

JOURNAL OF THE SENATE

Wednesday, April 21, 1937

The Senate convened at 11:00 o'clock A. M. pursuant to adjournment on Tuesday, April 20, 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.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Tuesday, April 20, 1937, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Dugger, Chairman of the Committee on Prison and Convicts, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1937.

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

Sir:

Your Committee on Prison and Convicts, to whom was referred:

Senate Bill No. 28:

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

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

Very respectfully,
J. D. DUGGER,
Chairman of Committee.

And Senate Bill No. 28, contained in the above report, was laid on the table.

Senator Tervin, Chairman of the Committee on Judiciary "B," submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

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.

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

Very respectfully,
WALLACE TERVIN,
Chairman of Committee.

And Senate Bill No. 227, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tervin, Chairman of the Committee on Judiciary "B," submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

Your Committee on Judiciary "B," to whom was referred

Senate Bill 170:

A bill to be entitled An Act to amend Sections 1 and 2 of the Chapter 12068, Laws of Florida, Acts of 1927, entitled "An Act to amend Sections 2771, 2772, 2773, 2776, 2777, 2781 and 2784 of the revised General Statutes of Florida relating to the qualifications of jurors, the selection of jury lists, the transcription and preservation of jury lists, the drawing of jury by Circuit Judge, and the procedure when jury panel quashed or none drawn, and to repeal Section 2783 of the revised General Statutes of Florida."

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

Very respectfully,
WALLACE TERVIN,
Chairman of Committee.

And Senate Bill No. 170, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tervin, Chairman of the Committee on Judiciary "B," submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

Your Committee on Judiciary "B," to whom was referred

Senate Bill 332:

A bill to be entitled An Act to provide a reasonable employment preference in public work for honorary discharged war veterans who are citizens of the State of Florida and who have served in the armed forces of the nation in any war in which the United States shall have engaged.

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

Very respectfully,
WALLACE TERVIN,
Chairman of Committee.

And Senate Bill No. 332, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Tervin, Chairman of the Committee on Judiciary "B," submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

Senate Bill 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.

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

Very respectfully,
WALLACE TERVIN,
Chairman of Committee.

And Senate Bill No. 218, contained in the above report, was laid on the table.

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

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

Senate Bill No. 289:

A bill to be entitled An Act for the relief of Southeastern Natural Gas Corporation for taxes paid under protest by Southeastern Natural Gas Corporation, Southeastern Natural Gas Company and Super Fuel Company under Chapter 15658, Laws of Florida, Acts of 1931, and making an appropriation therefor and directing the proper State officers to do all things necessary to accomplish the refund of said taxes.

Also—

Senate Bill No. 338:

A bill to be entitled An Act for the relief of Cook's Sanatorium, Inc., a corporation not for profit organized and existing under the laws of the State of Florida: On account of tax liens against property owned by said corporation and on which is located and operated said hospital.

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. 289 and 338, contained in the above report, were placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

Senate Bill No. 69:

A bill to be entitled An Act to amend Chapter 10.167, Laws of Florida, Acts of 1925, regular Session of the Legislature, same being Sections 4465, 4466, 4467, 4468, 4469, 4470 and 4471, Compiled General Laws of Florida, 1927, entitled "An Act providing for the drawing, summoning and impaneling of juries for the Courts of the County Judges of the several counties of the State of Florida, having no County Court, Criminal Court or Court of Record, and prescribing the manner of securing jurors to make up any deficiency thereof in the trial of any cause in such Courts." The effect of this amendment being to increase the number of jurors drawn for County Judge's Court from twelve to eighteen, and to abolish the summoning from bystanders or from the body of the county, sufficient jurors to complete a panel.

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

Amendment No. 1:

Section 3, line 5, (typewritten bill) after the word "of" insert the words "not less than twelve nor more than"

Amendment No. 2:

Section 5, line 5, (typewritten bill) after the word "act" insert the words "not less than twelve nor more than"

Amendment No. 3:

In the Title, line 13, (typewritten bill) strike out the words "from twelve to eighteen" and insert the words "from not less than twelve to not more than eighteen"

Very respectfully,
C. A. SAVAGE,
Chairman of Committee.

And Senate Bill No. 69, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

Your Committee on Judiciary "C" to whom was referred:
Senate Bill No. 197:

A bill to be entitled An Act to exempt widows of veterans of the World War or Spanish-American War from the payment of occupational taxes in the State of Florida; and to provide the manner in which such exemption shall be allowed.

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

Amendment No. 1:

In the fifth line of the Title to the bill (typewritten bill) after the word "allowed" strike the period and add the following: "and providing that the total exemption granted shall not exceed \$50.00."

Amendment No. 2:

Section 1, line 10 (typewritten bill) after the word "laws" strike the semicolon and insert "provided, however, that the exemption hereby granted shall not be more than \$50.00, and if the license, tax or taxes exceed \$50.00, the person applying therefor shall pay all amounts over \$50.00 before obtaining such license or licenses."

Very respectfully,
C. A. SAVAGE,
Chairman of Committee.

And Senate Bill No. 197, contained in the above report, together with Committee Amendments thereto, 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 21, 1937.

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

Sir:

Your Committee on Appropriations, to whom was referred:

House Bill No. 439:

A bill to be entitled An Act to make an emergency appropriation available immediately to defray the operating costs of the Florida Industrial School for Girls.

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

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

And House Bill No. 439, 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 21, 1937.

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

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 165:

A bill to be entitled An Act to require the Comptroller to distribute to each of the several counties of the State the sum of Five Thousand (\$5,000) from funds to the credit of the State Racing Commission directing the manner in which the same shall be paid and providing that in the event any county school district, road and bridge district or school board of any county is in default on bonds or warrants now held in the State School Fund that the same shall be paid directly to the credit of the State School Fund until such county, school district, road and bridge district or school board removes the default now existing.

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

Amendment No. 1:

In the title, line 9, after the word *warrants* insert the following: Which default is upon a county obligation.

Amendment No. 2:

Between Section 2 and 3 insert new Section 3 to read as follows: This act shall have no application in those cases where the default on principal or interest on any of the obligations mentioned in Section 2 is confined to a municipality, district, or other taxing unit of the county affected; it being the intent of the Act that the funds be withheld and paid upon the obligation only where such obligation is a county-wide obligation.

Re-number Sections 3 and 4 to correspond.

