

# JOURNAL OF THE SENATE

Tuesday, April 27, 1937

The Senate convened at 11:00 o'clock A. M. pursuant to adjournment on Monday, April 26, 1937.

The President in the Chair.

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

Mr. President; Senators Adams, Beacham, Beall, Black, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, McKenzie, Murphy, Nordman, Parker, Parrish, Rose, Savage, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—37.

A quorum present.

Senator Mapoles was excused from attendance upon the Session today.

The reading of the Journal was dispensed with.

The Journal of Monday, April 26, 1937, was corrected as follows:

On page 1, column 1, line 23, strike out the figures "22" and insert in lieu thereof the figures "23."

Also—

On page 1, column 1, second line from bottom, strike out the colon and insert in lieu thereof a period.

Also—

On page 1, column 1, second line from bottom, the words "the roll was called and the vote was": should be a separate line below the line on which the same now appear.

And as corrected was approved.

## REPORTS OF COMMITTEES

Senator Hodges, Chairman of the Committee on Miscellaneous, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 27, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

*Sir:*

Your Committee on Miscellaneous, to whom was referred:

Senate Bill No. 412:

A bill to be entitled An Act defining the practice of photography and requiring a certificate of registration as a condition precedent to any party practicing photography, and prescribing the terms and conditions upon which certificates may be issued to any party to practice photography in the State of Florida; creating the State Board of Photographic Examiners, and defining and declaring its powers and duties, prescribing a course of study and requirements; imposing certain fees upon persons applying for certificates to practice photography in Florida; imposing certain annual license fees upon employers and photographers practicing photography in Florida, 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.

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

Very respectfully,  
WM. C. HODGES,  
Chairman of Committee.

And Senate Bill No. 412, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,  
Tallahassee, Fla., April 27, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

*Sir:*

Your Committee on Public Health, to whom was referred:

Senate Bill No. 335:

A bill to be entitled An Act to amend Section 1986 Compiled

General Laws of Florida, 1920, also known as Section 3142 Compiled General Laws of Florida, 1927, relative to the members of the State Board of Health.

Also—

Senate Bill No. 359:

A bill to be entitled An Act relating to the admission of patients to the State Tuberculosis Sanatorium and providing for the payment of the care and maintenance charges of such patients therein.

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

Very respectfully,  
GEO. A. DAME,  
Chairman of Committee.

And Senate Bills Nos. 335 and 359, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Walker, Chairman of the Committee on Pensions and Claims, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 401:

A bill to be entitled An Act relating to Pensions and to provide that the widow of any person entitled to pension by reason of service in and for the Confederate States during the War Between the States shall not be debarred from Pension on account of remarriage.

Also—

Senate Bill No. 435:

A bill to be entitled An Act for the relief of M. L. Horton and his wife, Helen Horton, and providing an appropriation to compensate them for the loss of their son, Madison Horton, who was killed while on duty and while acting within the scope of his employment as an employee of the State Road Department of Florida.

Also—

Senate Bill No. 370:

A bill to be entitled An Act for the relief of C. A. Knight, individually and as tax collector of Bradford County, Florida.

Also—

Senate Bill No. 368:

A bill to be entitled An Act relating to pensions and to provide for the payment of any balance of pensions due any deceased pensioner, at time of death, receiving pension under the pension Laws relating to Confederate soldiers and sailors or their widows.

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

Very respectfully,  
H. N. WALKER,  
Chairman of Committee.

And Senate Bills Nos. 401, 435, 370 and 368, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Walker, Chairman of the Committee on Pensions and Claims, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

*Sir:*

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

Senate Bill No. 330:

A bill to be entitled An Act requiring the Comptroller of

the State of Florida to refund to the several persons, firms and corporations from whom so collected a tax under the provisions of Section 1 of Chapter 15658, Acts of 1931, extra Session, on any substance or substances which were sold as a liquid but later became transformed into gas when released, and when so released was used as a fuel for cooking, heating and like purposes, and providing for an appropriation for the refund of the tax so collected, and providing for proofs of claim and how such refund shall be paid.

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

**Amendment No. 1:**

In Section 1, line 5 (typewritten bill) after the word tax insert the following: said tax having been paid under protest.

**Amendment No. 2:**

Paragraph 4, line 3 (typewritten bill) strike out the words: in good faith and insert in lieu thereof the following: under protest.

**Amendment No. 3:**

In Section 1, line 10 (typewritten bill) strike out the comma and insert in lieu thereof the following: under protest.

Very respectfully,  
H. N. WALKER,  
Chairman of Committee.

And Senate Bill No. 330, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Walker, Chairman of the Committee on Pensions and Claims, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*  
Sir:

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

**Senate Bill No. 369:**

A bill to be entitled An Act relating to pensions and to provide that widows now or hereafter drawing pensions as widows of Confederate soldiers or sailors shall be paid the sum of fifty dollars (\$50.00) per month.

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

Very respectfully,  
H. N. WALKER,  
Chairman of Committee.

And Senate Bill No. 369, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Walker, Chairman of the Committee on Pensions and Claims, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*  
Sir:

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

**Senate Bill No. 438:**

A bill to be entitled An Act for the relief of Juanita Hughes of Jasper, Hamilton County, Florida.

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

**Amendment No. 1:** In Section 1, line 1 (typewritten bill), strike out the words: Three Thousand Dollars (\$3,000.00) and insert in lieu thereof the following: Seventeen Hundred Dollars (\$1,700.00).

**Amendment No. 2:** In Section 2, line 3 (typewritten bill), strike out the words: Three Thousand Dollars (\$3,000.00) and insert in lieu thereof the following: Seventeen Hundred Dollars (\$1,700.00).

Very respectfully,  
H. N. WALKER,  
Chairman of Committee.

And Senate Bill No. 438, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

**REPORT OF COMMITTEE ON ENGROSSED BILLS**

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

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

Sir:

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

**Senate Bill No. 57:**

"An Act authorizing the Governor, Comptroller and Treasurer of the State of Florida to exchange bonds held, owned or acquired by virtue of Section 146 of the revised General Statutes of Florida, 1920, the same being Section 176 of the Compiled General Laws of Florida, 1927, as amended by Section 2, of Chapter 14653, Laws of Florida, 1931, for refunding bonds, provided it is first determined that it is to the best interest of State to accept such refunding bonds."

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

Very respectfully,  
S. A. HINELY,  
Chairman of Committee.

And Senate Bill No. 57, contained in the above report, was ordered to be certified to the House of Representatives.

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

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

Sir:

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

**Senate Bill No. 177:**

A bill to be entitled An Act to provide for the keeping of personnel records by the Comptroller of the State of Florida on all State officials or employees of the State or any agency of the State; to provide that a personnel record of each State official and employee shall be a condition precedent to payment of salary or wage; and to provide how the personnel record shall be prepared and maintained.

