

JOURNAL OF THE SENATE

Wednesday, April 14, 1937

The Senate convened at 11:00 o'clock A. M. pursuant to adjournment on Tuesday, April 13, 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, Murphy, Nordman, Parker, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—34.

A quorum present.

Senators Savage, Parrish, McKenzie and Mapoles were excused from attendance upon the Session.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Tuesday, April 13, 1937 was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 13, 1937.

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

Sir:

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 19:

A Joint Resolution proposing an amendment to Article IX of the Constitution relating to taxation;

And—

Senate Joint Resolution No. 97:

A Joint Resolution proposing an amendment to Article Nine (9) of the Constitution of the State of Florida, relative to taxation and finance, to be known as Section Fifteen (15) of Article Nine (9);

And—

Senate Joint Resolution No. 20:

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.

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

Very respectfully,
J. TURNER BUTLER,
Chairman of Committee.

And Senate Joint Resolutions Nos. 19, 97 and 20, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Butler, Chairman of the Committee on Constitutional Amendments, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 13, 1937.

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

Sir:

Your Committee on Constitutional Amendments, to whom was referred:

Senate Bill No. 12:

A bill to be entitled An Act to provide for the utilization of persons drawn for jury service, as court bailiffs, and providing the manner in which, and by whom, court bailiffs shall be selected and appointed, and repealing so much of Section 1, Chapter 10091, Laws of Florida, 1925, as provides

compensation and fees to sheriffs for use and employment of bailiffs;

And—

Joint Resolution No. 21:

A Joint Resolution proposing the amendment of Section 7 of Article X of the Constitution, relating to the exemption of homesteads from taxation;

And—

Joint Resolution No. 81:

A Joint Resolution proposing an amendment to Section 21 of Article 3, of the Constitution of the State of Florida relating to the publication of notice of intention to pass local or special laws;

And—

Senate Joint Resolution No. 84:

A Joint Resolution proposing an amendment to Section 18 of Article III of the Constitution of the State of Florida relating to the Legislative department by providing for a referendum upon Acts of the Legislature in certain cases;

And—

Joint Resolution No. 89:

A Joint Resolution proposing the amendment of Section 2 of Article IX of the Constitution, abolishing ad valorem taxation for State purposes;

And—

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;

And—

Joint Resolution No. 118:

A Joint Resolution proposing to amend Section Six of Article Nine of the Constitution of the State of Florida, relating to State District and to Municipal Bonded Indebtedness;

And—

Joint Resolution No. 119:

A Joint Resolution proposing to amend Section Nine of Article Twelve of the Constitution of the State of Florida, relating to education and particularly to the County School Fund;

And—

Joint Resolution No. 141:

A Joint Resolution proposing an amendment to Section 2, of Article IX, of the Constitution of Florida, relating to Taxation and Finance.

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

Very respectfully,
J. TURNER BUTLER,
Chairman of Committee.

And Senate Bill No 12 and Senate Joint Resolutions Nos. 21, 81, 84, 89, 116, 118, 119 and 141, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 13th, 1937.

Honorable D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 57:

A bill to be entitled An Act authorizing the Governor, Comp-

troller 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, 1927, the same being Section 176 of the Compiled General Laws of Florida 1920, 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 had the same under consideration, and recommend that the same do pass.

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

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

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 13th, 1937.

Honorable D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 79:

A bill to be entitled An Act to provide for the payment of premiums on fidelity bonds of State officers and employees.

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

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 13th, 1937.

Honorable D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

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

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

And Senate Bill No. 25, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tillman, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 13th, 1937.

Honorable D. Stuart Gillis,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 94:

A bill to be entitled An Act repealing Chapter 12412, Laws of Florida 1927, being the same as Sections 1061, 1062, 1063, 1064, 1065 and 1066 of the Compiled General Laws of 1927.

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

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

Senate Chamber,
Tallahassee, Fla., April 14, 1937.

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

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 105:

A bill to be entitled An Act to amend Section 2463 of the Revised General Statutes of Florida, (1920) as amended by Chapter 8540 of Acts of 1921, Chapter 9303 of Acts of 1923, Chapter 10202 of Acts of 1925, Chapter 12194 of Acts of 1927, Chapter 13758 of Acts of 1929, Chapter 14820 of Acts of 1931, and Chapter 16101 of Acts of 1933, relating to duties of pilots commission, examination, licensing, appointment and number of pilots.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 105, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 14, 1937.

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

Sir:

Your Committee on Appropriations, to whom was referred:

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., April 14, 1937.

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

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 178:

A bill to be entitled An Act to require the Comptroller of the State of Florida to keep an accumulative monthly record of salaries and travel expenses and/or subsistence paid each State officer or employee, whether paid from State funds or partly from State funds and/or from funds other than State funds; to require that any State officer or employee receiving part of his salary and/or travel expenses and/or subsistence from other than State funds to report same to the Comptroller; to provide a penalty for failure to so report; and to provide for publishing each fiscal year a list of all State officials and employees of the State of Florida, or any agency of the State of Florida, showing title of position held, amount of salary received from all sources and travel expenses and/or subsistence received from all sources during the said fiscal year.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 178, 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., April 14, 1937.

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

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

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 qualifications of jurors.

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

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

Senate Chamber,
Tallahassee, Fla., April 14, 1937.

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

Sir:
Your Committee on Motor Vehicles, to whom was referred:

Senate Bill No. 162:

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

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

Very respectfully,
H. G. MURPHY,
Chairman of Committee.

And Senate Bill No. 162, 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 13, 1937.

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

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

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.

And—

Senate Bill No. 172:

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

And—

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 expense on account of an accident suffered on June 30, 1933, while in performance of duty as traveling auditor for the State Comptroller.

And—

Senate Bill No. 47:

A bill to be entitled An Act for the relief of Ralph Shaw, of Escambia County, Florida.

And—

Senate Bill No. 49:

A bill to be entitled An Act for the relief of Mrs. Lottie Lague, of Pensacola, Escambia County, Florida.

