

# JOURNAL OF THE SENATE

Tuesday, May 14, 1935

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 13, 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 13th, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Futch, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 13, 1935.

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

Sir:  
Your Committee on Appropriations, to whom was referred:

Senate Bill No. 643:

A bill to be entitled An Act establishing a Department of Forestry in the University of Florida and appropriating funds therefor.

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

Very respectfully,  
T. G. FUTCH,  
Chairman of Committee.

And Senate Bill No. 643, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator MacWilliams, Chairman of the Committee on Transportation & Traffic, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 13, 1935.

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

Sir:  
Your Committee on Transportation & Traffic, to whom was referred:

Senate Bill No. 293:

A bill to be entitled An Act to amend Section 4617 of the Revised General Statutes of 1920, as amended by Chapter 9308, Acts of 1923, the same being Section 6702 of the Compiled General Laws of 1927, relating to the "definition of the term 'common carrier.'"

Committee Amendments Suggested:

Amendment No. 1:

In Section one, line five, strike out the words: "4617. (6702)" and insert in lieu thereof the following: "6702. (4617)"

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

Very respectfully,  
W. A. MacWILLIAMS,  
Chairman of Committee.

And Senate Bill No. 293, contained in the above report, together with committee amendment, was placed on the Calendar of Bills on second reading.

Senator Futch, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 13, 1935.

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

Sir:  
Your Committee on Appropriations, to whom was referred:

Senate Resolution No. 17:

A Resolution extending invitation to American Association of State Highway Officials to hold its national annual convention in this State in 1935, and authorizing the State Road Department of Florida to set aside certain monies to defray certain expenses necessary and incidental to such meeting.

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

Very respectfully,  
T. G. FUTCH,  
Chairman of Committee.

And Senate Resolution No. 17, contained in the above report, was laid on the table.

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

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

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

Senate Bill No. 527:

A bill to be entitled An Act to provide for equipping, furnishing and supplying the offices of County Officers, whose remuneration is wholly or partly derived from fees and/or commissions; and to define the duties of Boards of County Commissioners and of County Officers with reference thereto.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:  
In Section 2, line 2, after the word "all" insert the following: "Postage, official stationery"

Amendment No. 2:  
In Section 2, strike out all of lines 7, 8, 9 and 10.

Amendment No. 3:  
In Section 3, line 3, strike out the word: "postage"

Amendment No. 4:  
In Section 3, line 16, after the words "Compiled General Laws of Florida, 1927" insert the following: "providing for payment by the board of county commissioners for the postage for and the printing of tax notices to be sent out by the tax collector."

Very respectfully,  
H. C. HARPER,  
Chairman of Committee.

And Senate Bill No. 527, contained in the above report, together with Committee Amendments 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 14, 1935.

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

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

Senate Bill No. 681:

A bill to be entitled An Act relating to and fixing the fees of Clerks of Circuit Court, Sheriffs and Constables in counties of over ten thousand population, making it unlawful for such officers to charge, collect or receive other or different amounts for the designated services, repealing all laws in conflict, ex-

cept such laws as specify a flat fee for conducting any proceeding or suit in any court.

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

Very respectfully,

H. C. HARPER,  
Chairman of Committee.

And Senate Bill No. 681, contained in the above report, was laid on the table.

Senator Raulerson, Chairman of the Committee on Agriculture & Livestock, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

Sir:

Your Committee on Agriculture & Livestock, to whom was referred:

Senate Bill No. 376:

A bill to be entitled An Act relating to Agriculture; regulating the sale of Agricultural and Vegetable Seeds as defined therein; providing for the inspection and certification of Agricultural and Vegetable Seeds, tubers for seeding purposes and plants offered for sale; providing a penalty for the violation hereof and allowing civil remedies on account of the violation hereof.

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

Very respectfully,

C. F. RAULERSON,  
Chairman of Committee.

And Senate Bill No. 376, contained in the above report, was laid on the table.

Senator Watson, Chairman of the Committee on Corporations, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

Sir:

Your Committee on Corporations, to whom was referred:

Senate Bill No. 704:

A bill to be entitled An Act to extend the operation of Chapter 15931, Laws of Florida, 1933, being An Act providing that delinquent corporations may reinstate their corporate privileges under certain conditions, to December 31, 1937.

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

Very respectfully,

J. W. WATSON,  
Chairman of Committee.

And Senate Bill No. 704, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Watson, Chairman of the Committee on Corporations, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

Sir:

Your Committee on Corporations, to whom was referred:

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 requirement 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.

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

Very respectfully,

J. W. WATSON,  
Chairman of Committee.

And Senate Bill No. 705, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator McArthur, Chairman of the Committee on Game & Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

Sir:

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

Senate Bill No. 607:

A bill to be entitled An Act to define fishing and hunting camps and fishing and hunting clubs in the State of Florida; to provide a license tax for the operation of fishing and hunting camps and fishing and hunting clubs, and fixing a penalty for the violation of this Act.

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

Very respectfully,

A. G. McARTHUR,  
Chairman of Committee.

And Senate Bill No. 607, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator McArthur, Chairman of the Committee on Game & Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

Sir:

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

Senate Bill No. 400:

A bill to be entitled An Act to amend Section 1 and Section 2 of Chapter 7907, Laws of Florida, Acts of 1919, relating to An Act to protect and regulate the fish industry in the State of Florida.

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

Very respectfully,

A. G. McARTHUR,  
Chairman of Committee.

And Senate Bill No. 400, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator McArthur, Chairman of the Committee on Game & Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 11, 1935.

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

Sir:

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

House Bill No. 790:

A bill to be entitled An Act providing for an open season for the catching or taking of mullet fish from the salt waters in all counties in the State of Florida, west of the Suwannee River, and providing for the repeal of all laws in conflict with the provisions of this Act.

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

Very respectfully,

A. G. McARTHUR,  
Chairman of Committee.

And House Bill No. 790, contained in the above report, was laid on the table.

Senator Futch, Chairman of the Committee on Appropriations, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 13, 1935.

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

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 169:

A bill to be entitled An Act authorizing and directing the State Plant Board to erect and equip a laboratory at Hastings, Florida, for use and to be used in the investigation of potato

pests, and making appropriations for the building, equipment, and operation of such laboratory.

Have had the same under consideration, and recommend that the same pass, with the following amendment:

Amendment No. 1:  
In Section 2, line 2 (typewritten bill), strike out the word "annually".

Very respectfully,  
T. G. FUTCH,  
Chairman of Committee.

And Senate Bill No. 169, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator McArthur, Chairman of the Committee on Game & Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

Sir:  
Your Committee on Game & Fisheries, to whom was referred:

Senate Bill No. 611:  
A bill to be entitled An Act to amend Section two, Section three and Section thirteen of Chapter 13644, Laws of Florida, Acts of 1929, entitled: "An Act relating to game, non-game birds, fresh-water fish and fur-bearing animals; to create the department of game and fresh water fish and the office of State Game Commissioner, to define his duties and powers and that of his deputies; to fix his compensation and that of his deputies; to provide for the protection and conservation of game, non-game birds, fresh-water fish and fur-bearing animals by prescribing the times when and means by and extent to which they may be taken, possessed and dealt in; to license hunters, guides, trappers and fishermen; to require persons who engage in the business of operating hunting and fishing boats for hire or who deal in or with fresh water fish or hides of fur-bearing animals, to procure a license for same; to prohibit the use, placing or discharge in the fresh waters of the State of substances or forces injurious to fish; to provide for the prosecution of persons violating the provisions of this Act and a penalty and rule of evidence in such prosecutions; to provide for the collection of funds to carry out the provisions of this Act and for the disposition of revenues accruing thereunder; consenting to acquisition by the United States of areas of land, water, or land and water, in accordance with Act of Congress of February 18, 1929, and repealing certain existing laws and statutes; and defining certain terms used therein."

Have had the same under consideration, and recommend that the same pass, with the following amendment:

Amendment No. 1:  
In Section 1, line 8, on page 2 (typewritten bill), strike out the word: "protection" and insert in lieu thereof the following: the word "prosecution".

Very respectfully,  
A. G. McARTHUR,  
Chairman of Committee.

And Senate Bill No. 611, contained in the above report, together with Committee Amendment thereto, 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 12, 1935.

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

Sir:  
Your Committee on Public Health, to whom was referred:

Senate Bill No. 759:  
A bill to be entitled An Act making it the duty of the chemical department of the University of Florida to make certain analyses, and providing for expert testimony.

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. 759, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Shivers, Chairman of the Committee on Forestry, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 13, 1935.

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

Sir:  
Your Committee on Forestry, to whom was referred:

Senate Bill No. 683:  
A bill to be entitled An Act providing for a lien in favor of the Florida Board of Forestry, the United States Government and/or other government authority upon real estate covered by agreements between such board, government and/or other governmental authority and the landowner for forestry work upon said lands; and to provide the manner, means and procedure for the acquisition and enforcement of such liens.

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

Very respectfully,  
OLIN G. SHIVERS,  
Chairman of Committee.

And Senate Bill No. 683, 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 13, 1935.

