

JOURNAL OF THE SENATE

Thursday, May 16, 1935

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, May 15, 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 (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Wednesday, May 13th, was corrected and as corrected was approved.

Senator Smith (14th) was excused from attendance upon the Session today.

REPORTS OF COMMITTEES.

Senator Tillman, Chairman of the Committee on Cities & Towns, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 16, 1935.

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

Sir:

Your Committee on Cities & Towns, to whom was referred:

Senate Bill No. 669:

A bill to be entitled An Act to amend Section 804 of the Revised General Statutes, 1920, the same appearing as Section 1051 of the Compiled General Laws of 1927 being Section 2 of Chapter 6421, Acts of 1913, as amended by Section 2, Chapter 14491, Acts of 1929, the same relating to County and City Licenses.

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

Very respectfully,

H. C. TILLMAN,

Chairman of Committee

And Senate Bill No. 669, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tillman, Chairman of the Committee on Cities & Towns, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 16, 1935.

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

Sir:

Your Committee on Cities & Towns, to whom was referred:

Senate Bill No. 418:

A bill to be entitled An Act directing and authorizing the State Auditor or his assistants to annually audit the affairs and records of each and every municipality within the State of Florida; and directing the said State Auditor to promulgate rules and regulations and requiring the municipalities of the State of Florida to establish and adopt uniform systems of accounts and records as promulgated by the said State Auditor and to require the enforcement of such rules and regulations and prescribing penalties for their violation, and authorizing the Governor to employ sufficient additional assistant auditors and making an appropriation therefor.

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

Very respectfully,

H. C. TILLMAN,

Chairman of Committee

And Senate Bill No. 418, contained in the above report, was laid on the table.

Senator Tillman, Chairman of the Committee on Cities & Towns, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 16, 1935.

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

Sir:

Your Committee on Cities & Towns, to whom was referred:

Senate Bill No. 647:

A bill to be entitled An Act authorizing Cities and Towns in this State to convey certain properties to the Federal Government and to contract with the Federal Government concerning such properties.

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

Very respectfully,

H. C. TILLMAN,

Chairman of Committee

And Senate Bill No. 647, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tillman, Chairman of the Committee on Cities & Towns, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 16, 1935.

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

Sir:

Your Committee on Cities & Towns, to whom was referred:

Senate Bill No. 741:

A bill to be entitled An Act authorizing and empowering the cities and towns of the State of Florida, the City Commissions, the City Councils, Town Councils, Boards of Aldermen, or governing bodies thereof, to fix and prescribe the salaries of the Mayor or Mayor-Commissioner, members of the City Commission, members of the City or Town Council, members of the Board of Aldermen or members of the governing body thereof, and to prescribe and to fix the manner and form of payment.

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

Very respectfully,

H. C. TILLMAN,

Chairman of Committee.

And Senate Bill No. 741, contained in the above report, was laid on the table.

Senator Lewis, Chairman of the Committee on Judicial Re-apportionment, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 16, 1935.

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

Sir:

Your Committee on Judicial Re-apportionment, to whom was referred:

Senate Bill No. 4:

A bill to be entitled An Act redistricting the State of Florida into Judicial Circuits, and providing for the appointment of Circuit Judges, and repealing existing laws in conflict with the provisions of this Act.

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

Very respectfully,

H. HAYS LEWIS,

Chairman of the Committee.

And Senate Bill No. 4, contained in the above report, 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 16, 1935.

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

Sir:

Your Committee on County Organizations, to whom was referred:

Senate Bill No. 481:

A bill to be entitled An Act authorizing the Boards of County Commissioners of the several counties of the State of Florida, to deduct from the salary of the employees of said counties, insurance premiums, and deposits for deferred annuities, and pay the same over to the insurance company entitled thereto.

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

Very respectfully,

H. C. HARPER,
Chairman of Committee.

And Senate Bill No. 481, contained in the above report, 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 16, 1935.

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

Sir:

Your Committee on County Organizations, to whom was referred:

Senate Bill No. 755:

A bill to be entitled An Act relating to the publication of the minutes and proceedings of the meetings of the Boards of County Commissioners and the Boards of Public Instruction in the several counties of the State of Florida.

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

Amendment No. 1:

In Section 2, line 6, after the word "County" strike out the following words: "of the largest or greatest circulation published in said County."

Very respectfully,

H. C. HARPER,
Chairman of Committee.

And Senate Bill No. 755, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Tillman, Chairman of the Committee on Cities & Towns, submitted the following report:

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

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

Sir:

Your Committee on Cities & Towns, to whom was referred:

House Bill No. 533:

A bill to be entitled An Act to amend the charter of the City of Dunnellon, State of Florida, and relating to the corporate limits of said city, and to provide for the payment of any indebtedness incurred by said city in that portion of the corporate limits to be eliminated.

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

Very respectfully,

H. C. TILLMAN,
Chairman of Committee.

And House Bill No. 533, contained in the above report, 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 15, 1935.

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

Sir:

Your Committee on Appropriations, to whom was referred:

House Bill No. 284:

A bill to be entitled An Act to further provide for and maintain the Dade Memorial Park, and to make appropriation therefor.

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

Amendment No. 1:

In Section 1, line 7, (typewritten bill) strike out the words

"Four Thousand" and the figures "\$4000.00" and insert in lieu thereof the following: the words "Eighteen Hundred" and the figures "\$1800.00."

Very respectfully,

T. G. FUTCH,
Chairman of Committee

And House Bill No. 284, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Tillman, Chairman of the Committee on Cities & Towns, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 16, 1935.

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

Sir:

Your Committee on Cities & Towns, to whom was referred:

House Bill No. 749:

A bill to be entitled An Act authorizing the creation of municipal tax adjustment boards, prescribing their powers, duties and limitations; prescribing the length of time such Board shall stay in existence; providing for a chairman and secretary and authorizing said board to adjust, settle and compromise taxes and special assessments.

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

Very respectfully,

H. C. TILLMAN,
Chairman of Committee.

And House Bill No. 749, 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 15, 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. 785:

A bill to be entitled An Act requiring the Board of Pardons of the State of Florida to commute to life imprisonment the sentence of any person who has been or is hereafter convicted of murder in the first degree, or other capital offense and who has been or is sentenced accordingly, where the Supreme Court of the State is equally divided on the appeal of such person to that Court.

Amendment No. 1:

In the title, line 5 (typewritten bill) after the comma insert the following: "or other capital offense"

Amendment No. 2:

In Section 1, line 3 (typewritten bill) after the word "degree" insert the following: "or other capital offense"

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. 785, 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 15, 1935.

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

Sir:

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

House Bill No. 1067:

A bill to be entitled An Act authorizing and empowering the

Board of County Commissioners of Pinellas County, Florida, State of Florida, for and on behalf of such County, to construct, own, maintain and operate a water system for the purpose of supplying drinkable water to the inhabitants of that certain chain of islands bordering on the Gulf of Mexico in said County, extending from Pass-A-Grille to Indian Rocks, and to furnish water to other districts or communities within said county; to prescribe the rights, duties and powers of such Board incidental thereto, specifically, the right to fix rates charged water consumers; to obtain the necessary funds for the construction of such water project from the Federal Government; provided that no taxable property or person in such county shall be taxed for the purpose herein contained, or that faith or credit of such county pledged therefor.

Also—

House Bill No. 1020:

A bill to be entitled An Act to authorize the Board of Administration and the State Treasurer to accept refunding bonds issued by any county with a population of not less than 80,000 nor more than 150,000 according to the 1930 Federal Census and issued under the provisions of Section 9 or 10 of Chapter 14486 of the Laws of Florida and to deliver and surrender refunded bonds in exchange for the same.

Also—

House Concurrent Resolution No. 18:

A Concurrent Resolution relating to the Honorable Franklin Delano Roosevelt, the President of the United States.

Also—

House Bill No. 965:

A bill to be entitled An Act to authorize and require the Board of Public Instruction in Counties having a population of not less than 31,000 and not more than 32,000 to pay certain money received by said Board of Public Instruction in said Counties under Chapter 16120 Acts of 1933, to the Board of County Commissioners of said Counties, and providing for the use of said money by said Board of County Commissioners.