And—

Senate Bill No. 83:

A bill to be entitled An Act for the awarding of a Special Pension to Mrs. L. E. Mosely, of Starke, Bradford County, Florida.

And—

Senate Bill No. 72:

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

And—

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.

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. 125, 172, 174, 47, 49, 83, 72 and 74, contained in the above report, were placed on the Calendar of Bills on second reading.

INTRODUCTION OF BILLS

By Senators Touchton and Coulter—

Senate Bill No. 205:

A bill to be entitled An Act to prohibit the capture, injury or killing of alligators and/or crocodiles, the sale, transporting, and transporting for sale of alligators and/or crocodiles, or their skins, teeth, or eggs; and providing penalties for violation thereof.

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

By Senators Touchton and McArthur—

Senate Bill No. 206:

A bill to be entitled An Act to establish a one-dollar statewide license for taking fresh water fish applying to all resident male persons of the State of Florida above the age of fifteen, and the same in the amount of two dollars applying to all non-resident male persons above the age of fifteen, and providing penalties for the violation of same.

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

By Senator Touchton—

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.

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

By Senators Murphy and Holland—

Senate Bill No. 208:

A bill to be entitled An Act to designate the terms of court and the dates thereof in the Tenth Judicial Circuit of Florida.

Which was read the first time by title only.

Senator Murphy moved that the rules be waived and Senate Bill No. 208 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 208 was read the second time by title only.

Senator Murphy moved that the rules be further waived and Senate Bill No. 208 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. 208 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beall, Black, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, Murphy, Nordman, Parker, Rose, Sharit, Smith,

Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—33.

Nays—None.

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

By Senator Clarke—

Senate Bill No. 209:

A bill to be entitled An Act concerning notaries public who are stockholders, directors, officers, or employees of banks or other corporations.

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

By Senator Coulter—

Senate Bill No. 210:

A bill to be entitled An Act to ratify, approve, confirm and validate the notice given by the Board of County Commissioners for Levy County, Florida, under the provisions of Section 2384 Compiled General Laws of Florida 1927; and the Resolution adopted by the Board of County Commissioners for Levy County, Florida, on October 8, 1935, both appearing of record in the minutes of said board; and to ratify, approve, confirm and validate the entire Resolution adopted by the Board of County Commissioners of Levy County, Florida, at their regular meeting or February 2, 1937, and as amended by the Board of County Commissioners of Levy County, Florida, on February 15, 1937, at a special meeting of said board authorizing and directing that there be borrowed the sum of \$22,000.00 to aid in financing the construction of a County and Circuit Court Building at Bronson, in Levy County, Florida, and adopting a form of tax anticipation note and authorizing its execution and issuance, both of said Resolutions appearing of record in the minutes of said board; and to ratify, confirm, approve and validate all other Acts and proceedings of the Board of County Commissioners of Levy County, Florida, relative to the building of a County and Circuit Court House Building and procuring of a loan of \$22,000.00 for use in building the County and Circuit Court House Building at Bronson, Florida; and to ratify, approve, confirm, validate and make legal and binding obligations of Levy County, Florida, the \$22,000.00 of tax anticipation notes described in said Resolution, as amended on February 15, 1937.

The following proof of publication was attached to Senate Bill No. 210 when it was introduced in the Senate:

SPECIAL OR LOCAL LEGISLATION FOR LEVY COUNTY, FLORIDA.

Notice is hereby given that I will have introduced in the Legislature of Florida at its regular Session to be held in 1937, commencing the 6th day of April, 1937, to-wit:

A bill to be entitled An Act to ratify, approve, confirm and validate the notice given by the Board of County Commissioners for Levy County, Florida, under the provisions of Section 2384 Compiled General Laws of Florida, 1927; and the Resolution adopted by the Board of County Commissioners for Levy County, Florida, on October 8, 1935, both appearing of record in the minutes of said board; and to ratify, approve, confirm and validate the entire Resolution adopted by the Board of County Commissioners of Levy County, Florida, at their regular meeting on February 2, 1937, and as amended by the Board of County Commissioners of Levy County, Florida on February 15, 1937, at a special meeting of said board authorizing and directing that there be borrowed the sum of \$22,000.00 to aid in financing the construction of a County and Circuit Court Building at Bronson, in Levy County, Florida, and adopting a form of tax anticipation note and authorizing its execution and issuance, both of said Resolutions appearing of record in the minutes of said board, and to ratify, confirm, approve and validate all other Acts and proceedings of the Board of County Commissioners of Levy County, Florida, relative to the building of a County and Circuit Court House Building and procuring of a loan of \$22,000.00 for use in building the County and Circuit Court House Building at Bronson, Florida; and to ratify, approve, confirm, validate and make legal and binding obligations of Levy County, Florida, the \$22,000.00 of tax anticipation notes described in said Resolution, as amended on February 15, 1937.

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

Section 1. That the notice given by the Board of County Commissioners of Levy County, Florida, under the provisions

of Section 2384, Compiled General Laws of Florida 1927 pursuant to which the Resolution dated October 8, 1935, was adopted and the Resolution passed and adopted by the Board of County Commissioners of Levy County, Florida, on October 8, 1935, relative to the levy of a building tax of five (5) mills on the dollar on all of the taxable property in Levy County, Florida, per annum for five (5) consecutive years, commencing with the year 1935 and ending with the year 1939, the said Notice and Resolution appearing recorded in the Minutes of the Board of County Commissioners of Levy County, Florida, be and each of the same are hereby ratified, approved, confirmed and made valid and legal in every respect whatsoever.

Section II. That the Resolution adopted by the Board of County Commissioners for Levy County, Florida, at their regular meeting on Feb. 2, 1937, and as amended by the Board of County Commissioners for Levy County, Florida, on Feb. 15, 1937, at a special meeting of said Board of County Commissioners, both the original and amended Resolution appearing of record in the Minutes of said Board authorizing and directing that there be borrowed the sum of \$22,000.00 to aid in financing the construction of a County and Circuit Court House building at Bronson, in Levy County, Florida; and adopting a form of tax anticipation note therein and authorizing its execution and issuance, be and the same are hereby wholly and entirely ratified, approved, confirmed and made valid and legal in every respect whatsoever.