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

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

Senate Bill No. 406:  
A bill to be entitled An Act to repeal Sections 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 30-A, 31 and 42 of Chapter 14,572 of the Laws of Florida, Acts of 1929, being An Act relating to and concerning taxation; and to amend Section 1 of said Chapter 14,572 of the Laws of Florida, Acts of 1929, being An Act relating to and concerning taxation.

Amendment No. 1:  
In Section 2½, line 4, strike out the period after the words "or tax certificates" and add the words "or tax deeds".  
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. 406, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber,  
Tallahassee, Fla., May 13, 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. 596:  
A bill to be entitled An Act fixing the compensation of members of the Boards of County Commissioners in all counties of the State of Florida having a population of not less than 10,300 nor more than 10,375, according to the last preceding Federal census.

Amendment No. 1:  
Strike out the title of said bill and insert in lieu thereof the following: "An Act fixing the compensation of members of the Boards of County Commissioners and members of the Boards of Public Instruction in all counties of the State of Florida having a population of not less than 10,300 nor more than 10,375, according to the last preceding Federal Census."

Amendment No. 2:  
Strike out all of Section 1, and insert in lieu thereof the following:

"Section 1. That all counties of the State of Florida having a population of not less than 10,300 and not more than 10,375, according to the last preceding Federal census, all members of the Board of County Commissioners shall receive in lieu of all other compensation an annual salary of Four Hundred Eighty (\$480.00) dollars, payable in twelve equal monthly installments of forty (\$40.00) dollars per month, except the Chairman of the Board of County Commissioners of each county shall receive in lieu of all other compensation an annual salary of six hundred (\$600.00) dollars, payable in twelve equal monthly installments of fifty (\$50.00) dollars per month; and that all members of the Boards of Public Instruction shall receive in lieu of all other compensation an annual salary of three hundred (\$300.00) dollars, payable in twelve equal monthly installments of twenty-five (\$25.00) dollars per month, except the Chairman of the Board of Public Instruction of each county shall receive in lieu of all other compensation an annual salary of four hundred twenty (\$420.00) dollars, payable in twelve equal monthly installments of thirty-five (\$35.00) dollars per month."

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

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

Senate Chamber,  
Tallahassee, Fla., May 13, 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. 555:

A bill to be entitled An Act creating a Board of Public Instruction consisting of five members of each county of the State of Florida having a population of not less than one hundred and forty-five thousand (145,000) nor more than one hundred and fifty-five thousand (155,000) according to the last preceding Federal Census; providing for the nomination and election of members of such Boards; providing for the appointment by the Governor of additional members of such boards to serve thereon with incumbent members of Boards of Public Instruction affected by this Act; prescribing certain duties and compensation of such Boards of Public Instruction and members thereof; confirming powers, duties and properties now vested in existing boards of Public Instruction affected by this Act in boards created by this Act; and repealing all laws and parts of laws in conflict herewith.

Amendment No. 1:

In Title, lines 7, 8, 9 and 10, strike out the words "providing for the appointment by the Governor of additional members of such boards to serve thereon with incumbent members of Boards of Public Instruction affected by this Act."

Amendment No. 2:

Strike out everything after the enacting clause and substitute therefor and in lieu thereof the following:

Section 1. That there is hereby created a Board of Public Instruction consisting of five members, no two of whom shall reside in the same County Commissioner's District, for each county of the State of Florida having a population of not less than one hundred forty-five thousand (145,000) nor more than one hundred fifty-five thousand (155,000) according to the last preceding Federal Census.

Section 2. That in the primary election or elections to be held in 1936 in each county affected by this Act, there shall be nominated by each political party holding such elections one nominee for membership on the Board of Public Instruction from each of County Commissioners' Districts numbers 2 and 4, to serve for a term of two years, and at the same primary election or elections there shall be nominated from each of County Commissioners Districts 1, 3 and 5 a nominee for membership upon such board to serve for a term of four years. That all nominations for said office in such primary elections shall be by the qualified electors of such County in each district. That in all subsequent primary elections members of said board shall be nominated alternately from the several

County Commissioners' Districts as aforesaid, for a term of four years.

Section 3. That in the general election of 1936, to be held in each county affected by this Act, there shall be elected one member of such Board of Public Instruction from each County Commissioners' District Numbers 2 and 4, to serve upon said board for a term of two years. That at the same general election to be held in each such county in 1936 there shall be elected one member of such Board of Public Instruction from each of County Commissioners Districts Numbers 1, 3, and 5, to serve for a period of four years. That thereafter, the successors to the members elected as aforesaid shall in each instance be elected for a term of four years; and in all cases elections as aforesaid shall be by the qualified electors of such county at large.

Section 4. That all members of any Board of Public Instruction created by this Act and elected in the 1936 election and all elections thereafter, shall serve without pay or salary, but they shall be entitled to be reimbursed by such Board of Public Instruction of which they are members out of County School Funds for their actual expenses, including by way of limitation, mileage, commission fees and bond fees incurred in qualifying for the performance of their duties as such members.

Section 5. That each Board of Public Instruction created by this Act is hereby constituted a body corporate by the name of "The Board of Public Instruction for the county of \_\_\_\_\_, State of Florida"; each Board of Public Instruction created by this Act shall be the successor to the Board of Public Instruction of each County affected by this Act, and each such Board and the members thereof shall be vested with all the statutory rights, powers, duties and properties now vested in the existing Board of Public Instruction of any such County, and shall succeed to all the powers and duties now exercised by such Board, or the members thereof, except as otherwise provided by this Act.

Section 6. If any section, provision or clause of this Act shall be held invalid by any court of competent jurisdiction, such holding shall not affect or destroy the validity of any other section, provision or clause of this Act, and such remaining portions of this Act shall be enforced without regard to the section, provision or clause so held to be invalid.

Section 7. All laws and parts of laws in conflict with this Act, be and the same are hereby repealed, but in the interpretation of this Act, it shall, insofar as possible, be construed as cumulative of and as an enlargement upon the laws relating to the subject matter thereof.

Section 8. This Act shall take effect upon its passage and approval by the Governor, or upon its becoming a law without such approval.

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

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

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

Hon. Wm. C. Hodges,

President of the Senate:

Sir:

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

Senate Concurrent Resolution No. 16:

A resolution providing for the appointment of a Committee to prepare a draft of a proposed law for uniform municipal government under Section 24 of Article III of the Constitution of the State of Florida.

Sub-Amendment to amendment to Senate Concurrent Resolution No. 16:

Line 3 and 4, (typewritten bill), strike out the words "three" and "four" and insert in lieu thereof the following: "five" in line three and in line four.

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

Very respectfully,

J. W. TURNER,

Chairman of Committee.

And Senate Concurrent Resolution No. 16, 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 13, 1935.

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

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

House Bill No. 332:  
A bill to be entitled An Act to provide for the relief of the needy blind.

Also—  
House Bill No. 28:  
A bill to be entitled An Act to provide that notaries public shall pay a commission fee of only (\$5.00) five dollars for any official commission issued by the Governor of the State of Florida and attested by the Secretary of the State.

Also—  
House Bill No. 12:  
A bill to be entitled An Act amending Section 7 of Chapter 10123 Laws of Florida Acts of 1925, relating to the protection and regulation of the salt water fishing industry in the State of Florida.

Also—  
House Bill No. 20:  
A bill to be entitled An Act to provide for the settlement of delinquent taxes on real estate in all Counties of the State of Florida having a population of not less than 4000 and not more than 4075, according to the Federal Census of 1930 and for the redemption of delinquent tax certificates with bonds in such counties.

Also—  
House Bill No. 904:  
A bill to be entitled An Act providing for certain additional, alternative and supplementary duties and powers of the State Board of Administration in connection with carrying out its functions as a fiscal agent for the Jensen Road and Bridge District, situate in Martin and St. Lucie Counties, Florida, under Chapter 14486, Acts of 1929, Laws of Florida, and any Acts amendatory thereof or supplemental thereto, and requiring the State Board of Administration to use any or all moneys derived from gasoline taxes and credited to the Jensen Road and Bridge District to be used in the purchase of bonds issued by or on behalf of the Jensen Road and Bridge District, under the circumstances and conditions prescribed by this act.  
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.

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 13, 1935.

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

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

House Bill No. 700:  
A bill to be entitled An Act fixing compensation of members of the Board of Public Instruction for each County in the State of Florida having a population of more than 6,700 and less than 6,730, according to the last Federal census, and providing the time of payment of such compensation.

Also—  
House Bill No. 859:  
A bill to be entitled An Act to provide that candidates for members of the Board of County Commissioners and candidates for members of the County Board of Public Instruction in counties of the State of Florida having a population of not less than fourteen thousand and seven hundred (14,700) and not more than fifteen thousand (15,000) according to the last

State Census taken in the year 1925, shall be nominated in the primary election by the vote of electors throughout the County.

Also—  
House Bill No. 85:  
A bill to be entitled An Act relating to the voluntary liquidation of banks and trust companies and providing for the distribution of unclaimed deposits.