Also—

House Bill No. 303:

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

Also—

House Bill No. 963:

A bill to be entitled An Act to fix the Compensation of members of Boards of Public Instruction in all Counties of the State having a population of not less than twelve thousand five hundred and not more than thirteen thousand, according to the Federal Census of 1930.

Also—

House Bill No. 1011:

A bill to be entitled An Act to relieve the Board of County Commissioners in Counties of this State having a population of not less than 80,000 and not more than 150,000 according to the 1930 Federal Census, from inspecting the offices and records of the County Judge, Sheriff, Clerks of the Court and other officers located therein and for other purposes.

Also—

House Bill No. 935:

A bill to be entitled An Act directing the Board of County Commissioners, the tax collector and/or the Clerk of the Court or any City Council or City Commissioners of all Counties having a population of not less than 7,700 and not more than 8,000 according to the 1930 United States Census for Florida to accept an exchange of bonds or delinquent Interest Coupons or other delinquent obligations of all Counties having a population of not less than 7,700 and not more than 8,000 according to the 1930 United States Census for Florida, districts in such Counties and Municipalities in such Counties at par in the redemption of lands from tax sales and in payment of delinquent taxes due to the same or in payment of all current taxes except that part of the State of Florida assessed and collected in such Counties.

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

Very respectfully,

F. P. PARKER,

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

The Bills contained in the above report were thereupon duly

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

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

Senate Chamber,
Tallahassee, Florida, May 16, 1935.

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

Sir:

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

Senate Bills No. 650:

A bill to be entitled An Act to amend Section 1 of Chapter 14708, Acts of 1931, Laws of Florida, which is an Act to regulate the practice of dentistry, dental surgery and dental hygiene in counties in the State of Florida, of population of between 7280 and 7380, according to the Federal census of 1930, and to provide penalties for the violation of any of the provisions thereof.

Also—

Senate Bill No. 677:

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

Also—

Senate Bill No. 707:

A bill to be entitled An Act fixing the compensation of the County Assessor of Taxes and the County Tax Collector in counties having a total population of not less than 6271 and not more than 6274 according to the Federal census of 1930.

Also—

Senate Bill No. 708:

A bill to be entitled An Act fixing the compensation of the County Assessor of Taxes and the County Tax Collector in counties having a total population of not less than 6855 and not more than 6860 according to the Federal census of 1930.

Also—

Senate Bill No. 317:

A bill to be entitled An Act granting a pension to Josiah C. Baisden.

Also—

Senate Bill No. 113:

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

Also—

Senate Bill No. 435:

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

Also—

Senate Bill No. 107:

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

Also—

Senate Bill No. 233:

A bill to be entitled An Act to extend State Road No. 30 as designated in Chapter 10269 Laws of Florida of 1925.

Also—

Senate Bill No. 234:

A bill to be entitled An Act to extend State Road No. 34 as designated in Chapter 14940 Laws of Florida of 1931.

Also—

Senate Bill No. 241:

A bill to be entitled An Act to declare, designate and establish a certain State road beginning on Road No. 52 at Vicksburg running westward and connecting with Road No. 10 north of West Bay. Route to be selected by the State Road Department.

Also—

Senate Bill No. 242:

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

lish a certain State Road in Washington County beginning at Chipley and going southeasterly in the direction of Vernon and connecting with State Road No. 39.

Also—

Senate Bill No. 287:

A bill to be entitled An Act designating, declaring and establishing as a State Road, a road running from a point on State Road No. 63, in the County of Hardee, State of Florida, which point is at the northeast corner of Section 27, Township 34, Range 25, in Hardee County, Florida, and running easterly to a point on State Road No. 8, in Highlands County, Florida.

Also—

Senate Bill No. 411:

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

Also—

Senate Bill No. 744:

A bill to be entitled An Act to require the Comptroller to distribute to each of the several counties of the State the sum of \$1750.00, from funds to the credit of the State Racing Commission.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

F. P. PARKER,

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

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

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 16, 1935.

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

Sir:

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

House Bill No. 678:

A bill to be entitled An Act to prohibit "stop netting" in the waters of all counties of the State of Florida having a population of not less than 6,419 and not more than 6,500, and of not less than 13,136 and of not more than 13,200, according to the last Federal Census, and providing a penalty for the violation of this Act, and providing for the repeal of all laws in conflict herewith.

Also—

House Bill No. 78:

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

Also—

House Bill No. 426:

A bill to be entitled An Act providing for the clearing of inactive, dormant and dead corporations from the corporation files in the office of the Secretary of State, and for the dissolution or cancelling permits of those inactive, dormant and delinquent corporations delinquent for a period of three years under Chapter 14677, Acts of 1931, providing for how notice shall be given and for a proclamation dissolving or cancelling permits of the same.

Also—

House Bill No. 82:

A bill to be entitled An Act relating to the administration of estates and providing upon what conditions no administration therein shall be necessary and providing the conditions, procedure, cost and effect thereof.

Also—

House Bill No. 408:

A bill to be entitled An Act to repeal Chapter 15936 of the Laws of Florida of 1933, entitled "An Act to create a County Budget Commission in counties of Florida having a population of not less than fifty-two thousand (52,000) and not more than sixty thousand (60,000) by the last preceding State or Federal Census; to prescribe the powers, duties and functions of such County Budget Commission and the qualifications, terms of office and methods of appointment of members thereof; and to authorize such County Budget Commission to make and control the budget receipts and expenditures of the Board of County Commissioners, Board of Public Instruction, County Welfare Board, and all other boards, commissions and officials of such Counties or of districts, situate therein authorized to raise and expend moneys for county or district purposes."

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 16, 1935.

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

Sir:

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

Senate Bill No. 231:

A bill to be entitled An Act to amend Section 329 Revised General Statutes as amended by Section 4 of Chapter 13761, Acts 1929, Laws of Florida, relating to time for paying fee and qualifying by candidates for State Offices running in primary elections.

Also—

Senate Bill No. 165:

A bill to be entitled An Act providing for and fixing the rate of interest on any Judgment or decree hereafter obtained or rendered on any bonds or other written evidence of indebtedness of any County or Special Road and Bridge District, or any County for the use and benefit of any Special Road and Bridge District or incorporated City or Town or taxing District.

Also—

Senate Bill No. 678:

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

Also—

Senate Bill No. 179:

A bill to be entitled An Act to provide that adverse possession shall not run against the State of Florida or any State Board or State Agency holding a purchase money mortgage on lands sold by the State of Florida or any State Board or State Agency.

Also—

Senate Bill No. 655:

A bill to be entitled An Act relating to the Compensation of the Clerk of the Circuit Court for Services performed in suits or proceedings before the Circuit Court in all Counties of the State of Florida having a population of not less than sixty thousand and not more than one hundred thousand according to the last or any future official Federal Census.

Also—

Senate Bill No. 596:

A bill to be entitled 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.

Also—

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.

Also—

Senate Bill No. 555:

A bill to be entitled An Act creating a Board of Public Instruction consisting of five members for 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; 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.

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

Very respectfully,

F. P. PARKER,

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

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

Senate Chamber,
Tallahassee, Florida, May 16, 1935.

Hon. Wm. C. Hodges,

President of the Senate:

Sir:

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

House Bill No. 1067:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Pinellas County, State of Florida, for and on behalf of such county, to construct, own, maintain and operate a water system for the purpose of supplying drinkable water to the inhabitants of that certain chain of islands bordering on the Gulf of Mexico in said County, extending from Pass-a-Grille to Indian Rocks, and to furnish water to other districts or communities within said county, to prescribe the rights, duties and powers of such board incidental thereto, specifically, the right to fix rates charged water consumers; to obtain the necessary funds for the construction of such water project from the Federal Government; provided that no taxable property or person in such county shall be taxed for the purpose herein contained, or that faith or credit of such county, pledged therefor.

Also—

House Bill No. 1020:

A bill to be entitled An Act to authorize the Board of Administration and the State Treasurer to accept refunding bonds issued by any county with a population of not less than 80,000 nor more than 150,000 according to the 1930 Federal census and issued under the provisions of Sections 9 or 10 of Chapter 14486 of the Laws of Florida and to deliver and surrender refunded bonds in exchange for the same.

Also—

House Concurrent Resolution No. 18:

A Concurrent Resolution relating to the Honorable Franklin Delano Roosevelt, the President of the United States.