Section III. That all other acts and proceedings of the

Board of County Commissioners of Levy County, Florida, had and taken relative to the building of a County and Circuit Court House building at Bronson, in Levy County, Florida, and in the procuring of said loan of \$22,000.00 for use in financing

Section IV. That the \$22,000.00 of tax anticipation interest bearing notes issued by the Board of County Commissioners for the County of Levy and State of Florida, on February 15, 1937, in the denomination of \$500.00 each, and numbered from one to forty-four inclusive, and described and set forth in the said Resolution of the Board of County Commissioners for Levy County, Florida, adopted Feb. 2, 1937, and as amended on Feb. 15, 1937, which said forty-four (44) tax anticipation interest bearing notes are to be paid out of the special tax levy of five (5) mills on the dollar on all of the property in Levy County, Florida, said levies to be made for the years 1937, 1938 and 1939, be and they each are and all and every of them are hereby ratified, approved, confirmed, validated and made legal and binding obligations of Levy County, Florida, to be paid out of the special tax levy of five (5) mills on the dollar as hereinbefore stated.

the building of said County and Circuit Court building at Bronson, Florida, be and the same are hereby fully ratified, approved, confirmed and made valid.

Section V. That any section, part of section or clause of this Act which for any reason may be declared invalid may be eliminated from this Act and the remaining portion or portions thereof shall be and remain in force and valid as if such invalid section or part of section or clause had not been incorporated therein.

be and the same are hereby repealed.

Section VII. This Act shall take effect immediately upon its passage and approval by the Governor or upon its becoming a Law without such approval."

Which notice is being given to the Legislature of the State of Florida of 1937, at its regular session, by John R. Willis, Attorney, Bronson, Fla.

AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA)
COUNTY OF LEVY)

Before me, the undersigned authority, duly authorized to administer oaths and take acknowledgments in Florida, personally appeared Roy B. Child, who being first duly sworn, on his oath does solemnly swear (or affirm) that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated Law or proposed Bill relating to the ratification, approving, confirming and validating the notice given by the Board of County Commissioners for Levy County, Florida, under the provisions of Section 2384 Compiled General Laws of Florida 1927; and the Resolution adopted by the Board of County Commissioners for Levy County, Florida, on October 8, 1935, both appearing of record in the Minutes of said Board; and to ratify, approve, confirm and validate the entire Resolution adopted by the Board of County Commissioners of Levy County, Florida, at

their regular meeting on February 2, 1937, and as amended by the Board of County Commissioners of Levy County, Florida, on Feb. 15, 1937, at a special meeting of said Board, authorizing and directing that there be borrowed the sum of \$22,000.00 to aid in financing the construction of a County and Circuit Court building at Bronson, in Levy County, Florida, and adopting a form of tax anticipation note and authorizing its execution and issuance, both of said Resolutions appearing of record in Minutes of said Board; and to ratify, confirm, approve, and validate all other acts and proceedings of the Board of County Commissioners of Levy County, Florida, relating to the building of a County and Circuit Court House building and procuring of a loan for \$22,000.00 for use in building the County and Circuit Court House building in Bronson, Fla., and to ratify, approve, confirm, validate and make legal and binding obligations of Levy County, Florida, the \$22,000.00 of tax anticipation notes described in said Resolution as amended on Feb. 15, 1937; has been published at least thirty days prior to the convening of the Legislature of Florida, on to-wit: April 6, 1937, by being printed in the issue of February 25, 1937, of the Levy County Journal, a weekly newspaper published in Bronson, Levy County, Florida, and of a general circulation, where the matter or thing to be affected by the contemplated Law is situated; that a true copy of the notice that has been published as aforesaid and also this affidavit of 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.

ROY B. CHILD.

Sworn to and subscribed before me, this the 25th day of March, A. D. 1937.

(Seal)

A. H. WILSON,
Notary Public, State of Florida.

My Commission expires July 7, 1937.

Which was read the first time by title only.

Senator Coulter moved that the rules be waived and Senate Bill No. 210 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 210 was read the second time by title only.

Senator Coulter moved that the rules be further waived and Senate Bill No. 210 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. 210 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beall, Black, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hinely, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, McArthur, Parker, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—31.

Nays—None.

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

By Senator Beall—

Senate Bill No. 211:

A bill to be entitled An Act to amend Section 11 of Chapter 16774, Acts of 1935, the same being 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 read the first time by title only and referred to the Committee on Temperance.

By Senator Kanner—

Senate Bill No. 212:

A bill to be entitled An Act to confirm and validate all sales and conveyances, and contracts for the sale of lands made by the Trustees of the Internal Improvement Fund of the State of Florida under the provisions of Sections 1061 and 1062 of the Revised General Statutes of Florida, now Sections 1391 and 1392, Compiled General Laws of Florida, 1927.

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

Senate Bill No. 213:

A bill to be entitled An Act to amend Sections 2983 and 2986 of the Revised General Statutes of Florida relating to the sale

By Senator Kanner—
and distribution of volumes of the Supreme Court Reports, said Sections being Sections 4717 and 4720, Compiled General Laws.

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

By Senator Westbrook—

Senate Bill No. 214:

A bill to be entitled An Act to prohibit payment of expenses of any official or employee of the State of Florida or any agency thereof when outside of the State of Florida, except upon certain conditions.

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

By Senator Parker—

Senate Bill No. 215:

A bill to be entitled An Act to repeal Chapter 16789, Laws of Florida, Acts of 1935, entitled "An Act for the promotion and encouragement of aviation: exempting aviation motor fuel of 78 octane number (A. S. T. M. method D-357-33T) rating or higher from the payment of any excise taxes levied by the State of Florida and repealing all laws in conflict herewith."

