof."

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 1, sub-section (g), line 18, (typewritten bill), after the words, "construct the utility" add the words, "or any extension thereof."

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 4, sub-section (a), line 4, (typewritten bill), after the words "and disposal works" insert "whether heretofore or hereafter constructed or operated".

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 6, (typewritten bill), after the words, "said utility" in line 4 thereof, add the words "or extensions thereof".

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 7, (typewritten bill), at the end of sub-section (b) add "or by discontinuance of service of such utility until delinquent charges for services thereof are paid, including charge covering any reasonable expense for reconnecting such service after such delinquencies are paid, or any other lawful method of enforcement of the payment of such delinquencies".

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

By unanimous consent Senator Tillman also offered the following amendment to Senate Bill No. 515:

In Section 18, sub-section (a), after the words: "in this Act" in line 4 thereof, insert "or any extension or extensions to previously constructed utility".

Senator Tillman moved the adoption of the amendment. Which was agreed to and the amendment was adopted.

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

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

Nays—None.

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

Senator Parker moved that three hundred copies of Senate Bill No. 847 be printed.

Which was agreed to and it was so ordered.

Senator Gomez asked unanimous consent of the Senate to take up and consider Senate Bill No. 787 out of its order, at this time.

Which was agreed to.

Senate Bill No. 787:

A bill to be entitled An Act to regulate the construction and equipment of busses used, leased, owned or purchased for the transportation of school children.

Was taken up and read the second time in full.

Senator Gomez moved that the rules be waived and Senate Bill No. 787 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 787 was read the third time in full.

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

Yeas—Senators Beall, Black, Futch, Gomez, Holland, MacWilliams, Pannill, Tervin, Touchton—9.

Nays—Mr. President; Senators Adams, Bass, Beacham, Clarke, Gillis, Lewis, Lundy, McArthur, Mann, Nordman, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Smith (14th), Smith (29th), Tillman, Turner—22.

So the bill failed to pass.

Senator Smith (29) asked unanimous consent of the Senate to take up and consider Senate Bill No. 529, out of its order, at this time.

Which was agreed to.

Senate Bill No. 529:

A bill to be entitled An Act prescribing and regulating the fees to be allowed and charged by County Judges in the performance of the duties of their offices in criminal cases.

Was taken up and read the second time in full.

Senator Smith (29th) moved that the rules be waived and Senate Bill No. 529 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 529 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, Beacham, Butler, Clarke, Futch, Gomez, Holland, McArthur, Murphy, Pannill, Parker, Parrish, Raulerson, Shelley, Sikes, Smith (14th), Smith (29th), Touchton, Turner, Watson—21.

Nays—Senators Bass, Beall, Black, Gillis, Lewis, Lundy, MacWilliams, Mann, Nordman, Rose, Savage, Shivers, Sweger, Tervin, Tillman—15.

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

Senator Beacham asked unanimous consent of the Senate to take up and consider Senate Bill No. 275, out of its order at this time.

Which was agreed to.

Senate Bill No. 275:

A bill to be entitled An Act prescribing in whose name actions at Law and suits in equity shall be brought and requiring trustees of an express trust bringing any form of action or

suit, whether at law or in equity, or purely statutory, to file in such action or suit a list of the names and addresses of the beneficiaries of the express trust and other evidence, if necessary, as to the time when said trust would expire, and providing for the abatement, revival and dismissal of such actions and suits brought by trustees in certain cases.

Was taken up 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, Clarke, Futch, Gomez, Holland, Lewis, Lundy, McArthur, MacWilliams, Mann, Murphy, Nordman, Pannill, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Sweger, Touchton, Watson—29.

Nays—Senator Butler,—1.

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

Senator Futch now presiding.

Senator Holland asked unanimous consent of the Senate to take up and consider Senate Bill No. 642, out of its order, at this time.

Which was agreed to.

Senate Bill No. 642:

A bill to be entitled An Act to permit the State of Florida to be made a party defendant in any suit which is now pending or which may hereafter be brought in any Court of the State of Florida having jurisdiction of the subject matter, for the purpose of foreclosing any mortgage or other lien upon real estate or personal property and securing an adjudication touching any lien which the said State of Florida may have or claim on the property involved, whether such lien is held or claimed by the State of Florida for its own benefit or for the use and benefit of any county of said State or for the use and benefit of any person, firm or corporation; providing who shall be necessary parties to such suits; prescribing the method of serving process on the State of Florida in such cases and certain rules of pleading and practice in such cases.

Was taken up 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, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Raulerson, Rose, Savage, Shelley, Shivers, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—33.

Nays—None.

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

Senator Hodges asked unanimous consent of the Senate to take up and consider House Bill No. 891, out of its order, at this time.

Which was agreed to.

House Bill No. 891:

A bill to be entitled An Act to grant a pension to Mrs. Myrtle Roberta Qualle, of Tallahassee, Leon County, Florida.

Was taken up and read the second time in full.

Senator Hodges moved that the rules be waived and House Bill No. 891 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 891 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, Futch, Gillis, Gomez, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Smith (14th), Smith (29th), Tervin, Tillman, Touchton, Turner, Watson—32.

Nays—None.

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

Senator Hodges asked unanimous consent of the Senate to take up and consider Senate Bill No. 299, out of its order, at this time.

Which was agreed to.

Senate Bill No. 299:

A bill to be entitled An Act to require the re-payment to the permanent building fund of certain moneys transferred from the permanent building fund of the institutions of higher learning to the general revenue fund.

Was taken up 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, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—35.

Nays—None.

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

Senator Hodges asked unanimous consent of the Senate to take up and consider Senate Bill No. 298, out of its order, at this time.

Which was agreed to.

Senate Bill No. 298:

A bill to be entitled An Act amending Section 741 of the Revised General Statutes, 1920, also known as Section 950 of the Compiled General Laws of Florida fixing the time when ad valorem taxes are due and how payable and the discount allowed payer because of payments at certain times.

Was taken up 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, Clarke, Futch, Gillis, Gomez, 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—None.

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

Senator Hodges moved that the hour of adjournment be extended five (5) minutes.

Which was agreed to and it was so ordered.

Senator Hodges asked unanimous consent of the Senate to take up and consider Senate Bill No. 712, out of its order, at this time.

Which was agreed to.

Senate Bill No. 712:

A bill to be entitled An Act for the relief of C. Fred Pierson of Tallahassee, Florida, and providing for refund by the Board of County Commissioners in and for Leon County, Florida, of County Taxes erroneously assessed and collected.

Was taken up and read the second time in full.

Senator Hodges moved that the rules be waived and Senate Bill No. 712 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 712 was read 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, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Sweger, Tervin, Tillman, Touchton, Turner, Watson—35.

Nays—None.

So Senate Bill No. 712 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 Houses of Representatives.

Senator MacWilliams asked unanimous consent of the Senate to take up and consider Senate Bill No. 70, out of its order, at this time.

Which was agreed to.

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.

Was taken up and read the second time in full.

Senator MacWilliams moved that the rules be waived and Senate Bill No. 70 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 70 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, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shivers, Sikes, Sweger, Tillman, Turner, Watson—31.

Nays—None.

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

Senator Shivers asked unanimous consent of the Senate to take up and consider Senate Bill No. 652, out of its order, at this time.

Which was agreed to.

Senate Bill No. 652:

A bill to be entitled An Act requiring certificate of the Board of County Commissioners of the County of residence of any applicant for admission or matriculation as a student of the University of Florida, Florida State College for Women, or Florida A & M College, who is, or claims to be, a resident of the State of Florida at such time.

Was taken up and read the second time in full.

Senator Shivers moved that the rules be waived and Senate Bill No. 652 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 652 was read the third time in full.

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

Yeas—Senators Adams, Bass, Beall, Black, Clarke, Futch, Gillis, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Savage, Shelley, Shivers, Sikes, Sweger, Tervin, Tillman, Touchton, Turner, Watson—30.