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

Very respectfully,  
S. A. HINELY,  
Chairman of Committee.

And Senate Bill No. 177, contained in the above report, was placed on the Calendar of Bills on third reading.

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

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

*Hon. D. Stuart Gillis,*  
*President of the Senate.*

Sir:

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

**Senate Joint Resolution No. 89:**

A Joint Resolution proposing the amendment of Article IX of the Constitution, to be known as Section 15 of Article IX, abolishing ad valorem taxation for State purposes.

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

Very respectfully,  
S. A. HINELY,  
Chairman of Committee.

And Senate Joint Resolution No. 89, contained in the above report, was ordered to be certified to the House of Representatives.

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

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

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

Senate Bill No. 25:

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

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

Very respectfully,

S. A. HINELY,  
Chairman of Committee.

And Senate Bill No. 25, contained in the above report, was ordered to be certified to the House of Representatives.

REPORT OF ENROLLING COMMITTEE

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

Senate Chamber,  
Tallahassee, Fla., April 23, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

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

Senate Bill No. 52:

An Act to amend the Charter of the City of Pensacola, Florida, relating to the adjustment, compromise, settlement, satisfaction, surrender and cancellation of Tax Liens and Tax Sales Certificates held by the City of Pensacola on real and personal property.

Also—

Senate Bill No. 122:

An Act concerning the working of persons confined in the jail or other prison of the City of Tampa in pursuance of conviction in the Municipal Court of said City.

Also—

Senate Bill No. 123:

An Act relating to the making up of the Annual Budget of the City of Tampa.

Also—

Senate Bill No. 234:

An Act to provide for the Compensation of the Judge of the Criminal Court of Record of Monroe County, Florida; to provide for the method of payment of such salary or compensation.

Also—

Senate Bill No. 38:

An Act providing for and prescribing certain additional powers, duties and authority of the Florida Citrus Commission; providing the authority for the Florida Citrus Commission to hold hearings, ascertain facts, and to raise or lower juice requirements of grapefruit that may be marketed in accordance with law.

Also—

Senate Bill No. 35:

An Act to amend Sections 16, 21, 23 and 25 of Chapter 16854, Laws of Florida, Acts of 1935, entitled "An Act to stabilize and protect the Citrus Industry of the State of Florida and to promote the General Welfare of such industry and of the State of Florida; to create a State Citrus Commission of the State of Florida to be known as "Florida Citrus Commission;" to provide for the appointment and payment of expenses of the members of such Commission and to prescribe the powers, duties and functions of such Commission and the qualifications and terms of office of members thereof; to create seven citrus districts to be numbered one to seven; to

provide for the adoption by said Commission of Rules, Regulations and Orders necessary and proper for an effective administration and enforcement of this Act; to protect and enhance the reputation of Florida Citrus Fruit in Domestic and Foreign Markets; to regulate the inspection, grading and marking of citrus fruit; to prohibit the shipping of citrus fruit in violation of this Act; to prescribe the powers and duties of the Commissioner of Agriculture of the State of Florida in the enforcement of this Act; to provide for Judicial Review of protests made in connection with any rules, regulations or orders adopted pursuant to this Act; to provide for the levy and collection of assessments and the disbursement thereof; to provide for inspection and inspection services; and to provide penalties for violations of the provisions of this Act and any rule, regulation or order promulgated thereunder."

Also—

Senate Bill No. 236:

An Act enabling and empowering Union County, Florida, by and through its Board of County Commissioners and the State Treasurer of the State of Florida, as ex officio treasurer of said county, to refund to those taxpayers of said county who paid to the Tax Collector of said county a tax millage for debt service amounting to eighty-nine mills, levied for the year 1934 in obedience to a peremptory writ of mandamus issuing out of the Supreme Court of the State of Florida, seventy-four mills of the taxes so paid; and prescribing the manner in which and the means by which said refund shall be accomplished.

Also—

Senate Bill No. 37:

An Act to provide for, and control, the artificial coloring of certain citrus fruits, and fixing penalties for the violation thereof.

Also—

Senate Bill No. 36:

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

Also—

Senate Bill No. 121:

An Act making provisions for placing and maintaining the fiscal affairs of the City of Tampa on a cash basis; providing for the preparation of budget estimates and passage of resolutions making appropriations and levying taxes; and providing for the enforcement of the provisions of this Act.

Also—

Senate Bill No. 42:

A bill to be entitled An Act to amend Sections 6, 9 and 17 of Chapter 16858, Laws of Florida, Acts of 1935, entitled "An Act to conserve and promote the prosperity and welfare of the Florida citrus industry and of the State of Florida by promoting the sale of tangerines produced in Florida through the conducting of a publicity, advertising and sales promotion campaign to increase the consumption of such tangerines; to levy and impose an excise tax on tangerines produced in Florida and to provide for the collection thereof; to create a tangerine advertising fund; to vest the administration of this Act in the Florida Citrus Commission and to provide for the powers, duties and authority of said commission hereunder; and to provide penalties for violations of this Act."

Also—

Senate Bill No. 41:

A bill to be entitled An Act to amend Sections 6, 9 and 17 of Chapter 16856, Laws of Florida, Acts of 1935, entitled "An Act to conserve and promote the prosperity and welfare of the Florida citrus industry and of the State of Florida by promoting the sale of oranges produced in Florida through the conducting of a publicity, advertising and sales promotion campaign to increase the consumption of such oranges; to levy and impose an excise tax on oranges produced in Florida and to provide for the collection thereof; to create an orange

advertising fund; to vest the administration of this Act in the Florida Citrus Commission and to provide for the powers, duties and authority of said commission hereunder; and to provide penalties for violations of this Act."

Also—

Senate Bill No. 40:

A bill to be entitled An Act to conserve and promote the prosperity and welfare of the Florida citrus industry and of the State of Florida by promoting the sale of grapefruit produced in Florida through the conducting of a publicity, advertising and sales promotion campaign to increase the consumption of such grapefruit; to levy and impose an excise tax on grapefruit produced in Florida and to provide for the collection thereof; to create a grapefruit advertising fund; to vest the administration of this Act in the Florida Citrus Commission and to provide for the powers, duties and authority of said commission hereunder; to create an advisory committee of grapefruit canners; to provide for their appointment, qualifications and terms of office; and to provide penalties for violations of this Act.

Also—

Senate Bill No. 39:

A bill to be entitled An Act to prohibit the sale or offering for sale, the transportation, and the preparation, receipt or delivery for transportation or market of any citrus fruit that is immature or otherwise unfit for human consumption; to provide for the enforcement thereof; and to provide penalties for the violation thereof.