Also—

House Bill No. 965:

A bill to be entitled An Act to authorize and require the Board of Public Instruction in counties having a population of not less than 31,000 and not more than 32,000 to pay certain money received by said Board of Public Instruction in said counties under Chapter 16120, Acts of 1933, to the Board of County Commissioners of said counties, and providing for the use of said money by said Board of County Commissioners.

Also—

House Bill No. 303:

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

Also—

House Bill No. 963:

A bill to be entitled An Act to fix the compensation of members of Boards of Public Instruction in all counties of the State having a population of not less than twelve thousand five hundred and not more than thirteen thousand, according to the Federal census of 1930.

Also—

House Bill No. 1011:

A bill to be entitled An Act to relieve the Board of County Commissioners in counties of this State having a population of not less than 80,000 and not more than 150,000 according to the 1930 Federal census, from inspecting the office and records of the County Judge, Sheriff, Clerks of the Court, and other officers located therein and for other purposes.

Also—

House Bill No. 935:

A bill to be entitled An Act directing the Board of County Commissioners, the Tax Collector and/or the Clerk of the Court or any City Council or City Commissioners of all Counties having a population of not less than 7,700 and not more than 8,000 according to the 1930 United States census for Florida to accept an exchange of bonds or delinquent interest coupons or other delinquent obligations of all counties having a population of not less than 7,700 and not more than 8,000 according to the 1930 United States census for Florida, districts in such counties and municipalities in such counties at par in the redemption of lands from tax sales and in payment of delinquent taxes due to the same or in payment of all current taxes except that part of the State of Florida assessed and collected in such counties.

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

Very respectfully,

F. P. PARKER,

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

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

Senate Chamber,
Tallahassee, Fla., May 16, 1935.

Hon. Wm. C. Hodges,

President of the Senate.

Sir:

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

Senate Bill No. 650:

A bill to be entitled An Act to amend Section 1 of Chapter 14708, Acts of 1931, Laws of Florida, which is An Act to regulate the practice of dentistry, dental surgery and dental hygiene in counties in the State of Florida, of population of between 7280 and 7380, according to the Federal census of 1930, and to provide penalties for the violation of any of the provisions thereof.

Also—

Senate Bill No. 677:

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

Also—

Senate Bill No. 707:

A bill to be entitled An Act fixing the compensation of the County Assessor of Taxes and the County Tax Collector in Counties having a total population of not less than 6271 and not more than 6274 according to the Federal census of 1930.

Also—

Senate Bill No. 708:

A bill to be entitled An Act fixing the compensation of the County Assessor of Taxes and the County Tax Collector in Counties having a total population of not less than 6855 and not more than 6860 according to the Federal census of 1930.

Also—

Senate Bill No. 317:

A bill to be entitled An Act granting a pension to Josiah C. Baisden.

Also—

Senate Bill No. 113:

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

lish a certain State Road in Taylor County between State Road 5-A and the Foley Mill along the route of the present county road, thence to State Road 19.

Also—

Senate Bill No. 435:

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

Also—

Senate Bill No. 107:

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

Also—

Senate Bill No. 233:

A bill to be entitled An Act to extend State Road No. 30 as designated in Chapter 10269 Laws of Florida of 1925.

Also—

Senate Bill No. 234:

A bill to be entitled An Act to extend State Road No. 34 as designated in Chapter 14940 Laws of Florida of 1931.

Also—

Senate Bill No. 241:

A bill to be entitled An Act to declare, designate and establish a certain State road beginning on Road No. 52 at Vicksburg running westward and connecting with Road No. 10 North of West Bay. Route to be selected by the State Road Department.

Also—

Senate Bill No. 242:

A bill to be entitled An Act to declare, designate and establish a certain State Road in Washington County, beginning at Chipley and going southeasterly in the direction of Vernon and connecting with State Road No. 39.

Also—

Senate Bill No. 287:

A bill to be entitled An Act designating, declaring and establishing as a State Road, a road running from a point on State Road No. 63, in the County of Hardee, State of Florida, which point is at the northeast corner of Section 27, Township 34, Range 25, in Hardee County, Florida, and running easterly to a point on State Road No. 8, in Highlands County, Florida.

Also—

Senate Bill No. 411.

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

Also—

Senate Bill No. 744:

A bill to be entitled An Act to require the Comptroller to distribute to each of the several counties of the State the sum of \$1750.00, from funds to the credit of the State Racing Commission.

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

Very respectfully,

F. P. PARKER,

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

REPORT OF CONFERENCE COMMITTEE

Honorable Wm. C. Hodges,
President of the Florida State Senate,
and

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

The Committee of Conference on the disagreeing votes of the two Houses on the amendments by the House to Senate Bill No. 123 having met after full and free conferences, have agreed to recommend and do recommend to their respective Houses, as follows:

We recommend that the House amend Section 2 of its Amendment No. 1 by striking out the word "home" in the 11th line of said section 2, and insert in lieu thereof the word "homestead," and that the House amend Section 8 of its Amendment No. 1, by striking out the words "the proceedings necessary to require the said Tax Assessor and the Board of County Commissioners to grant such exemption," beginning at line 43 of said Section 8, and insert in lieu thereof: "a pro-

ceeding against the Assessor for a declaratory decree as is provided for other matters by Chapter 7857, Laws of Florida, 1919, and acts amendatory or in revision thereof, or by other appropriate proceedings, and provided that the failure of the taxpayer to appear before the assessor or board of county commissioners or to file any paper other than provided for by Section 4 hereof, shall not constitute any bar or defense to said proceedings."

We further recommend that the Senate concur in House Amendment No. 2 to House Amendment No. 1, by inserting a comma after the word "benefits" and before the word "up" in line 10 of Section 2 of said House Amendment No. 1.

We further recommend that the Senate concur in House Amendment No. 3 to House Amendment No. 1, by striking out the word "such" in line 28 of Section 2 of said Amendment No. 1, and inserting the words "single parcel of real" in lieu thereof.

And we further recommend that the Senate concur in House Amendment No. 1 to Senate Bill No. 123, as so amended.

We beg leave to report that, after full and free conference, that the vote upon each of said recommendations herein contained was unanimous.

Therefore, we as members of the Conference upon the part of the Florida State Senate and the House of Representatives respectfully recommend that both bodies do concur in the recommendations of the Committee contained herein.

Respectfully submitted,

A. D. MCNEILL,
DWIGHT L. ROGERS,
S. P. ROBINEAU,

Conference Committee on part of the
House of Representatives.

WALTER W. ROSE,
JAMES F. SIKES,
R. S. ADAMS,

Conference Committee on part of the
Florida State Senate.

Senator Rose moved the adoption of the foregoing Conference Committee Report on Senate Bill No. 123.

Upon which a roll call was demanded.

Upon the adoption of the Conference Committee Report, the roll was called and the vote was:

Yeas—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 (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—36.

Nays—None.

Which was agreed to, and the Conference Committee report on Senate Bill No. 123 was adopted.

Senator Rose moved that the Senate concur in House Amendment No. 2 to House Amendment No. 1 to Senate Bill No. 123, as set forth in the foregoing Conference Committee report.

Which was agreed to and the Senate concurred in House Amendment No. 2 to House Amendment No. 1 to Senate Bill No. 123.

Senator Rose moved that the Senate do concur in House Amendment No. 3 to House Amendment No. 1 to Senate Bill No. 123, as set forth in the foregoing Conference Committee report.

Which was agreed to and the Senate concurred in House Amendment No. 3 to House Amendment No. 1 to Senate Bill No. 123.

Senator Rose moved that the Senate do concur in House Amendment No. 1, as amended, to Senate Bill No. 123, which amendment, as amended, reads as follows:

House Amendment No. 1, as amended:

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

Section 1. There shall be exempted from all taxation, other than special assessments for benefits, to every head of a family, who is a citizen of and resides in the State of Florida, the homestead as defined in Article 10 of the Constitution of the State of Florida, up to the valuation of \$5,000.00; provided, however, that the title to said homestead may be vested in such head of family or in his lawful wife, residing upon said homestead, or in both.