Nays—Mr. President; Senators Beacham, Butler, Gomez, Smith (29th)—5.

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

The hour or adjournment having arrived a point of order was called and the Senate took a recess at 1:08 o'clock P. M. until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened 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 (14), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

A quorum present.

REPORTS OF COMMITTEES

Senator Touchton, Chairman of the Committee on Privileges & Elections, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:

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

Senate Bill No. 776:

A bill to be entitled An Act to amend Section 566 of the Revised General Statutes of Florida, being the same as Section 707 of the Compiled General Laws of Florida, relative to the qualification of electors at Special Tax School District Elections.

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

Very respectfully,

FRED L. TOUCHTON,
Chairman of Committee.

And Senate Bill No. 776, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Touchton, Chairman of the Committee on Privileges & Elections, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

Hon. Wm. C. Hodges,

President of the Senate.

Sir:

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

Senate Bill No. 738:

A bill to be entitled An Act to amend Section 330 of the Revised General Statutes of 1920, the same being Section 387 of the Compiled General Laws, 1927, as amended by Section 5 of Chapter 13761, Laws of Florida, Acts of 1929, relating to the time for qualification of candidates for nomination prior to primary elections where candidates are to be nominated for an office to be voted for wholly within a single county.

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

Very respectfully,

FRED L. TOUCHTON,
Chairman of Committee.

And Senate Bill No. 738, contained in the above report, was laid on the table.

Senator Touchton, Chairman of the Committee on Privileges & Elections, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

Hon. Wm. C. Hodges,

President of the Senate.

Sir:

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

Senate Bill No. 737:

A bill to be entitled An Act to amend Section 328 of the Revised General Statutes of 1920, the same being Section 385 of the Compiled General Laws of 1927, relating to the payment of filing fees by candidates for State Senator and by candidates for Representative in the House of Representatives of the Legislature of the State of Florida.

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

Very respectfully,

FRED L. TOUCHTON,
Chairman of Committee.

And Senate Bill No. 737, contained in the above report, was laid on the table.

Senator Touchton, Chairman of the Committee on Privileges & Elections, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 3, 1935.

Hon. Wm. C. Hodges,

President of the Senate.

Sir:

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

Senate Bill No. 572:

A bill to be entitled An Act providing for the election clerks and inspectors and their qualifications; providing a list of not less than five hundred (500) to be taken from the registered qualified electors; providing the drawing of names of such clerks and inspectors by the Circuit Judge who shall examine into their qualifications and administer oaths to perform their duties faithfully as such clerks and inspectors; providing a list of names of persons to be selected in January of each year

by the Circuit Judge and the recording of same in minute book of County Commissioners; providing the summoning by the sheriff of such clerks and inspectors and the method and manner of selection of such clerks and inspectors for the voting election precincts or districts of a primary, special or general election. This law shall apply to all counties of the State of Florida with a population of over one hundred and fifty thousand (150,000) according to the last Federal census.

Have had the same under consideration and report the same without recommendation.

Very respectfully,
FRED L. TOUCHTON,
 Chairman of Committee.

And Senate Bill No. 572, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Touchton, Chairman of the Committee on Privileges & Elections, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 21, 1935.

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

Sir:
 Your Committee on Privileges & Elections, to whom was referred:

House Bill No. 538:

A bill to be entitled An Act to provide for the use of the party emblem in voting in General Elections for all the candidates of any political party participating in the General Elections in the State of Florida.

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

Very respectfully,
FRED L. TOUCHTON,
 Chairman of Committee.

And House Bill No. 538, contained in the above report, was laid on the table.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 21, 1935.

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

Sir:
 Your Committee on Pensions & Claims, to whom was referred:

Senate Bill No. 509:

A bill to be entitled An Act for the relief of The Standard Fire Insurance Company of Hartford, Connecticut.

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

Very respectfully,
CLAYTON C. BASS,
 Chairman of Committee.

And Senate Bill No. 509, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 21, 1935.

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

Sir:
 Your Committee on Pensions & Claims, to whom was referred:

House Bill No. 340:

A bill to be entitled An Act awarding special pension to Jacob Fischer for injuries sustained when he was a member of the Pensacola Light Artillery, a unit of the State Militia of the State of Florida.

Have had the same under consideration, and report the same without recommendation.

Very respectfully,
CLAYTON C. BASS,
 Chairman of Committee.

And House Bill No. 340, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 21, 1935.

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

Sir:
 Your Committee on Pensions & Claims, to whom was referred:

House Bill No. 366:

A bill to be entitled An Act for the relief of Joe S. Roof, a citizen of Suwannee County.

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

Very respectfully,
CLAYTON C. BASS,
 Chairman of Committee.

And House Bill No. 366, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 21, 1935.

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

Sir:
 Your Committee on Pensions & Claims, to whom was referred:

House Bill No. 911:

A bill to be entitled An Act providing for an allowance in the form of a pension of forty dollars (\$40.00) monthly to Miss Julia E. Harn and making an appropriation to take care of such an allowance or pension.

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

Very respectfully,
CLAYTON C. BASS,
 Chairman of Committee.

And House Bill No. 911, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., May 21, 1935.

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

Sir:
 Your Committee on Pensions & Claims, to whom was referred:

House Bill No. 553:

A bill to be entitled An Act for the relief of Lillian Hall and Herbert H. Hall and providing appropriation to compensate them because of the death of Mrs. Annie A. Browning and for the loss of the husband of Mrs. Annie A. Browning and the father of Lillian Hall, to-wit: William Ennis Browning, who was killed by a shot fired from a machine gun by members of the Florida National Guard, which compensation was provided for by An Act of the Legislature of 1933 but has never been fully paid.

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

Very respectfully,
CLAYTON C. BASS,
 Chairman of Committee.

And House Bill No. 553, contained in the above report, was placed on the Calendar of Bills on second reading.

REPORT OF COMMITTEE ON ENGROSSED BILLS

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

Senate Chamber,
 Tallahassee, Fla., May 21, 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. 515:

A bill to be entitled An Act to promote the Public Health, Safety and Welfare by authorizing municipalities in the State

of Florida to construct, extend, operate and maintain water works systems, sewerage systems, sewage treatment works, garbage collection and garbage disposal plants; to provide method of financing the same; to provide for municipal or private ownership and to provide for the granting of franchises in the event of private ownership; to provide for the fixing of rates or charges for the use of utilities described herein; to provide for the granting of the right of eminent domain necessary for the accomplishment of the purposes of this Act; to provide for the fixing of zones or areas to be served by the utilities constructed or operated under authority of this Act; and to provide for a referendum and fixing the conditions of the same.

Amendment No. 1:

In Title, line 6 (typewritten bill) add after the word "plants" the following word: "airports"

Amendment No. 2:

In Section 1, sub-section (e) after the words, "to be constructed" in line 4 thereof, add "or extended."

Amendment No. 3:

In Section 1, sub-section (e), line 5 (typewritten bill) strike out the word: "that" and insert in lieu thereof the following: "what"

Amendment No. 4:

In Section 1, sub-section (e) line 6 (typewritten bill) after the words, "or debenture", add the words, "if any."

Amendment No. 5:

In Section 1, sub-section (g), line 7 (typewritten bill) after the words, "of the utility" add the words, "or any extension thereof."

Amendment No. 6:

In Section 1, sub-section (g), line 18 (typewritten bill) after the words, "construct the utility" add the words, "or any extension thereof."

Amendment No. 7:

In Section 3, line 13 (typewritten bill), add after the figure "7" the following: "to construct, maintain and operate airports."

Amendment No. 8:

In Section 4, line 4 (typewritten bill) add after the word "works," the following: "and airports"

Amendment No. 9:

In Section 4, sub-section (a) line 4, (typewritten bill) after the words "and disposal works" insert "whether heretofore or hereafter constructed or operated."