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,

H. S. McKENZIE,

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

Senate Chamber,  
Tallahassee, Fla., April 26, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

Sir:

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

House Bill No. 551:

A bill to be entitled An Act to postpone the sale of Tax Sale Certificates until after the first Monday in July, 1937.

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

Very respectfully,

H. S. McKenzie,

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

#### SPECIAL REPORT OF COMMITTEE ON RULES AND CALENDAR

The following special report of Committee on Rules and Calendar was read:

Hon. D. Stuart Gillis,  
President, Florida State Senate,  
Tallahassee, Florida.

Sir:

Your Committee on Rules and Calendar respectfully submits the following recommendations:

1. That a Session of the Senate be held on Thursday, April 29th, at 8:00 p. m., for the consideration of:

A. Local bills appearing on the Calendar.

B. If time permits, after the consideration of local bills, that Road designation bills which have been approved by the Committee on Roads and Highways, and pension bills that appear on the Calendar, be considered in the order of their appearance on the Calendar.

C. That no bill be considered which does not appear in the Calendar for April 29th.

2. That the hour of adjournment for this Session be fixed at the completion of the special Calendar herein provided, but not later than 10:00 p. m., and that this hour cannot be changed except by unanimous consent.

Respectfully submitted,

GEO. F. WESTBROOK,

W. M. TERVIN,

A. G. McARTHUR,

H. S. McKENZIE,

Committee on Rules and Calendar.

Senator Westbrook moved the adoption of the report.  
Which was agreed to and the report was adopted.

#### INTRODUCTION OF SENATE RESOLUTION

By Senator Hodges—

Senate Resolution No. 21:

The Senate desires to commemorate the life and services of one of Florida's greatest and most colorful citizens who died within the past few months and to that end it calls to the attention of the State officially the death of the Honorable Sidney J. Catts, former Governor of Florida, who died on March 9, 1936.

Sidney J. Catts was Governor of this State for four years and during his term of office this State with other States of the American Union was engaged in the World War. He came into the office of Governor inexperienced in State craft but as Governor performed his duties faithful in every instance to the rank and file of the people and left the office having their respect and confidence. In the latter years of his life he suffered from almost total blindness but kept a keen interest in the affairs of this State. Few men in this State had his power of oratory, and his ability to sway the people on matters of public concern.

The Senate learns of his death with deep regret. The State has lost a good citizen and one who was a good Governor, and that his name may be preserved in permanent form on the records of this Senate;

THEREFORE, BE IT RESOLVED by the Senate of the State of Florida that a copy of this Resolution be given a page of its Journal and that a copy under the signature of the President of the Senate, attested by its Secretary, with the Seal of the Senate, be transmitted to his widow, Mrs. Sidney J. Catts at DeFuniak Springs, Florida.

Which was read the first time in full.

Senator Hodges moved the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 21 was adopted.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Beall—

Senate Bill No. 457:

A bill to be entitled An Act to amend Section 2070, Section 2071, Section 2072, and Section 2090, revised General Statutes of Florida, 1920, also known as Section 3270, Section 3271, Section 3272, and Section 3290, Compiled General Laws of Florida for 1927, relating to the Bureau of Vital Statistics, providing for the recording and preservation of all vital statistic records in the office of the County Judges of the respective counties of the State of Florida; the designation of the County Judges' offices as the local Bureau of Vital Statistics; and the designation of the County Judges of each of the counties of the State of Florida as the local registrar of Vital Statistics of each of the counties of the State of Florida; and requiring transmission of all records herein by former local registrars and all persons having possession of records of births and deaths to the County Judges of each of the counties of the State of Florida within thirty (30) days of the effective date of this law and providing for the punishment of such persons failing or refusing to deliver said records; and requiring the Clerk of all counties of the State of Florida having records of final decrees of divorces to file

## Senate Resolution No. 21

By Senator Hodges

The Senate desires to commemorate the life and services of one of Florida's greatest and most colorful citizens who died within the past few months and to that end it calls to the attention of the State officially the death of the Honorable Sidney J. Catts, former Governor of Florida, who died on March 9, 1936.

Sidney J. Catts was Governor of this State for four years and during his term of office this State with other States of the American Union was engaged in the World War. He came into the office of Governor inexperienced in State craft but as Governor performed his duties faithful in every instance to the rank and file of the people and left the office having their respect and confidence. In the latter years of his life he suffered from almost total blindness but kept a keen interest in the affairs of this State. Few men in this State had his power of oratory, and his ability to sway the people on matters of public concern.

The Senate learns of his death with deep regret. The State has lost a good citizen and one who was a good Governor, and that his name may be preserved in permanent form on the records of this Senate;

THEREFORE, BE IT RESOLVED by the Senate of the State of Florida that a copy of this Resolution be given a page of its Journal and that a copy under the signature of the President of the Senate, attested by its Secretary, with the Seal of the Senate, to be transmitted to his widow, Mrs. Sidney J. Catts at DeFuniak Springs, Florida.

lists of all final decrees of divorces granted in his respective court on or before the 10th day of each month.

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

By Senator McArthur—

Senate Bill No. 458:

A bill to be entitled An Act to define and punish the offense of severing from the land of another any timber, tree or trees or any parcel of the realty and the taking and carrying away of same, and to provide the punishment therefor.

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

By Senator Gomez—

Senate Bill No. 459:

A bill to be entitled An Act relating to Compensation of Tax Collectors and Tax Assessors when same does not equal the annual income of Three Thousand Dollars and necessary office expenses not to exceed Twenty-five Hundred Dollars per annum in counties having a population of not less than thirteen thousand three hundred and not exceeding thirteen thousand three hundred and sixty, according to the Florida State census of 1935, and prescribing the method of payment of such Compensation and the fund from which same shall be paid.

The following proof of publication was attached to Senate Bill No. 459 when it was introduced in the Senate:

STATE OF FLORIDA,  
COUNTY OF MONROE.

Before the undersigned authority personally appeared L. P. Artman, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to An Act fixing the compensation of Tax Collectors and Tax Assessors to be paid by the Board of County Commissioners when same does not equal from fees and commissions the annual income of Three Thousand Dollars and necessary office expenses not to exceed Twenty-five Hundred Dollars per annum in counties having a population of not less than thirteen thousand three hundred and not exceeding thirteen thousand three hundred and sixty, according to the Florida State Census of 1935, and prescribing the method of payment of such compensation and the fund from which same shall be paid, has been published at least thirty days prior to this date, by being printed in the issue of March 24th, A. D. 1937, of the Citizen, a newspaper published in Monroe County, Florida, where the matter or thing to be affected by the contemplated law is situated; that a copy of the notice that has been published as aforesaid and also this affidavit or proof of publication are attached to the proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

L. P. ARTMAN.

Sworn to and subscribed before me this 24th day of April A. D. 1937.