Section 2. Every person who is a citizen and resident of the State of Florida and who has the legal or beneficial title in equity to real property in the State of Florida, including vendees in possession under bona fide contracts to purchase and such instruments by and under which such title is claimed are recorded with the Clerk of the Circuit Court of the County in which said homestead property lies and who resides thereon and in good faith makes the same his or her permanent home shall be deemed to be the head of a family and entitled to an exemption from all taxation, except for special assessments for benefits, up to the assessed valuation of Five Thousand Dollars on said homestead. The said exemption shall extend to widows having such title, or who reside on said property by virtue of dower or who have an estate therein limited in time by deed, will, jointure or settlement, or otherwise, and to widowers and other single persons who make their home upon property to which they have the legal or equitable beneficial title. The title herein referred to may be held by the entireties, jointly or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon as their respective interests shall appear, but no such exemption of more than Five Thousand Dollars shall be allowed to any one person or on any single parcel of real property, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based upon the interest owned by such person.

Section 3. The words "resident", "residence", "permanent residence" and those of like import, shall not be construed so as to require continuous physical residence on the property, but mean only that place which the person claiming the exemption may rightfully and in good faith call his or her home to the exclusion of all other places where he or she may, from time to time, temporarily reside.

Section 4. The Comptroller shall furnish to the assessor of each county a sufficient number of printed forms to be filed by taxpayers claiming to be entitled to said exemption. Said forms shall be substantially as follows:

Tax Assessor of _____ County, Florida;

I hereby make application for an exemption from all taxation up to the valuation of \$5,000 on the following described property:

.....
 The title to said property is in

(Name all owners and their proportionate interest) and my interest or title in this property is as follows:

(If title is not in applicant or is held jointly with others, give relationship of the owner or joint owner, to applicant)

I reside on the above property and in good faith make the same my permanent home and do hereby declare that I am a bona fide citizen of the State of Florida.

The statements contained and agreed to herein are true and made in good faith.

.....
 Applicant.

Subscribed and sworn to before me this day of 193.....

(See other side for copy of law)

A copy of Sections 2 and 3 of this Act shall be printed on the back of the form. All other taxing units shall provide forms making only such changes as are necessary to conform to the laws governing them.

Section 5. It shall be the duty of each taxpayer who claims said exemption to file one of said forms, properly filled out and executed, with the Assessor on or before April 1st of each year; and the failure to do so shall constitute a waiver of said exemption for such year; provided, however, that for the year 1935 such claim may be filed on or before July 1st, 1935.

Section 6. The Assessor shall examine each claim for exemption filed with him or referred to him and shall allow the same if found to be in accordance with law, by marking the same approved and by making the proper deductions on the tax books. In every case the property shall be assessed whether of the value more or less than \$5,000 and an appropriate deduction shall be made as the case may be.

Section 7. All city officials performing the duty of Assessors shall be governed by this Act.

Section 8. The Tax Assessors of the several counties of the State of Florida shall as soon as practicable after the first day of April of each current year and prior to the first Monday in May of said year, carefully consider all applications for tax exemption that shall have been filed in their respective offices on or before the first day of April of that year and if upon such investigation the Tax Assessor find the applicant entitled to the tax exemption applied for under the law he shall mark the application approved and exemption granted and file same in the permanent records of his office and shall make such entries upon the tax rolls of his county as will be necessary to allow such exemption to the applicant. If, after due consideration, the Tax Assessor should find the applicant not to be entitled under the law to the exemption asked for it shall be the duty of such Tax Assessor to immediately make out in triplicate form a notice of such disapproval, giving his reasons therefor, a copy of which notice shall be served upon the applicant by the Tax Assessor either by personal delivery or by registered mail to the Post Office address given by the applicant and shall make return of the manner in which such notice was served upon said applicant upon the original notice thereof and immediately file same with the Clerk of the Board of County Commissioners of said County. The third copy of said notice shall likewise have entered upon it the return of the Tax Assessor as to service had and filed among the permanent records of his office. The original notice of disapproval of application for exemption, with entry of service upon the applicant, when filed with the Clerk of the Board of County Commissioners shall constitute an appeal of the applicant from the decision of the Tax Assessor, refusing to allow the exemption for which application was made, to the Board of County Commissioners, when sitting as a Board of Equalization, and said Board of County Commissioners, when sitting as a Board of Equalization, shall review the application and evidence presented to the Tax Assessor upon which the applicant based his claim for exemption and shall hear the applicant in person or by agent in behalf of his right to such exemption, and the Board of County Commissioners shall have the power and authority to reverse the decision of the Tax Assessor in said cause and grant exemption to the applicant if in its judgment the applicant is entitled thereto, or affirm the decision of the Tax Assessor, and such action of the Board of County Commissioners shall be final in said cause unless the applicant shall within 15 days from the date of refusal of said application of said Board of County Commissioners, sitting as a Board of Equalization, file in the Circuit Court of the county in which the homestead is situated a proceeding against the Assessor for a declaratory decree as is provided for other matters by Chapter 7857, Laws of Florida, 1919, and acts amendatory or in revision thereof, or by other appropriate proceedings, and provided, that the failure of the taxpayer to appear before the Assessor or Board of County Commissioners or to file any paper other than provided for by Section 4 hereof, shall not constitute any bar or defense to said proceedings.

Section 9. For the purpose of administering the provisions of this Act or any other duties pertaining to the proper administration of the duties of the office of Tax Assessor, the making and filing of tax returns and applications for tax exemption as provided under the laws of the State of Florida, the duly elected or appointed Tax Assessors of the several counties of the State of Florida or their lawful deputies, are hereby authorized and empowered to administer oaths and attest same in the same manner as Notaries Public and Justices of the Peace of the State of Florida and when so administered by the said Tax Assessors such oath will have the same effect and be as binding as if administered by a Justice of the Peace or Notary Public of the State of Florida.

Section 10. If any portion of the Act, or any section, sentence, clause, phrase or word thereof, shall be held to be void or ineffective because of uncertainty, repugnance to the Constitution, or otherwise, the remainder of the Act shall not be affected thereby, but shall remain in force so as to effectuate as nearly as possible the purpose and intent of this Act.

Section 11. All laws or parts of laws in conflict herewith are hereby repealed to the extent of said conflict.

Section 12. This Act shall be in full force and effect from and after it shall become a law.

Which was agreed to and the Senate concurred in House Amendment No. 1, as amended, to Senate Bill No. 123.

INTRODUCTION OF RESOLUTIONS

By Senator Hodges—
Senate Resolution No. 15:

WHEREAS, it is the intention of the Tallahassee Historical Society, with the co-operation of the Florida Historical Society and other organizations of a civic and patriotic nature, to hold appropriate ceremonies on Tuesday, July 9th, A. D. 1935, in honor of the one hundredth anniversary of the birth of the late William Dunnington Bloxham, a native and life-long resident of Leon County, the only man to be elected governor of the State for two terms, and a man who was eminent for his private character as well as for distinguished service to the State both as a soldier and as a statesman; and

WHEREAS, one of the offices to which Mr. Bloxham was chosen by the people of his native State was that of Lieutenant-Governor, who, under the Constitution then in force was the presiding officer of the Florida State Senate; therefore

BE IT RESOLVED, by the Senate of the State of Florida, that the Secretary of State be requested to allow the use of the Senate Chamber for the holding of such commemorative ceremonies by the Tallahassee Historical Society and co-operating organizations, and that the proceedings be published as an appendix to the journals of the Senate of the 1935 session.

Which was read the first time in full.

Senator Watson moved the adoption of the Resolution. Which was agreed to and Senate Resolution No. 15 was adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By the Committee on Miscellaneous—
Senate Bill No. 797:

A bill to be entitled An Act to amend Sections one, two, four, five, eleven, twelve, fifteen, seventeen, and eighteen of Chapter 14650, Laws of Florida, A. D. 1931, said Chapter being: An Act defining the practice of barbering and requiring a license or certificate of registration as a condition precedent to any person practicing barbering or acting as an apprentice barber and prescribing the terms and conditions upon which licenses or certificates of registration may be issued to any person to practice barbering or act as an apprentice barber in the State of Florida; creating the State Board of Barber Examiners and defining and declaring its powers and duties; regulating the practice of barbering or acting as apprentice barber by those licensed hereunder; regulating the operation of barber schools, prescribing a course of study for such schools and the requirements for graduation therefrom; imposing certain fees upon persons applying for licenses or certificates of registration to practice barbering, act as apprentice barber or teach in barber schools in this State; and appropriating the proceeds thereof to accomplish the purposes of this Act; and prescribing penalties for the violation of the provisions of this Act and regulations hereunder.