Amendment No. 10:

In Section 4 (typewritten bill), strike out "sub-paragraph (b) of Section 4" and insert in lieu thereof the following: "Sub-paragraph (b). Whenever any municipality shall decide to avail itself of the provisions of this Act for the extension or improvement of any existing utility plant or system, any then existing plant or system may be included as a part of a whole plant or system and any two or more utilities may be included in one project hereunder. The revenues of all or any part of any existing plants or systems or any plants or systems constructed hereunder may be pledged to secure moneys advanced for the construction or improvement of any utility plant or system or any part thereof or any combination thereof."

Amendment No. 11:

In Section 6, (typewritten bill) after the words, "said utility" in line 4 thereof, add the words "or extensions thereof."

Amendment No. 12:

In Section 7 (typewritten bill), at the end of sub-section (b) add "or by discontinuance of service of such utility until delinquent charges for services thereof are paid, including charge covering any reasonable expense for reconnecting such service after such delinquencies are paid, or any other lawful method of enforcement of the payment of such delinquencies."

Amendment No. 13:

In Section 18, sub-section (a) (typewritten bill), after the words, "in this Act" in line 4 thereof, insert "or any extension or extensions to previously constructed utility."

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. 515, contained in the above report, was certified to the House of Representatives.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS

Senator Parker, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 20, 1935.

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

Sir:

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

Senate Bill No. 22:

A bill to be entitled An Act relating to the purchase, handling, sale and accounting of sales of citrus fruit grown in the State of Florida; to prevent fraud and deception therein; to provide for the licensing and bonding of citrus fruit dealers; to prescribe certain powers and duties of the Commissioner of Agriculture of the State of Florida in the administration and enforcement of this Act; and to prescribe penalties for the violations of the provisions of this Act.

Also—

Senate Bill No. 478:

A bill to be entitled An Act to amend Section 5297, Revised General Statutes of Florida, 1920, (being Section 7418 of the Compiled General Laws of Florida, 1927), relating to the destruction or injury of telegraph lines.

Also—

Senate Bill No. 769:

A bill to be entitled An Act relating to the expenditure and distribution of certain moneys derived from gasoline taxes placed to the credit of certain of several counties of the State of Florida having a population of not less than four thousand one hundred and twenty (4120) and not more than four thousand one hundred and thirty (4130), according to the Federal census of 1930 and conferring certain powers, authority, directions and duties upon the State Board of Administration with reference thereto.

Also—

Senate Bill No. 773:

A bill to be entitled An Act fixing the compensation of the members of the Boards of County Commissioners in all counties of the State of Florida having a population of not less than 12,170 nor more than 12,190, according to the last preceding Federal census.

Also—

Senate Bill No. 774:

A bill to be entitled An Act fixing the compensation of members of the Boards of Public Instruction in all counties of the State of Florida having a population of not less than 12,170 nor more than 12,190, according to the last preceding Federal census.

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

Very respectfully,

F. P. PARKER,
Chairman of the Joint Committee on Enrolled Bills
on the Part of the Senate.

Senator Parker, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report.

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:

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

House Bill No. 462:

A bill to be entitled An Act providing ways and means for

readjusting, refunding and liquidating the indebtedness of any financially embarrassed political subdivision and taxing district in default; for a judicial proceeding to carry out such purpose: for the confirmation and validation of refunding bonds issued by any such taxing district; for the assessment and levy of taxes to pay principal and interest of such refunding bonds; for the assessment and levy of taxes to pay unrefunded bonds or other indebtedness of such political subdivision or taxing district; and for other purposes germane thereto.

Also—

House Bill No. 468:

A bill to be entitled An Act to establish and designate a certain State road in Dixie County, Florida.

Also—

House Bill No. 1044:

A bill to be entitled An Act to designate and establish as a State Road that certain road running from Mt. Plymouth, in Lake County, Florida, on State Road No. 2, south by way of Rock Springs to Apopka intersecting State Road No. 2, thence southwesterly along the east side of Lake Apopka to Winter Garden intersecting State Road No. 22, thence South by way of Vineland to the South line of Orange County, thence to Kissimmee intersecting State Road No. 2, designating the route of said road and a number designated to be given thereto by the State Road Department of Florida.

Also—

House Bill No. 1028:

A bill to be entitled An Act to designate and establish as a State road that certain road extending from the present intersection of Orange Avenue and Fairbanks Avenue in Winter Park, thence southerly on Orange Avenue to its intersection with State road 22 in the City of Orlando, said road to be designated as State Road 3-A by the State Road Department of Florida.

Also—

House Bill No. 584:

A bill to be entitled An Act setting the salary of County Commissioners, members of the Board of Public Instruction, and County Superintendents of Public Instruction in all counties of the State of Florida having a population of not less than 6,418 and not more than 6,500 according to the last Federal census; and providing for the repeal of all Laws and parts of Laws, in conflict with the provisions of this Act.

Also—

House Bill No. 1064:

A bill to be entitled An Act to designate and establish a certain road in Brevard County as a State road.

Also—

House Bill No. 685:

A bill to be entitled An Act to extend State Road No. 38 as heretofore designated and established.

Also—

House Bill No. 395:

A bill to be entitled An Act to declare and designate and establish a certain road in Lee County, Florida, a State road forming a part of the connecting system of State roads of the State of Florida.

Also—

House Bill No. 1045:

A bill to be entitled An Act to designate and establish as a State road that certain road beginning in the Northeast quarter of Section 23, Township 22 South, Range 31 East, on State road No. 22 East of Orlando, running thence Northeasterly to Lake Pickett 4.7 miles, thence Easterly and Southeasterly 9.4 miles to the intersection of State road No. 22 at Fort Christmas, designating the route of said road and a number designation to be given thereto by the State Road Department of Florida.

Also—

House Bill No. 652:

A bill to be entitled An Act to extend State road number 123 from Graceville in Jackson County, Florida, West to intersect with State road number 39 at or near Esto in Holmes County, Florida.

Also—

House Bill No. 394:

A bill to be entitled An Act to declare, designate and estab-

lish a certain road in Lee County, Florida, a State road forming a part of the connecting system of State roads of the State of Florida.

Also—

House Bill No. 484:

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

Also—

House Bill No. 445:

A bill to be entitled An Act to amend Section 1 of Chapter 16562, Laws of the State of Florida, Acts of 1933, entitled "An Act to amend Section 43 of the Charter of the City of Miami Beach, being Chapter 7672 of the Laws of Florida, Acts of 1917, to provide for the levy of one mill for publicity and advertising purposes."

Also—

House Bill No. 1165:

A bill to be entitled An Act amending the charter of the City of St. Cloud, Florida, by prohibiting said City from selling, mortgaging, leasing or encumbering its public utilities, except under certain restrictions and upon proper authority from the taxpayers of said City, and repealing Chapters 13358 and 13560, Special Acts of the 1927 Legislature, relating the sale of said public utilities.

Also—

House Bill No. 1109:

A bill to be entitled An Act to authorize Naranja Drainage District in Dade County, Florida, to issue bonds to replace or refund its outstanding bonds, to authorize the sale of such bonds to the Reconstruction Finance Corporation or other Federal agency, validating any agreements made with such corporation, and to provide for the payment of such bonds.

Also—

House Bill No. 447:

A bill to be entitled An Act cancelling all delinquent special assessments or taxes on all land within the Eagle Bay Sub-drainage District in Okeechobee County, Florida, upon condition that said district obtains from Federal agencies sufficient funds to refinance its indebtedness.

Also—

House Bill No. 443:

A bill to be entitled An Act to amend Sections 3, 4, 10 and 14 of Chapter 9836, Laws of the State of Florida, Acts of 1923, entitled "An Act to Amend Chapter 9023 of the Laws of Florida, relating to the municipal government of the City of Miami Beach; and to amend Chapter 7672 of the Laws of Florida, relating to the municipal government of the City of Miami Beach."