Very respectfully,

PHILIP D. BEALL,

Chairman of Committee.

And Senate Bill No. 165, contained in the above report, together with Committee Amendments thereto, 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 21, 1937.

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

Sir:

Your Committee on Appropriations, to whom was referred:

Senate Bill No. 306:

A bill to be entitled An Act to amend Sections 1 and 3 of Chapter 17275, Laws of Florida, Acts of 1935, same being "An Act creating the State Planning Board, prescribing its powers and duties; creating county planning councils and prescribing their powers and duties," by providing that the trustees of the internal improvement fund of the State of Florida together with the chairman of the road department of the State of Florida shall constitute the State Planning Board and the Secretary of the Internal Improvement Board shall be the executive secretary of the State Planning Board.

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. 306, 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 21, 1937.

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

Sir:

Your Committee on Appropriations, 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 be re-referred to the Committee on Pensions and Claims.

Very respectfully,

PHILIP D. BEALL,

Chairman of Committee.

And Senate Bill No. 330, contained in the above report, was ordered re-referred to the Committee on Pensions and Claims.

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

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

Senate Bill No. 64:

A bill to be entitled An Act to cancel all Tax Sale Certificates now owned by the State of Florida which cover homestead property and prescribing the duty of the owner of the property and the duty of the Clerk of the Circuit Court of each County in connection therewith.

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

Very respectfully,

H. C. TILLMAN,
Chairman of Committee.

And Senate Bill No. 64, contained in the above report, was laid on the table.

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

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

Senate Bill No. 51:

A bill to be entitled An Act providing for the retirement of Justices of the Supreme Court of Florida and providing for compensation to be paid such Justices so retired.

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

Very respectfully,

H. C. TILLMAN,
Chairman of Committee.

And Senate Bill No. 51, contained in the above report, was laid on the table.

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

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

Senate Bill No. 127:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners, City Commissioners of City or Town Councils or Board of Representatives, to cancel, discharge, abate or equitably adjust State, county and city taxes on all property, both real and personal, occupied or used by the Florida Works Progress Administration within the State of Florida, and requiring the Comptroller, Tax Collectors and Clerks of Courts to recognize such action.

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

Very respectfully,

H. C. TILLMAN,
Chairman of Committee.

And Senate Bill No. 127, contained in the above report, was laid on the table.

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

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

Senate Bill No. 50:

A bill to be entitled An Act to repeal Chapter 17274, Laws

of Florida, Acts of 1935, entitled, "An Act to permit the retirement of State Officials and State Employees under certain conditions with pay."

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. 50, 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 20, 1937.

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

Sir:

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

Senate Bill No. 8:

A bill to be entitled An Act providing for the disposition and payment of all moneys belonging to the State of Florida by State Officers, Departments, Boards, Commissioners, and employees, and prescribing their duties in regard thereto, and fixing the time for compliance herewith; and providing for liability and responsibility for violation of this Act; establishing rules of evidence regarding such violation; prohibiting maintenance of bank accounts for or the deposit therein of public funds; providing penalties for the violation of this Act, and repealing all laws in conflict herewith.

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

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

And Senate Bill No. 8, contained in the above report, was laid on the table.

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

Senate Chamber,
Tallahassee, Fla., April 20, 1937.

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

Sir:

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

Senate Bill No. 29:

A bill to be entitled An Act requiring the official head of every Department, Bureau and Institution of the State of Florida to file in the office of the Secretary of State on or before the 15th day of each month a complete statement of all receipts and disbursements of funds by such department, bureau or institution during the preceding month, with certain detailed information concerning same, and providing that statements so filed shall be subject to inspection by the public, and providing penalties for the failure to comply with this Act.

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. 29, 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 20, 1937.

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

Sir:

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

Senate Bill No. 3:

A bill to be entitled An Act providing for the payment in ten annual installments of Tax Certificates and liens against lands in the State of Florida and held by said State for taxes for the year 1936 and prior years when and after the initial

redemption period for such certificates or liens has expired; providing for the election by owners or such certificates or liens other than the State of Florida to permit redemption under the provisions of this act; providing for effect on such certificates and liens of installment payments by the owner or owners of the land and providing procedure in the event of default in making any such installment as may become due subsequent to the first installment; providing the interest rate on such certificates and liens after the payment of the first installment and the method of calculation to be used in determining the amount of such certificates and liens; the amount of each installment, and the dates upon which such installments and interest shall be paid.

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

Senator Nordman, Chairman of the Committee on Insurance, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1937.

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

Sir:

Your Committee on Insurance, to whom was referred:

Senate Bill No. 160:

A bill to be entitled An Act requiring persons, firms, corporations, associations, including fraternal benefit societies, reciprocal or inter-insurance exchanges and mutual benefit associations, now or hereafter writing insurance policies or certificates, surety or indemnity bonds or similar contracts for delivery in the State of Florida, to keep duplicates of such instruments or equivalent records and to furnish copies thereof to certain persons when demanded; requiring all persons, firms, corporations, associations, including fraternal benefit societies, reciprocal or inter-insurance exchanges and mutual benefit associations to furnish blank forms of proof of loss when loss shall occur or claim of loss shall be made under any policy or certificate, surety or indemnity bond or similar contract and when demand is made therefor; providing a time limit wherein the provisions of this act shall be complied with; providing penalty for violation of or refusal to comply with the provisions of this act; and repealing all Laws or parts of laws in conflict with the provisions of this act.

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

Amendment No. 1: On page 2 (typewritten bill), strike out the fifth line from the top of said page and insert in lieu thereof the following: "within twenty (20) days after the receipt of said demand therefor."

Amendment No. 2: In Section 3, line 3, page 2 (typewritten bill) strike out the entire third line of said Section 3 and insert in lieu thereof the following: "more than twenty (20) days after due demand with tender of charges is made in accordance."

Amendment No. 3: In Section 3, line 7, page 2 (typewritten bill) after the word "authorized," insert the following "after notice and hearing and"

Amendment No. 4: In Section 4, strike out the word "fifteen," being the second word in the fourth line from the top of page 3 (typewritten bill) and insert in lieu thereof the word "twenty."