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

By the Committee on Cities & Towns—
Senate Bill No. 798:

A bill to be entitled An Act amending Section 697 of the Revised General Statutes of Florida, so as to provide that all property owned by the several counties, cities, Villages, Towns and School Districts in this State shall be exempt from taxation, and extending the benefit of the exemption allowed in the seventh subdivision of said Section to every widow dependent on her own labor for support.

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

By the Committee on Cities & Towns—
Senate Bill No. 799:

A bill to be entitled An Act levying and imposing an excise tax on certain documents to raise revenue for the support of the governments of the several incorporated cities and towns of the State of Florida; providing ways and means for collecting said tax, and prescribing penalties for failure to pay said tax.

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

By the Committee on Cities & Towns—
Senate Bill No. 800:

A bill to be entitled An Act empowering towns and cities to levy and collect license or excise taxes upon privileges, businesses, occupations and professions carried on therein; to re-

voke licenses issued therefor; and repealing all laws in conflict herewith.

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

By the Committee on Temperance—
Senate Bill No. 801:

A bill to be entitled An Act providing for the establishment and licensing of county dispensaries in any county in which the sale of intoxicating liquors, wines or beers is prohibited at the time this Act takes effect; to provide for an election to determine the method of controlling the sale of intoxicating liquors, wines or beers; to provide for the duties of certain State, county and municipal officers; and to provide for the distribution of the profits derived from the operation of such county dispensaries; to create a county liquor control council and dispensary board.

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

By Senator Beall—
Senate Bill No. 802:

A bill to be entitled An Act to reimburse P. L. Schenburh on account of the purchase of a certain void tax sale certificate issued by the Tax Collector of Escambia County, Florida.

Which was read the first time by title only.

Senator Beall asked unanimous consent of the Senate to take up and consider Senate Bill No. 802 at this time.

Which was agreed to.

Senator Beall moved that the rules be waived and Senate Bill No. 802 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 802 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 802 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. 802 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 (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—None.

So the bill passed by the required constitutional two-thirds vote of all members elected to the Senate for the 1935 session of the Florida Legislature, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Cities & Towns—
Senate Bill No. 803:

A bill to be entitled An Act appropriating and allocating part of the estate tax to incorporated towns and cities for operating expenses of government therein; and repealing all laws in conflict herewith.

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

By Senator MacWilliams—
Senate Bill No. 804:

A bill to be entitled An Act making it unlawful to catch fish in the fresh and/or salt water rivers, creeks or streams of St. Johns County, Florida, by the use of seines, gill nets, fish traps or any other manner than by hook and line or cast net; and providing that this Act shall not apply to the St. Johns River.

Which was read the first time by title only.

The following proof of publication was attached to Senate Bill No. 804 when it was introduced in the Senate:

COPY OF ADVERTISEMENT
NOTICE TO THE PUBLIC

Notice is given that we, the undersigned, will apply to the State Legislature of the State of Florida at its bi-annual 1935 session and request them to pass an act making it unlawful to catch fish in the fresh and/or salt water rivers, creeks or streams of St. Johns County, Florida, by the use of seines, gill

nets, fish traps or any other manner than by hook and line or cast net.

Section 1 makes the same provision as the foregoing preamble.

Section 2 makes it a violation or misdemeanor.

Section 3 repeals all former laws.

Section 4 provides that the act shall take effect from the date of the approval by the Governor or by its becoming a law without such approval.

All persons will govern themselves accordingly.

A copy of the bill to be introduced is in our hands and ready for inspection by the public.

This bill will be introduced in the said State Legislature of Florida four weeks after the first publication of this notice, which is dated April 15, 1935.

ST. JOHNS COUNTY,
SPORTSMEN'S LEAGUE.

(Signed)

By E. M. CALHOUN, Chairman,
ROY HALLMAN, Secretary.
E. N. CALHOUN,
ROY HALLMAN,
C. G. ROBERTS.

STATE OF FLORIDA)
COUNTY OF ST. JOHNS) SS:

Personally appeared before me, a Notary Public for the State of Florida at Large, *I. Van Dillen* who deposes and says that he is *Business Manager* of the *St. Augustine Evening Record*, a daily newspaper printed in the English language and of general circulation, published in the City of St. Augustine, in said County and State; and that the attached order, notice, publication and/or advertisement of *Notice To The Public*. (*By St. Johns County Sportsmen's League*.) was published in said newspaper *Weekly* for a period of *Five Weeks* consecutively, beginning *April 15, 1935* and ending *May 13, 1935*, said publication being made on the following dates: *April 15-22-29, May 6-13, 1935*.

And deponent further says that the *St. Augustine Evening Record* has been continuously published as a daily newspaper except Saturdays, and has been entered as second class mail matter at the post office in the City of St. Augustine, St. Johns 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.

I. VAN DILLEN,
Business Manager.

Subscribed and sworn to before me this 14th day of May A. D. 1935.

R. B. MESERVE,
Notary Public,
State of Florida at Large.

My Commission Expires Feb. 14, 1938.

Senator MacWilliams asked unanimous consent of the Senate to take up and consider Senate Bill No. 804 at this time. Which was agreed to.

Senator MacWilliams moved that the rules be waived and Senate Bill No. 804 be read the second time by title only. Which was agreed to by a two-thirds vote.

And Senate Bill No. 804 was read the second time by title only.

Senator MacWilliams moved that the rules be further waived and Senate Bill No. 804 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. 804 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 (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—None.

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

By Senators Lundy, Beacham, Futch, Shivers, Sikes, Touchton, Black and McKenzie—
Senate Bill No. 805:

A bill to be entitled An Act to amend Sections 2, 9, 11 and

29 of Chapter 16042, Laws of Florida, Acts of 1933, the same being An Act entitled "An Act relating to hotels, inns, restaurants, apartment houses and public lodging houses, defining the same and prescribing rules for their operation and maintenance, so as to insure the safety and health of employees and patrons of the same, and fixing fine and penalties for violation of such rules and regulations; and repealing all laws and parts of laws in conflict herewith", with reference to the appointment of a Hotel Commissioner, his term of office and the bond and salary, and with reference to the amount of license fees, and with reference to the traveling inspectors and supervising architects and their compensation.

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

By Senator Tervin—
Senate Bill No. 806:

A bill to be entitled an Act relating to expenditure of the balance of the moneys now on hand derived from gasoline taxes and placed prior to February 1st, 1933, to the credit of all counties in the State of Florida having a population of not less than four thousand (4000) and not more than four thousand and fifteen (4015), according to the last Federal census and conferring certain powers, duties and direction upon the State Treasurer as County Treasurer ex-officio and the State Board of Administration and the Board of County Commissioners with reference thereto; and other matters connecting therewith.

Which was read the first time by title only.

Senator Tervin asked unanimous consent of the Senate to take up and consider Senate Bill No. 806 at this time.

Which was agreed to.

Senator Tervin moved that the rules be waived and Senate Bill No. 806 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 806 was read the second time by title only.

Senator Tervin moved that the rules be further waived and Senate Bill No. 806 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. 806 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 (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—None.

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

By Senator Gillis—
Senate Bill No. 807:

A bill to be entitled An Act to amend Section 1 of Chapter 16085, Laws of Florida, Acts of 1933, the same being An Act to amend Section 1007, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1281, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1010, Revised General Statutes, being Section 1284, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; to amend Section 1011, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1285, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931; and to amend Section 1012, Revised General Statutes, as amended by Chapter 8410, Laws of Florida, Acts of 1921, and by Chapter 10182, Laws of Florida, Acts of 1925, being Section 1286, Compiled General Laws of Florida, 1927, and to amend Chapter 14656, Acts of 1931, all of said Sections relating to the operation, licensing and taxing of motor vehicles, trailers, semi-trailers and motorcycle sidecars and providing penalties for the violation thereof.

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

Senator Touchton moved that House Bill No. 375, reported

unfavorably by the Committee on Pensions & Claims, be re-committed to said Committee for further consideration.
Which was agreed to and it was so ordered.