(Seal)

JOSEPH B. ALLEN, JR.,  
Notary Public.

By Commission expires July 16, 1940.

NOTICE OF INTENTION TO APPLY FOR  
PASSAGE OF LOCAL OR SPECIAL BILL

NOTICE IS HEREBY GIVEN that the undersigned will apply to the Legislature of the State of Florida, at its regular biennial Session of 1937, for the passage of a local or special bill the substance of which is as follows:

An Act relating to compensation of tax collectors and tax assessors to be paid by the Board of County Commissioners when same does not equal from fees and commissions the annual income of three thousand dollars and necessary office expenses not to exceed twenty-five hundred dollars per annum in counties having a population of not less than thirteen thousand three hundred and not exceeding thirteen thousand three hundred and sixty, according to the Florida State census of 1935, and prescribing the method of payment of such compensation and the fund from which same shall be paid.

Dated this 24th day of March, 1937.

BOARD OF COUNTY COMMISSIONERS,  
By CARL BERVALDI,  
Chairman.

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

By Senator Gomez—

Senate Bill No. 460:

A bill to be entitled An Act relating to compensation of County Judges when same does not equal the annual income of twenty-four hundred dollars and necessary office expenses not exceeding twelve hundred dollars per annum in counties having a population of not less than thirteen thousand three hundred and sixty, according to the Florida State census of 1935, and prescribing the method of payment of such compensation and the fund from which same shall be paid.

The following proof of publication was attached to Senate Bill No. 460 when it was introduced in the Senate:

STATE OF FLORIDA,  
COUNTY OF MONROE.

Before the undersigned authority personally appeared L. P. Artman, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated Law or proposed bill relating to an Act fixing the compensation of County Judges to be paid by the Board of County Commissioners when same does not equal from fees and commissions received the annual income of Twenty-four Hundred Dollars and necessary office expenses not exceeding Twelve Hundred Dollars per annum in counties have a population of not less than thirteen thousand three hundred and not exceeding thirteen thousand three hundred and sixty, according to the Florida State census of 1935, and prescribing the method of payment of such compensation and the fund from which same shall be paid, has been published at least thirty days prior to this date, by being printed in the issue of March 24th, A. D. 1937, of the Citizen, a newspaper published in Monroe County, Florida, where the matter or thing to be affected by the contemplated law is situated; that a copy of the notice that has been published as aforesaid and also this affidavit or proof of publication are attached to the proposed bill or contemplated Law, and such copy of the notice so attached is by reference made a part of this affidavit.

Sd. L. P. ARTMAN.

Sworn to and subscribed before me this 24th day of April, A. D. 1937.

Sd. JOSEPH B. ALLEN, JR.,  
Notary Public,

My Commission Expires July 16, 1940.

(SEAL)

NOTICE OF INTENTION TO APPLY FOR  
PASSAGE OF LOCAL OR SPECIAL BILL

NOTICE IS HEREBY GIVEN that the undersigned will apply to the Legislature of the State of Florida, at its regular biennial Session of 1937, for the passage of a local or special bill the substance of which is as follows:

An Act relating to compensation of County Judges to be paid by Board of County Commissioners when same does not equal from fees and commissions received the annual income of Twenty-four Hundred Dollars and necessary office expenses not to exceed Twelve Hundred Dollars per annum in counties having a population of not less than Thirteen Thousand Three Hundred and not exceeding Thirteen Thousand and Three Hundred and Sixty, according to the Florida State census of 1935, and prescribing the method of payment of such compensation and the fund from which same shall be paid.

Dated this 24th day of March, A. D. 1937.

BOARD OF COUNTY COMMISSIONERS,  
By CARL BERVALDI,  
Chairman.

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

By Senator Gomez—

Senate Bill No. 461:

A bill to be entitled An Act fixing the salary of the Clerk of the Criminal Court of Record of Monroe County, Florida; providing the fund out of which said salary shall be paid; providing, further, that all fees and costs collected by the Clerk of the Criminal Court of Record shall be deposited in the depository of the county to the credit of the Fine and Forfeiture Fund.

The following proof of publication was attached to Senate Bill No. 461 when it was introduced in the Senate:

STATE OF FLORIDA,  
COUNTY OF MONROE.

Before the undersigned authority personally appeared L. P. ARTMAN, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated Law or proposed bill relating to an Act fixing the salary of the Clerk of the Criminal Court of Record of Monroe County, Florida; and providing fund out of which said salary shall be paid, providing further that all fees and costs collected by the Clerk of the Criminal Court of Record shall be deposited in the depository of the County to the credit of the Fine and Forfeiture Fund, has been published at least thirty days prior to this date, by being printed in the issue of March 22, A. D. 1937, of the Citizen, a newspaper published in Monroe County, Florida, where the matter or thing to be affected by the contemplated Law is situated; that a copy of the notice that has been published as aforesaid and also this affidavit or proof of publication are attached to the proposed bill or contemplated Law, and such copy of the notice so attached is by reference made a part of this affidavit.

Sd. L. P. ARTMAN.

Sworn to and subscribed before me this 22nd day of April, A. D. 1937.

Sd. JOSEPH B. ALLEN, JR.,  
Notary Public,

My Commission Expires July 16, 1940.

(SEAL)

NOTICE OF INTENTION TO APPLY FOR  
PASSAGE OF LOCAL OR SPECIAL BILL

NOTICE IS HEREBY GIVEN that the undersigned will apply to the Legislature of the State of Florida, at its regular biennial Session of 1937, for the passage of a local or special bill the substance of which is as follows:

An Act fixing the salary of the Clerk of the Criminal Court of Record of Monroe County, Florida; providing the fund out of which said salary shall be paid; providing, further, that all fees and costs collected by the Clerk of the Criminal Court of Record shall be deposited in the depository of the county to the credit of the Fine and Forfeiture Fund.

Dated this 22nd day of March, A. D. 1937.

BOARD OF COUNTY COMMISSIONERS,  
By CARL BERVALDI,  
Chairman of Board of County Commissioners.

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

By Senator Westbrook—  
Senate Bill No. 462:

A bill to be entitled An Act to amend Section 2911, Revised General Statutes, being Section 4621, Compiled General Laws of Florida, 1927, relating to the terms and conditions upon which a writ of error shall operate as a supersedeas.

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

By Senators Touchton, Westbrook, Dame and Savage—  
Senate Bill No. 463:

A bill to be entitled An Act for the enlargement, further improvement and maintenance of Dade Memorial Park, and to make appropriation therefor.

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

By Senator Touchton—  
Senate Bill No. 464:

A bill to be entitled An Act to re-establish and further define State Road No. 210. But not dis-establishing any part of said road as now defined by law.

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

By Senator Hinely—  
Senate Bill No. 465:

A bill to be entitled An Act granting a pension to Mrs. Anna Berry of Suwannee County, Florida.