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

By Senators Black, Walker, Hodges, Adams, Kelly, Gillis, Kanner, Parker, Beall, Gomez, Parrish, Touchton, Sweger, Smith, Kendrick, Holland, Butler, Hinely, Dugger, Beacham, Graham and McArthur—

Senate Bill No. 216:

A bill to be entitled An Act to amend Section Two of Chapter 17,110 of Laws of 1935 being "An Act relating to mortgages or other instruments creating liens on farm equipment, live stock, agricultural, horticultural and fruit crops, planted, growing and to be planted, grown and raised, or any of them, securing existing indebtedness and/or future advances, including optional and obligatory advances; providing for the priority or such mortgages or other instruments; and providing when this Act shall become effective."

Which was read the first time by title only.

Senator Black moved that the rules be waived and Senate Bill No. 216 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 216 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 216 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. 216 was read the third time in full.

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

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

Nays—None.

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

By Senator Dame—

Senate Bill No. 217:

A bill to be entitled An Act to amend Sections 4 and 8 of Chapter 15911, Acts of 1933, Laws of Florida, entitled: "An Act defining and regulating the practice of chiropody, providing for the exemption from this act, creating a board of chiropody examiners, providing penalties for violation of this act, repealing laws in conflict herewith and fixing the date upon which this act becomes effective"; and to further amend said Chapter 15911, by adding six new sections to be known and described as (12), (13), (14), (15), (16), and (17) thereof, providing for: (12) refusal to grant license; revocations. (13) Hearings of charges against accused; form

of notice to accused. (14) Board's power to revoke license of chiropracist. (15) Records to be kept by secretary-treasurer of board. (16) Practicing chiropody without license, etc. (17) Effect of partial invalidity of chapter.

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

By Senators Johns and McArthur—

Senate Bill No. 218:

A bill to be entitled An Act authorizing the graduates of the Jacksonville Law School to be admitted to practice law in all the courts in the State of Florida without further examination as to their legal knowledge.

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

By Senator Johns—

Senate Bill No. 219:

A bill to be entitled An Act providing for the reimbursement for lawful costs legally adjudged against and paid by any county in all lunacy proceedings and criminal prosecutions against State convicts imprisoned at the State Prison at Raiford and in all habeas corpus cases brought to test the legality of the imprisonment of State convicts imprisoned at the State Prison Farm at Raiford; providing the manner of making requisition for and the refund thereof from the State Treasury.

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

By Senator Wynn—

Senate Bill No. 220:

A bill to be entitled An Act creating the elective office of County Attorney in and for Jackson County, Florida, fixing the term of said office and the method of filling same, prescribing the duties of said County Attorney and fixing and prescribing his fees and salary therefor.

The following proof of publication was attached to Senate Bill No. 220 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY TO 1937 REGULAR SESSION OF FLORIDA LEGISLATURE FOR PASSAGE OF LOCAL BILL.

Notice is hereby given, that the undersigned will apply to the Legislature of the State of Florida, at its regular session to be held in the year 1937, for the passage of a local bill, the substance of which shall be as follows:

1. Creating the elective office of County Attorney in and for Jackson County, Florida.
2. Fixing the term of office, of said office of County Attorney, and prescribing the method and time of filling same.
3. Fixing and prescribing the duties of said office of County Attorney.
4. Fixing and prescribing the fees and salary to be paid as compensation to said County Attorney.
5. The said bill will contain such other and further provisions as may be necessary to put the same into effect.

J. TROY PEACOCK,
Representative for Jackson County, Group 2.
JOHN C. WYNN,
State Senator for 4th District.

3-5-4t

STATE OF FLORIDA)
COUNTY OF LEON)

Before the undersigned authority personally appeared John C. Wynn, 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 creating the elective office of County Attorney in and for Jackson County, Florida, fixing the term of office of said office of County Attorney, and prescribing the method and time of filling same, fixing and prescribing the duties of said office of County Attorney, fixing and prescribing the fees and salary to be paid as compensation to said County Attorney, and the said bill will contain such other and further provisions as may be necessary to put the same into effect, has been published at least thirty days prior to this date, by being printed in the issues of March 5th, 1937, March 12th, 1937, March 19th, 1937 and March 26th, 1937, of the Jackson County Floridan, a newspaper published in Jackson County, Florida, where the matters or things to be effected by the contemplated law is situ-

ated; that a copy of the notice that has been published as aforesaid and also this affidavit of 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.

JOHN C. WYNN.

Sworn to and subscribed before me this 10 day of April, 1937.
LEILA M. LANGFORD,

(SEAL)

Notary Public, State of Florida at Large.

My Commission Expires March 9, 1941.

Which was read the first time by title only.

Senator Wynn moved that the rules be waived and Senate Bill No. 220 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 220 was read the second time by title only.

Senator Wynn moved that the rules be further waived and Senate Bill No. 220 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. 220 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hodges, Holland, Johns, Kanner, Kelly, Kendrick McArthur, Murphy, Parker, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—31.

Nays—None.

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

By Senator Dugger—

Senate Bill No. 221:

A bill to be entitled An Act providing for the erection of fences and cattleguards to prevent the intrusion of live stock upon the State roads in this State, declaring public policy in relation thereto, prescribing the powers and duties of the State Road Department of Florida in the erection and maintenance of such fences and cattleguards, and providing for payment of expenses incident to the erection and maintenance of such fences and cattleguards.

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

By Senator Murphy—

Senate Bill No. 222:

A bill to be entitled An Act to exempt property of religious and charitable institutions from taxes.

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

By Senator Murphy—

Senate Bill No. 223:

A bill to be entitled An Act to provide for the seizure of alcoholic beverages from persons arrested for violation of Chapter 16774 Laws of Florida, or any other law of Florida relative to alcoholic liquors, and for the sale thereof upon conviction of the person arrested; prescribing the method of sale and the notice thereof and the fees of the Sheriff for making the same; providing for disposition of beverages the containers of which are not properly stamped.