Senator Bass asked unanimous consent of the Senate to take up and consider Senate Bill No. 645, out of its order, at this time.

Which was agreed to.

Senate Bill No. 645:

A bill to be entitled An Act to apportion equally between the Board of County Commissioners and the Board of Public Instruction in Suwannee County, Florida, all moneys received from race track taxes to be paid to said county under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, and requiring the State Comptroller to draw separate warrants for said boards.

Was taken up.

Senator Bass moved that the rules be waived and Senate Bill No. 645 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 645 was read the second time by title only.

Senator Bass moved that the rules be further waived and Senate Bill No. 645 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. 645 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 (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—None.

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

Senator Beacham asked unanimous consent of the Senate to take up and consider House Bill No. 915, out of its order, at this time.

Which was agreed to.

House Bill No. 915:

A bill to be entitled An Act relating to Broward County Port District; to amend Sections 9, 10 and 12 of Chapter 15107, Laws of Florida, Acts of 1931, and to further amend said Chapter 15107 by adding a new section to be known as Section 23A; to prescribe the number of members of the Broward County Port Authority, the qualifications thereof and territorial limits from which such members are to be elected; to provide for the appointment of successors to members of said Port Authority whose terms of office expired on January 1, 1935; to provide for the compensation of such members and to provide for the nomination and election of members of said port authority.

Was taken up.

Senator Beacham moved that the rules be waived and Senate Bill No. 915 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 915 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 915 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. 915 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 (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—None.

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

By unanimous consent Senator Tervin withdrew Senate Bills Nos. 716, 719, 718 and 717.

Senator Savage asked unanimous consent of the Senate to take up and consider Senate Bill No. 525, out of its order, at this time.

Which was agreed to.

Senate Bill No. 525:

A bill to be entitled An Act to amend Chapter 13644 of Acts of 1929, being Section 1977 (1) et seq., of the Compiled General Laws of Florida, by adding a new sub-section to be known as Sub-Section 34-A prohibiting the taking of fish from the waters of Rainbow Springs and Rainbow River (formerly known as Blue Springs and Blue Springs Run) within a radius of one mile from the head of said springs, and providing penalties for the violation thereof.

Was taken up.

Senator Savage moved that the rules be waived and Senate Bill No. 525 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 525 was read the second time by title only.

Senator Savage moved that the rules be further waived and Senate Bill No. 525 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. 525 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 (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—37.

Nays—None.

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

Senator Harper now presiding.

Senator Lundy asked unanimous consent of the Senate to take up and consider Committee Substitute for House Bill No. 496 out of its order at this time.

Which was agreed to.

Committee Substitute for House Bill No. 496:

A bill to be entitled An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation of this Act and repealing existing laws concerning said beverages.

Was taken up and read the second time in full.

The Committee on Temperance offered the following amendment to Committee Substitute for House Bill No. 496:

Pages 2 and 3, strike beginning with the word "before" in line 27 of page 2 through and including the word "license" in line 5, page 3, being a portion of Section 1.

And insert in lieu thereof the following:

"In order to permit a licensee, whose license shall be revoked, an opportunity to apply to the Courts for relief, no revocation of license by the Director shall become effective until ten days after such revocation but shall then become effective unless prevented by judicial action. If within said ten day period a licensee whose license has been so revoked shall apply to the Circuit Court or any Judge thereof of the county wherein such licensee is licensed to do business under this Act by mandamus or injunctive proceedings or otherwise to test the validity of such revocation, it shall be the duty of such Court or the Judge thereof to act immediately in the disposition of such proceeding and to make such orders as to return days, time of filing pleadings and time for hearings on law or facts as may be necessary to a prompt determination of the validity of such revocation. If such proceeding be begun after such ten day period has elapsed it shall be heard according to the general law as it shall exist at the time of such proceeding."

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

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 10, Sub-section VII, Section 5, line 48, after the word "of" insert the following: "over".

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

The President now presiding.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496: Page 11, lines 1, 2, 3 and 4, being Sub-section VII½, strike said Sub-section and insert in lieu thereof the following: "VII½. Vendors operating places of business where consumption on the premises is permitted in counties having a population of 10,000 or less, according to the latest State or Federal census \$200.00".

Senator Lundy moved the adoption of the amendment.

Pending adoption of the amendment offered by the Committee on Temperance to Committee Substitute for House Bill No. 496, Senator Futch offered the following Substitute Amendment for the amendment offered by the Committee on Temperance:

In Section 5 (typewritten bill), strike out all of Sub-sections IV, V, VI, VII, VII½.

Senator Futch moved the adoption of the Substitute Amendment for the Amendment offered by the Committee on Temperance.

Pending the adoption of the Substitute Amendment for the Amendment offered by the Committee on Temperance, 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, Raulcrson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Touchton, Turner, Watson—38.

A quorum present.

By permission the following Report of Committee was received:

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

Senate Chamber,
Tallahassee, Fla., May 16, 1935.

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

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

Senate Bill No. 780:

A bill to be entitled An Act to amend Section 12, of Chapter 14832, Laws of Florida, Acts of 1931, as amended by Chapter 16113, Laws of Florida, 1933, being: "An Act to provide for a State Racing Commission; to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any county to determine whether racing shall be permitted or continued therein; to provide for licensing and taxing such racing and apportioning the moneys derived therefrom among the several counties of the State; to provide for and regulate the making of pari mutuel pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act, and for other purposes relating thereto."

So as to provide for the retention after all salaries and expenses of the commission have been paid for each fiscal year of the State of five (5%) per cent of the amount remaining in the hands of the State Treasurer in his capacity as Treasurer of the Commission, to the credit of the Commission to meet the expenses accruing until further moneys are received.

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

The following message from the Governor was received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 16th, 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. 165: Relating to Bonds or other Indebtedness.

Senate Bill No. 179: Relating to Mortgages.

Senate Bill No. 503: Relating to Armory.

Senate Bill No. 602: Relating to Dade County.

Senate Bill No. 629: Relating to Judgments.

Senate Bill No. 631: Relating to Circuit Courts.

Senate Bill No. 659: Relating to Okeechobee.

Senate Bill No. 660: Relating to Okeechobee.

Senate Bill No. 661: Relating to Okeechobee.

Senate Bill No. 676: Relating to Sumter County.

Respectfully yours,

DAVE SHOLTZ,
Governor.

Committee Substitute for House Bill No. 496:

A bill to be entitled An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one per centum of alcohol, creating and providing for a State Beverage Department, providing penalties for the violation of this Act and repealing existing laws concerning said beverages.

Which was pending amendment at the hour of recess this day, having been read the second time in full, was taken up.

Consideration of the following amendment offered by the Committee on Temperance to Committee Substitute for House Bill No. 496:

Page 11, lines 1, 2, 3 and 4, being sub-section VII½, strike said subsection and insert in lieu thereof the following: "VII½ Vendors operating places of business where consumption on the premises is permitted in counties having a population of 10,000 or less, according to the latest State or Federal census \$200.00."

Senator Lundy having moved the adoption of the amendment.

Together with the following substitute amendment offered by Senator Futch for the foregoing amendment offered by the Committee on Temperance to Committee Substitute for House Bill No. 496:

In Section 5, (typewritten bill) strike out all of Sub-Sections IV, V, VI, VII, VII½.

Was resumed.

Senator Futch having moved the adoption of the substitute amendment.

The question was put on the adoption of the substitute amendment offered by Senator Futch for the amendment offered by the Committee on Temperance to Committee Substitute for House Bill No. 496.

Upon which a roll call was demanded.

Upon the adoption of the substitute amendment for the amendment to Committee Substitute for House Bill No. 496 the roll was called and the vote was:

Yeas—Senators Bass, Futch, Gillis, Holland, McKenzie, Parker, Parrish, Rose, Savage, Touchton, Turner—11.

Nays—Mr. President; Senators Adams, Beacham, Beall, Black, Butler, Clarke, Gomez, Harper, Lewis, Lundy, McArthur,

MacWilliams, Mann, Raulerson, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Tervin, Tillman—22.

So the substitute amendment for the amendment to Committee Substitute for House Bill No. 496 failed of adoption.