Amendment No. 5: In Section 4 add a new sentence at the end of Section 4 reading as follows:

"Provided, however, that in the case of a loss or claim under a contract issued by a life insurance company, the right to secure blank forms under this Section for use in making proofs of loss, shall be limited during the life time of the insured to such insured person, or his assignee, and after the death of such person, such right shall inure to his or her personal representative, if the proceeds are payable to the estate of the insured, or to the named beneficiary or beneficiaries under such policy, or to the assignee of same, or to any person or persons entitled to the proceeds if no beneficiary is named."

Very respectfully,
F. B. NORDMAN,
Chairman of Committee.

And Senate Bill No. 160, contained in the above report, together with Committee Amendments thereto, 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 21, 1937.

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

Sir:

Your Committee on Motor Vehicles, to whom was referred:

Senate Bill No. 309:

A bill to be entitled An Act to amend sub-Section 17 of Section 1011, Revised General Statutes, as last amended by Chapter 16085, Acts of 1933, Laws of Florida, relating to the operation of motor vehicles by non-residents and requirements of registration thereof.

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. 309, contained in the above report, 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 20, 1937.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred (with amendments), and after 2nd reading 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).

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. 97, contained in the above report, was placed on the Calendar of Bills on third reading.

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 20, 1937.

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

Sir:

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

Senate Bill No. 216:

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 of such mortgages or other instruments; and providing when this Act shall become effective.

Also—

Senate Bill No. 220:

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.

Also—

Senate Concurrent Resolution No. 6:

A Concurrent Resolution of the Senate and the House of Representatives appointing a special committee to investigate and study a certain Law recently enacted by the Legislature of the State of Georgia relating to the seafood industry of the State of Florida.

Also—

Senate Concurrent Resolution No. 7:

A Concurrent Resolution enacted by the Senate and House of Representatives of the United States of America in Congress assembled relating to the Research into Basic Laws and Principles relating to agriculture and the endowment and support of land-grant colleges.

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

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 20, 1937.

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

Sir:

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

Senate Bill No. 216:

An Act to amend Section 2 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 of such mortgages or other instruments; and providing when this Act shall become effective.

Also—

Senate Bill No. 220:

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.

Also—

Senate Concurrent Resolution No. 6:

A Concurrent Resolution of the Senate and the House of Representatives appointing a Special Committee to investigate and study a certain law recently enacted by the Legislature of the State of Georgia relating to the seafood industry of the State of Florida.

Also—

Senate Concurrent Resolution No. 7:

A Concurrent Resolution enacted by the Senate and House of Representatives of the United States of America in Congress assembled relating to the research into Basic Laws and Principles relating to agriculture and the endowment and support of land-grant colleges.

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.

The hour having arrived for Memorial Services commemorating the lives of the deceased members of the Senate the following Resolutions were introduced:

By Senators Hodges, Butler and Hinely—
Senate Resolution No. 15:

WHEREAS, since the last Session of the Legislature death has called from our midst the Honorable Dexter M. Lowry, a former member of the Senate from the Eighth Senatorial District who during his service was continuously Chairman of the General Appropriations Committee and served on many of the other important Senate Committees and who since his retirement from the Senate continued an active interest in State affairs,

Therefore, be it Resolved that a page of the Journal of the Senate be set apart to commemorate in permanent form his services as Senator from the Eighth Senatorial District to show to those who live after him we hold him in tender recollection and that copies of this Resolution subscribed by the President of the Senate and attested by its Secretary under the Seal of the Senate be transmitted to his widow, Mrs. Dexter M. Lowry and to his son, Lieutenant Dexter M. Lowry, Jr.

Which was read the first time in full.

Senator Hodges moved the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 15 was adopted.

By Senators Kelly, Hodges and Clarke—
Senate Resolution No. 16:

WHEREAS, shortly before the convening of this Session of the Senate death removed from the personnel of this Senate the Honorable John S. Taylor, recently nominated again Senator from the Eleventh District, and before he could again assume the duties of his office,

THEREFORE, BE IT RESOLVED that the Senate of Florida take notice of the death of the Honorable John S. Taylor of Largo, who in his earlier life had served in the House of Representatives from Pinellas County, was later Chairman of the Board of County Commissioners of his County, was a member of this Senate for many years and President of the Senate at the regular Session of 1925, who was elected Democratic National Committeeman from Florida and who for many years had also been President of the Florida Citrus Exchange:

That his memory may be commemorated in permanent form as one of Florida's best loved statesmen, interested in the State's welfare and of unquestioned civic and private virtue, a true and loyal friend, the Senate devotes a page of its Journal to him in loving memory and orders copies under the signature of the President of the Senate and attested by its Secretary with the Seal of the Senate be transmitted to his widow, Mrs. John S. Taylor and to his son, John S. Taylor, Jr.

Which was read the first time in full.

Senator Kelly moved the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 16 was adopted.

Senator Parker moved that a committee be appointed to escort Honorable Cary A. Hardee, former Governor of Florida, to a seat on the rostrum of the Senate.

Which was agreed to.

And the President appointed Senators Parker, Parrish and Kendrick as the committee.

By Senators Clarke, Butler and Wynn—
Senate Resolution No. 17:

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA in the regular 1937 Session assembled, that the Senate has learned with deep regret of the death of the Honorable Henry Hayes Lewis, which occurred in the month of October, 1935, at his home in Jackson County, Florida.

BE IT FURTHER RESOLVED that the Senate and the entire State of Florida in the death of Senator Lewis has lost a true patriot, a distinguished statesman and a most valuable citizen, and the Senate and the entire State of Florida recognizes and appreciates the sterling worth and untiring energy and devotion always manifested by him in the interest of the State and its people.

BE IT FURTHER RESOLVED that a copy of these Resolutions be spread upon the Journal of the Senate, and a certified copy thereof be furnished by the Secretary of the Senate to the family of said deceased Senator.

Which was read the first time in full.

Senator Clarke moved the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 17 was adopted.

By Senators Johns, Beall and Beacham—
Senate Resolution No. 18:

WHEREAS, A. D. Andrews, late of Union County, Florida, died on the 31st day of October, A. D. 1936, and

WHEREAS, The Honorable A. D. Andrews was an honored member of the House of Representatives of the Legislature of Florida, from Bradford and Union Counties at different periods and also served as Senator from Bradford County for one term before the division of Union and Bradford Counties, and

WHEREAS, Mr. Andrews was held in the highest esteem and respect by his fellow members of both House and Senate, and rendered outstanding service to the people of these counties, and the State,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, IN REGULAR SESSION:

Section 1. Therefore the Senate, with sincere regret, takes notice of the passing of this former member, and that a brief biographical sketch, incorporated in this resolution be spread on our Journal, and that a copy of this resolution under the Great Seal of the State of Florida be furnished to the members of the family of A. D. Andrews, and to the press.