Also—

House Bill No. 564:

A bill to be entitled An Act to repeal Chapter 9419 of the Laws of Florida, enacted in 1923 and entitled: "An Act to authorize and empower the Board of County Commissioners of Dade County, Florida, to levy upon all real and personal property, subject to taxation within Dade County, Florida, beginning with the year A. D. 1923, an annual tax in addition to all other taxes, not to exceed one mill, which shall be assessed and collected as other taxes are assessed and collected, for the purpose of maintaining, keeping in repair and improving the causeway or fill across Biscayne Bay, in said County, connecting the Cities of Miami and Miami Beach, and the bridges, viaducts and approaches connected thereto, and all property located thereon or attached thereto, owned by said County, or in which said County holds a beneficial interest."

Also—

House Concurrent Resolution No. 15:

Being a Resolution relating to the appointment of a commission to make a comprehensive survey for the conservation of our natural resources, protecting the State against the ravages of fire, and preserving the artesian water supply of the State, with reference to a comprehensive program of legislation in connection therewith.

Also—

House Bill No. 1150:

A bill to be entitled An Act relating to the hunting and taking of game and fish in Walton County, Florida, and prescribing the license fees to be charged by said County, and creating and designating a game preserve in said County, and

prescribing the manner and time that suckers may be taken from the waters of Shoal River in said County, and repealing all laws or parts of laws, local or special, in conflict herewith, and providing violations of this Act shall be a misdemeanor and providing penalties for the violation of this Act.

Also—

House Concurrent Resolution No. 14:
House Concurrent Resolution providing for an unpaid Commission on Interstate Cooperation.

Also—

House Bill No. 1102:
A bill to be entitled An Act authorizing fishing in waters in Osceola County, Florida.

Also—

House Bill No. 1133:
A bill to be entitled An Act to amend Chapter 7414 of the Special Acts of the 1917 Legislature of Florida, and providing for the time and manner of election and the term of office of Trustees of Special Road and Bridge District No. 1, Alachua County, Florida.

Also—

House Bill No. 830:
A bill to be entitled An Act to amend Subsection Third of Section 10 of Chapter 15900, Laws of Florida, Acts of 1933, relating to the creation of a Board of Public Instruction for each County of the State of Florida having a population of not less than 155,000 according to the last preceding Federal census, prescribing the powers, duties and compensation of such boards and the membership thereof, and prescribing certain duties of other officers incident to the functions of such Boards of Public Instruction.

Also—

House Bill No. 441:
A bill to be entitled An Act to amend Section 10 of Chapter 7672, Laws of the State of Florida, Acts of 1917, entitled "An Act to abolish the present municipal government of the Town of Miami Beach, in the County of Dade, and State of Florida, and to establish, organize and incorporate a city government for the City of Miami Beach, to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same, and to authorize the imposition of penalties for the violation of its ordinances."

Also—

House Bill No. 557:
A bill to be entitled An Act "to authorize Dade County to acquire and hold land for park purposes, and authorizing the levy of a special tax to pay for same and to pay for lands to be used for rights of way for roads."

Also—

House Bill No. 821:
A bill to be entitled An Act to authorize the Commission of the City of Coral Gables to sell and/or compromise and adjust certain taxes, tax sale certificates and assessment liens, either for cash, city bonds or other obligations; and to create an Adjustment Board to exercise such powers as are herein conferred upon the Commission.

Also—

House Bill No. 1164:
A bill to be entitled An Act providing that no contract shall be entered into with, or franchise granted, to any utility company by the City of Okeechobee, Florida, until such contract or franchise has been submitted to a referendum vote of the qualified voters of said City of Okeechobee, Florida, except contracts of One Thousand (\$1,000.00) Dollars or less, certain of which contracts shall be published in said city.

Also—

House Bill No. 1161:
A bill to be entitled An Act regulating the sale of alcoholic beverages in all counties in the State of Florida having a population of not less than 23,100 and not more than 23,200, according to the Federal census of 1930; preventing the sale of such alcoholic beverages other than in sealed containers for consumption off the premises where sold; excepting certain beverages from the provisions of this Act.

Also—

House Bill No. 1155:
A bill to be entitled An Act relating to the compensation of

the Clerk of the Circuit Court as County Auditor and Clerk of the Board of County Commissioners, the Sheriff, County Judge, Tax Collector and Tax Assessor in counties within the State of Florida having a population of not less than 3,150 and not more than 3,200, according to the last Federal census, providing for the payment of such compensation and prescribing the time when this Act shall become a law.

Also—

House Concurrent Resolution No. 13:
House Concurrent Resolution calling the attention of the Senators and Representatives of Florida in the Congress of the United States to State Road No. 49 and asking Federal aid for same.

Also—

House Concurrent Resolution No. 16:
House Concurrent Resolution requesting the President of the United States to restore the tariff on all imported vegetables to the maximum rates allowed in the reciprocal agreement.

Also—

House Bill No. 1110:
A bill to be entitled An Act to legalize and validate all proceedings taken in the matter of incorporating and organizing Naranja Drainage District in Dade County, State of Florida, the appraisal of the lands within said District and the assessments of benefits and damages made thereon on account of the construction of the improvements set out in the plan of reclamation, the taxes assessed and levied against said lands, the proceedings taken by the Board of Commissioners authorizing the issuance and sale of \$80,000 of bonds to defray the costs of said construction together with the bonds and coupons appurtenant thereto issued and sold pursuant to such proceedings; to validate and confirm the taxes levied under Chapter 12099, Acts of 1927, and to continue such taxes for the payment of the bonds now outstanding and of any bonds issued in place of or to refund such bonds; and to declare such taxes special assessments for benefits and excepted from the Homestead Tax Exemption.

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

Very respectfully,

F. P. PARKER,

Chairman of the Joint Committee on Enrolled Bills on the Part of Senate.

The following messages from the Governor were received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

May 21st, 1935

Honorable W. C. Hodges,
President of the Senate,
Tallahassee, Florida.

Sir:

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

Senate Bill No. 555: Relating to Public Instruction.

Senate Bill No. 596: Relating to County Commissioners and Board of Public Instruction.

Senate Bill No. 655: Relating to Circuit Court Clerks.

Senate Bill No. 678: Relating to Pensacola Hospital, et al.

Respectfully yours,

DAVE SHOLTZ,
Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

May 21st, 1935

Honorable W. C. Hodges,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to inform you that I have today approved the following Act, which originated in your Honorable Body,

and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 406: Relating to Taxation.
Respectfully yours,

DAVE SHOLTZ,
Governor.

Pursuant to the Special Report of the Committee on Rules & Calendar, adopted this day, the Senate proceeded to the consideration of bills placed on the Special Calendar by said report, in the order named.

House Bill No. 267:

A bill to be entitled An Act dividing the State of Florida into five (5) Congressional Districts and prescribing and setting forth the territorial limits and boundaries of each district.

Was taken up, having been read the second time in full and amended on May 20, 1935, and retained on the Calendar of Bills on second reading for the purpose of further amendment.

Senators McArthur, Adams and Parker offered the following amendment to House Bill No. 267:

Strike out everything after the enacting clause, and insert in lieu thereof, the following:

Section 1. That the State of Florida shall be and the same is hereby divided into five (5) Congressional Districts, same to be numbered and designated as district number one (1), district number two (2), district number three (3), district number four (4), and district number five (5).

Section 2. The counties of Hillsborough, Polk, Manatee, Hardee, Highlands, Sarasota, DeSoto, Charlotte, Lee, Hendry, Glades, and Pinellas, shall constitute and compose the First Congressional District.

Section 3. The counties of Hamilton, Baker, Suwannee, Columbia, Union, Bradford, Putnam, Alachua, Gilchrist, Lafayette, Dixie, Levy, Marion, Citrus, Hernando, Sumter, Lake, Pasco, Nassau, Jefferson, Madison, and Taylor, shall constitute and compose the Second Congressional District.