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

By Senator Murphy—

Senate Bill No. 224:

A bill to be entitled An Act imposing license taxes on resorts where beverages containing more than one per cent of alcohol are sold and dancing is permitted; providing for the issuance of the licenses and fixing the amount of the taxes; and prescribing the penalty for the violation of the act.

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

By Senator Murphy—

Senate Bill No. 225:

A bill to be entitled An Act amending Chapter 6068 of the

Revised General Statutes of Florida of 1920, otherwise published as Section 8373 of the compiled General Laws of Florida of 1927, relating to embezzlement, by striking out that part of said section providing for the taking of evidence of such embezzlement committed six months after the date stated in the indictment or information, and providing for the taking of testimony or evidence of acts of embezzlement at any time within two years prior to the filing of the indictment or information.

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

By Senator Murphy—
Senate Bill No. 226:

A bill to be entitled An Act to prohibit a parent from decoying or forcibly taking his or her child from another parent with intent to remove same from the State, or having possession, from removing same from the State under certain circumstances; and providing punishment therefor.

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

By Senator Murphy—
Senate Bill No. 227:

A bill to be entitled An Act amending Section 3227 of the revised General Statutes of Florida for 1920, also published as Section 5033 of the compiled General Laws of Florida for 1927, relating to the abatement of nuisances by orders and decrees of courts of chancery of the State of Florida.

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

By Senator Murphy—
Senate Bill No. 228:

A bill to be entitled An Act to prescribe the period of time within which any deputy, clerk or employee in any state, county or municipal office may be prosecuted for any offense committed during his term or period of employment.

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

By Senator Murphy—
Senate Joint Resolution No. 229:

A Joint Resolution proposing to amend Section 22 of Article V of the Constitution of the State of Florida relating to Justices of the Peace.

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

That Section 22 of Article V of the Constitution of the State of Florida, relating to justices of the peace, 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 22 of Article V as amended shall read as follows:

"Section 22. The Justices of the Peace shall have jurisdiction in cases at law in which the demand or value of the property involved does not exceed \$100.00, and in which the cause of action accrued or the defendant resides in his district; and in such criminal cases, except felonies, as may be prescribed by law, and he shall have power to issue process for the arrest of all persons charged with felonies and misdemeanors not within his jurisdiction to try, and make the same returnable before himself or the county judge for examination, discharge, commitment or bail of the accused. Justices of the peace shall have power to hold inquests of the dead. Trials de novo on appeal from Justice of Peace Courts are hereby abolished. Appeals from Justice of Peace Court shall be under such regulations as the Legislature may prescribe."

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

By Senator Murphy—
Senate Bill No. 230:

A bill to be entitled An Act imposing license taxes on resorts where employees of the same are permitted to dance with patrons; providing for the issuance of the licenses and fixing the amount of the taxes; and prescribing the penalty for violation of this Act.

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

By Senator Murphy—
Senate Bill No. 231:

A bill to be entitled An Act prescribing the manner in which appeals shall be taken in criminal cases from the Court of Justice of Peace; and repealing Sections 6157, 6158, 6159, and 6160, of the Revised General Statutes of Florida for 1920, also published as Sections 8471, 8472, 8473, and 8474 of the Compiled General Laws of Florida for 1927.

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

By Senator Graham—
Senate Bill No. 232:

A bill to be entitled An Act to prohibit the sale and shipment of Tarpon (Tarpon Atlanticus), within the State of Florida, and providing penalties for the violation thereof.

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

By Senator Gomez—
Senate Bill No. 233:

A bill to be entitled An Act fixing the compensation for the members of the Board of County Commissioners of Monroe County, Florida, for services rendered and expenses incurred; and designating the fund out of which said compensation shall be paid.

The following proof of publication was attached to Senate Bill No. 233 when it was introduced in the Senate:

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 increasing the salary of the members of the Board of County Commissioners of Monroe County, Florida, from \$75.00 to \$100.00 per month except the Chairman's whose salary shall be \$125.00 per month.

Dated this 4th day of March, A. D. 1937.

ARTHUR GOMEZ,
State Senator, 24th Senatorial District.

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 increasing the salary of the members of the Board of County Commissioners of Monroe County, Florida, from \$75.00 to \$100.00 per month except the Chairman's whose salary shall be \$125.00 per month, has been published at least thirty days prior to this date, by being printed in the issue of March 4, 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 5th day of April, 1937.

(Seal)

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

My Commission expires July 16, 1940.

Which was read the first time by title only.

Senator Gomez moved that the rules be waived and Senate Bill No. 233 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 233 was read the second time by title only.

Senator Gomez moved that the rules be further waived and Senate Bill No. 233 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. 233 was read the third time in full.

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

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

Nays—None.

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

By Senator Gomez—

Senate Bill No. 234:

A bill to be entitled 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.

The following proof of publication was attached to Senate Bill No. 234 when it was introduced in the Senate:

**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 permitting a Judge of the Criminal Court of Record to engage in the practice of law.

Dated this 4th day of March, A. D. 1937.

BOARD OF COUNTY COMMISSIONERS,
By Carl Bervaldi,
Chairman.

**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 permitting a Judge of the Criminal Court of Record to engage in the practice of law has been published at least thirty days prior to this date, by being printed in the issue of March 4th, 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 5th day of April, 1937.

(Seal) SD. JOSEPH B. ALLEN, JR.,
Notary Public.

My Commission expires July 16, 1940.

Which was read the first time by title only.

Senator Gomez moved that the rules be waived and Senate Bill No. 234 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 234 was read the second time by title only.

Senator Gomez moved that the rules be further waived and Senate Bill No. 234 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. 234 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Hodges, Holland, Johns, Kanner, Kelly, Kendrick, Murphy, Parker, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—29.

Nays—None.