The question recurred on the adoption of the amendment offered by the Committee on Temperance to Committee Substitute for House Bill No. 496.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

On page 11, line 24, being a portion of Sub-section VIII of Section 5, strike out "\$100.00" and insert in lieu thereof the following: \$500.00.

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 13, line 16, being a portion of Sub-section IX of Section 5, strike the sentence beginning with the word "provided" in line 16, and ending with the word "hereunder" in line 21.

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Sub-section X, line 18, page 14, between the words "bears" and "The" insert the following:

"Provided, however, that any such golf club operated by or on behalf of any city, town or municipality in this State, need not have been, or need not be, in continuous active existence or operation for any required period of time prior to an application for license hereunder."

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 15, between lines 29 and 30 insert the following:

"XI. Caterers at horse and dog racing plants may obtain licenses upon the payment of an annual State license tax of \$250.00 and an annual County license tax of \$250.00. Cities and towns may provide for a municipal license tax on such caterers of 50% of the county license tax, to be deducted from the county license tax as is provided herein with reference to other municipal license taxes. Such caterer's licenses shall permit sales only within the enclosure wherein such racing is conducted under authority of the State Racing Commission and such licensees shall be permitted to sell only during the period beginning ten days before and ending ten days after racing under the authority of the State Racing Commission is conducted in such racing plant. Except as in this sub-section otherwise provided caterers licensed hereunder shall be treated as vendors licensed to sell by the drink the beverages mentioned herein and shall be subject to all the provisions hereof relating to such vendors."

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

On page 16, line 5, being a portion of sub-section (b) of section 5, strike out "\$125.00" and insert in lieu thereof the following: "\$50.00".

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 16, line 20, being a portion of Section 5, sub-section (e) strike out "fee" and insert in lieu thereof the following: "tax".

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House No. 496:

Page 19, strike lines 1, 2, 3, 4, 5, 6 and 7.

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 20, line 8, being a portion of Section 5, after the word "license" insert the following: "except under sub-sections (a) and (b) of Section 5 hereof."

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Section 11, Page 27, line 23, being a portion of Subdivision (f), after the word "permitted" strike out the balance of said subdivision and insert in lieu thereof the following: "Regular meals shall be offered, prepared and served, either a la carte or American plan, on the premises when open for business."

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 27, Sub-division (f) of Section 11, at the end of said Section add: "Any licensee violating the provisions of this sub-section upon conviction thereof shall forfeit his license, and no license shall thereafter ever be issued to said person, or to any partnership or corporation in which he has an interest. This provision shall be cumulative to the other penalties herein contained and shall not impair the power of the Director herein elsewhere conferred to revoke licenses."

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 27 strike sub-section (g) of Section 11, being lines 26 to 29 inclusive and insert in lieu thereof the following: "(g) It shall be unlawful for any licensee to sell, give, serve or permit to be served intoxicating liquors, wines or beers to persons under twenty-one years of age."

Senator Lundy moved the adoption of the amendment.

Pending the adoption of the foregoing amendment offered by the Committee on Temperance to Committee Substitute for House Bill No. 496, Senator Futch offered the following substitute amendment for the amendment offered by the Committee on Temperance:

In Section 11, Sub-Sec. G, (typewritten bill) strike out the words: "It shall be unlawful to sell, give or serve or permit to be served intoxicating liquors, wines or beers to persons under twenty-one years of age" and insert in lieu thereof the following: "It shall be unlawful to sell, give or serve or permit to be sold, given or served intoxicating liquors, wines or beers to persons under twenty-one years of age, or between the hours of 12 P. M. and 9 A. M., or between the hours of 12 P. M. on Saturday and 9 A. M. on Monday."

Senator Futch moved the adoption of the substitute amendment for the amendment offered by the Committee on Temperance.

Which was not agreed to and the substitute amendment failed of adoption.

The question recurred on the adoption of the amendment offered by the Committee on Temperance to Committee Substitute for House Bill No. 496.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Section 11, page 28, after line 2 insert the following: "(i) From and after thirty days after this Act becomes effective it shall be unlawful for any person to possess or transport within this state beverages, as to the sale of which a stamp tax is imposed, in excess of three gallons, unless the bottles or other immediate containers in which such beverages are contained shall have affixed to them the stamps hereby required. Provided that this provision shall not apply to common carriers or to manufacturers or to distributors licensed hereunder. Provided, further, that this provision shall not apply to persons possessing or transporting such beverages for their personal consumption and not for re-sale in the event such beverages shall not have been sold after the stamp tax hereunder shall have become effective; but the burden shall be upon the possessor or transporter to establish that such beverages are for his personal consumption and are not for re-sale and that the beverages were not sold after the stamp tax hereunder became effective."

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

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Section 11, page 28, after line 2 add new sub-section as follows: "(j) It shall be unlawful for any vendor licensed hereunder to employ any person under twenty-one years of age, whose disabilities of nonage have not been removed, to work in the place of business of such vendor."

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

The Committee on Temperance offered the following amendment to Committee Substitute for House Bill No. 496:

Section II, page 28, after line 2 add new sub-section as follows:

"(k) The sale of spirituous liquors on Sundays is hereby prohibited except in incorporated cities and towns; such sales in such incorporated cities and towns shall be subject to municipal ordinances hereafter adopted by such cities and towns."

Senator Lundy moved the adoption of the amendment.

Pending the adoption of the foregoing amendment offered by the Committee on Temperance to Committee Substitute for House Bill No. 496, Senators Parker and Shelley offered the following amendment to the amendment offered by the Committee on Temperance:

At the end of Amendment No. 17 add, provided no such liquors shall be sold within five hundred feet of any church or school house.

Senator Parker moved the adoption of the amendment to the amendment.

Which was agreed to and the amendment to the amendment was adopted.

The question recurred on the adoption of the amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496.

Which was agreed to and the amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496 was adopted.

Senator Butler moved that the rules be waived and the Senate do now reconsider the vote by which the last above amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496 was adopted.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which the last above amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496 was adopted.

The question recurred on the adoption of the amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496.

Pending adoption of the amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496, Senators Beall and McKenzie offered the following substitute amendment for the amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496:

In Section 11 (b), line 5 from bottom of said section (typewritten bill), after the word "licenses" strike the period and add the following: "no beer if the alcoholic content thereof be greater than 3.2%, no spirituous liquors, and no wine shall be sold or dispensed by any person, firm or corporation between the hours of twelve (12) o'clock Saturday night and twelve (12:00) o'clock Sunday night. The license of any person, firm, or corporation found to be guilty of violation of the foregoing provisions of this Act shall be revoked and such person, firm or corporation shall not thereafter be entitled to the issuance of any license for the sale of intoxicating liquors, wines or beers under the laws of this State."

Senator Beall moved the adoption of the foregoing substitute amendment for the amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496.

Which was agreed to.

And the substitute amendment offered by Senators Beall and McKenzie for the amendment offered by the Committee on Temperance, as amended, to Committee Substitute for House Bill No. 496 was adopted.

Senator Savage moved that a committee be appointed to escort Honorable W. J. Crosby, former member of the Senate from the 20th Senatorial District, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Savage, McKenzie and MacWilliams as the committee.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 29, lines 28 and 29, being a portion of Section 15, strike out the words "by ordinance" and insert in lieu thereof the following: "hereafter to enact ordinances."

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 29, line 29, being a portion of Section 15 strike out the words "to regulate" and insert in lieu thereof the following: "regulating"

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Temperance also offered the following amendment to Committee Substitute for House Bill No. 496:

Page 29, line 30, being a portion of Section 15, strike out the words: "to prescribe" and insert in lieu thereof the following: "prescribing"

Senator Lundy moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Butler moved that the rules be waived and the Senate do now reconsider the vote by which the following amendment to Committee Substitute for House Bill No. 496 was adopted.

Section 11, page 28, after line 2, add new sub-section as follows: "(j) It shall be unlawful for any vendor licensed hereunder to employ any person under twenty-one years of age, whose disabilities of nonage have not been removed, to work in the place of business of such vendor."

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which the foregoing amendment was adopted.

The Committee on Temperance offered the following amendment to the foregoing amendment to Committee Substitute for House Bill No. 496:

Amendment to Temperance Committee Amendment No. 16 strike out the word: "hereunder" and insert in lieu thereof the following: "under sub-sections III, IV, V, VI, VII and VII 1/2 of Section 5 hereof"

Senator Butler moved the adoption of the amendment to the amendment to Committee Substitute for House Bill No. 496.