Also—  
House Bill No. 701:  
A bill to be entitled An Act relating to high schools of the several counties in the State of Florida with a population of not less than 29,889 and not more than 30,000 inhabitants according to the last preceding Federal Census.

Also—  
House Bill No. 206:  
A bill to be entitled An Act to amend Section 12 of Chapter 14579, Laws of Florida, Acts of 1929, entitled "An Act concerning the guardianship of incompetent veterans and minor children of disabled or deceased veterans and commitment of veterans and to make uniform the Laws with reference thereto."

Also—  
House Bill No. 951:  
A bill to be entitled An Act creating a municipal court for the Town of Apopka City, Florida, providing the duties of such Court, and the method of election of a Judge to preside over same, and providing the term of office and the dismissal of such officer, and the method of fixing compensation for such officer.

Also—  
House Bill No. 88:  
A bill to be entitled An Act providing for absentee voting from without the State of Florida in primary, general, school, municipal, or special elections; providing the procedure to be followed; providing the duties of officials in connection therewith; providing for a penalty for violations of any part of this Act, and repealing all laws in conflict herewith.

Also—  
House Bill No. 168:  
A bill to be entitled An Act to prevent the incorporation of spurious veteran associations.

Also—  
House Bill No. 914:  
A bill to be entitled An Act authorizing, directing and empowering the Board of County Commissioners of Baker County, State of Florida, to pay E. A. Harvey of Sanderson of Baker County, Florida, a sum not exceeding One Thousand Dollars (\$1000.00) in full and complete settlement of any and all claims that he might have of whatsoever kind or nature on account of an injury sustained by himself.

Also—  
House Bill No. 901:  
A bill to be entitled An Act to authorize the acceptance and exchange of bonds, interest coupons or other obligations of all counties in the State of Florida having a population of more than 7700 and less than 8000, according to the Federal Census of 1930, and of the taxing districts in said counties, at par in payment or redemption of personal property liens, for delinquent taxes, other than for State taxes, for the year 1931 and all previous years.

Also—  
House Bill No. 920:  
A bill to be entitled An Act repealing Chapter 16094, Laws of Florida of 1933, being An Act authorizing and permitting lessees who have leased or applied for leases of water bottoms or submerged lands for the culture of oysters and clams in coastal counties having a population of not less than 6280 nor more than 6300, according to the last official census, to take, free of any privilege tax thereon, ten (10) barrels of seed oysters from the natural oyster beds in such county for planting purposes only for each acre of bottoms leased for the purpose at any time during the year and without restriction with regard to the distance of the natural bed from which said seed oysters are taken to the bottom so leased, or for which application for lease has been made, of the seed bed to which the said ten (10) barrels of such seed oysters are to be planted, where such lessee or lessees have heretofore secured a lease or have prior to January 1st, 1933, filed with the Shell Fish Commissioner of the State of Florida an application for

lease, and made deposit with him pursuant to statute of the moneys necessary to defray the estimated cost of the survey of the bottoms sought to be leased.

Also—

House Bill No. 846:

A bill to be entitled An Act relating to the distribution and expenditure of moneys derived from gasoline taxes placed to the credit of the several counties of the State of Florida having a population of not less than 13,280 and of not more than 13,300, according to the last preceding Federal census, and conferring certain powers, authority, directions and duties upon the State Board of Administration with reference thereto; prescribing the duties and powers of the Board of County Commissioners, and the distribution and allocation of funds received under this Act; describing the duties of the Clerk and Auditor of the Board of County Commissioners in connection with the enforcement of this Act; prescribing the manner in which said funds may be paid into the general county school funds and the duties and powers of the Board of Public Instruction of said county in connection therewith.

Also—

House Bill No. 910:

A bill to be entitled An Act authorizing, directing and empowering the Board of County Commissioners of Baker County, State of Florida, to pay H. R. Rhoden of Glenn St. Mary, of Baker County, Florida, a sum not exceeding one hundred dollars (\$100.00) in full and complete settlement of any and all claims that he might have of whatsoever kind or nature on account of an injury sustained by himself and damages to his automobile.

Also—

House Bill No. 937:

A bill to be entitled An Act validating and confirming an election held in the City of Wabasso, Florida, on April 30, 1935, at which election the franchise and charter of said City of Wabasso was surrendered; abolishing the City of Wabasso, Florida; providing for the cancellation of tax certificates and discharge of the lien of unpaid taxes in said city.

Also—

House Bill No. 702:

A bill to be entitled An Act to authorize the Board of County Commissioners of all counties in the State of Florida having a population of not less than two thousand seven hundred and fifty (2750) and not more than two thousand eight hundred (2800) according to the last Federal census to levy a millage for the purpose of raising funds to take care of a hospital, medical and nurses bills of poor and indigent citizens of said counties.

Also—

House Bill No. 934:

A bill to be entitled An Act validating, ratifying and confirming all acts and proceedings of the City of Wabasso, Florida, and all acts and proceedings of each and every officer, official and employee of said city in connection with their official duties.

Also—

House Bill No. 883:

A bill to be entitled An Act authorizing the Board of Supervisors of Fellsmere Drainage District in Indian River County, in its discretion to provide for acceptance of cash or said District's bonds and past due coupons at par in payment in advance of total taxes (debt service taxes) levied against lands in said district; and validating all actions of said board and the officers of said district in heretofore accepting the district's bonds and coupons in payment of total taxes in advance and in payment of past due and current drainage taxes.

Also—

House Bill No. 943:

A bill to be entitled An Act to authorize the acceptance and exchange of bonds or interest coupons or other obligations of the Town of Bunnell, Florida, in payment and redemption of property from tax sales and in payment in part or in full of other taxes due to the Town of Bunnell, Florida.

Also—

House Bill No. 861:

A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court, Sheriff, Tax Collector, Tax Assessor, County Judge, Superintendent of Public Instruction and Clerks in all Counties of the State of Florida, having a

population of not less than twenty thousand (20,000), nor more than twenty-three thousand (23,000), according to the last Federal census and prescribing the time when this Act shall become a law so as to apply to all counties having a population of not less than twenty thousand (20,000), nor more than twenty-three thousand (23,000), according to the last Federal census.

Also—

House Bill No. 898:

A bill to be entitled An Act to amend Sections 2 and 12 of Chapter 12563, Acts of the Legislature of the State of Florida, Laws of Florida, approved May 23, 1927, entitled, An Act to abolish the present municipality of the Town of Bowling Green in Hardee County, Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Bowling Green, Florida; to define its territorial boundaries; to provide for its jurisdiction, powers and privileges, and to authorize said city of Bowling Green, Florida, to enforce the ordinances of said city.

Also—

House Bill No. 919:

A bill to be entitled An Act to repeal Chapter 16093, Laws of Florida of 1933, being An Act authorizing and permitting lessees of water bottoms or submerged lands for the culture of oysters and clams in coastal counties having a population of not less than 6280 nor more than 6300 according to the last official census, to own, acquire, control or assign more than 500 acres per lessee, whether a resident or non-resident, where such bottoms have been leased and/or application for such leases have been filed and deposits of moneys necessary to defray the estimated cost of the survey of such bottoms have been made prior to January 1, 1933; and saving all vested rights under existing contracts.

Also—

House Bill No. 854:

A bill to be entitled An Act authorizing the State Tuberculosis Board to establish and maintain district tuberculosis sanatoriums; to accept gifts, grants or loans from the Federal Government, or any agency thereof, for the establishment of such sanatoriums; authorizing said tuberculosis board to provide for the securing and repayment of such loans; and authorizing the boards of county commissioners of the several counties of the State of Florida to rent, lease or otherwise contract for the use of beds in such sanatoriums by tuberculous from their respective counties.

Also—

House Bill No. 89:

A bill to be entitled An Act providing for registration of qualified electors from without the State in any primary, general, school, municipal, or special elections; and providing procedure in connection therewith, determining residence in connection therewith, and providing for a penalty for violations of any part of this Act.

Also—

House Bill No. 899:

A bill to be entitled An Act prescribing the lawful methods of taking fish from the waters of Lake Jessup in Seminole County, Florida, and prohibiting the taking of fish therefrom in any manner except by hook and line, rod and reel, bob, spinner or troll and prescribing a penalty for violation of any of the provisions of this Act.

Also—

House Bill No. 218:

A bill to be entitled An Act repealing Sections 333, 334, 335, 336, 337, 338, 339, 340 and 341, of Revised General Statutes, 1920 (same being Sections 390, 391, 392, 393, 394, 395, 396, 397 and 398 respectively of Compiled General Laws of Florida, 1927) relating to the publication, printing and disposition of pamphlets relating to candidates in the primary by the Secretary of State.

Also—

House Bill No. 178:

A bill to be entitled An Act to amend Section 15, Section 17 (a) and 17 (b), Section 20 and Section 21 of Chapter 16087 of the Laws of Florida of 1933, relating to regulation of narcotic drugs and the enforcement thereof in the State of Florida.

Also—

House Bill No. 858:

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

bers of the Boards of County Commissioners in all counties of the State of Florida having a population of not less than fourteen thousand and seven hundred (14,700) and not more than fifteen thousand (15,000), according to the last preceding State census taken in the year 1925.