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

By Senator Gomez—

Senate Bill No. 235:

A bill to be entitled An Act to amend Section 2 of Chapter 16598, Laws of Florida, 1933, entitled "An Act creating and establishing a special district in Monroe County, Florida, to be known as 'Overseas Road and Toll Bridge District,' defining the territory included therein; providing for its government and administration and for the appointment of a Board of Commissioners therefor; defining the purposes and powers of said district; defining the powers, duties, privileges and liabilities of the Board of Commissioners thereof; authorizing the establishment of rules and regulations and providing penalties for the violation thereof; authorizing the establishment, construction, maintenance and operation of toll bridges and toll highways therein to complete a highway extending from Miami to Key West via Key Largo; authorizing said district to borrow money and issue evidences of indebtedness; providing for the repayment of such borrowed moneys and the interest thereon out of tolls and charges for the use of said toll bridges and toll highways; providing for the validating of said evidences of indebtedness; conferring the right of eminent domain on said district; granting to said district a right-of-way over any lands, waters or submerged lands belonging to the State of Florida in said district; authorizing the doing of all other acts and things necessary, incident and proper in furtherance of the purposes and objects aforesaid, including the levy of an annual ad valorem tax for the maintenance, repair, and operation of said toll bridges and toll highways, and repealing all laws or parts of laws in conflict herewith."

The following proof of publication was attached to Senate Bill No. 235 when it was introduced in the Senate:

**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:

To amend Section 2 of Chapter 16598, Laws of Florida, 1933, the same being an Act establishing a special district in Monroe County, Florida, known as Overseas Road and Toll Bridge District. The proposed amendment to said Act will require the appointment of five commissioners from residents and citizens of Monroe County, Florida; whose appointment shall be by the Governor by and with the consent of the Senate.

Dated this 4th day of March, A. D. 1937.

BOARD OF COUNTY COMMISSIONERS,
By Carl Bervaldi,
Chairman.

**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 amend Section 2 of Chapter 16598, Laws of Florida, 1933, the same being an Act establishing a special district in Monroe County, Florida, known as Overseas Road and Toll Bridge District. The proposed amendment to said Act will require the appointment of five commissioners from residents and citizens of Monroe County, Florida; whose appointment shall be by the Governor by and with the consent of the Senate, has been published at least thirty days prior to this date, by being printed in the issue of March 4, 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

(SEAL)

Sworn to and subscribed before me this 5th day of April, 1937.

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

My Commission Expires: July 16, 1940.

Which was read the first time by title only.

Senator Gomez moved that the rules be waived and Senate Bill No. 235 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 235 was read the second time by title only.

Senator Gomez moved that the rules be further waived and Senate Bill No. 235 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. 235 was read the third time in full.

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

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

Nays—None.

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

By Senator Johns—
Senate Bill No. 236:

A bill to be entitled 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.

The following proof of publication was attached to Senate Bill No. 236 when it was introduced in the Senate:

NOTICE

Notice is hereby given that at the next session of the Legislature of the State of Florida to be convened in April of the year 1937, there will be introduced, for the purpose of passage, a local bill applying exclusively to Union County, Florida, for the purpose of enabling Union County, by and through its Board of County Commissioners and the State Treasurer of the State of Florida as ex-officio treasurer of said county, or other officials of said county, to refund to those taxpayers of Union County who paid to the tax collector of said county a certain millage for debt service amounting to seventy-four mills which was levied for the year 1934 in obedience to the terms of a peremptory Writ of Mandamus issuing out of the Supreme Court of the State of Florida; and prescribing the manner in which and the means by which said refund shall be accomplished.

JOE HILL WILLIAMS,
County Attorney.

3-5-9

AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF UNION)

Before the undersigned authority personally appeared F. R. Pound, 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 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; has been published at least thirty days prior to this date, by being printed in the issues of March 5, 1937, March 12, 1937, March 19, 1937, March 26, 1937 and April 2, 1937, of the Union County Times, a newspaper published in Union County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of 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.

F. R. POUND,

Sworn to and subscribed before me this 12th day of April, A. D. 1937.

J. R. TOWNSEND,
County Judge,
Union County, Fla.

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF UNION) ss.:

On this day personally appeared before me F. R. Pound, to me well known, who, being by me first duly sworn, deposes and says that he is the Publisher of the UNION COUNTY TIMES, a newspaper published in the City of Lake Butler, County of Union, and State of Florida; that said newspaper has been published in accordance with the provisions and requirements of an act relating to publication of legal notices and process in newspapers in the State of Florida, Laws of Florida, Acts of 1931, approved May 20, 1931, and known as Senate Bill No. 58; and that the attached advertisement, viz.:

Notice of intention to apply for local law, relating to refund of certain taxes to Union County tax-payers was published in said newspaper once each week for a period of five weeks, beginning with the issue of March 5, 1937, and ending with the issue of April 2, 1937, and that the other dates of publication were March 12, 1937, March 19, 1937 and March 26, A. D. 1937.

F. R. POUND,

Sworn to and subscribed before me this 10th day of April, A. D. 1937.

C. B. HAYES,
Clerk Circuit Court,
Union County, Fla.

Which was read the first time by title only.

Senator Johns moved that the rules be waived and Senate Bill No. 236 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 236 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 236 be read the first time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 236 was read the third time in full.

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

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

Nays—None.

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

Senator Touchton moved that the rules be waived and the hour of adjournment at the morning session of the Senate on Thursday, April 15, 1937 be fixed at 12:45 o'clock P. M.

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

By Senator Butler—
Senate Bill No. 237:

A bill to be entitled An Act to provide for the trial of Civil Proceedings by the Trial Judge without a jury upon the request of parties to such proceedings.

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

By Senator Tervin—
Senate Bill No. 238:

A bill to be entitled An Act to amend Section 7493, compiled Laws of Florida, same being Section 5358 of the revised Statutes of Florida relating to the business of making abstracts: to the fees allowed to be charged therefor and providing for penalties for the violation thereof.

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

Senator Walker moved that two members of the Senate be added to the committee heretofore appointed on the part of the Senate to act with a like committee on the part of the House of Representatives to confer with officials of the State of Georgia regarding legislation recently enacted by the Legislature of Georgia affecting the fishing industry.