Section 2. A. D. Andrews was a native of Lake Butler, Union (formerly Bradford) County, Florida. He was reared in his native county and was an honorable and highly respected citizen, having served in the State Legislature from Bradford County in the years 1913 and 1915, and in the Senate for the terms of 1917 and 1919, later serving in the House again as Representative from Union County for the terms of 1927 and 1929. During his career as a Legislator, Mr. Andrews was energetic and active in the support of all good bills for the best interest of his county and state, and many local bills to the interest of his county only. He had the distinction of introducing and passing through the Legislature the first Special Act confederate pension bill ever passed by the Legislature of Florida. He was instrumental in getting land for the State Prison Farm at Raiford, also in securing the first hard-surfaced road in Union County. He was a member of the Baptist Church, the Masonic Order, and the Elks Club and gave generously of his time and means in the promotion of education and was always active in all moves or undertakings for the upbuilding of his county and the welfare of his people. He was a sympathetic friend to the poor and a benefactor to widows and orphans and always ready and willing to contribute to the sick and distressed. He lived an honorable life, rendering unto all mankind a full measure of service. We mourn his passing.

Which was read the first time in full

Senator Johns moved the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 18 was adopted.

By Senators Dame, Touchton and Murphy—
Senate Resolution No. 19:

WHEREAS many of the Senators of the State of Florida serving in a regular Session of 1937 were members of and serving with the Honorable William Pannill during the regular Session of 1935 and recall his genial character, good fellowship and honest efforts, with deep appreciation and love and,

WHEREAS, since the adjournment of the 1935 Session of the Florida Legislature and on the third day of January 1937 the Honorable William Pannill departed this life at the age of 72 in Brooksville, Hernando County, Florida, having been born in North Carolina on June 24th, 1864, and

WHEREAS, the Honorable William Pannill was for many years a resident of the State of Florida, ever active, alert and faithful in behalf of the development of the State, serving always freely and effectively to the best of his ability without thought of reward or remuneration for the benefit of his State and of mankind generally, and

WHEREAS, his services were particularly useful and helpful to the State of Florida in the development of its highway system and his services in the State Senate were on the highest plane possible.

NOW THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA that a special page of the Journal of the Senate be used for the purpose of printing therein and making permanent this Resolution in loving

Senate Resolution No. 15

By Senators Hodges, Butler and Hinely

WHEREAS, since the last Session of the Legislature death has called from our midst the Honorable Dexter M. Lowry, a former member of the Senate from the Eighth Senatorial District who during his service was continuously Chairman of the General Appropriations Committee and served on many of the other important Senate Committees and who since his retirement from the Senate continued an active interest in State affairs,

THEREFORE, BE IT RESOLVED that a page of the Journal of the Senate be set apart to commemorate in permanent form his services as Senator from the Eighth Senatorial District to show to those who live after him we hold him in tender recollection and that copies of this Resolution subscribed by the President of the Senate and attested by its Secretary under the Seal of the Senate be transmitted to his widow, Mrs. Dexter M. Lowry and to his son, Lieutenant Dexter M. Lowry, Jr.

Senate Resolution No. 16

By Senators Kelly, Hodges and Clarke

WHEREAS, shortly before the convening of this Session of the Senate death removed from the personnel of this Senate the Honorable John S. Taylor recently nominated again Senator from the Eleventh District and before he could again assume the duties of his office,

THEREFORE, BE IT RESOLVED that the Senate of Florida take notice of the death of the Honorable John S. Taylor of Largo, who in his earlier life had served in the House of Representatives from Pinellas County, was later Chairman of the Board of County Commissioners of his County, was a member of this Senate for many years and President of the Senate at the regular Session of 1925, who was elected Democratic National Committeeman from Florida and who for many years had also been President of the Florida Citrus Exchange;

That his memory may be commemorated in permanent form as one of Florida's best loved statesmen, interested in the State's welfare and of unquestioned civic and private virtue, a true and loyal friend, the Senate devotes a page of its Journal to him in loving memory and orders copies under the signature of the President of the Senate and attested by its Secretary with the Seal of the Senate be transmitted to his widow, Mrs. John S. Taylor and to his son, John S. Taylor, Jr.

Senate Resolution No. 17

By Senators Clarke, Butler and Wynn

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA in the regular 1937 Session assembled, that the Senate has learned with deep regret of the death of the Honorable Henry Hayes Lewis, which occurred in the month of October 1935 at his home in Jackson County, Florida.

BE IT FURTHER RESOLVED that the Senate and the entire State of Florida in the death of Senator Lewis has lost a true patriot, a distinguished statesman and a most valuable citizen, and the Senate and the entire State of Florida recognizes and appreciates the sterling worth and untiring energy and devotion always manifested by him in the interest of the State and its people.

BE IT FURTHER RESOLVED that a copy of these Resolutions be SPREAD UPON THE JOURNAL OF THE SENATE, and a certified copy thereof be furnished by the Secretary of the Senate to the family of said deceased Senator.

Senate Resolution No. 18

By Senators Johns, Beall and Beacham

WHEREAS, A. D. Andrews, late of Union County, Florida, died on the 31st day of October, A. D. 1936, and

WHEREAS, The Honorable A. D. Andrews was an honored member of the House of Representatives of the Legislature of Florida, from Bradford and Union Counties at different periods and also served as Senator from Bradford County for one term before the division of Union and Bradford Counties, and

WHEREAS, Mr. Andrews was held in the highest esteem and respect by his fellow members of both House and Senate, and rendered outstanding service to the people of these counties, and the State,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, IN REGULAR SESSION:

SECTION 1. Therefore the Senate, with sincere regret, takes notice of the passing of this former member, and that a brief biographical sketch, incorporated in this resolution BE SPREAD ON OUR JOURNAL, and that a copy of this resolution under the Great Seal of the State of Florida be furnished to the members of the family of A. D. Andrews, and to the press.