Section 4. The counties of Jackson, Calhoun, Gulf, Liberty, Franklin, Gadsden, Leon, Wakulla, Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, and Bay, shall constitute and compose the Third Congressional District.

Section 5. The counties of Duval, Clay, St. Johns, Flagler, Volusia, Seminole, Brevard, Orange and Osceola, shall constitute and compose the Fourth Congressional District.

Section 6. The counties of Indian River, Okeechobee, St. Lucie, Martin, Palm Beach, Collier, Broward, Dade, and Monroe, shall constitute and compose the Fifth Congressional District.

Section 7. That when any new counties are created, such new counties shall compose a part of the Congressional District in which the territory for such new county is located.

Section 8. That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

Section 9. This Act shall take effect at the expiration of the terms of office of the Congressmen now serving from this State; provided, that at the General Election, to be held in 1936, the Congressmen shall be elected from each District, as by this Act created.

Senator McArthur moved the adoption of the amendment.
Upon which a roll call was demanded.

Upon the adoption of the amendment the roll was called and the vote was:

Yeas—Senators Adams, Bass, Clarke, Gillis, Lundy, McArthur, Parker, Shelley, Sikes, Smith (29th), Sweger—11.

Nays—Mr. President; Senators Beacham, Beall, Black, Butler, Futch, Gomez, Holland, Lewis, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parrish, Raulerson, Rose, Savage, Smith (14th), Tervin, Tillman, Touchton, Turner, Watson—24.

So the amendment failed of adoption.

Senator Rose moved that the rules be waived and House Bill No. 267, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 267, as amended, was read the third time in full.

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

Yeas—Senators Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Tervin, Tillman, Touchton, Turner, Watson—28.

Nays—Mr. President; Senators Adams, Bass, McArthur, Parker, Smith (29th), Sweger—7.

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

Senate Bill No. 658:

A bill to be entitled An Act to relieve married women from all the legal disabilities of coverture and to exempt their husbands from liability on account of their torts and contracts.

Was taken up 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 Bass, Beacham, Beall, Butler, Clarke, Futch, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Raulerson, Rose, Savage, Shivers, Sikes, Tillman, Touchton, Turner, Watson—26.

Nays—Senators Adams, Parker, Shelley, Smith (29th), Sweger, Tillman—6.

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

Senate Bill No. 724 was taken up and the consideration of same was informally passed

Senator Tervin now presiding.

Senate Bill No. 282:

A bill to be entitled An Act providing for the organization and operation of Morris Plan Banks, providing for the incorporation thereof, their organization, powers and activities, including the terms of their loans, for the conversion of existing Morris Plan domestic corporations into Morris Plan Banks. Providing for such Morris Plan Banks to become members of the Federal Reserve Bank and the Federal Deposit Insurance Corporation, and declaring certain acts repealed or inapplicable.

Was taken up and read the third time in full.

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

Yeas—Senators Bass, Beacham, Beall, Butler, Clarke, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, MacWilliams, Mann, Murphy, Nordman, Pannill, Parrish, Raulerson, Savage, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner—26.

Nays—None.

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

Senator Lewis moved that the Senate reconsider the vote by which Senate Bill No. 787 failed to pass the Senate, this day.

And the motion went over under the rules.

Senate Bill No. 637:

A bill to be entitled An Act to amend Section 3 of Chapter 16170, Laws of Florida, Acts of 1933, the same being "An Act relating to the establishment and maintenance of a uniform system of free public schools in the State of Florida; creating a teachers salary fund of each county of the State; authorizing the State Board of Education to fix the maximum salary of teachers in the public free schools of the State payable out of the teachers salary fund of the several counties; defining the supervising powers and duties of the State Board of Education over schools of higher grades, and defining what shall constitute schools of higher grades within the meaning of this Act; authorizing the State Board of Education to fix and determine the establishment, classification and character of all schools of higher grades which shall receive State aid and to determine the course of study therein and to prescribe for the division of such schools into groups when deemed advisable and to prescribe the minimum size for the classes therein and to provide for the employment of assistants to the State Superintendent of Public Instruction and to prescribe duties of and fix the compensation of such assistants, and to provide

for a uniform system of accounting, budgets, records, audits and reports by County Boards of Public Instruction and County Budget Commissions, and to have certain powers with reference to transportation of pupils including equipment of vehicles and qualification of drivers, and to have powers of examination, supervision and revision of school budgets in counties not levying a certain millage for school purposes; prescribing certain additional duties of the State Treasurer and State Superintendent of Public Instruction; providing that title to all property held for educational purposes by Trustees of Special Tax School Districts in any county shall be vested in the Board of Public Instruction for said county; providing that the State Treasurer shall be ex-officio treasurer and depository of a designated portion of the county school fund of each county and providing in the manner, and for what purposes said funds so held by the State Treasurer may be expended; abolishing the positions of State Supervisor of high schools, the position of State Supervisor of Physical and Health Education, the positions of rural school inspectors, the position of director of buildings and building standards and to provide the penalties for violation of this Act; and repealing all laws creating and providing for the positions so abolished, and repealing all laws or parts thereof in conflict with this Act." and the said Section 3 of same relating to supervision of State Board of Education over the school system.

Was taken up and read the second time in full.

Senator Futch moved that the rules be waived and Senate Bill No. 637 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.
And Senate Bill No. 637 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 Bass, Beacham, Beall, Butler, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—32.

Nays—None.

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

Committee Substitute for Senate Bill No. 526:

A bill to be entitled An Act to amend Section 3281 Revised General Statutes of Florida, 1920, being Section 6, Chapter 5017, Laws of Florida, Acts of 1901, as amended by Section 2 of Chapter 10112, Laws of Florida, Acts of 1925, as amended by Chapter 15927, Laws of Florida, Acts of 1933, being Section 5089 of Compiled General Laws of Florida, 1927, in relation to the empanelling of jury and proceedings in the trial of condemnation cases in the exercise of the Right of Eminent Domain.

Was taken up 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, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—35.

Nays—None.

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

Senate Bill No. 4 was taken up and the consideration of same was informally passed.

Senate Bill No. 506:

A bill to be entitled An Act making it unlawful to cut or fell or cause or procure to be cut or felled, or to remove or haul or transport or procure or cause to be removed or hauled or transported on or from any lands in this State any cedar, juniper, cypress, oak, pine, bay, poplar, ash, gum or other timber trees or wood without a license first had and obtained, and making it unlawful to buy or receive any such timber, trees or wood except from a licensee, and providing for the issuance of licenses by the Clerk of the Circuit Courts and requiring the production to the Clerks of the Circuit Courts of a written permit from the land owner before any license

shall issue and requiring that the licenses and permits shall contain a description of the lands and of the timber, trees or wood with respect to which the same are issued; and requiring that the said licenses or authenticated copies thereof shall be in the personal possession of any person engaging in or doing any of the acts for which a license is required by this Act; and prescribing penalties for the violation of any of the provisions of this Act.

Was taken up and read the third time in full.

By unanimous consent Senator Futch offered the following amendment to Senate Bill No. 506:

In Section 3 (typewritten bill), at the end of said section, strike out (as amended) the period (.) and insert in lieu thereof the following: ", public utilities and public roads and highways."

Senator Futch moved the adoption of the amendment.
Which was agreed to and the amendment was adopted.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Holland, Lundy, MacWilliams, Mann, Pannill, Shelley, Sikes, Sweger, Tervin, Tillman, Touchton—21.

Nays—Senators Bass, Lewis, McArthur, Parker, Shivers, Smith (14th), Smith (29th)—7.

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

The President now presiding.

Senator Adams moved that when the Senate adjourns it adjourn to reconvene at 8:00 o'clock P. M., this day, for a two hour Session to consider Pet Measures.