Which was agreed to.

And the President appointed Senators Gomez and Kelly as the additional members of the committee.

The following message from the Governor was received and read:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

April 12, 1937.

Honorable D. Stuart Gillis,
President of the Senate,
Tallahassee, Florida.

Sir:

The attached data on the John Ringling Art Museum, together with the opinion of the Attorney General, are transmitted to you for your consideration to pass any law or take such action as you may see fit for the best interest of the State of Florida.

Respectfully submitted,
FRED P. CONE,
Governor.

Senator Tervin moved that the foregoing message from the Governor, together with the data attached thereto, be referred to the Committee on Judiciary "B."

Which was agreed to and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 14, 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 adopted—

Senate Concurrent Resolution No. 2:

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES PROPOSING A JOINT SESSION OF THE LEGISLATURE TO BE HELD FOR THE PURPOSE OF CONDUCTING MEMORIAL EXERCISES IN MEMORY OF THE HONORABLE DUNCAN U. FLETCHER AND THE HONORABLE PARK M. TRAMMELL, LATE UNITED STATES SENATORS FROM THE STATE OF FLORIDA.

WHEREAS, on May 8, 1936 the Honorable Park M. Trammell, former Governor of the State of Florida and for more than eighteen years the junior Senator from Florida in the Senate of the United States, departed this life, and whereas on June 17, 1936, shortly thereafter, the Honorable Duncan U. Fletcher, the Senior Senator from Florida in the Senate of the United States departed this life after having served nearly thirty years in the highest branch of the National Congress as Florida's senior Senator, and

WHEREAS, it is appropriate that the Legislature of the State of Florida, as representative of the people of the State in session assembled, do pause in their deliberations for a sufficient period of time to convene in joint session for the purpose of recounting the lives and memories of Florida's late United States Senators, in order that the example thereof may be a source of inspiration to our posterity and an example to our contemporaries, now therefore:

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislature of the State of Florida do convene in joint session at 11:30 A. M. on Friday the 30th day of April, A. D. 1937, for the purpose of conducting suitable memorial exercises in honor of the memories of our late United States Senators Duncan U. Fletcher and Park M. Trammell, and that the President of the Senate do appoint a special committee of five Senators to work in conjunction with a similar committee of the House of Representatives of such number as the Speaker

thereof shall decide is expedient and shall appoint for that purpose, which said committee of the Senate and of the House of Representatives shall make suitable arrangements for a program to be observed at said special joint session, and shall extend invitations to such officials and citizens of the State to be heard on said program, as said committees shall determine to be appropriate for the occasion.

BE IT FURTHER RESOLVED: That the Legislature hereby invites the Honorable Charles Andrews, senior Senator and the Honorable Claude Pepper, junior Senator, as successors to Senators Trammell and Fletcher, respectively, in the Senate of the United States, to appear and address the Legislature on said occasion, and that the Honorable Fred P. Cone, as Governor of the State of Florida be extended a like invitation, and that each member of Congress from the State of Florida be invited to be present on the occasion of said memorial exercises.

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

And Senate Concurrent Resolution No. 2, contained in the above message, was referred to the Committee on Enrolled Bills.

Pursuant to the provisions of Senate Concurrent Resolution No. 2, the President appointed Senators Adams, Tillman, Black, Kelly and Beacham as the Committee.

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

Tallahassee, Fla., April 14, 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. 285:

A bill to be entitled An Act to exclude certain lands from the limits of the City of Hollywood, a municipal corporation of Broward County, Florida.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 285, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on second reading.

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

Tallahassee, Fla., April 13, 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. 276:

A bill to be entitled An Act affecting the government of the City of Jacksonville; requiring the use of voting machines in all city elections.

Also—

House Bill No. 292:

A bill to be entitled An Act to amend Section 8, of Chapter 7672, Laws of the State of Florida, Acts of 1917, entitled "An Act to abolish the present municipal government of the town of Miami Beach; in the County of Dade and State of Florida, and to establish, organize and incorporate a city government for the city of Miami Beach, to define its territorial boundaries, to prescribe its jurisdiction, powers and privileges, and for the exercise of same, and to authorize the imposition or penalties for the violation of its ordinances" as amended by Chapter 9836, Laws of Florida, Acts of 1923, entitled "An Act to amend Chapter 9023, of the Laws of Florida relating to the municipal government of the city of Miami Beach; and to amend Chapter 7672 of the Laws of Florida, relating to the municipal government of the city of Miami Beach" and as amended by Chapter 17602, Laws of Florida, Acts of 1935, entitled "An Act to amend Sections 3, 4, 10 and 14 of Chapter 9836, Laws of the State of Florida, Acts of 1923, entitled "An Act to amend Chap-

ter 9023 of the Laws of Florida, relating to the municipal government of the city of Miami Beach, and to amend Chapter 7672 of the Laws of Florida, relating to the municipal government of the city of Miami Beach" and as amended by Chapter 17605, Laws of Florida, Acts of 1936, entitled "An Act to amend Sections 3, 4, 10 and 14 of Chapter 9836, Laws of the State of Florida, Acts of 1923, entitled "An Act to amend Chapter 9023 of the Laws of Florida, relating to the municipal government of the City of Miami Beach, and to amend Chapter 7672 of the Laws of Florida, relating to the municipal government of the City of Miami Beach" and as amended by Chapter 17595, Laws of Florida, Acts of 1935, entitled "An Act to amend Section 1 of Senate Bill No. 345 of the Acts of Florida of 1935, the same being 'An Act to amend Sections 3, 4, 10 and 14 of Chapter 9836, Laws of the State of Florida, Acts of 1923, entitled "An Act to amend Chapter 9023 of the Laws of Florida, relating to the municipal government of the city of Miami Beach, and to amend Chapter 7672 of the Laws of Florida relating to the municipal government of the city of Miami Beach," defining city officers, providing and naming the officers in whom the government of the city shall be vested, abolishing the office of mayor, fixing the date of general elections, providing the term of office of present city councilmen and their successors in office, providing for a chairman of the city council who shall for certain purposes have the title of mayor and providing his duties, providing for filling his office in the event of disability or inability to act, providing for the appointment of a committeeman for each of the several departments of the city, and providing that no member of the city council may, during the term for which he was elected, be elected or appointed to any office than the office of city councilman, which shall have been created or the emoluments of which shall have been increased during such time.