Also—  
House Bill No. 875:

A bill to be entitled An Act to authorize and empower the City of St. Augustine, Florida, a municipal corporation under the laws of the State of Florida, to regulate and to fix the rates to be charged within said municipality for electricity and gas in any form, sold or manufactured, whether it be for illumination, fuel, power or energy, whether private, public or commercial.

Also—  
House Bill No. 886:

A bill to be entitled An Act authorizing and permitting all persons properly licensed and authorized by law to hunt and/or fish in Leon and/or Jefferson Counties, to hunt and/or fish over the entire surface of Lake Miccosukee, the said lake being located partially within the boundaries of each of said counties.

Also—  
House Bill No. 900:

A bill to be entitled An Act to repeal Chapter 16092, Laws of Florida of 1933, being An Act relating to the planting and/or transplanting in seed beds of seed oysters and clutch in coastal counties having a population of not less than 6280 nor more than 6300 and saving all vested rights under existing contracts.

Also—  
House Bill No. 604:

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

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.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Tillman—  
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.

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

By Senator Tillman—  
Senate Bill No. 767:

A bill to be entitled An Act to grant a pension to John A. Gavin, of Hillsborough County, Florida

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

By Senator Shelley—  
Senate Bill No. 768:

A bill to be entitled An Act establishing a certain State Road in Franklin County, Florida, to become a part of the system of State Roads for the State of Florida.

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

By Senator Raulerson (By Request)—  
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 and twenty (4020) and not more than four thousand and thirty (4030), according to the Federal Census of 1930 and conferring certain powers, authority, directions and duties

upon the State Board of Administration with reference thereto.

Which was read the first time by title only.

Senator Murphy asked unanimous consent of the Senate to take up and consider Senate Bill No. 769 at this time.

Which was agreed to.

Senator Murphy moved that the rules be waived and Senate Bill No. 769 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 769 was read the second time by title only.

Senator Murphy moved that the rules be further waived and Senate Bill No. 769 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. 769 was read the third time in full.

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

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

Nays—None.

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

By Senator Turner—  
Senate Bill No. 770:

A bill to be entitled An Act ratifying, confirming, validating, and legalizing all Acts and proceedings of special tax school district number six of Levy County, Florida; its Board of Public Instruction, their officers and agents relative to the election held within special tax school district number six on August 8, 1931, authorizing the issuance of, and the validation of forty-five thousand dollars negotiable interest bearing bonds of said special tax school district number six; and ratifying, confirming, validating, legalizing and authorizing the issuance of said bonds.

Which was read the first time by title only.

Senator Turner asked unanimous consent of the Senate to take up and consider Senate Bill No. 770 at this time.

Which was agreed to.

Senator Turner moved that the rules be waived and Senate Bill No. 770 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 770 was read the second time by title only.

Senator Turner moved that the rules be further waived and Senate Bill No. 770 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. 770 was read the third time in full.

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

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

Nays—None.

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

By Senator Butler—  
Senate Bill No. 771:

A bill to be entitled An Act to provide for an election to determine whether the Duval County St. Johns River Bridge shall be from and after the first day of January, 1936, a free bridge and prescribing the qualifications of electors authorized to participate in said election; to prohibit the charging of any toll from and after January 1, 1936 in the event a majority of the electors participating in said election shall vote for a free bridge; if the bridge is voted free, to authorize the Board of County Commissioners of Duval County to convey the said bridge to the State Road Department of the State of Florida on terms to be agreed upon between the said Boards to be operated as a free bridge; to provide for disposition of

funds now in the hands of Duval County St. Johns River Bridge Bond Trustees; and conferring other powers upon the Board of County Commissioners of Duval County.

Which was read the first time by title only.

The following proof of publication was attached to Senate Bill No. 771 when it was introduced in the Senate:

To Whom it May Concern:

Please take notice that application will be made to the Legislature of the State of Florida at its regular session in 1935 for the passage of a local bill affecting Duval County, Florida, which said bill shall provide for an election to determine whether the Duval County St. Johns River Bridge shall be from and after the first day of January, 1936, a free bridge, and prescribing the qualifications of electors authorized to participate in said election to prohibit the charge of any toll from and after January 1, 1936, in the event a majority of the electors participating in said election shall vote for a free bridge; if the bridge is voted free, to authorize the Board of County Commissioners of Duval County to convey the said bridge to the State Road Department of the State of Florida, on terms to be agreed upon between the said Boards to be operated as a free bridge; to provide for the disposition of funds now in the hands of the Duval County St. Johns River Bridge Bond Trustees, and conferring other powers upon the Board of County Commissioners of Duval County, Florida.

STATE OF FLORIDA, )  
COUNTY OF DUVAL. ) ss.

Personally appeared before me, a Notary Public for the State of Florida at Large, F. P. Beddow who deposes and says that he is Advertising Manager of The Jacksonville Journal, a daily newspaper printed in the English language and of general circulation, published in the City of Jacksonville, in said County and State; and that the attached order, notice, publication and/or advertisement of Legal Notice was published in said newspaper for a period of one time beginning February 26, 1935 and ending February 26, 1935 said publication being made on the following dates: 2/26.

And deponent further says that The Jacksonville Journal has been continuously published as a daily newspaper, and has been entered as second class mail matter at the post-office at the city of Jacksonville Duval County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described order, notice, publication and/or advertisement.

F. P. BEDDOW.

Subscribed and sworn to before me this 26th day of February, A. D. 1935.

F. M. GRIM,  
Notary Public, State of Florida at large.  
My Commission Expires July 24, 1935.

(N. P. SEAL).

Senator Butler asked unanimous consent of the Senate to take up and consider Senate Bill No. 771 at this time.

Which was agreed to.

Senator Butler moved that the rules be waived and Senate Bill No. 771 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 771 was read the second time by title only.

Senator Butler moved that the rules be further waived and Senate Bill No. 771 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. 771 was read the third time in full.

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

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

Nays—None.

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

By Senator Touchton—

Senate Bill No. 772:

A bill to be entitled An Act placing a bounty for the de-

struction of certain predatory birds, to-wit: Crows, Horned Owls, and Hawks.

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

The following messages from the Governor were received:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
May 14th, 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 Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 117 Relating to Hastings.

Senate Bill No. 331 Relating to Columbia County Charity Cases.

Respectfully yours,

DAVE SHOLTZ,  
Governor.

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE  
May 13, 1935

Honorable Wm. 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 a law without my approval:

Senate Bill No. 163 relating to tax deeds.

Senate Bill No. 232 relating to Amanda Williams.

Senate Bill No. 499 relating to Madison County.

Respectfully yours,

DAVE SHOLTZ,  
Governor.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., May 13, 1935.

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

Sir:

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

House Bill No. 381:

A bill to be entitled An Act providing for the issuing of uniform commitments for all persons who may be convicted and sentenced to the State's prison; authorizing the Commissioner of Agriculture, as official custodian of the State's prison, to design and furnish to the several Clerks of the Courts such uniform commitments; and requiring such Clerks to use same in the issuing of commitments for all persons so convicted and sentenced, and authorizing the Commissioner of Agriculture to expend funds therefor, and repealing all laws in conflict herewith.

Also has passed—

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.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

WELDON G. STARRY,  
Chief Clerk House of Representatives.

And House Bill No. 381, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B."

And House Bill No. 538, contained in the above message, was referred to the Committee on Privileges & Elections.

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

Tallahassee, Fla., May 13, 1935.

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

Sir:  
I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted the report of the Conference Committee on—

House Bill No. 54:

A bill to be entitled An Act extending the time for the payment of maturities in interest and principal or other forms of indebtedness for which any county, political subdivision, municipality or taxing district is liable; providing the method by which the courts of this State shall enter peremptory writs of mandamus or orders in other legal proceedings in suits instituted for the levy of taxes in the various counties, political subdivisions, municipalities, or taxing districts in the State of Florida.

Which committee report reads as follows:

Tallahassee, Fla., May 8, 1935.

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

Honorable W. B. Bishop,  
Speaker of the House of Representatives.

Sirs:  
Your Conference Committee, appointed to adjust the differences existing between the Senate and the House on House Bill No. 54, have had the same under consideration and do respectfully recommend as follows:

That the House do recede from its amendment to Section 2, reading as follows:

"And this Act shall not apply to bonds or other evidences of indebtedness issued by any political subdivision of this State after the effective date of this Act," and that said Section 2 be amended to read as follows:

"Section 2. That this Act is passed under the police power of the State and should be liberally construed by the Courts with a view of carrying out the purposes of this Act; provided, however, that the provisions of this Act shall not be applicable to or effect the collection of any indebtedness, or securities evidencing or securing same, whether owing, issued or pledged by any such counties, political subdivisions, municipalities or other taxing districts, and representing loans which have been or may be authorized or made to or for the benefit of them or either of them by the Government of the United States or any agency thereof or to any bonds or other evidence of indebtedness, refunding or otherwise, issued after the passage of this Act."