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

By Senator Tillman—  
Senate Bill No. 466:

A bill to be entitled An Act to repeal Sections 827 and 978 Revised General Statutes (Sections 1083 and 1251 Compiled General Laws) relating to license taxes upon the operation of Automatic Vending Machines and Slot Machines for Vending Merchandise.

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

By Senator Wynn—  
Senate Bill No. 467:

A bill to be entitled An Act to amend Sections 1, 2, 3, 9 and 16 of Chapter 14832, Laws of Florida, Acts of 1931, as amended by Chapter 17276, Laws of Florida, Acts of 1935, and Section 12 of Chapter 14832, Laws of Florida, Acts of 1931, as amended by Chapter 16113, Laws of Florida, Acts of 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 mutual pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act, and for other purposes relating thereto."

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

By Senator Tervin—  
Senate Bill No. 468:

A bill to be entitled An Act to designate and establish a certain State road in Manatee and Sarasota Counties, Florida, known as the old Manatee-Sarasota Road.

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

By Senator McKenzie—  
Senate Bill No. 469:

A bill to be entitled An Act providing for the adjustment and cancellation of certain State and county liens for taxes held by the State of Florida against certain lands in this State now owned or hereafter acquired by the United States of America, for reforestation, fish, or game preserves, agricultural demonstration, recreational, or grazing purposes, and providing the method of such adjustment.

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

By Senator Tillman—  
Senate Bill No. 470:

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

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

By Senators Dugger and Touchton—  
Senate Bill No. 471:

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

Which was read the first time by title only and referred to the Committee on County Organizations.

By Senator Dugger—  
Senate Bill No. 472:

A bill to be entitled An Act fixing the compensation of members of the Board of County Commissioners in counties of the State of Florida having a population of not less than seven thousand one hundred fifty (7,150) and not more than seven thousand two hundred (7,200) according to the State census of 1935; and ratifying and confirming salaries paid members of the Board of County Commissioners in such counties from May 15, 1935, to the present time; and repealing all laws in conflict herewith.

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

By Senator Dugger—

Senate Bill No. 473:

A bill to be entitled An Act authorizing the Board of County Commissioners of Clay County, Florida, to cancel delinquent taxes for special road districts numbers 2 and 11 for the year 1935 and special road district Number 9 for the years 1927 and 1928 insofar as the same are in excess of 10 mills and providing for refund to persons heretofore paying taxes on such excess.

The following proof of publication was attached to Senate Bill No. 473 when it was introduced in the Senate:

NOTICE OF APPLICATION FOR SPECIAL LAW

Notice is hereby given, that the Board of County Commissioners of Clay County, Florida, will apply to the Florida Legislature at its regular Session in 1937 for the passage of a special Act authorizing the cancellation of delinquent taxes based upon a millage of 160 mills in 1935 District No. 2, and of 100 mills in 1935 District No. 11 for the year 1935 and of 200 mills in District No. 9 for the years 1927 to 1928 inclusive, and to substitute therefor 10 mills for each district for each year.

BOARD OF COUNTY COMMISSIONERS,  
OF CLAY COUNTY, FLORIDA.  
By D. E. PANGBORN, Chairman,  
L. T. IVEY, Clerk.

STATE OF FLORIDA,  
COUNTY OF CLAY.

Before me personally appeared F. Ion Robertson, who being first duly sworn, deposes and says: That he is editor of THE CLAY COUNTY CRESCENT, a newspaper published and printed in and having general circulation in Clay County, Florida, and which newspaper was being published on May 20, A. D. 1930; that the annexed notice has been published in said Clay County Crescent, in accordance with the provisions of Senate Bill No. 58, Laws of Florida, approved May 20, A. D. 1931, in a regular weekly issue thereof, once a week each week for Four (4) consecutive weeks, the dates of publication being as follows:

March 4, 1937.  
March 11, 1937.  
March 18, 1937.  
March 25, 1937.  
April 1, 1937.

(Signed)

F. ION ROBERTSON.

Subscribed and sworn to before me this 16th day of April 1937.

L. T. IVEY,

Clerk of the Circuit Court, Clay County, Florida.

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

By Senator Sweger—

Senate Bill No. 474:

A bill to be entitled An Act to prevent the introduction into and dissemination within the State of Florida of contagious and infectious diseases of honey bees; providing for the eradication of bees diseases; authorizing the State Apiary Inspector of Florida to make rules and regulations for carrying out the provisions of this Act and prescribing a penalty for violations.

Which was read the first time by title only and referred to the Committee on Agriculture and Live Stock.

By Senators Holland and Gomez—

Senate Bill No. 475:

A bill to be entitled An Act for the relief of Earnest Teson of Fort Myers, Lee County, Florida.

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

By Senator Dame—

Senate Bill No. 476:

A bill to be entitled An Act to amend Section 2091, revised General Statutes of Florida, 1920 (the same being Section 3291, Compiled General Laws of Florida, 1927, and Section 21 of Chapter 6892, Laws of Florida, Acts of 1915) by providing the method, manner, and purpose by and for which the fees referred to in said Section 2091 may be expended.

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

By Senator Dame—

Senate Bill No. 477:

A bill to be entitled An Act relating to the Bureau of Vital Statistics of the State Board of Health, authorizing such bureau to receive certain funds from the Bureau of Census of the United States, and providing for the manner of disposition thereof.

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

The following message from the Governor was received:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE

April 23, 1937.

Honorable D. Stuart Gillis,  
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. 5 relating to Pensacola.  
Senate Bill No. 146 relating to Dade County.  
Senate Bill No. 208 relating to Circuit Courts.  
Senate Bill No. 210 relating to Levy County.  
Senate Bill No. 216 relating to mortgages.

Also—

Senate Concurrent Resolution No. 2 relating to Senators Duncan U. Fletcher, Park Trammell.

Senate Concurrent Resolution No. 3 relating to Tallahassee air mail service.

Senate Concurrent Resolution No. 5 relating to agricultural land resources.

Senate Concurrent Resolution No. 6 relating to seafood industry.

Senate Concurrent Resolution No. 7 relating to agriculture.

Respectfully yours,

FRED P. CONE,  
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 27, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

Sir:

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

House Bill No. 154:

A bill to be entitled An Act requiring the head of every department of the State Government to file with the Secretary of State on or before January 10th of each year a report listing the persons, salaries, duties and legal residences of all employees of his department together with the total expense accounts allowed each employee during the preceding year.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

J. A. CAWTHON,  
Chief Clerk House of Representatives.

And House Bill No. 154, contained in the above message, was read the first time by title only and referred to the Committee on Appropriations.

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

Tallahassee, Fla., April 27, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.