SECTION 2. A. D. Andrews was a native of Lake Butler, Union (formerly Bradford) County, Florida. He was reared in his native county and was an honorable and highly respected citizen, having served in the State Legislature from Bradford County in the years 1913 and 1915, and in the Senate for the terms of 1917 and 1919, later serving in the House again as Representative from Union County for the terms of 1927 and 1929. During his career as a Legislator, Mr. Andrews was energetic and active in the support of all good bills for the best interest of his county and state, and many local bills to the interest of his county only. He had the distinction of introducing and passing through the Legislature the first Special Act confederate pension bill ever passed by the Legislature of Florida. He was instrumental in getting land for the State Prison Farm at Rairford, also in securing the first hard-surfaced road in Union County. He was a member of the Baptist Church, the Masonic Order, and the Elks Club and gave generously of his time and means in the promotion of education and was always active in all moves or undertakings for the upbuilding of his county and the welfare of his people. He was a sympathetic friend to the poor and a benefactor to widows and orphans and always ready and willing to contribute to the sick and distressed. He lived an honorable life, rendering unto all mankind a full measure of service. We mourn his passing.

Senate Resolution No. 19

By Senators Dame, Touchton and Murphy

WHEREAS many of the Senators of the State of Florida serving in a regular Session of 1937 were members of and serving with the Honorable William Pannill during the regular Session of 1935 and recall his genial character, good fellowship and honest efforts, with deep appreciation and love and,

WHEREAS, since the adjournment of the 1935 Session of the Florida Legislature and on the third day of January 1937 the Honorable William Pannill departed this life at the age of 72 in Brooksville, Hernando County, Florida, having been born in North Carolina on June 24, 1864, and

WHEREAS, the Honorable William Pannill was for many years a resident of the State of Florida, ever active, alert and faithful in behalf of the development of the State, serving always freely and effectively to the best of his ability without thought of reward or remuneration for the benefit of his State and of mankind generally, and

WHEREAS, his services were particularly useful and helpful to the State of Florida in the development of its highway system and his services in the State Senate were on the highest plane possible,

NOW THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA that a SPECIAL PAGE OF THE JOURNAL of the Senate be used for the purpose of printing therein and making permanent this resolution in loving memory and appreciation of the life and services of the Honorable William Pannill as citizen and Senator for the 9th District of the State of Florida.

memory and appreciation of the life and services of the Honorable William Pannill as citizen and Senator for the 9th District of the State of Florida.

Which was read the first time in full.

Senator Dame moved the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 19 was adopted.

Pursuant to the provisions of Senate Resolution No. 13, the President announced the appointment of Senators Walker, Sharit and Kelly as the Special Committee to draft and present suitable Resolutions commemorating the life and public services of Honorable W. C. Rouse, late a Senator from the 5th Senatorial District of Florida.

Senator Savage moved that Senate Bill No. 73 be re-committed to the Committee on Judiciary "C."

Which was agreed to and it was so ordered.

Senator Beall moved that Senate Bills Nos. 290 and 308, previously committed to the Committee on Judiciary "A," be committed also to the Committee on Labor and Industry, jointly with the Committee on Judiciary "A."

Which was agreed to and it was so ordered.

Senator Beacham moved that Senate Bill No. 170 be withdrawn from the Committee on Judiciary "B" and re-referred to the Committee on Judiciary "C."

Which was agreed to and it was so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Butler—

Senate Bill No. 346:

A bill to be entitled An Act to amend Section 6495 of the Compiled General Laws of Florida, the same being Section 4499 of the revised General Statutes of Florida, as amended by Chapter 10095, Acts of 1925, relating to authority to incorporate and manner of incorporation of corporations not for profit.

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

By Senator Beall—

Senate Bill No. 347:

A bill to be entitled An Act to prescribe and limit the power of the City of Pensacola, a municipal corporation, to enlarge its corporate limits, and to prescribe the procedure therefor.

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

By Senator Beacham—

Senate Bill No. 348:

A bill to be entitled An Act to amend Sections 4, 17, 18, 22 and 23 of Chapter 16800, Laws of Florida, Acts of 1935, the same being An Act entitled "An Act defining the practice of beauty culture and requiring a license or Certificate of Registration as a condition precedent to any person practicing beauty culture or acting as a junior operator beautician and prescribing the terms and conditions upon which Licenses or Certificates of Registration may be issued to any person to practice beauty culture or act as a junior operator beautician in the State of Florida; creating the State Board of Beauty Culture examiners and defining and declaring its powers and duties; regulating the practice of beauty culture or acting as a junior operator beautician by those licensed hereunder; regulating the operation of beauty schools, prescribing a course of study for such schools and the requirements for graduation therefrom; imposing certain fees upon persons applying for licenses, or certificates of registration to practice beauty culture, act as a junior operator beautician or teach in beauty culture schools in this State; and appropriating the proceeds thereof to accomplish the purposes of this Act; and prescribing penalties for the violation of the provisions of this Act and regulations hereunder."

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

By Senator Westbrook—

Senate Bill No. 349:

A bill to be entitled An Act relating to the licensing of persons operating motor vehicles upon highways and to make uniform the law relating thereto.

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

By Senator Westbrook—

Senate Bill No. 350:

A bill to be entitled An Act to vest in the Commission of Game and Fresh Water Fish of the State of Florida powers to close or restrict the seasons for the taking of game and fresh water fish and/or reduce the bag limits on and in national forests in the State of Florida when such action is deemed necessary; and to authorize said Commission to enter into cooperative agreements with the United States forest service at their discretion, when such agreements will further the welfare or increase the supply of game and fresh water fish on and in the National Forests in the State of Florida.

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

By Senator Westbrook—

Senate Bill No. 351:

A bill to be entitled An Act to authorize the commission of game and fresh water fish of the State of Florida to declare a closed season for taking, or attempting to take, black bass for a period not to exceed sixty days each year, and to reduce the bag limit to ten bass per person per day.

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

By Senator Adams—

Senate Bill No. 352:

A bill to be entitled An Act to amend Section 697 of the Revised General Statutes of Florida, 1920, relating to the exemption of property from taxation, and matters in relation thereto.

Which was read the first time by title only.

Senator Adams moved that the rules be waived and Senate Bill No. 352 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 352 was read the second time in full.

Senator Adams moved that the rules be further waived and Senate Bill No. 352 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. 352 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, Hinely, Hodges, Holland, Johns, Kanner, Kendrick, McArthur, McKenzie, Murphy, Nordman, Parker, Parrish, Rose, Savage, Sharit, Smith, Sweger, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—35.