That the title to said Act be amended as follows:

Strike out the period and insert

"and excepting from the provisions of this Act the collection of any indebtedness, or securities evidencing or securing same, whether owing, issued or pledged by any such counties, political subdivisions, municipalities or other taxing districts and representing loans which have been or may be authorized or made to or for the benefit of them, or either of them, by the Government of the United States or any agency thereof or any bonds or other evidence of the indebtedness, refunding or otherwise, issued after the passage of this Act."

And that said bill be further amended by inserting after the third paragraph an additional paragraph as follows:

"WHEREAS, the United States Government has taken cognizance of the economic emergency existing in the State of Florida and other States of the Union and to assist in alleviating the economic distress has in many instances through its subsidiaries, branches, agencies, commissions, bureaus and/or corporations organized by an Act of Congress and financed in whole or in part by the United States Government, accepted the bonds and/or other evidences of indebtedness of some of the political subdivisions of the State of Florida; and it has not been the practice of the United States Government and its aforesaid agencies and subsidiaries to accept refunding or other bonds or other evidences of indebtedness of the political subdivisions of the State when issued beyond the ability of the said political subdivision to pay at maturity, whether as to

principal or interest, said bonds or other evidences of indebtedness;"

Respectfully submitted,  
JNO. R. BEACHAM,  
Chairman on the part of the Senate.  
F. B. BLACK,  
Chairman.  
ED DENISON,  
WM. G. CHRISTIE,  
House Committee.

And respectfully requests the concurrence of the Senate therein.

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

The motion made by Senator Beacham on May 9, 1935, to reconsider the vote by which the Majority and Minority Conference Committee reports on Senate Amendment to House Bill No. 54 were referred back to the Conference Committee with instructions was taken up.

The question was put on the motion made by Senator Beacham.

Which was not agreed to.

And the Senate refused to reconsider the vote by which the majority and minority conference committee reports on Senate Amendment to House Bill No. 54 were referred back to the Conference Committee.

Senator Mann moved that Senate Bill No. 589, which was reported unfavorably by the Committee on Public Health, be recommitted to said Committee for further consideration.

Which was agreed to and it was so ordered.

Senate Concurrent Resolution No. 16:

A Resolution providing for the appointment of a Committee to prepare a draft of a proposed law for uniform municipal government under Section 24 of Article 111 of the Constitution of the State of Florida.

WHEREAS, the proper classification of the cities and towns of the State, according to population, and the preparation of general laws providing for their incorporation, government, jurisdiction, powers, duties and privileges under such classifications is a matter requiring the most careful consideration of present different forms of municipal government, varying powers and duties prescribed by present charters, and the divergent economic conditions existing in towns and cities of the same size, and

WHEREAS, it is the sense of the legislature that a thorough and complete study of these local conditions should be made in order that as the result thereof beneficial laws may be passed setting up a general classification law for towns and cities, according to population, as well as carefully planned uniform laws covering towns and cities within each classification,

NOW, THEREFORE, BE IT RESOLVED by the Senate of Florida, the House of Representatives concurring that three members of the Senate, to be appointed by the President of the Senate, and four members of the House of Representatives, to be appointed by the Speaker, shall constitute a committee to make a thorough study and investigation of the reasonable classification requirements of towns and cities of this State, of the present forms of government therein, of the powers and duties now prescribed by law for and of the varying economic conditions existing in said towns and cities, and to hold hearings with representatives of the towns and cities of Florida, concerning these problems, all to the end that a complete and comprehensive proposed law with the view of carrying into effect the purpose and intent of Section 24 of Article 111 of the constitution of the State of Florida, shall be prepared and drafted and reported and submitted by said committee to the 1937 session of the Florida Legislature.

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

Senator Tillman offered the following amendment to Senate Concurrent Resolution No. 16:

In line 4, (typewritten bill), in resolving clause strike out word: "four" and insert in lieu thereof the following: "three"

Senator Tillman moved the adoption of the amendment.

Pending adoption of the amendment offered by Senator Tillman to Senate Concurrent Resolution No. 16, Senator Beacham offered the following substitute amendment for the amendment offered by Senator Tillman:

Lines 3 and 4, (typewritten bill), strike out the words:

three and four and insert in lieu thereof the following: five in line three and in line four.

Senator Beacham moved the adoption of the substitute amendment for the amendment offered by Senator Tillman.

Which was agreed to and the substitute amendment was adopted.

The question was put on the adoption of Senate Concurrent Resolution No. 16, as amended.

Which was agreed to.

And Senate Concurrent Resolution No. 16, as amended, was adopted and referred to the Committee on Engrossed Bills.

Pursuant to the provisions of Senate Concurrent Resolution No. 16, the President appointed Senators Beacham, Tillman, Beall, Tervin and Holland as the committee on the part of the Senate.

Pursuant to the motion made by Senator Gillis on May 11, 1935, the Senate took up the consideration of all Claim Bills and all Pension Bills on the Calendar as a Special and Continuing Order.

By Senator Parrish—  
Senate Bill No. 514:

A bill to be entitled An Act for the relief of Benjamin R. Gorgas.

Was taken up in its order, having been read the third time in full on May 13, 1935.

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, Gomez, Harper, Holland, McArthur, McKenzie, Mann, Murphy, Pannill, Parker, Parrish, Raulerson, Savage, Smith (14th), Smith (29th), Tervin, Tillman, Touchton, Watson—26.

Nays—Senators Clarke, Lundy, MacWilliams, Rose, Shelley, Shivers, Sweger, Turner—8.

So Senate Bill No. 514, passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1935 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Butler:  
Senate Bill No. 568:

A bill to be entitled An Act for the relief of J. E. Madigan, to reimburse him for doctor and hospital expenses on account of an automobile accident suffered on June 30th, 1933, while in performance of duty as traveling auditor for the State Comptroller.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McKenzie, Murphy, Nordman, Parrish, Raulerson, Savage, Shivers, Smith (14th), Smith (29th), Sweger, Tillman, Touchton, Turner—27.

Nays—Senators Clarke, McArthur, MacWilliams, Mann, Pannill, Parker, Rose, Shelley, Tervin, Watson—10.

So Senate Bill No. 568 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1935 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shelley now presiding.

Senator Tillman requested that House Bill No. 303, which was reported unfavorably by the Committee on Pensions & Claims on May 8, 1935, be placed on the Calendar of Bills on second reading.

And it was so ordered, under the rules.

Senator Tillman asked unanimous consent of the Senate to take up and consider House Bill No. 303, out of its order, at this time.

Which was agreed to.

House Bill No. 303:

A bill to be entitled An Act granting a pension to Janie Crilly of Hillsborough County, Florida.

Was taken up and read the second time in full.

Senator Tillman moved that the rules be waived and House

Bill No. 303 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. 303 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 Beacham, Beall, Black, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McKenzie, Murphy, Pannill, Parrish, Savage, Smith (29th), Tillman, Touchton, Watson—19.

Nays—Senators Bass, Butler, Clarke, McArthur, MacWilliams, Mann, Parker, Raulerson, Rose, Shelley, Shivers, Tervin, Turner—13.

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

By unanimous consent Senator Tillman withdrew Senate Bill No. 281.

Senate Bill No. 610:

A bill to be entitled An Act for the relief of J. W. Vandlingham as Clerk of the Circuit Court, in and for Holmes County, Florida.

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

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

Yeas—Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, 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 Senate Bill No. 610 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1935 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 556:

A bill to be entitled An Act granting a pension to Mrs. Leasey L. T. Holland of Grand Ridge, Florida.

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

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

Yeas—Senators Adams, Bass, Beacham, Beall, Black, Butler, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McKenzie, MacWilliams, Murphy, Parker, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Tervin, Tillman, Touchton, Turner—29.

Nays—Senators McArthur, Mann—2.

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

Senate Bills Nos. 308 and 483 were taken up in their order and the consideration of same was informally passed.

Senate Bill No. 538:

A bill to be entitled An Act for the relief of Bluett Anderson, and providing for the payment of compensation to him for land sold without legal title by the trustees of the Internal Improvement Fund.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, MacWilliams, Mann, Murphy, Nordman, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Sweger, Tillman, Touchton, Turner—29.

Nays—None.

So Senate Bill No. 538 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1935 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

The President now presiding.

Senate Bill No. 606:

A bill to be entitled An Act to provide for the relief of the aged and infirm citizens of the various counties of the State of Florida; to provide for the custody of monies which may be collected for the various counties thereof; to provide for the allocation and distribution of the monies collected; to provide the rate of compensation at which such persons as may be entitled to aid hereunder may be paid; to fix the duties of

Boards of County Commissioners and the State Pension Board in relation thereto; the manner in which citizens may obtain the benefits thereof; the time when citizens shall be entitled thereto to provide the manner and time of payment of such aid to persons entitled thereto; to provide the records to be kept; to provide for penalties for violations of provisions of this Act.

Was taken up in its order, having been read the third time in full on May 10, 1935.

By unanimous consent Senator Bass offered the following amendment to Senate Bill No. 606:

In Section 5, line 21, (typewritten bill) strike out the figures 60, and insert in lieu thereof the following words: "sixty-five."