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

The hour of adjournment having arrived a point of order was called and the Senate took a recess at 5:30 o'clock P. M. until 8:00 o'clock P. M., this day.

EVENING SESSION

The Senate reconvened at 8:00 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, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—36.

A quorum present.

By permission the following reports of committees were received:

Senator Murphy, Chairman of the Committee on Motor Vehicles, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:

Your Committee on Motor Vehicles, to whom was referred:

Senate Bill No. 654:

A bill to be entitled An Act relating to the inspection, analysis, measurement and fixing of standards of certain petroleum products sold, offered, exposed or held for sale in this State; requiring manufacturers, refiners, wholesalers or jobbers thereof to procure certificates from the Commissioner of Agriculture; prescribing the duties of the Commissioner of Agriculture and authorizing him to make rules and regulations for the enforcement hereof and to fix the standards and specifications for such products; providing for the testing and analysis of samples of such products; providing for the appointment of an assistant State chemist; fixing his compensation and duties; providing for travelling or movable laboratories if necessary to properly enforce this Act; providing for the confisca-

tion or other disposition of such products found to be below the standards and specifications fixed; making provisions for inspection and condemnation of measuring devices used in the sale of such products; making certain Acts unlawful with reference to such matters and prescribing penalties for violations hereof; prescribing and levying an inspection fee upon certain of such products and providing for the payment and collection thereof, the proceeds thereof to be paid into the general inspection fund of the State; and appropriating money for the enforcement of this Act; prescribing the duties of State attorneys or other prosecuting officers; and repealing all laws in conflict herewith.

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

Very respectfully,

H. G. MURPHY,
Chairman of Committee.

And Senate Bill No. 654, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Bass, Chairman of the Committee on Pensions & Claims, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:

Your Committee on Pensions & Claims, to whom was referred:

Senate Bill No. 814:

A bill to be entitled An Act for the relief of A. B. Zetrouer of Alachua County, Florida.

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

Very respectfully,

CLAYTON C. BASS,
Chairman of Committee.

And Senate Bill No. 814, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Mann, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:

Your Committee on Public Health, to whom was referred:

Senate Bill No. 805:

A bill to be entitled An Act to amend Sections 2, 9, 11 and 29 of Chapter 16042, Laws of Florida, Acts of 1933, the same being an Act entitled "An Act relating to hotels, inns, restaurants, apartment houses and public lodging houses, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employees and patrons of the same, and fixing fines and penalties for violation of such rules and regulations; and repealing all Laws and parts of Laws in conflict herewith," with reference to the appointment of a hotel commissioner, his term of office and the bond and salary, and with reference to the amount of license fees, and with reference to the travelling inspectors and supervising architects and their compensation.

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

Very respectfully,

J. M. MANN,
Chairman of Committee.

And Senate Bill No. 805, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Savage, Chairman of the Committee on Judiciary "C," submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 21, 1935.

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

Sir:

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

House Bill 1101:

A bill to be entitled An Act to prohibit the advertising or

publication of any notice relative to the handling by any person, firm, or association, of divorce cases without the name of one or more attorneys at law duly authorized to practice law in the circuit courts of Florida being signed thereto and providing penalties for the violation thereof.

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

Very respectfully,

C. A. SAVAGE,
Chairman of Committee.

And House Bill No. 1101, contained in the above report, was placed on the Calendar of Bills on second reading.

REPORT OF COMMITTEE ON ENGROSSED BILLS

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

Senate Chamber,
Tallahassee, Fla., May 21, 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. 506:

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

Amendment No. 1:

In Section 3 (typewritten bill), as amended, at the end of said section, strike out the period (.) and insert in lieu thereof the following: "public utilities and public roads and highways."

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. 506, contained in the above report, was certified to the House of Representatives.

Senator Lewis asked unanimous consent of the Senate to take up and consider House Bill No. 403 out of its order at this time.

Which was agreed to.

House Bill No. 403:

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

Was taken up and read the second time in full.

Senator Lewis moved that the rules be waived and House Bill No. 403 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 403 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, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Nordman, Parker, Parrish, Shelley, Shivers, Sikes, Smith (29th), Tervin, Touchton, Turner—27.

Nays—None.

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

Senator Adams asked unanimous consent of the Senate to take up and consider Senate Bill No. 590 out of its order at this time.

Which was agreed to.

Senate Bill No. 590:

A bill to be entitled An Act for the relief of E. E. West Estate, Inc., a corporation organized and existing by virtue of the laws of the State of Florida, wherein certain taxes, charges, interest and penalties were charged against certain tax certificates already outstanding, for the non-payment of 1930 taxes, when said taxes were actually paid, but credit for said payment was not given on the official records of the State and Hamilton County, and for the cancellation of said tax certificates held in the name of the State to the extent of the payments made, for the discharge of said tax certificate liability to the extent of the respective payments made, and providing for the allowance of credit for same, upon redemption. Was taken up and read the second time in full.

Senator Adams moved that the rules be waived and Senate Bill No. 590 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 590 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, Holland, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Shelley, Shivers, Sikes, Smith (29th), Tervin, Touchton, Turner—28.

Nays—None.

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

Senator Beall asked unanimous consent of the Senate to take up and consider Senate Bill No. 414 out of its order at this time.

Which was agreed to.

Senate Bill No. 414:

A bill to be entitled An Act regulating traffic upon all of the public highways of the State of Florida, and all streets of each municipality, city or town of the State of Florida, and making certain requirements as to equipment of and condition of all motor vehicles operated thereon and providing for an inspection and examination of all such motor vehicles operated thereon to ascertain whether same are properly equipped and in safe operating condition, by the employees or patrolmen of the Department of State Police, or by the Sheriffs of the respective counties of the State, when directed so to do by the Chief of the Department of State Police; and to provide for the enforcement of this Act, and to make it unlawful to violate any provision of same; and to provide for a fee for the inspection of such motor vehicles and for the disposition of all fees so collected; and repealing Section 16 of Chapter 7275, Acts of 1917, contained in Section 1021 Revised General Statutes of 1920, also known as Section 1294 Compiled General Laws of Florida 1927.

Was taken up, having been read the third time in full on May 20, 1935, pending roll call.

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Gillis, Gomez, Holland, Lewis, Lundy, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parrish, Shivers, Sikes, Tervin, Touchton—21.

Nays—Senators Butler, Clarke, Futch, McArthur, Parker, Shelley, Smith (29th), Turner—8.

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

Senator Black asked unanimous consent of the Senate to take up and consider Senate Bill No. 412 out of its order at this time.

Which was agreed to.

Senate Bill No. 412:

A bill to be entitled An Act to require the teaching of the history of Florida in the public schools of the State of Florida and to make it the duty of the State Board of Education and the State school book commission to carry out the provisions of this Act.

Was taken up 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, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Touchton, Turner—31.

Nays—None.

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

Senator Clarke asked unanimous consent of the Senate to take up and consider Senate Bill No. 641 out of its order at this time.

Which was agreed to.

Senate Bill No. 641:

A bill to be entitled An Act to amend Section 4087, Revised General Statutes (1920), as amended by Chapter 13,576, Acts of 1929 (Section 1), relating to a procedure necessary in amending the Charter of a bank and trust company; providing that where the amendment is approved by the State Comptroller the same need not be published.

Was taken up and read the second time in full.

Senator Clarke moved that the rules be waived and Senate Bill No. 641 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 641 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, Black, Butler, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Nordman, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Touchton, Turner—29.

Nays—None.

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

Senator Rose asked unanimous consent of the Senate to take up and consider Senate Bill No. 730 out of its order at this time.

Which was agreed to.