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 Wynn—

Senate Bill No. 353:

A bill to be entitled An Act to provide for legal counsel and representation for the officers, departments, board, bureaus, commissions and divisions of the State of Florida; to abolish the hiring or employment of special counsel or legal assistance by any such officer, department, board, bureau, commission or division of the State of Florida; to provide for the appointment of five additional assistants to the Attorney General and clerical help therefor; to fix the compensation of such assistants and of such clerical help, and to make appropriation therefor.

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

By Senator Dugger—

Senate Bill No. 354:

A bill to be entitled An Act to require the payment of poll taxes on or before the first Saturday in January of the year of any general or special election, or general or special primary election, for the two years next preceding such election, as a prerequisite to voting therein; to require the several

tax collectors of the State of Florida to make and furnish duplicate lists of all persons so paying poll taxes to the Clerk of the Circuit Court and the County Judge of each county and to repeal all Laws in conflict therewith.

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

By Senator Dugger—

Senate Bill No. 355:

A bill to be entitled An Act to permit citizens of counties of the State of Florida having a population of not less than 7,150 and not more than 7,200, according to the State Census of 1935, to hunt, shoot, kill and take buck deer on Wednesdays and Thursdays during the period of time between July 14 and August 31 of each year.

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

By Senator Savage—

Senate Bill No. 356:

A bill to be entitled An Act granting a pension to Samuel M. Niblack.

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

By Senator Savage—

Senate Bill No. 357:

A bill to be entitled An Act to define wild land; providing for the assessment of taxes for certain years; requiring payment of a severance tax when such lands are used for certain purposes; authorizing the redemption of all outstanding tax sale certificates held by the State of Florida upon the same, and the settlement of all tax liens or claims for omitted years growing out of the non-payment of taxes on such wild land.

Whereas, within the past there have been levied and assessed against the wild land in this State, State and county taxes upon an ad valorem basis the valuation of which lands have been placed at different amounts in the different counties, ranging from \$1.00 to \$5.00 an acre, but which said lands are in fact of but little value in their present state; and the accumulation of taxes thereon in the opinion of the Legislature has thwarted progress in this State by repelling the sale or use of such lands, the effect of which has been to accumulate against the same an amount of taxes largely in excess of any known value; to the end that the development thereof has been held back, and both the agricultural and reforestation benefits of said land have been delayed and prevented during said time; and,

Whereas, the Legislature, after due investigation, finds that the present accumulation of taxes based upon an assessment from year to year at a valuation ranging from \$1.00 to \$5.00 an acre, is in fact, and has been during such years, confiscatory, and illegal, and the continuance of the same, without a proper method of relief against said accumulation, will retard the progress of the State, but by making some proper concession, and provisions for settlement, the owners thereof will pay a reasonable amount for redemption, the said lands will become marketable, and returns to the State and counties from such will be far in excess of any return to be expected in the absence of some provision for relief.

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

By Senator Savage—

Senate Bill No. 358:

A bill to be entitled An Act authorizing and directing the Board of County Commissioners of Marion County, Florida, to construct and maintain a hog and cattle proof fence in Marion County, Florida, said fence to begin at the intersection of the present existing county fence and the Summerfield and Oxford hard road, and thence running to the Marion-Sumter county line on the west side of said road, thence running west on said county line to the Withlacoochee river; and giving to said Board of County Commissioners, of Marion County, Florida, limited discretion in fixing the location of said fence within one mile of said fence line, and authorizing the expenditure of funds to construct and maintain said fence, and making it a misdemeanor to break-down, cut, injure or mar said fence, or any part thereof, and making it a misdemeanor to wilfully break-down or wilfully leave open for the purpose of allowing the intrusion of cattle into Marion

County, Florida, any gate forming a part of said fence, and providing punishment for said misdemeanors.

The following proof of publication was attached to Senate Bill No. 358 when it was introduced in the Senate:

NOTICE OF SPECIAL OR LOCAL LAW

Notice is hereby given that at the 1937 regular Session of the Florida Legislature that there will be introduced a special or local law giving the County Commissioners, of Marion County, Florida, the lawful right and authority to construct and maintain a hog and cattle proof fence to begin at the intersection of the present existing county fence and the Summerfield and Oxford hardroad and thence to the Marion-Sumter County line on the west side of said road, thence west on said county line to the Withlacoochee River, and to give said County Commissioners limited discretion in the fixing of location of said fence within one mile of the fence line hereinbefore described, and authorizing the expenditure of funds to construct and maintain said fence.

R. H. REDDING.

Ad No. 69, Mar 27.

PROOF OF PUBLICATION

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

On this day personally appeared before me Frank Harris, Jr., to me well known, who, being by me first duly sworn, deposes and says: That he is the President of THE OCALA BANNER, INC., the publisher of OCALA MORNING BANNER, a newspaper published in said County of Marion, State of Florida, at Ocala, Florida; that the attached notice of Special or Local Law was published in said newspaper, to-wit: OCALA MORNING BANNER in its issues of March 27, 1937; that the said OCALA MORNING BANNER is a daily newspaper (except Monday) published at Ocala, Marion County, Florida; that the said newspaper has heretofore been continuously published in Marion County, Florida, at least once each week, and has been entered and mailed as second class mail matter at the post office in Ocala, Florida, for a period of one year next preceding the first insertion of the attached notice or publication; that the said OCALA MORNING BANNER is a newspaper of general circulation in Marion County, Florida.

FRANK HARRIS, JR.

Sworn to and subscribed before me this the 27th day of March, A. D. 1937.

(Seal)

REBECCA C. WILLIAMS,
Notary Public.

My commission expires Nov. 1, 1938.

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

By Senators Kelly, Rose and Dame—

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.

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

By Senator Tillman—

Senate Bill No. 360:

A bill to be entitled An Act to permit fraternal benefit societies doing business on the lodge plan to pay death benefits upon the lives of children for whose support and maintenance a member of such society is responsible; to organize and operate branches for such children, and providing the maximum amount of such benefits payable; to state the terms and conditions under which a benefit certificate may be issued in such cases, and to require the maintenance of reserves to protect the same.

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

By Senator Tillman—

Senate Bill No. 361:

A bill to be entitled An Act to permit fraternal benefit societies to issue benefit certificates to their members in accordance with their laws, and to establish their membership into divisions and classes, and to provide for the payment of

benefits from special funds created for such purposes to the oldest membership of a division and class upon the death of a member in the same division and class.