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

By unanimous consent Senator Bass also offered the following amendment to Senate Bill No. 606:

In Section 5, line 21, (printed bill), strike out the Figures 60 and insert in lieu thereof the following words: "sixty-five"

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

By unanimous consent Senator Gomez offered the following amendment to Senate Bill No. 606:

In Section 7, strike out all of Section 7, and add in lieu thereof the following:

Section 7: Sub-Section (a) That from and after the First day of October, A. D. 1935, it shall be unlawful for any person, firm, corporation, association, co-partnership or club or other organization to set up for operation, operate, lease, or distribute for the purpose of operating any coin-operated device as defined in Sub-Section (b), Section 7 of this Act, without first having obtained a license therefor. This Act, however, does not apply to machines or devices being displayed or demonstrated by manufacturers, distributors, salesmen and agents for sales purposes.

Sub-Section (b) For the purpose of this Act, coin-operated devices are defined and classified as follows:

1. Automatic coin-operating vending and amusement machines, with premium features, which vends for each coin deposited a standard article of merchandise having a recognized retail value, and at intervals vends checks, tokens, coins or orders which may be exchanged for additional merchandise. Hereinafter this type will be referred to as Automatic Vendors.

2. Coin-operated Skill Machines (commonly referred to as Pin-game, Marble tables, and similar devices of this type which may have a skill feature); as a reward for skillful operation premiums may be given for high score or making certain combinations. Such premiums may be awarded either automatically by the machine in the form of checks, tokens or orders, which designate, the value of the premium or premiums, or may be indicated by a score card attached to the machine. Hereinafter this type shall be referred to as skill machines.

3. Trade Machines: These machines have no automatic vending features, although at intervals indicate that portion is entitled to receive premiums. Hereinafter this type shall be referred to as Trade Machines.

4. Slot Machines: These machines commonly known and referred to as Slot Machines, as distinguished from the other machines hereinbefore defined. Only such types of machines as are hereinabove described and referred to as Automatic Vendors and/or skill machines and/or Trade machines and/or Slot machines are covered by this Act. Nothing herein contained shall be construed to apply to any coin-operated machine or device which returns amusement, entertainment or some service or article of value, or a combination of the above, uniformly as to quantity and quality upon each insertion of a coin into the same nor to any coin operated telephone.

Sub-Section (c): Any person, firm or corporation who leases, uses, or rents out to any third person any coin-operated device or devices, as herein defined, shall pay an Occupational Tax and shall be known as an operator.

Sub-Section (5): All licenses shall be due and payable on or before the first day of October of each year, and no license shall be issued for any fractional portion of a year, except as otherwise provided in this Act, and except that any license for a location tax may be issued after the first day of April and to expire on the 30th day of September of the same year, upon the payment of one-half of the amount fixed as the price of such license for one year.

Sub-Section (e): The fees for such licenses to be as follows:

Each "Operator of Automatic Vendors, and/or Skill Machines, and/or Trade Machines, and/or Slot Machines, shall pay to the Tax Collector an Occupational Tax of Three Hundred Dollars and in addition to such Occupational Tax each "Operator" shall pay a Location License to the said Tax Collector for the State, as follows:

Automatic Vendors .....	\$25.00
Skill Machines .....	10.00
Trade Machines .....	10.00
Slot Machines .....	50.00

Sub-Section (f): Any and all machines licensed under this Act shall be subject to the following provisions:

1. No person in direct charge or supervision of such machine shall knowingly permit any person under 18 years of age to engage in the play of such machines.

2. All machines licensed by this Act, must be operated and maintained at all times in an orderly manner, and the operation thereof shall be conducted with the same dignity as any other well regulated business.

3. Provided that no automatic vending machine shall at any time be "plugged" or changed in any manner so as to alter its ratio of premiums.

Sub-Section (g): Applications for licenses required hereunder shall be in writing and signed by the applicant; shall give his business address and such other information as may be required, on forms which may be prepared by the Comptroller for such purposes, and shall be filed with the Tax Collector of the County in which machines are to be operated, and shall be accompanied by the prescribed fee.

Sub-Section (h): Concurrent with the issuance of the license for each machine the Tax Collector shall issue a metal plate upon which shall appear the serial number of the license and the manufacturer's serial number of the machine, for which he shall receive a fee of One Dollar. Such plates must at all times be firmly attached to the machine and prominently displayed thereon. Any such machine removed, for operation, to another city or county, other than the county or city in which it was originally licensed shall be subject to the payment of a Location Tax, the same as if no license had heretofore been paid therefor.

Sub-Section (i): Any person, firm or corporation defined in this Act engaged in the operation of coin-controlled machines as herein defined, in violation of any of the provisions of this Section (7), shall be guilty of a misdemeanor and shall, upon conviction thereof be fined not less than Twenty-Five Dollars and not more than Three Hundred Dollars.

Sub-Section (j): On the thirtieth (30th) day of September, and the thirty-first day of March the account books of the State Treasurer showing the revenue received under this Act, shall be closed and the amounts so derived as revenue, under this Section (7), shall be paid into the "Relief Pension Fund" created by this Act.

Sub-Section (k): No laws or parts of laws which have for their purpose the prohibition of gambling devices shall be construed to apply to licensed coin-controlled machines, as defined and permitted under this Act; insofar as said laws conflict with the provisions of this Act, the same are hereby repealed. Provided further, that nothing herein shall be construed to mean that more than one occupational tax may be required from any operator, and not more than one Location Tax may be required of each machine, in the same county or city.

Sub-Section (l): All revenues collected by the State from the sources herein provided shall be deposited in a fund to be known as the "Relief Pension Fund", with the State Treasurer. The Legislature by general or special Act may provide additional funds for the purpose of carrying out the provisions of this Act, and such funds as may be so provided together with any funds that may be obtained from or appropriated by the Federal Government shall all be deposited in said "Relief Pension Fund". All funds obtained from every source whatsoever which are deposited in the "Relief Pension Fund" provided for in this Act or any subsequent Act of the Legislature of Florida shall be allotted to and divided among the various Counties of this State in the following manner:

(1) Seventy-five (75) per cent of all State collected funds shall be apportioned to the credit of the various counties in proportion to the number of accepted applicants coming under the provisions of this Act.

(2) Twenty-five (25) per cent of all State collected funds

shall be apportioned to the credit of the various counties in proportion to the amount of additional money, other than monies collected by State provisions, collected and applied by each of the various counties for the purpose of additional aid to the provisions of this Act. The various counties are hereby authorized and directed to raise through various tax levies or to divert from available county funds, monies to be deposited to the credit of the county, with the State Treasurer as Ex-Officio County Treasurer, in the "Relief Pension Fund".

Sub-Section (m): Authority is hereby given to the State Pension Board, at its discretion, to transfer any unused or surplus funds which may accumulate in the "Confederate Pension Fund" to the "Relief Pension Fund".

Senator Gomez moved the adoption of the amendment.

Pending the adoption of the amendment offered by Senator Gomez to Senate Bill No. 606, Senator Adams moved that when the Senate adjourns it adjourn to reconvene at 3:00 o'clock P. M., this day.

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

Pending the adoption of the amendment offered by Senator Gomez to Senate Bill No. 606, the hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:00 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 (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

A quorum present.

By permission the following Reports of Committees were received:

Senator Smith (29th), Chairman of the Committee on Miscellaneous, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

Sir:

Your Committee on Miscellaneous, to whom was referred:

Senate Bill No. 57:

A bill to be entitled An Act regulating, taxing and licensing gambling in gambling houses, providing powers and duties of the State Racing Commission in regulating and supervising gambling and gambling houses; vesting power and discretion in the Board of County Commissioners of each County as to licensing gambling in gambling houses in such county, providing for additional tax and license by towns, cities and counties; prohibiting gambling and gambling houses unless licensed; providing a penalty for the violation of the provisions of this Act; and forbidding lotteries, and providing for the collection and distribution of funds arising hereunder.

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

Very respectfully,

J. SLATER SMITH,  
Chairman of Committee.

And Senate Bill No. 57 contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Pannill, Chairman of the Committee on Internal Affairs, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 14, 1935.

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

Sir:

Your Committee on Internal Affairs, to whom was referred:

Senate Bill No. 569:

A bill to be entitled An Act to protect the consumer against inferior bakery products and against misleading weights and sizes; to promote increased employment and better working conditions; to eliminate destructive trade practices in the bakery business; to define and regulate the manufacture and sale of bakery products; to name the commissioner of Agriculture as administrator and fix his duties and authority and provide for the appointment of an assistant administrator, inspectors and other necessary employees and provide for their salaries; to create an advisory control board and provide for its election, duties and authority; to provide for the licensing of bakeries, both wholesale and retail; to divide the State into districts for administrative purposes; to provide for the keeping of certain records; to fix minimum ingredients and standardize bread sixes and weights; to permit the promulgation and minimum prices; to provide for assessments to defray cost of administration of this Act; to provide penalties for the violation of the terms hereof, and declaring an emergency.