Senate Bill No. 730:

A bill to be entitled An Act cancelling State and county tax certificates numbered 4325 of the sale of August 5, 1929; 4312 4314 of the sale of July 7, 1930; 2758, 2761, 2762 of the sale of August 3, 1931; 2911, 2912, 1913, 2914, 2915, 2916, 2917, 2918, 2919, 2920, 2923, 13219, 13220, 13222, 13224, 13225, 13227 of the sale of August 7, 1933, and 2053, 2059, 2060, 2061, 2062 of the sale of July 2, 1934, held by the State of Florida for unpaid State and county taxes on certain real estate situate in City of Orlando, Florida, and now owned by said City of Orlando and in this Act described; cancelling all State and county taxes assessed against said real property subsequent to taxes assessed for State and county purposes for the year 1933 and exempting said described real property from State and county taxes so long as the same continues to be a public park in City of Orlando.

Was taken up and read the second time in full.

Senator Rose moved that the rules be waived and Senate Bill No. 730 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 730 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, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner—36.

Nays—None.

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

Senator Tervin asked unanimous consent of the Senate to take up and consider Senate Bill No. 404 out of its order at this time.

Which was agreed to.

Senate Bill No. 404:

A bill to be entitled An Act relating to orders and decisions of the Railroad Commission, providing for a rehearing in respect to any matters determined by said orders and decisions; and prescribing the procedure to enjoin, set aside, annul or suspend, in whole or in part, such orders and decisions.

Was taken up, having been read the second time in full and amended on May 9, 1935, and retained on the Calendar of Bills on second reading for the purpose of further amendment.

Senator Gomez offered the following amendment to Senate Bill No. 404:

In Section 1, strike out the entire section, and insert in lieu thereof the following: Section 1. After any order or decision has been made by the Railroad Commission any party to the action or proceeding may within ten (10) days after service of notice of the entry of the order or decision apply for a rehearing in respect to any matter determined in such proceeding and specified in the application for a rehearing, and the Commission shall have power, in case it appears to it to be proper to grant and hold such rehearing. The Commission shall either grant or refuse an application for rehearing within twenty (20) days, and a failure by the Commission to set upon such application within that period shall be deemed a refusal thereof. If the application be granted the Commission's order shall be deemed vacated and the Commission shall enter a new order, after the hearing has been concluded, either confirming, modifying or vacating its former order in conformity with what is found to be just and reasonable; provided, that no cause of action shall arise against the Commission by any utility affected by the order first issued unless such utility shall first make application to said Commission for a rehearing as provided for.

Senator Gomez moved the adoption of the amendment. Which was not agreed to and the amendment failed of adoption.

Senator Gomez also offered the following amendment to Senate Bill No. 404:

In Section 2 (typewritten bill), strike out the entire section and insert in lieu thereof the following:

Section 2. Within thirty (30) days after the application for a rehearing is denied, or if the application be granted then within thirty (30) days after the rendition of the decision on rehearing, the applicant may apply to any court, of competent jurisdiction to enjoin, set aside, annul, or suspend, in whole or in part, any such order or decision on the ground that it is unlawful or unreasonable.

In any such suit the record of the hearing before the Commission, duly certified by the Commission, shall be admissible in evidence when offered by the Commission or by a utility which is a party to the suit, subject to proper and usual safeguards in the use of evidence therein contained.

If upon the trial of any such suit brought to contest any decision or order of the Railroad Commission evidence shall be introduced by the plaintiff or complainant which is found to be different from that offered upon the hearing or rehearing before the Commission, or additional thereto, the Court, before proceeding to render judgment (unless the parties to such action stipulate in writing to the contrary) shall transmit a copy of such evidence to the Commission and shall stay proceedings in said suit for fifteen (15) days from the date of such transmission.

If within such time the Commission shall notify the Court that it has rescinded such order, said suit shall be dismissed. If within such period it shall transmit to the Court an amended order, such order shall take the place of the original order, and judgment shall be rendered thereon as though made by the Commission in the first instance. If within such period the original order shall be rescinded or amended by the Commission, judgment shall be rendered upon such order.

Senator Gomez moved the adoption of the amendment. Which was not agreed to and the amendment failed of adoption.

Senator Tervin moved that the rules be waived and Senate Bill No. 404, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote. And Senate Bill No. 404, as amended, was read the third time in full.

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

48—S. B.

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Parrish, Rose, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Touchton, Turner—27.

Nays—Senators Gomez, Holland, Tillman—3. So the bill passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Beacham asked unanimous consent of the Senate to take up and consider House Bill No. 887 out of its order at this time.

Which was agreed to.

House Bill No. 887: A bill to be entitled An Act providing for Mechanics' or Laborers' liens including liens for materials on real property, providing penalties for misapplication of funds and for furnishing false statements, to make uniform the Laws of this State with other States with reference thereto, and to repeal all Acts or parts of Acts inconsistent herewith.

Was taken up and read the second time in full.

Senator Beacham moved that the rules be waived and House Bill No. 887 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote. And House Bill No. 887 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, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Parker, Shivers, Sikes, Smith (29th), Sweger, Tervin, Tillman, Touchton—25.

Nays—Senators Bass, Futch, Parrish, Rose, Turner—5. So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Gillis asked unanimous consent of the Senate to take up and consider Senate Bill No. 586 out of its order at this time.

Which was agreed to.

Senate Bill No. 586: A bill to be entitled An Act to provide for the payment of witnesses before State Attorneys and grand juries, and jurors in County Courts, Criminal Courts of Record, Civil Courts of Record and Circuit Courts; and to amend Sections 2793, 2794, 2796, 2797, 2798, 2799, Revised General Statutes of Florida (1920), the same appearing as Sections 4479, 4480, 4482, 4483, 4484, 4485, Compiled General Laws of Florida, 1927.

Was taken up 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, Butler, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Parker, Parrish, Shelley, Shivers, Sikes, Sweger, Tillman, Touchton, Turner—27.

Nays—None. So the bill passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Futch asked unanimous consent of the Senate to take up and consider Senate Bill No. 419 out of its order at this time.

Which was agreed to.

Senate Bill No. 419: A bill to be entitled "An Act to require the State Motor Vehicle Commissioner of the State of Florida to purchase for the State of Florida, certain patent rights on theft-proof or locking device for attaching license plates issued by the State of Florida for Motor Vehicles and requiring the use of the same."

Was taken up 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, Beall, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Rose, Shelley, Shivers, Sikes, Sweger, Touchton, Turner—25. Nays—Senator McArthur—1.

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

Senator Parker asked unanimous consent of the Senate to take up and consider Senate Bill No. 626 out of its order at this time.

Which was agreed to.

Senate Bill No. 626:

A bill to be entitled An Act to amend Section 2, Chapter 14677, Laws of Florida, Acts of 1931, prescribing a filing fee or tax to be paid for the use of the State of Florida, by corporations, according to the schedule therein set forth.

Was taken up 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, Butler, Clarke, Futch, Gomez, Holland, Lewis, McArthur, McKenzie, Mann, Murphy, Nordman, Parker, Parrish, Rose, Shelley, Sikes, Sweger, Tillman, Touchton, Turner—25.

Nays—Senators Gillis, Lundy, Shivers—3.

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

Senator MacWilliams asked unanimous consent of the Senate to take up and consider House Bill No. 810 out of its order at this time.

Which was agreed to.

House Bill No. 810:

A bill to be entitled An Act granting a pension to Geo. W. Durrance of Flagler County, Florida.

Was taken up and read the second time in full.

Senator MacWilliams moved that the rules be waived and House Bill No. 810 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 810 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, Butler, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Rose, Savage, Shelley, Shivers, Sikes, Touchton, Turner—27.

Nays—Senator Clarke—1.

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

Senator Holland asked unanimous consent of the Senate to take up and consider Senate Bill No. 705, out of its order, at this time.

Which was agreed to.

Senate Bill No. 705:

A bill to be entitled An Act to amend Section 2579, Revised General Statutes of Florida, 1920, also known as Section 4219, Compiled General Laws of Florida, 1927, relating to the locality of actions at law or in equity, by eliminating therefrom the requirements that when suits are brought in the county or justice district in which the defendant does not reside, the plaintiff shall make and file with the praecipe or bill in chancery an affidavit that the suit is brought in good faith and with no intention to annoy the defendant.