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

By Senator Gomez—
Senate Bill No. 362:

A bill to be entitled An Act for the relief of T. Lawrence Williams of Lee County, Florida.

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

By Senator Gomez—
Senate Bill No. 363:

A bill to be entitled An Act for the relief of E. L. Smith of Lee County, Florida.

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

By Senator Kanner—
Senate Bill No. 364:

A bill to be entitled An Act to amend Section 256 Revised General Statutes of Florida as amended by Chapter 14657, Acts of 1931, Laws of Florida, relating to printing names of candidates on general election ballots, same being Section 312 Compiled General Laws, as amended in 1931.

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

By Senator Nordman—
Senate Bill No. 365:

A bill to be entitled An Act to designate June 14 of each year, Flag Day, as a legal holiday within the State of Florida.

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

By Senator McKenzie—
Senate Bill No. 366:

A bill to be entitled An Act to prohibit the running or roaming at large of hogs, goats, and sheep within the limits of Special Tax School District No. 32 of Putnam County, Florida, and providing for the enforcement and carrying out the provisions of this Act; and for the impounding and sale of such stock found running or roaming at large in the said district.

The following proof of publication was attached to Senate Bill No. 366 when it was introduced in the Senate:

CONTEMPLATED LEGISLATION

Notice is hereby given that the following entitled bill will be presented to the Florida Legislature of 1937 for the purpose of enacting the bill into law, the title of the bill being as follows:

An Act to prohibit the running or roaming at large of hogs, goats and sheep within the limits of Special Tax School District No. 32 of Putnam County, Florida, and providing for the enforcement and carrying out the provisions of this Act; and for the impounding and sale of such stock found running or roaming at large in the said district.
Mar. 19, 26; April 2, 9.

AFFIDAVIT

STATE OF FLORIDA, }
 } ss.
COUNTY OF PUTNAM. }

Personally appeared before me, a Notary Public in and for the State of Florida and County of Putnam, W. L. O'Keefe who, being first duly sworn, deposes and says he is publisher of The Times-Herald, a newspaper published weekly in the City of Palatka, in said County and State, and that said newspaper has been published continuously at least once each week and has been entered as second class mail matter at the United States Postoffice at Palatka, Florida, in Putnam County, for a period of one year and more preceding the publication of the first insertion of the notice, a copy of which is hereto attached; that said notice has been published

in The Times-Herald for four consecutive weeks as follows: March 19, 26, April 2, 9, 1937.

W. L. O'KEEFE,
Publisher.

Sworn to and subscribed before me this 19th day of April, 1937.

GEORGIA C. FRALICK,
Notary Public, State of Florida at Large.

My Commission expires the 10th day of Feb. A. D. 1938. (Official Seal)

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

By Senator Johns—
Senate Bill No. 367:

A bill to be entitled An Act relating to motor vehicle trailers for private use and to provide that all motor vehicle trailers for private use weighing not more than three hundred pounds shall be exempt from the use of motor vehicle license tags and from registration under statutes relating to motor vehicles and from all costs or taxes for such license tags or registration.

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

By Senator Johns—
Senate Bill No. 368:

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

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

By Senator Johns—
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.

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

By Senator Johns—
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.

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

By Senator Savage—
Senate Bill No. 371:

A bill to be entitled An Act to amend Section 215 of the Revised General Statutes of 1920, (248, C. G. L.), as amended by Section 1 of Chapter 8583, Acts of 1921, Laws of Florida, the same being An Act relating to qualification of electors in General Elections.

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

By Senator Savage—
Senate Bill No. 372:

A bill to be entitled An Act fixing the time for opening and closing the registration books for the registration of electors prior to the Primary Election in all counties of the State of Florida, and to repeal Sections 307 of the Revised General Statutes of 1920, the same being Section 363 of the Compiled General Laws, and Section 312 of the Revised General Statutes of 1920, the same being Section 369 of the Compiled General Laws.

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

By Senator Savage—
Senate Bill No. 373:

A bill to be entitled An Act to amend Section 227 of the revised General Statutes of 1920, the same being Section 263 of the Compiled General Laws, relating to the registration of electors prior to General Elections in the State of Florida.

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

By Senator Savage—
Senate Bill No. 374:

A bill to be entitled An Act to amend Section 16 of Chapter 13761, Acts of 1929, the same being An Act relating to primary elections and relating to the qualification of voters.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 21, 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. 4:

WHEREAS, It has been brought to the attention of the Senate and the House of Representatives of the Legislature of Florida, Session of 1937, that O. S. Wodrich, dean of newspaper correspondents assigned to cover the acts and doings of the Legislature and for many years a member of the editorial staff of the Florida Times Union has been stricken with a serious illness and

WHEREAS the older members of the Senate and the House of Representatives of this session recall the sterling character, the industry, the outstanding ability and splendid type of manhood which O. S. Wodrich exemplified and

WHEREAS the newcomers to this Legislature have learned of the high esteem in which O. S. Wodrich is held, not only among the Senators and Representatives but his fellow newspapermen, and all with whom he came in contact and

WHEREAS there somehow seems a definite absence of a personality such as all of us found in this fellow worker, who strove always to depict in his articles a true presentation of the acts and doings of this Legislature and

WHEREAS the Senate and the House of Representatives desires to convey to O. S. Wodrich and members of his family their expression of sympathy and their wishes for a full and speedy recovery

THEREFORE BE IT RESOLVED THAT THE SENATE, THE HOUSE CONCURRING

Do extend to O. S. Wodrich their expression of esteem for his service to the State of Florida during ten consecutive sessions of the Legislature and

That the members of the Legislature of 1937 hereby joins in the sending of these sentiments to him and his family with the earnest hope that two years hence O. S. Wodrich may again occupy his familiar chair at the press tables of the Legislature of 1939 and many, many Legislatures to come.

Very respectfully,

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

And Senate Concurrent Resolution No. 4, contained in the above message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 21, 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. 9:

A concurrent Resolution of the Senate and House of Representatives further relating to a joint Session of the House and Senate 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, and changing the date for such exercises.