Which was agreed to and the amendment to the amendment was adopted.

The question recurred on the adoption of the amendment, as amended.

Which was agreed to and the amendment, as amended, was adopted.

Senator Gomez offered the following amendment to Committee Substitute for House Bill No. 496:

In Section 1, line 19 (printed bill), add the following: The premiums on the bonds of the Director and the bonds of the Supervisors herein provided shall be paid by the State of Florida.

Senator Gomez moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Murphy offered the following amendment to Committee Substitute for House Bill No. 496:

In Section 5, line 49 (typewritten bill) add the following: "That any person, firm or corporation who makes or distills

any beer, wine or liquor in any County in the State of Florida, shall pay an additional tax into the County where manufactured the following: 20 cents per gallon on distilled spirits, 10 cents per gallon on wine and 5 cents per gallon on beer. Said revenue shall be paid into the General Revenue Fund of the County.

Senator Beacham moved that the amendment be laid on the table.

Which was agreed to and the amendment was laid on the table.

Senators McKenzie and Savage offered the following amendment to Committee Substitute for House Bill No. 496:

At end of Section 3, add: Provided that no license shall be granted to any person, firm or corporation for selling intoxicating liquors on premises within 200 feet of any established school or church.

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

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

Yeas—Mr. President; Senators Bass, Beall, Futch, Gillis, Holland, Lundy, McKenzie, Murphy, Parker, Parrish, Rose, Savage, Shelley, Shivers, Sikes, Smith (29th), Sweger, Tervin, Tillman, Turner, Watson—22.

Nays—Senators Adams, Beacham, Butler, Clarke, Gomez, Harper, McArthur, MacWilliams, Mann, Nordman, Raulerson—11.

Which was agreed to and the amendment was adopted.

Senator Tillman offered the following amendment to Committee Substitute for House Bill No. 496:

In Section 5, line 8 (printed bill), strike out the figures "\$15.00" and insert in lieu thereof the following "\$5.00".

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

Senator Tillman also offered the following amendment to Committee Substitute for House Bill No. 496:

In Section 10, line 16, strike out the words: To the County \$125.00.

Senator Tillman moved the adoption of the amendment.

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

Senator Lewis offered the following amendment to Committee Substitute for House Bill No. 496:

In Section 1, line 16 (typewritten bill), strike out the words: \$4200.00 and insert in lieu thereof the following: \$4800.00.

Senator Lewis moved the adoption of the amendment.

Upon which a roll call was demanded.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Futch, Gomez, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Nordman, Pannill, Shelley, Shivers, Sikes, Smith (14th), Smith (29th)—21.

Nays—Senators Bass, Gillis, Harper, Holland, Murphy, Parker, Parrish, Raulerson, Rose, Savage, Sweger, Tervin, Tillman, Turner, Watson—15.

Which was agreed to and the amendment was adopted.

Senator Lundy moved that the rules be waived and Committee Substitute for House Bill No. 496, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 496, 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, Beacham, Beall, Black, Butler, Clarke, Gillis, Gomez, Holland, Lewis, Lundy, McArthur, McKenzie, MacWilliams, Mann, Nordman, Pannill, Parker, Raulerson, Rose, Savage, Shelley, Shivers, Sikes, Smith (14th), Smith (29th), Sweger, Tervin, Tillman, Turner, Watson—32.

Nays—Senators Bass, Futch, Harper, Murphy, Parrish—5.

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

The following explanations of votes were filed with the Secretary:

"I vote "No" on this bill because it is a betrayal of the people of Florida in that the open saloon is here established and prohibition was voted out on solemn promise that the open saloon would not return."

T. G. FUTCH

I vote "No" because this bill is a betrayal of the people of Florida in that prohibition was repealed on promise that the saloon would not be returned and this bill brings back that evil.

J. J. PARRISH

We vote for this Bill because it is apparent that no other measure regulating the liquor traffic can be passed and because we prefer any degree of regulation even though inadequate, to the present lack of all regulation. We oppose many features of the Bill, particularly the licensing of establishments to sell liquors by the drink, which seems to us to revive the old saloon, notwithstanding all pledges to the contrary.

S. L. HOLLAND
J. W. TURNER
D. STUART GILLIS
HENRY S. MCKENZIE
C. A. SAVAGE
E. H. LUNDY
R. L. SWEGER

Senator Shivers asked unanimous consent of the Senate to take up and consider Senate Bill No. 801, out of its order, at this time.

Which was agreed to.

Senate Bill No. 801:

A bill to be entitled An Act providing for the establishment and licensing of county dispensaries in any county in which the sale of intoxicating liquors, wines or beers in is prohibited at the time this act takes effect; to provide for an election to determine the method of controlling the sale of intoxicating liquors, wines or beers; to provide for the duties of certain state, county and municipal officers; and to provide for the distribution of the profits derived from the operation of such county dispensaries; to create a county liquor control council and dispensary board.

Was taken up and read the second time in full.

Senator Shivers moved that the rules be waived and the further consideration of Senate Bill No. 801 be informally passed, the bill remaining on the Calendar of Bills on second reading.

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

Senate Bills Nos. 360 and 363 were taken up in their order and the consideration of same was informally passed.

Senator Mann now presiding.

Senate Bill No. 558:

A bill to be entitled An Act to declare the establishment and/or maintenance of county forest fire control units to be county purposes; to authorize the Boards of County Commissioners to establish and/or maintain county forest fire control units after a referendum; to authorize the said Boards of County Commissioners to enter into agreements with the Florida Board of Forestry for the establishment and/or maintenance of county fire control units; to declare the powers of the Boards of County Commissioners in relation thereto and to levy a tax therefor; to authorize the State Board of Forestry to cooperate and to enter into agreements to carry out the purposes of this Act and to expend funds therefor; to provide the manner for discontinuing operations as prescribed hereunder; to validate, legalize and confirm the acts and proceedings; contracts and agreements of any Board of County Commissioners now carrying on a program of forest fire control; and to authorize the continuance thereof; to provide for the repeal of all laws and parts of laws in conflict herewith and for the repeal of Chapter 16,021, Laws of Florida, Acts of 1933.

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

By unanimous consent of the Senate, Senator Shelley offered the following amendment to Senate Bill No. 558:

In Section 4 (typewritten bill), strike out the words: "five (5)" after the word "by" and insert in lieu thereof the following: four (4).

Senator Shelley moved the adoption of the amendment.

Pending adoption of the amendment offered by Senator Shelley to Senate Bill No. 558, Senator Murphy offered the following substitute amendment for the amendment offered by Senator Shelley:

In Section 4, line 12 (typewritten bill), after the word "by" strike out five and (5) in parenthesis," and insert in lieu thereof the following: "the word three and the figure (3) in parenthesis."

Senator Murphy moved the adoption of the substitute amendment for the amendment offered by Senator Shelley.

Which was agreed to and the substitute amendment was adopted by unanimous consent of the Senate.

Senator Beacham offered the following amendment to Senate bill No. 558:

Strike out the following:

"Whereas, the public welfare demands that projects for the protection of the forests and woodlands of Florida from fires be immediately undertaken, and,

Whereas, the protection from fires of such forests and woodlands in the several counties of the State tends to conserve the natural resources and wealth of said counties, Now, Therefore"

And "forest" (wherever forest occur throughout the entire bill).

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

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

Yeas—Senators Bass, Beacham, Beall, Butler, Clarke, Futch, Gillis, Harper, Holland, Lewis, Lundy, McKenzie, MacWilliams, Mann, Murphy, Pannill, Parker, Raulerson, Rose, Shelley, Shivers, Sikes, Tillman, Turner—24.

Nays—Senators Black, McArthur, Smith (29th)—3.

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

Senator McArthur requested that Senate Bill No. 665 be recalled from the Committee on Miscellaneous, having been in said Committee more than seven (7) days, and placed on the Calendar of Bills on second reading.

And it was so ordered, under the rules.

Senator Gomez moved that the Senate do now adjourn. Which was agreed to.

And the Senate stood adjourned at 5:06 o'clock P. M. until 11:00 o'clock A. M., Friday, May 17, 1935.