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

Very respectfully,

WILLIAM PANNILL,  
Chairman of Committee.

And Senate Bill No. 569, contained in the above report, was placed on the Calendar of Bills on second reading.

## 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 14, 1935.

Hon. Wm. C. Hodges,

President of the Senate.

Sir:

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

Senate Bill No. 639:

A bill to be entitled An Act to establish under the provisions of Section 9, Article 8 of the Constitution, a Municipal Corporation to be known as the City of Jacksonville, extending territorially throughout the present limits of Duval County, in place of all County, District, Municipal and Local Governments, and certain boards, bodies and officers, except drainage districts and special taxing districts; to prescribe the jurisdiction, powers, duties and functions of the City of Jacksonville, its Legislative, Executive, Judicial and Administrative Departments, and its boards, bodies and officers; to divide the territory included therein, into districts; to prescribe a just and reasonable system of taxation for the City and its Districts, and to fix the liability of such City and Districts.

Also—

Senate Bill No. 34:

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

Also—

Senate Bill No. 226:

A bill to be entitled An Act to grant a pension to W. H. McNair, Sr., of Alachua County, Florida.

Also—

Senate Bill No. 213:

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

Also—

Senate Bill No. 244:

A bill to be entitled An Act granting a pension to Mrs. Mary I. Richardson, widow of D. B. Richardson, late of Company "I", 29th South Carolina Infantry, Confederate States Army.

Also—

Senate Bill No. 215:

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

Be 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 Nordman moved that the Senate do now proceed to the consideration of Executive Communications. Which was agreed to.

And the Senate went into Executive Session at 3:03 o'clock, P. M.

The Senate emerged from Executive Session at 3:11 o'clock P. M., and resumed its Session.

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

Mr. President; Senators Adams, Bass, Beacham, Beall, Black, 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—37.

A quorum present.

Senate Bill No. 606:

A bill to be entitled An Act to provide for the relief of the aged and infirm citizens of the various counties of the State of Florida; to provide for the custody of monies which may be collected for the various counties thereof; to provide for the allocation and distribution of the monies collected; to provide the rate of compensation at which such persons as may be entitled to aid hereunder may be paid; to fix the duties of Boards of County Commissioners and the State Pension Board in relation thereto; the manner in which citizens may obtain the benefits thereof; the time when citizens shall be entitled thereto; to provide the manner and time of payment of such aid to persons entitled thereto; to provide the records to be kept; to provide for penalties for violations of provisions of this Act.

Was taken up, having been read the third time in full on May 10, 1935, and which was pending amendment at the hour of recess.

The consideration of the following amendment, offered by Senator Gomez to Senate Bill No. 606, which was pending adoption at the hour of recess, was resumed:

In Section 7, strike out all of Section 7, and add in lieu thereof the following:

Section 7: Sub-Section (a) That from and after the First day of October, A. D., 1935, it shall be unlawful for any person, firm, corporation, association, co-partnership or club or other organizations to set up for operation, operate, lease, or distribute for the purpose of operating any coin-operated device as defined in Sub-Section (b), Section 7 of this Act, without first having obtained a license therefor. This Act, however, does not apply to machines or devices being displayed or demonstrated by manufacturers, distributors, salesmen and agents for sales purposes.

Sub-Section (b) For the purpose of this Act, coin-operated devices are defined and classified as follows:

1. Automatic coin-operating vending and amusement machines, with premium features, which vends for each coin deposited a standard article of merchandise having a recognized retail value, and at intervals vends checks, tokens, coins or orders which may be exchanged for additional merchandise. Hereinafter this type will be referred to as Automatic Vendors.

2. Coin-operated Skill Machines (commonly referred to as Pin-game, Marble tables, and similar devices of this type which may have a skill feature); as a reward for skillful operation premiums may be given for high score or making certain combinations. Such premiums may be awarded either automatically by the machine in the form of checks, tokens or orders, which designate, the value of the premium or premiums, or may be indicated by a score card attached to the machine. Hereinafter this type shall be referred to as skill machines.

3. Trade Machines: These machines have no automatic vending features, although at intervals indicate that portion is entitled to receive premiums. Hereinafter this type shall be referred to as Trade Machines.

4. Slot Machines: These machines commonly known and referred to as Slot Machines, as distinguished from the other machines hereinbefore defined. Only such types of machines as are hereinabove described and referred to as Automatic Vendors and/or skill machines and/or Trade machines and/or Slot machines are covered by this Act. Nothing herein contained shall be construed to apply to any coin-operated machine or device which returns amusement, entertainment or

some service or article of value or a combination of the above, uniformly as to quantity and quality upon each insertion of a coin into the same nor to any coin operated telephone.

Sub-Section (c): Any person, firm or corporation who leases, uses, or rents out to any third person any coin-operated device or devices, as herein defined, shall pay an Occupational Tax and shall be known as an operator.

Sub-Section (d): All licenses shall be due and payable on or before the first day of October of each year, and no license shall be issued for any fractional portion of a year, except as otherwise provided in this Act, and except that any license for a location tax may be issued after the first day of April and to expire on the 30th day of September of the same year, upon the payment of one-half of the amount fixed as the price of such license for one year.

Sub-Section (e): The fees for such licenses to be as follows:

Each "Operator of Automatic Vendors, and/or Skill Machines, and/or Trade Machines, and/or Slot Machines, shall pay to the Tax Collector an Occupational Tax of Three Hundred Dollars and in addition to such Occupational Tax each "Operator" shall pay a Location License to the said Tax Collector for the State, as follows:

Automatic Vendors .....	\$25.00
Skill Machines .....	10.00
Trade Machines .....	10.00
Slot Machines .....	50.00

Sub-Section (f): Any and all machines licensed under this Act shall be subject to the following provisions:

1. No person in direct charge or supervision of such machine shall knowingly permit any person under 18 years of age to engage in the play of such machines.

2. All machines licensed by this Act, must be operated and maintained at all times in an orderly manner, and the operation thereof shall be conducted with the same dignity as any other well regulated business.

3. Provided that no automatic vending machine shall at any time be "plugged" or changed in any manner so as to alter its ratio of premiums.

Sub-Section (g): Applications for licenses required hereunder shall be in writing and signed by the applicant; shall give his business address and such other information as may be required, on forms which may be prepared by the Comptroller for such purposes, and shall be filed with the Tax Collector of the County in which machines are to be operated, and shall be accompanied by the prescribed fee.

Sub-Section (h): Concurrent with the issuance of the license for each machine the Tax Collector shall issue a metal plate upon which shall appear the serial number of the license and the manufacturer's serial number of the machine, must at all times be firmly attached to the machine and prominently displayed thereon. Any such machine removed, for operation, to another city or county, other than the county or city in which it was originally licensed shall be subject to the payment of a Location Tax, the same as if no license had heretofore been paid therefor.

Sub-Section (i): Any person, firm or corporation defined in this Act engaged in the operation of coin-controlled machines as herein defined, in violation of any of the provisions of this Section (7), shall be guilty of a misdemeanor and shall, upon conviction thereof be fined not less than Twenty-Five Dollars and not more than Three Hundred Dollars.

Sub-Section (j): On the thirtieth (30th) day of September, and the thirty-first day of March the account books of the State Treasurer showing the revenue received under this Act, shall be closed and the amounts so derived as revenue, under this Section (7), shall be paid into the "Relief Pension Fund" created by this Act.

Sub-Section (k): No laws or parts of laws which have for their purpose the prohibition of gambling devices shall be construed to apply to licensed coin-controlled machines, as defined and permitted under this Act; insofar as said laws conflict with the provisions of this Act, the same are hereby repealed. Provided further, that nothing herein shall be construed to mean that more than one occupational tax may be required from any operator, and not more than one Location Tax may be required of each machine, in the same county or city.

Sub-Section (l): All revenues collected by the State from the sources herein provided shall be deposited in a fund to be known as the "Relief Pension Fund", with the State Treasurer. The Legislature by general or special Act may provide

additional funds for the purpose of carrying out the provisions of this Act, and such funds as may be so provided together with any funds that may be obtained from or appropriated by the Federal Government shall all be deposited in said "Relief Pension Fund". All funds obtained from every source whatsoever which are deposited in the "Relief Pension Fund" provided for in this Act or any subsequent Act of the Legislature of Florida shall be allotted to and divided among the various Counties of this State in the following manner:

(1) Seventy-five (75) per cent of all State collected funds shall be apportioned to the credit of the various counties in proportion to the number of accepted applicants coming under the provisions of this Act.

(2) Twenty-five (25) per cent of all State collected funds shall be apportioned to the credit of the various counties in proportion to the amount of additional money, other than monies collected by State provisions, collected and applied by each of the various counties for the purpose of additional aid to the provisions of this Act. The various counties are hereby authorized and directed to raise through various tax levies or to divert from available county funds, monies to be deposited to the credit of the county, with the State Treasurer as Ex-Officio County Treasurer, in the "Relief Pension Fund".

Sub-Section (m): Authority is hereby given to the State Pension Board, at its discretion, to transfer any unused or surplus funds which may accumulate in the "Confederate Pension Fund" to the "Relief Pension Fund".