Also—

House Bill No. 299:

A bill to be entitled An Act amending House Bill Number 1457, Chapter 12,335, Acts of 1927, entitled: "An Act designating a certain State road to be known as State Road Number 88, commencing on the State line dividing the State of Alabama and the State of Florida, due south of Stephens' ferry, on Pea river, in the State of Alabama, at the end of State highway in the State of Alabama, crossing said river at said ferry; thence in a southeasterly direction, the nearest and most practicable route to an intersection of the Section line dividing Sections 4 and 5, 8 and 9, 16 and 17, 20 and 21, 28 and 29, 32 and 33, township 5 north range 17 west; and Sections 4 and 5, 8 and 9, 16 and 17, 20 and 21, 28 and 29, 32 and 33, township 4 north range 17 west; and Sections 4 and 5, 8 and 9, 16 and 17, township 3 north range 17 west; point of intersection of said highway with said described Section line or lines, to be determined by the State Road Department, which from said determined point on said Section line, or lines, thence south along said described Section line, due south as nearly as practicable to a point on State Road Number 1, 330 feet from the east end of the bridge on what is known as Sandy Creek on said road; thence crossing the old Spanish Trail, or State Road Number 1, at said point and running in a southwesterly direction, crossing the L. & N. railroad between the present county road crossing and the railroad trestle on the L. & N. railroad over Sandy Creek; thence in a southerly direction from said crossing to connect with the old county road at the bridge on the county road over the little creek south of Ponce De Leon; thence to follow the old county road bed for a distance of approximately one-half (1/2) mile; thence to form a junction with State Road Number 88 at the Holmes and Walton county line; providing further that the right of way for said road for its junction with State Road Number 1 shall not be required to exceed fifty-five (55) feet in width through the unincorporated town of Ponce De Leon; provided further that nothing in this Act shall be construed to change the location of said road in Walton County, Florida, or north of the "Y" at the junction of said road with State Road Number 1 in Holmes County, Florida."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And House Bill No. 276, contained in the above message, was read the first time by title only.

Senator Butler moved that the rules be waived and House Bill No. 276 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 276 was read the second time by title only.

Senator Butler moved that the rules be further waived and House Bill No. 276 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 276 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Butler, Clarke, Coulter, Dame, Dugger, Gomez, Graham, Harper, Hodges, Holland, Kanner, Kelly, Kendrick, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook—26.

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

And House Bill No. 292, 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 Bill No. 299, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

SENATE BILLS ON SECOND READING

Senate Bill No. 26:

A bill to be entitled An Act making it a penal offense for one to practice law either directly or indirectly who has been disbarred or under suspension from the practice of law, and for an attorney at law to aid or assist either directly or indirectly in the practice of law one who has been disbarred or under suspension from the practice of law, and fixing the punishment therefor.

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. 33:

A bill to be entitled An Act making disbarment of an attorney at law by any Federal Court on a ground involving moral turpitude a ground for disbarment of attorneys at law admitted to practice in the Courts of 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. 62 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 130:

A bill to be entitled An Act relating to the lien of judgments and decrees, and providing for the recording of judgments and decrees.

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

Senator Tillman moved that Senate Bill No. 130 retain its place on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

Senate Bill No. 156:

A bill to be entitled An Act relating to the liability of an owner or operator of a motor vehicle to a guest or passenger transported without payment therefor.

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. 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 second time in full and placed on the Calendar of Bills on third reading.

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 second time in full.

Senator Hodges moved that Senate Bill No. 161 retain its place on the Calendar of Bills on second reading.

Which was agreed to and it was so ordered.

CONSIDERATION OF OTHER RESOLUTIONS

House Concurrent Resolution No. 3:

BEING A RESOLUTION ENTITLED, "IN MEMORY OF SENATOR AUGUSTUS MARION WILSON."

WHEREAS, Augustus Marion Wilson was born in Thomasville, Georgia, on December 25, 1850, and moved early in life to Manatee County, Florida, and resided in what is now Sarasota County, serving as a member of the House of Representatives from Manatee County from 1912 to 1914, and serving in the Florida Senate from 1916 to 1920, and WHEREAS, he was one of the pioneers of this State and rendered invaluable service to his county and senatorial district and the people of the State of Florida in the State Legislature and in other offices of public trust, distinguishing himself by his exemplary character and Christian faith; NOW THEREFORE;

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA AND FLORIDA SENATE:

That this State has lost a faithful and able legislator, and faithful servant, and be it further resolved that this resolution be printed in the Journal of the House of Representatives and in the Florida Senate as a token of the State's appreciation for his work and as a tribute to his memory, and that a copy of this resolution under the Great Seal of the State of Florida be furnished to the members of his family.

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

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to.

And House Concurrent Resolution No. 3 was adopted.

HOUSE BILLS ON THIRD READING

House Bill No. 18 was taken up in its order and the consideration of same was informally passed.

PETITIONS AND MEMORIALS

Senate Joint Memorial No. 4, adopted by the Legislature of the State of Oregon, with reference to the ratification of the Argentine convention and the embargo on animal products from Argentina, was read and referred to the Committee on Agriculture and Live Stock.

Senator Kelly moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 12:16 o'clock P. M.

The Senate emerged from Executive Session at 12:39 o'clock P. M., and resumed its Session.

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, Murphy, Parker, Rose, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—33.

A quorum present.

Senator Smith moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:40 o'clock P. M. until 11:00 o'clock A. M., Thursday, April 15, 1937.