Sir:

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

House Bill No. 185:

A bill to be entitled An Act permitting banks organized under the Laws of Florida to avail themselves of privileges

accorded banking institutions and depositors, creditors, stockholders, conservators, receivers or liquidators by virtue of the present provisions of Section 12 B of the Federal Reserve Act, as amended or any amendments thereto, including subscription for stock, debentures, bonds or other types of securities issued by the Federal Deposit Insurance Corporation.

Also has passed—

House Bill No. 186:

A bill to be entitled An Act to amend Section 4140 of the Revised General Statutes of Florida, the same being Section 6071 of the Compiled General Laws of Florida, 1927, and to repeal Section 4141 of the Revised General Statutes of Florida, the same being Section 6072 of the Compiled General Laws of Florida, 1927, relating to banking.

Also has passed—

House Bill No. 78:

A bill to be entitled An Act fixing the time for opening and closing the polls in primary, general and special elections in the State of Florida and repealing Section 309 Compiled General Laws of Florida, 1927, being Section 253 of the Revised General Statutes of Florida, 1920.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And House Bills Nos. 185 and 186, contained in the above message, were read the first time by titles only and referred to the Committee on Banking and Building and Loans.

And House Bill No. 78, contained in the above message, was read the first time by title only and referred to the Committee on Privileges and Elections.

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

Tallahassee, Fla., April 27, 1937.

Hon. D. Stuart Gillis,  
President of the Senate.  
Sir:

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

House Bill No. 104:

A bill to be entitled An Act to provide for a Circuit Judge for the Eleventh Judicial Circuit for each 50,000 inhabitants or major fraction thereof.

Also has passed—

House Bill No. 181:

A bill to be entitled An Act permitting the State Comptroller to appoint the Federal Deposit Insurance Corporation to act as liquidator of any banking institution which has membership in the Federal Deposit Insurance Corporation: To act without bond and to have all of the usual powers granted a liquidator under the Laws of the State of Florida and providing for a subrogation of the rights of depositors and creditors.

Also has passed—

House Bill No. 182:

A bill to be entitled An Act giving a bank or trust company the option to refuse payment of a check or other demand instrument presented more than one year after date.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And House Bill No. 104, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on second reading.

And House Bills Nos. 181 and 182, contained in the above message, were read the first time by titles only and referred to the Committee on Banking and Building and Loans.

By permission the following Memorial was introduced:

By Senator Johns—

Senate Memorial No. 1:

Memorial to the Congress of the United States requesting

the enactment into law of what is generally known and referred to as the "Townsend Plan."

WHEREAS, the economic prosperity of our nation depends largely upon the purchasing power of the individuals comprising its population, and

WHEREAS, the rapid circulation of money among the members of any large portion of the population will raise the standards of living in this country to such an extent as to require the employment in productive industries of millions of persons who are now idle or engaged in temporary Federal relief projects, and

WHEREAS, that plan which has been proposed and advocated and which is generally known as the "Townsend Plan" will result in increased purchasing power throughout the entire population of the nation and will provide a self-liquidating method of restoring millions of persons to normal employment;

NOW, THEREFORE, Be it Resolved by the Legislature of the State of Florida that the Congress of the United States of America is hereby respectfully petitioned and requested to enact into law, that plan, the details of which are well known and which is universally referred to as the "Townsend Plan."

Which was read the first time in full.

Senator Johns moved that the rules be waived and Senate Memorial No. 1 be read the second time in full and put upon its final adoption.

Pending the adoption of the motion made by Senator Johns, Senator Butler moved as a substitute motion that Senate Memorial No. 1 be referred to the Committee on Rules and Calendar.

The question was put on the adoption of the substitute motion made by Senator Butler.

Which was agreed to and Senate Memorial No. 1 was referred to the Committee on Rules and Calendar.

House Concurrent Resolution No. 7:

Regarding crime and criminals in Florida; requesting the Governor to appoint a committee of citizens to study the crime problem; outlining the duties and functions of said committee; and providing for a report of its findings and recommendations.

WHEREAS, Society bears an unjust burden because of the activities of the criminal element; and

WHEREAS, If this burden is to be removed society itself must formulate a different and better program for dealing with crime, and

WHEREAS, under our present system, in addition, to the injury from the commission of crime, the criminal is imprisoned, and society must pay for his keep, and the criminal's family is often thrown upon charities supported by society, and

WHEREAS This condition should be remedied, and it is reasonable to assume that this problem is capable of a practical solution;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA, THE SENATE CONCURRING:

That the Honorable Fred P. Cone, Governor of Florida, is hereby respectfully requested to name within 30 days after the adoption of these resolutions a committee of not more than fifteen citizens, chosen from business, professional and social groups, and that it shall be the duty of said committee to study crime and crime prevention, our penal system, to recommend methods for making prisoners self-sustaining and provide a sustenance for their dependants; to recommend practical changes in our penal system that society may be relieved of the burden it now bears because of crime and the punishment of criminals, and to suggest other practical reforms on this subject.

BE IT FURTHER RESOLVED That said committee shall elect its own chairman and secretary, and shall report its findings and recommendations to the 1939 Session of the Legislature of Florida.

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

Pending adoption, Senator Murphy moved that the rules be waived and House Concurrent Resolution No. 7 be referred to the Committee on Rules and Calendar.

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

Senate Bill No. 1011 (1935 Session) was taken up in its order and the consideration thereof was informally passed.

#### SENATE BILLS ON THIRD READING

##### Senate Bill No. 159:

A bill to be entitled An Act to amend Section 5005 Revised General Statutes of Florida 1920 also referred to as Section 7104 Compiled General Laws of Florida 1927 to provide punishment in cases which are only punishable by fine.

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

By unanimous consent Senator Holland offered the following amendment to Senate Bill No. 159:

In Section 1 (typewritten bill), strike out the remainder of said Section after the word "Court;" being the first word in the 11th line of said Section and insert in lieu thereof the following: "and where punishment by fine alone is provided the Court may in his discretion sentence the defendant to serve not exceeding sixty days in default of the payment of the said fine."

Senator Holland moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Coulter, Dame, Gomez, Graham, Harper, Hinely, Hodges, Holland, Kanner, Kelly, Kendrick, McArthur, Murphy, Parker, Parrish, Rose, Sharit, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—30.

Nays—None.

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

##### Senate Bill No. 161:

A bill to be entitled An Act to define an alibi defense and to provide notice to the Prosecuting Attorney in such cases where an alibi defense will be relied upon by the defendant.

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

By unanimous consent Senator Beall offered the following amendment to Senate Bill No. 161:

In Section 2, last line (typewritten bill), add the following: That the State shall more than three days before trial furnish to the defendant a complete list of all State witnesses proposed to be used in rebuttal of said defense, together with the address of such witnesses, and no witnesses other than those whose name is so furnished shall be permitted to testify in said cause on said issue.