Senator Gomez having moved the adoption of the amendment.

The question was put on the adoption of the amendment offered by Senator Gomez to Senate Bill No. 606.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Gomez to Senate Bill No. 606 the roll was called and the vote was:

Yeas—Mr. President; Senators Clarke, Gomez, Holland, Lewis, Lundy, MacWilliams, Nordman, Parker, Savage, Smith (14th), Tervin—12.

Nays—Senators Adams, Bass, Beacham, Beall, Black, Butler, Futch, Harper, McArthur, McKenzie, Mann, Murphy, Pannill, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tillman, Touchton, Turner, Watson—25.

So the amendment failed of adoption.

The following explanation of vote was filed with the Secretary:

My reason for voting against this amendment is that I believe it kills the bill. Further reason is there are ample revenue measures in sight to pay this without risking killing only old age pension bill likely to pass.

R. S. ADAMS.

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

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

Nays—None.

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

Senate Bill No. 536:

A bill to be entitled An Act for the relief of John Ludlow Roberts, Louise Roberts and Randall Paul Roberts.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beall, Butler, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, Mann, Murphy, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Tervin, Watson—26.

Nays—Senators Clarke, MacWilliams, Parker, Sweger—4.

So Senate Bill No. 536 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1935 session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

Senator Beall requested that Senate Bill No. 414 be recalled from the Committees on Public Roads & Highways and Trans-

portation & Traffic having been in said Committees more than seven (7) days and placed on the Calendar of Bills on second reading.

And it was so ordered, under the rules.

Senate Bill No. 444:

A bill to be entitled An Act to regulate and control the distribution of fluid milk and cream and for this purpose to create a Florida Milk Control Board, defining its jurisdiction, powers and duties during the existing emergency and to declare an emergency exists. To provide for the legal succession by this Board herein created of the Milk Control Board established by Chapter 16078 Laws of Florida of 1933.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Tillman, Touchton, Turner, Watson—32.

Nays—Senators Gillis, Tervin—2.

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. 360 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 258:

A bill to be entitled An Act authorizing the municipal corporations of the State of Florida, owning and operating their own public utilities, to purchase, sell, and dispose of, install and maintain any and all appliances used in connection with, and incidental to, the use and sale of electric current or gas and prescribing the method of sale and financing of same.

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

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

Yeas—Senators Black, Clarke, Futch, Holland, Lundy, McArthur, McKenzie, Mann, Parker, Parrish, Savage, Shivers, Smith (29th), Sweger, Touchton, Watson—16.

Nays—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Gillis, Gomez, Harper, Lewis, MacWilliams, Murphy, Raulerson, Rose, Shelley, Sikes, Tervin, Tillman, Turner—19.

So the bill failed to pass.

Senate Bill No. 597 was taken up in its order and the consideration of same was informally passed.

Senator Shivers now presiding.

By unanimous consent Senator Tervin withdrew Senate Bill No. 38.

Senate Bill No. 490:

A bill to be entitled An Act to provide for the licensing and taxing exhibitions of the Spanish ball game called jai-a-lai or pelota, and for the apportioning of the monies derived therefrom among the several counties of the State as provided by existing law; to provide and regulate the making of wagers on pari mutuel pools within the enclosure of frontons wherein exhibitions of jai-a-lai or pelota are conducted; to provide for the supervision of the operation of such frontons by the State Racing Commission; to provide the manner whereby a permit for the operation of such exhibitions of jai-a-lai or pelota may be obtained and for other purposes relating to and regulating the operation of such games or exhibitions.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parker, Raulerson, Shelley, Shivers, Smith (14th), Smith (29th), Tillman, Touchton, Turner, Watson—30.

Nays—Senators Parrish, Rose, Sweger—3.

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

Senator Tillman moved that when the Senate adjourns it adjourn to reconvene at 10:30 o'clock A. M., Wednesday, May 15, 1935.

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

Senator Shelley asked unanimous consent of the Senate to

take up and consider Senate Bill No. 612 out of its order at this time.

Which was agreed to.

Senate Bill No. 612:

A bill to be entitled An Act to amend Section 1 of Chapter 6883, Acts of 1915, entitled, "State Road Department Created; members; terms of office; vacancies; organization; chairman; secretary; salaries; expenses; disbursements duties of chairman; headquarters; bond of chairman; seal of department; duties of secretary; meetings," as amended by Section 1 of Chapter 7328, Acts of 1917, as amended by Section 1, Chapter 7900, Acts of 1919, as amended by Section 1 of Chapter 11335, Acts of 1925, extra session, as amended by Section 1 of Chapter 15720, Acts of 1931, extra session, as amended by Section 1 of Chapter 15859, Acts of 1933; and also to amend Section 3 of said Chapter 6883, Acts of 1915, as amended by Section 3 of said Chapter 7328, Acts of 1917, as amended by Section 3 of said Chapter 7900, Acts of 1919.

Was taken up and read the second time in full.

The Committee on Public Roads & Highways offered the following amendment to Senate Bill No. 612:

In Section 1, line 44 (typewritten bill) strike out the words: "Twelve hundred dollars" and insert in lieu thereof the following: "Six hundred dollars."

Senator Shelley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Public Roads & Highways also offered the following amendment to Senate Bill No. 612:

In Section 1, line 51 (typewritten bill) strike out the words: "Six thousand dollars" and insert in lieu thereof the following: "Forty-eight hundred dollars."

Senator Shelley moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shelley moved that the rules be waived and Senate Bill No. 612, 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. 612, 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, Beacham, Beall, Butler, Clarke, Futch, Gillis, Harper, Holland, Lundy, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Smith (14th), Smith (29th), Tillman, Touchton, Turner, Watson—30.

Nays—Senator McArthur—1.

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

The President now presiding.

Senate Bill No. 613:

A bill to be entitled An Act to authorize the State Road Department of Florida to make application to the Federal Government for the advancement of certain funds and to provide certain moneys in its annual budget for certain purposes.

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

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

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

Senate Bill No. 614:

A bill to be entitled An Act to amend Sections 5 and 6 of Chapter 15024, Acts of 1931, entitled, "An Act to authorize the State Road Department of the State of Florida to grant franchises for the construction of toll bridges, viaducts, roads, fills, trestle structures and approaches thereto and for the use of the same by the persons to whom such franchises are granted, their successors and assigns; and to authorize the State Road Department to lease or purchase under certain conditions any toll bridges, viaducts, roads, fills or trestles with the approaches thereto when it may be practicable and advisable to lease such structures in connection with the high-

way system of the State of Florida; and to provide that the contracts for such franchises and constructions shall contain an option to be exercised by the State Road Department to purchase such structures after a period of thirty years under such terms and conditions as may be named in the original franchises granted by the State Road Department."

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

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

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

Senate Bill No. 615:

A bill to be entitled An Act authorizing and empowering the State Road Department of Florida to purchase, sell, lease and convey certain real property.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parker, Raulerson, Rose, Savage, Shelley, Shivers, 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.

Senate Bill No. 616:

A bill to be entitled An Act providing for the cancellation of certain liens for taxes held and owned by the State of Florida against certain lands in this State.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parker, Raulerson, Rose, Shelley, Shivers, 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 Shelley moved that the hour of adjournment be extended five (5) minutes.

Which was agreed to and it was so ordered.

Senate Bill No. 617:

A bill to be entitled An Act providing for the cancellation of certain liens for taxes held and owned by the State of Florida against certain lands in this State acquired by the public for aeronautical purposes.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Butler, Clarke, Futch, Gillis, Harper, Holland, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, 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 certified to the House of Representatives.

Senate Bill No. 618:

A bill to be entitled An Act assenting to and accepting the provisions of An Act of Congress Approved July 11, A. D. 1916, and all amendments thereto, the same being entitled, "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," and providing for the apportionment and appropriation of funds to meet the same.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beall, Black, Butler, Clarke, Futch, Gillis, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), 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.

Senate Bill No. 619:

A bill to be entitled An Act relating to the dedication of certain roads to the public.

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

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

Yeas—Mr. President; Senators Adams, Bass, Beacham, Beall, Black, Butler, Clarke, Futch, Gillis, Gomez, Harper, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), 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 Adams moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 5:32 o'clock P. M.

The Senate emerged from Executive Session at 5:41 o'clock P. M., and resumed its Session.

Senator MacWilliams now presiding.

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, Pannill, Parker, Parrish, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

A quorum present.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:43 o'clock P. M., until 10:30 o'clock A. M., Wednesday, April 15, 1935.

#### EXECUTIVE SESSION

The Senate in Executive Session on May 14, 1935, upon recommendation of the Governor, removed Tom Underhill from the office of member of the County Board of Public Instruction, District No. 2, Volusia County, Florida.

The Senate in Executive Session on May 14, 1935, advised and consented to the following appointments by the Governor:

C. B. Treadway, member of the State Road Department, State of Florida, State at Large, for a period of 4 years from October 7, 1933.

J. R. Asbell, member of the State Road Department, State of Florida, Third Congressional District, for a period of 4 years from September 29, 1934.