Was taken up and read the second time in full.

Senator Holland moved that the rules be waived and Senate Bill No. 705 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 705 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, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Rose, Savage, Shivers, Sikes, Sweger, Tillman, Touchton, Turner—30.

Nays—None.

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

Senator McArthur asked unanimous consent of the Senate

to take up and consider Senate Bill No. 382, out of its order, at this time.

Which was agreed to.

Senate Bill No. 382:

A bill to be entitled An Act providing for the admission to practice law in the Courts of this State of graduates of the Jacksonville Law School.

Was taken up and read the third time in full.

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

Yeas—Senators Adams, Beall, Butler, Futch, Gomez, McArthur, MacWilliams, Mann, Murphy, Nordman, Parker, Shivers, Smith (29th), Sweger, Tillman, Touchton—16.

Nays—Mr. President; Senators Bass, Beacham, Black, Clarke, Holland, Lewis, Lundy, McKenzie, Parrish, Rose, Savage, Shelley, Sikes, Turner—15.

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

By permission the following bill was introduced:

By Senator Watson—

Senate Bill No. 880:

A bill to be entitled An Act to amend Sections 4 and 15 of Chapter 10847 of the Laws of Florida 1925, being An Act entitled, "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said City and means for exercising the same; and to ratify certain Acts and proceedings of the Commission and of the officers of the City," and relating to the form of government of the City of Miami, Dade County, Florida.

Which was read the first time by title only.

Senator Watson asked unanimous consent of the Senate to take up and consider Senate Bill No. 880 at this time.

Which was agreed to.

Senator Watson moved that the rules be waived and Senate Bill No. 880 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 880 was read the second time by title only.

Senator Watson moved that the rules be further waived and Senate Bill No. 880 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 880 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, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—35.

Nays—None.

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

Senator Gomez asked unanimous consent of the Senate to take up and consider Senate Bill No. 274, out of its order, at this time.

Which was agreed to.

Senate Bill No. 274:

A bill to be entitled An Act to provide for the reimbursement of H. M. Cook, Constable of the Sixth District of Dade County, Florida, for loss of compensation and fees in consequence of his suspension from office by the Governor of the State of Florida under Section 15 of Article IV of the Constitution of the State of Florida.

Was taken up and read the second time in full.

Senator Gomez moved that the rules be waived and Senate Bill No. 274 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 274 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, Beall, Black, Butler, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, Mc-

Kenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Rose, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tillman, Touchton, Turner—27.

Nays—Senators Bass, Parker, Parrish—3.

So Senate Bill No. 274 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 to be immediately certified to the House of Representatives.

Senator Futch asked unanimous consent of the Senate to take up and consider Senate Bill No. 620, out of its order, at this time.

Which was agreed to.

Senate Bill No. 620:

A bill to be entitled An Act authorizing the Circuit Courts of the State of Florida to modify or confirm payments for, or in lieu of, separate support, maintenance or alimony, in accordance with voluntary agreements between husband and wife, or pursuant to decree of Court of competent jurisdiction, and prescribing the venue in which applications for this purpose may be instituted.

Was taken up and read the second time in full.

Senator Smith (29th) offered the following amendment to Senate Bill No. 620:

In Section 1, line 16 (typewritten bill) strike out the word modifying and insert in lieu thereof the following: decreasing or increasing.

Senator Smith (29th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Smith (29th) also offered the following amendment to Senate Bill No. 620:

In Section 1, line 22 (typewritten bill) strike out the word: "modifying" and insert in lieu thereof the following: "decreasing or increasing."

Senator Smith (29th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Smith (29th) also offered the following amendment to Senate Bill No. 620:

In Section 1, line 33 (typewritten bill) after the word preceding insert the following: "otherwise than as herein provided"

Senator Smith (29th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Smith (29th) also offered the following amendment to Senate Bill No. 620:

In Section 1, line 34 (typewritten bill) after the word preceding insert the following: "otherwise than as herein provided"

Senator Smith (29th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Futch moved that the rules be waived and Senate Bill No. 620, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 620, as amended, was read the third time in full.

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

Yeas—Mr. President; Senators Beall, Black, Butler, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Nordman, Pannill, Parrish, Shelley, Shivers, Sikes, Smith (29th), Tillman, Touchton, Turner—24.

Nays—Senator Clarke—1.

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

Senator McKenzie asked unanimous consent of the Senate to take up and consider Senate Bill No. 647, out of its order, at this time.

Which was agreed to.

Senate Bill No. 647:

A bill to be entitled An Act authorizing Cities and Towns

in this State to convey certain properties to the Federal Government and to contract with the Federal Government concerning such properties.

Was taken up and read the second time in full.

Senator McKenzie moved that the rules be waived and Senate Bill No. 647 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 647 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 Bass, Beall, Black, Butler, Clarke, Futch, Gillis, Holland, McKenzie, MacWilliams, Mann, Nordman, Pannill, Parker, Parrish, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Tillman, Touchton, Turner—25.

Nays—Senator Gomez—1.

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

Senator Sikes asked unanimous consent of the Senate to take up and consider Senate Bill No. 689, out of its order, at this time.

Which was agreed to.

Senate Bill No. 689:

A bill to be entitled An Act to levy, collect and enforce the payment of a license fee for the privilege of collecting or attempting to collect or receive money or other valuable consideration for rights, licenses, royalties, rents or fees for the right or rights to use, or perform publicly, for profit copyrighted music, musical compositions, recorded music for mechanical reproduction, radio programs, or other copyrighted works publicly for profit; to prescribe the procedure for the collection thereof; to provide that it shall be a misdemeanor to violate the provisions of this Act, and to provide penalties for the violation thereof.

Was taken up and read the second time in full.

Senator Sikes moved that the rules be waived and Senate Bill No. 689 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 689 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, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Holland, Lewis, Lundy, McKenzie, MacWilliams, Mann, Nordman, Pannill, Parker, Parrish, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Tillman, Touchton, Turner—29.

Nays—None.

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

Senator Gillis moved that the rules be waived and when the Senate adjourns at the end of the afternoon session on May 22, 1935, it adjourn to meet again at 8:00 o'clock P. M., on said date, for the purpose of continuing the consideration of pet measures as commenced at this session.

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

By unanimous consent Senator Rose withdrew Senate Bill No. 9.

Senator Tillman asked unanimous consent of the Senate to take up and consider Senate Bill No. 679, out of its order, at this time.

Which was agreed to.

Senate Bill No. 679:

A bill to be entitled An Act to amend Section 696, the Revised General Statutes of 1920, also known as Section 896 of the Compiled General Laws of Florida 1927, so as to provide a basis of valuation on stocks of goods, wares and merchandise for taxation purposes.

Was taken up and read the second time in full.

Senator Beall offered the following amendment to Senate Bill No. 679:

In Section one, line nine, (typewritten bill), insert following word "vessels", the following: "other than deep sea or sea going fishing smacks or vessels".

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Tillman moved that the rules be waived and Senate Bill No. 679, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 679, as amended, was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Bass, Beall, Black, Clarke, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Nordman, Pannill, Parker, Rose, Shivers, Sikes, Tillman, Touchton, Turner—23.

Nays—Senator Mann—1.

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

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 759, out of its order, at this time.

Which was agreed to.

House Bill No. 759:

A bill to be entitled An Act locating and defining the course of the Gulf Coast Highway or State Road No. 10 from Panama City west to Pensacola; locating and defining State Road No. 53 and State Road No. 115, and prescribing the preferential system to which each is assigned.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 759 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 759 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 759 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 759 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, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Nordman, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—36.

Nays—None.

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

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 10:00 o'clock P. M., until 11:00 o'clock A. M., Wednesday, May 22, 1935.