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

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

Yeas—Mr. President; Senators Butler, Coulter, Gomez, Graham, Hinely, Holland, Kanner, Kelly, Parker, Parrish, Rose, Sweger, Walker, Westbrook—15.

Nays—Senators Adams, Beacham, Beall, Black, Clarke, Dame, Dugger, Harper, Hodges, Johns, Kendrick, McArthur, Murphy, Nordman, Savage, Sharit, Tervin, Tillman, Touchton, Wynn—20.

So the bill failed to pass.

Senate Joint Resolution No. 97 was taken up in its order and the consideration of same was informally passed.

##### Senate Joint Resolution No. 116:

A Joint Resolution proposing to amend Section 27 of Article 3 of the Constitution of the State of Florida, relating to State, county and municipal offices and employees.

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

That Section 27 of Article 3 of the Constitution of the State of Florida relating to State, County and Municipal offices and employees be and the same is hereby amended and, as amended is agreed to and shall be submitted to the electors of the State of Florida at the next general election to be held on the first Tuesday after the first Monday in November, 1938, for ratification or rejection.

Said Section 27 of Article 3 as amended, shall read as follows:

"Section 27. The Legislature shall provide for the election by the people, or appointment by the Governor, of all State

and county officers not otherwise provided for by this Constitution, and fix by law their duties and compensation.

The Legislature may make such provision as it sees fit for the establishment of a Civil Service System, for the appointment and retention of such officers and employees of the State, and the counties and the cities of the State as it shall see fit to place under said system. Appointments and promotions in the Civil Service of the State and all Civil Divisions thereof, shall be made according to merit and fitness, to be ascertained as far as practicable, by examinations, which, so far as practicable, shall be competitive."

Was taken up in its order and read the third time in full again for the information of the Senate; having been read the third time in full on April 23, 1937.

Upon the passage of Senate Joint Resolution No. 116 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beall, Black, Butler, Clarke, Dame, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kendrick, McArthur, Murphy, Parrish, Rose, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—28.

Nays—Senators Kelly, Savage—2.

So Senate Joint Resolution No. 116 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1937 Session of the Florida Legislature, and the action of the Senate was ordered to be certified to the House of Representatives.

##### Senate Joint Resolution No. 196:

A Joint Resolution proposing the amendment of Section 1 of Article 9 of the Constitution relating to the taxation of real, personal and intangible property.

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

That the following amendment to the Constitution of the State of Florida amending Section 1 of Article 9 thereof relating to the taxation of real, personal and intangible property be and the same is hereby, agreed to and shall be submitted to the electors of the State at the General Election of Representatives in 1938, for approval or rejection:

Section 1. The Legislature shall provide for a uniform and equal rate of taxation, except that it may provide for special rate or rates on intangible property but such special rate or rates shall not exceed 5 mills on the dollar of the assessed valuation of such intangible property, which special rate or rates or the taxes collected therefrom, may be apportioned by the Legislature, and shall be exclusive of all other State, county district and municipal taxes; said real and personal property shall be assessed in accordance with its income value, or its use value where profitable use is made thereof by the owner, but in no case shall the assessed valuation thereof exceed the fair market value of said property. The Legislature may prescribe rules and regulations for the better enforcement of this Section, and may classify species of property and fix reasonable minimum unit valuations thereon consistent with the spirit and intent of this Section, or may prescribe, by laws of State-wide application, reasonable rules therefor, and may exempt property used for municipal, educational, literary, scientific, religious or charitable purposes; but all of the provisions hereof shall be self-executing without any action by the Legislature.

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

Upon the passage of Senate Joint Resolution No. 196 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Butler, Clarke, Dame, Gomez, Graham, Harper, Hodges, Kanner, Kelly, Kendrick, McKenzie, Murphy, Parrish, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—28.

Nays—Senators Coulter, Dugger, Hinely, Holland, Johns, McArthur, Nordman, Parker, Savage—9.

So Senate Joint Resolution No. 196 passed by the required Constitutional three-fifths vote of all members elected to the Senate for the 1937 Session of the Florida Legislature, and the action of the Senate was ordered to be certified to the House of Representatives.

#### SENATE BILLS ON SECOND READING

Senate Bill No. 178 was taken up in its order and the consideration of same was informally passed.

## Senate Bill No. 10:

A bill to be entitled An Act to amend Section 2772 of the Revised General Statutes of 1920, as amended by Chapter 12068, Acts of 1927, also designated as Section 4444 of the Compiled General Laws of Florida of 1927, relating to the selection of jury lists and qualification of jurors.

Was taken up in its order and read the second time in full. Senator Tillman offered the following amendment to Senate Bill No. 10:

In Section one, line 33 (typewritten bill), strike out the words: "four hundred and fifty" and insert in lieu thereof the following: the words "eight hundred."

Senator Tillman moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Tillman also offered the following amendment to Senate Bill No. 10:

In Section one, line 33 (typewritten bill), strike out the words: "seven hundred and fifty" and insert in lieu thereof the following: the words "fifteen hundred."

Senator Tillman moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

And Senate Bill No. 10, as amended, was referred to the Committee on Engrossed Bills.

## Senate Bill No. 162:

A bill to be entitled An Act to fix the price of license tags for semi-trailers weighing 800 lbs. or less.

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

## Senate Bill No. 125:

A bill to be entitled An Act for the relief of Fannie L. Lipscomb, widow, Taylor County, Florida, and making an appropriation therefor as compensation for the loss of her husband, Forrest L. Lipscomb, who, as Sheriff of Taylor County, Florida, was killed while apprehending an escaped State convict from the Florida State prison.

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

## Senate Bill No. 172:

A bill to be entitled An Act granting and providing for the payment of compensation to James S. Dunning for injuries received while in the performance of his duties for the State of Florida.

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

## Senate Bill No. 174:

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

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

## Senate Bill No. 83:

A bill to be entitled An Act awarding a special pension to Mrs. L. E. Mosely of Starke, Bradford County, Florida.

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

## Senate Bill No. 72:

A bill to be entitled An Act granting a pension to Lewis Green of Hamilton County, Florida.

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

## Senate Bill No. 74:

A bill to be entitled An Act granting a pension to Jane Hogans of Hamilton County, Florida, widow of A. H. Hogans, Sr.

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

## Senate Bill No. 135:

A bill to be entitled An Act to amend Sections 8, 11, 12 and 13, of Chapter 9330, Laws of Florida, Acts of 1923, the same being Sections 3442, 3445, 3446 and 3447 of Compiled General

Laws of Florida, 1927, relating to the practice of chiropractic in the State of Florida.

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

Senator Westbrook moved that the Committee Substitute for Senate Bill No. 135 be taken up.

Which was agreed to.