WHEREAS, the House and Senate have heretofore adopted Senate Concurrent Resolution No. 2, providing for 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, fixing 11:30 A. M. Friday,

the 30th day of April, A. D. 1937, as the time for such exercises, and

WHEREAS, in and by said Concurrent Resolution No. 2 the Honorable Charles Andrews and the Honorable Claude Pepper, United States Senators from Florida were invited to be present, and it has been learned that it is impractical for both of these gentlemen to be present on the date fixed but that they can be present on Tuesday, May 18, 1937 at 8:30 P. M., now therefore:

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

That the date and time fixed for Memorial Exercises in memory of the Honorable Duncan U. Fletcher and the Honorable Park M. Trammell, late United States Senators from Florida, be changed from 11:30 A. M. on Friday, the 30th day of April, A. D., 1937, to Tuesday, May 18, 1937 at 8:30 P. M., and that said exercises be held at that time and that all parties requested to be present by Senate Concurrent Resolution No. 2 be promptly advised of the change of time and date and be further requested to attend such exercises at the time and date last fixed by this Concurrent Resolution.

Very respectfully,

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

And Senate Concurrent Resolution No. 9, contained in the above message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 21, 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—

Senate Bill No. 311:

A bill to be entitled An Act fixing and determining the basis of the compensation of the county tax collector in counties having a population of not less than 28,000 and not more than 29,000, according to the last State Census and providing for the determination of such compensation for the year 1936 and all prior years.

Very respectfully,

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

And Senate Bill No. 311, contained in the above message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 21, 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 by the required constitutional two-thirds vote of all members of the House present, the Governor's veto to the contrary notwithstanding—

House Bill No. 360 of the 1935 Session of the Legislature:

A bill to be entitled An Act for the relief of Gus Summerford on account of personal injuries sustained by him while in the employ of the State Road Department.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

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

And House Bill No. 360 (1935 Session), contained in the above message, was read the first time by title only and placed on the Calendar without reference.

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

Tallahassee, Fla., April 21, 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. 16:

A bill to be entitled An Act relating to the issuance and life of executions.

And has passed—

House Bill No. 31:

A bill to be entitled An Act exempting renewals of promissory notes from the excise tax imposed by Chapter 15787, Laws of Florida, Acts of 1931, entitled "An Act levying and imposing excise tax on documents to raise revenue for the support of the State government; and promising penalties for failure to pay said tax" when such renewal only extends or continues the identical contractual obligation of the original note and evidences part or all of but not more than the original indebtedness and does include any interest accumulated and there is attached to such renewal the original promissory note with the tax having been paid thereon at the time required by law and all intervening renewals thereof and providing penalties for non-payment of any excise tax actually due to be paid on any promissory note.

And has passed—

House Bill No. 73:

A bill to be entitled An Act providing for the payment of fees to expert witnesses testifying at the trial of any felony.

And has passed—

House Bill No. 149:

A bill to be entitled An Act to quiet title to a certain lot or parcel of land in Leon County, Florida, against the claim of the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

And House Bill No. 16, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C."

And House Bill No. 31, contained in the above message, was read the first time by title only and referred to the Committee on Banking and Building and Loans.

And House Bill No. 73, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B."

And House Bill No. 149, 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 21, 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 requests the return of—

House Bill No. 611 of the 1935 Session of the Florida Legislature:

A bill to be entitled An Act for the relief of W. M. Denton.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

J. A. CAWTHON,

Chief Clerk House of Representatives.

Senator Sharit moved that House Bill No. 611 (1935 Session), contained in the above message, be returned to the House of Representatives.

Which was agreed to and it was so ordered.

Senate Joint Resolution No. 19:

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

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

That the following amendment to the Constitution of the State of Florida, relating to an over-all limitation upon the power to levy and collect ad valorem taxes, to be known as Section 15 of Article IX, 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 15. The total levy of taxes upon real and personal property, except intangible property, for all purposes of the State, county, town, city and taxing district or taxing agencies of every kind, except for public improvements, the levy whereof has been approved by a majority of the registered freeholders of the county, town, city or taxing district, shall not exceed fifteen mills on the dollar, notwithstanding any power heretofore possessed or exercised under or consistent with this Constitution, which levy may be apportioned by a general law applicable to the state and to every such political subdivision thereof without classification, or the Legislature may provide, by such a law, the manner and means by which such apportionment shall be made. Levies for the payment or refunding of valid debts and obligations heretofore incurred and required by then existing law to be paid by levies of ad valorem taxes shall not be affected hereby, unless the revenues produced by said taxes be replaced by other funds. Until the Legislature shall provide otherwise, the Comptroller shall prescribe uniform regulations for the apportionment of said levy and shall finally decide all controversies in regard thereto.

Was taken up in its order as unfinished business having been read the third time in full on April 20, 1937.

By unanimous consent Senator Beall offered the following amendment to Senate Joint Resolution No. 19:

In Section 15, line 8 (typewritten bill) strike out the words "which levy may be apportioned by a general law applicable to the State and to every such political subdivision thereof without classification, or the Legislature may provide, by such a law, the manner and means by which such apportionment shall be made."

And—

Insert in lieu thereof the following: "which shall be based upon a uniform valuation for the several taxing units, and may be apportioned by general law applicable to the State and to every such political subdivision thereof without classification, or the Legislature may provide by such a law, the manner and means by which said apportionment shall be made."

Senator Beall moved the adoption of the Amendment.

Which was agreed to and the Amendment was adopted.

Senator Hodges moved that the rules be waived and the hour of adjournment be extended until the conclusion of the consideration of Senate Joint Resolution No. 19 and the result of the roll call is announced.

Which was agreed to by a two-thirds vote.

Upon the passage of Senate Joint Resolution No. 19, as amended, the roll was called and the vote was:

Yeas—Senators Beacham, Beall, Black, Clarke, Dame, Gomez, Harper, Hinely, Johns, Kelly, Kendrick, McArthur, McKenzie, Murphy, Nordman, Parrish, Rose, Sharit, Smith, Tervin, Tillman, Touchton, Walker, Westbrook, Wynn—25.

Nays—Mr. President; Senators Butler, Coulter, Dugger, Graham, Holland, Kanner, Parker, Savage, Sweger—10.

So Senate Joint Resolution No. 19, as amended, 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 Joint Resolution was referred to the Committee on Engrossed Bills.

The hour of adjournment having arrived, a point of order was called and the Senate stood adjourned at 1:06 o'clock P. M., until 11:00 o'clock A. M. Thursday, April 22, 1937.