And the Committee Substitute for Senate Bill No. 135:

A bill to be entitled An Act to amend Sections 8, 11, 12 and 13 of Chapter 9330, Laws of Florida, Acts of 1923, the same being Sections 3442, 3445, 3446 and 3447 of Compiled General Laws of Florida, 1927, relating to the practice of chiropractic in the State of Florida.

Was taken up and read the first time by title only.

Senator Westbrook moved that the rules be waived and Committee Substitute for Senate Bill No. 135 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 135 was read the second time in full.

Senator Westbrook moved the adoption of the Committee Substitute for Senate Bill No. 135.

Which was agreed to.

And the Committee Substitute for Senate Bill No. 135 was adopted, and placed on the Calendar of Bills on third reading.

Senate Bill No. 77 was taken up in its order and the consideration of same was informally passed.

## Senate Bill No. 154:

A bill to be entitled An Act to require practitioners of every kind or branch of the medical and/or material healing arts to place and keep at the entrances of their offices or usual places of business words or proper abbreviations denoting the particular kind or branch of the medical and/or material healing art they are licensed to practice.

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

## Senate Bill No. 207:

A bill to be entitled An Act to amend Section 3523 and 3524 of the Compiled General Laws of Florida, relating to the duties of the Board of Pharmacy of the State of Florida and the examination of pharmacists.

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

Senate Bill No. 153 was taken up in its order and the consideration of same was informally passed.

## Senate Bill No. 46:

A bill to be entitled An Act to provide for the purchase, distribution and administration of salvarsan, neosalvarsan, arsphenamine, neorsphenamine and sulpharsphenamine in the State of Florida by the State Board of Health; making appropriation therefor and creating a fund to be known as the Salvarsan Fund; providing for the free distribution thereof and the manner of said distribution, and providing for a penalty for making fraudulent applications for same.

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

Senator Touchton offered the following amendment to Senate Bill No. 46:

In Section 1, line 3 (typewritten bill), after the word Arsephenamine insert the following: E. smarsen, Mapharsen.

Senator Touchton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Touchton also offered the following amendment to Senate Bill No. 46:

In Title, line 2, (typewritten bill), after the word Arsepheamine insert the following: Bismarsen, Mapharsen.

Senator Touchton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Touchton also offered the following amendment to Senate Bill No. 46:

In Section 2, line 2 (typewritten bill), after the word Arsephenamine insert the following: Bismarsen, Mapharsen.

Senator Touchton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Touchton also offered the following amendment to

## Senate Bill No. 46:

In Section 2, line 10 (typewritten bill), after the word Arsephenamine insert the following: Bismarsen, Mapharsen.

Senator Touchton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Touchton also offered the following amendment to Senate Bill No. 46:

In Section 2, line 17 (typewritten bill), after the word Arsephenamine insert the following: Bismarsen, Mapharsen.

Senator Touchton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Touchton also offered the following amendment to Senate Bill No. 46:

In Section 3, line 4 (typewritten bill), after the word Arsephenamine insert the following: Bismarsen, Mapharsen.

Senator Touchton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Touchton also offered the following amendment to Senate Bill No. 46:

In Section 4, line 2, (typewritten bill) after the word Arsephenamine insert the following: Bismarsen, Mapharsen.

Senator Touchton moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

And Senate Bill No. 46, as amended, was referred to the Committee on Engrossed Bills.

## Senate Bill No. 181:

A bill to be entitled An Act requiring the State Road Department and the State Board of Health, through the engineering department of each of said governmental agencies, to co-operate and work together in the matter of drainage, ditches and grades for highways through the towns, villages and communities in the State of Florida where mosquito control is necessary.

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

By permission the following bills were introduced:

By Senator Johns—

Senate Bill No. 478:

A bill to be entitled An Act to empower Boards of County Commissioners of the various counties of this State to appropriate and expend moneys for the purchase of poisons or other insecticides, fungicides, or disinfectants for the purpose of combating or suppressing serious insect pests or diseases of crops or diseases or parasites of live stock.

Which was read the first time by title only and referred to the Committee on Agriculture and Live Stock.

By Senator Johns—

Senate Bill No. 479:

A bill to be entitled An Act to promote the planting and production, within the State of Florida, of Sea Island cotton; in the exercise of the reserved powers of the State of Florida to provide protection for growers and producers of such cotton against hybridization and reduction in value thereof; to that end providing for creation of cotton production control districts; prohibiting the production, in said districts, of any type of cotton other than Sea Island Cotton; also prohibiting the planting therein of any type of cotton seed or plants other than Sea Island cotton seed or plants; providing for the administration and enforcement of the provisions hereof; making

an annual appropriation for the purpose of carrying out the provisions hereof; providing penalties and punishment for violation of the provisions hereof.

Which was read the first time by title only and referred to the Committee on Agriculture and Live Stock.

By Senator Dame—

Senate Bill No. 480:

A bill to be entitled An Act to amend Chapter 12289 (No. 484) Acts of Legislature 1927.

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

By Senator Tillman—

Senate Bill No. 481:

A bill to be entitled An Act to amend Section 1 of Chapter 16058, Laws of Florida of 1933, being "An Act providing for and creating Jury Commissioners in all counties of the State of Florida having a population exceeding 155,000 by the last preceding Federal census, and prescribing their qualifications, method of appointment, powers, duties, functions and official terms, and providing for the selection, listing and procurement of jurors in such counties."

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

By Senators Westbrook and Touchton—

Senate Bill No. 482:

A bill to be entitled An Act to prohibit the use of seines and stop nets in the inland waters of the State of Florida, and to limit the twine and mesh size of all nets, used in inland waters and providing penalties for violation of same.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Graham—

Senate Bill No. 483:

A bill to be entitled An Act providing for the cancellation and release of all State, Dade County and Okeechobee flood control district Tax Sale Certificates and all outstanding Tax Sale Certificates held and owned by the State of Florida, Dade County and Okeechobee flood control district, on and over lots 1, 2, 3, and 4, block "C," of Highland Park, according to the plat thereof recorded in plat book 2 at page 13 of the Public Records of Dade County, Florida.

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

Senator Beall moved that Senate Bill No. 330 be recalled from the Committee on Appropriations and referred to the Committee on Pensions and Claims.

Which was agreed to and it was so ordered.

Senator Tillman moved that Senate Bill No. 328 be recalled from the Committee on Enrolled Bills.

Which was agreed to and Senate Bill No. 328 was recalled from the Committee on Enrolled Bills.

Senator Tillman moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 328 passed the Senate on April 19, 1937.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 328 passed the Senate.

By unanimous consent Senator Tillman withdrew Senate Bill No. 328.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:00 o'clock P. M. until 11:00 o'clock A. M. Wednesday, April 28, 1937.