

# JOURNAL OF THE SENATE

Tuesday, May 9, 1939

The Senate convened at 2:00 o'clock P. M., pursuant to adjournment on Monday, May 8, 1939.

The President in the Chair.

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

Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 20, 1939, was further corrected as follows:

On page 4, column 1, line 21, strike out the words, "and read the second time by title only," and insert in lieu thereof the words "out of its order."

Then add the following:

"Senator McKenzie moved that the rules be waived and Senate Bill No. 152 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 152 was read the second time by title only."

The Journal of April 27, 1939, was further corrected as follows:

On page 12, column 1, strike out lines 6 and 7 from bottom of page, and insert in lieu thereof the following: "So the bill passed, as amended, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 session of the Florida Legislature and was referred to the Committee on Engrossed Bills."

And as further corrected was approved.

The Journal of May 8, 1939, was corrected as follows:

On page 5, column 2, strike out the word "March" in the 13th line from the top of the page and insert in lieu thereof the word "May."

Also—

On page 6, column 1, in the second line from the bottom of the page, strike out the word, "proceeding" and insert in lieu thereof the word "preceding."

Also—

On page 6, column 2, in the eighth line from the top of the page, strike out the word "consist" and insert in lieu thereof the word "consisting."

And as corrected was approved.

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

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

Senate Bill No. 65:

An Act to define and regulate the practice of optometry and declaring the same to be a profession: to provide for a Board of Examiners, its duties, powers, appointments and salaries, and for the examination, qualification and fee of applicants for the practice of optometry: to provide for the issuance and revocation of certificates and registration of licensed practitioners of optometry and providing for the rec- ordation of such certificates: exempting registered optometrists from jury duty and making their services available on a parity with those of any other profession performing similar service: Optometrists to give expert testimony relative to the diagnosis of the human eye and its appendages of any visual, muscular, neurological or anatomic anomalies of the human eyes and their appendages: prohibiting the unethical or un- professional practice and sale of eye-glasses, spectacles and lenses: and prohibiting unethical or unprofessional conduct,

and prescribing the manner of enforcing the provisions of this Act, and fixing the penalties for the violation of the terms and provisions thereof.

Also—

Senate Bill No. 123:

An Act authorizing all counties of the State of Florida hav- ing a population of not less than 60,000 and not more than 70,000 according to the last official, federal or State census, to pay the compensation of State Auditors engaged in full time work in such counties.

Also—

Senate Bill No. 172:

An Act authorizing all counties of the State of Florida hav- ing a population of not less than 60,000 and not more than 70,000 according to the last official, federal or state census, to levy a rate of millage not to exceed five mills against all of the taxable property in such counties for the purpose of promoting agriculture.

Also—

Senate Bill No. 173:

An Act authorizing all counties of the State of Florida hav- ing a population of not less than 60,000 and not more than 70,000 according to the last official, federal or state census, to levy a rate of millage not to exceed two mills against all of the taxable property in such counties for the purpose of bridge construction, maintenance, and repair in such coun- ties.

Also—

Senate Bill No. 174:

An Act authorizing all counties of the State of Florida hav- ing a population of not less than 60,000 and not more than 70,000 according to the last official, federal or state census, to acquire, mortgage and dispose of real property.

Also—

Senate Bill No. 175:

An Act authorizing all counties of the State of Florida hav- ing a population of not less than 60,000 and not more than 70,000 according to the last official, federal or state census, to levy a rate of millage not to exceed five mills against all of the taxable property of such counties for the purpose of county welfare.

Also—

Senate Bill No. 258:

A bill to be entitled An Act to amend Sections 3, 9, 11, 29, 37, 38, 41, 43, 44, 121, 122, 174, 177, 193, 196, 200, 226, and 229 of Chapter No. 12790 of the Special Acts of the Legislature of the State of Florida of 1927, Entitled: "An Act to abolish the present municipality of Haines City, Polk County, Flori- da, and to establish, organize and constitute a municipality to be known and designated as the City of Haines City, Polk County, Florida, and to define its territorial boun- daries and to provide for its jurisdiction, powers and privi- leges and to authorize the said City of Haines City, Polk County, Florida, to enforce ordinances of said city," and repealing all laws and parts of laws in conflict herewith.

Also—

Senate Bill No. 354:

A bill to be entitled An Act to provide for the Sale on Compromise offers, without advertisement, of all tax sale certificates held by the State of Florida for the year 1936 and/or prior years governing lands in Putnam County, State of Florida; providing that the amount of State tax covered by tax certificates shall not be subject to compromise.

Also—

Senate Bill No. 397:

A bill to be entitled An Act to provide for the biennial registration of all legally qualified voters in the City of Pensacola, Florida, entitled to vote in municipal primary or general elections; providing that no person not registered in accordance with the provisions of this Act shall vote in any such election; repealing Section 4 of Chapter 16989, Laws of Florida, Acts of 1935, and all laws and parts of laws in conflict with the provisions of this Act.

Also—

Senate Bill No. 442:

A bill to be entitled An Act to amend Section 182 of the Charter of the City of St. Augustine (Being Chapter 11148, Laws of Florida, Acts of 1925, and Acts amendatory thereof) as amended by Section 77 of Chapter 14375, Laws of Florida, Acts of 1929, relating to the making of contracts by said City with individuals, companies or corporations for furnishing electric power and energy; and repealing all laws or parts of laws in conflict therewith.

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.

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

Senator Whitaker, Chairman of the Committee on Judiciary "B," reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendments—

Senate Bill No. 420:

A bill to be entitled An Act prohibiting any person, firm or corporation acting as refunding agents for taxing units of the State of Florida from owning bonds or other indebtedness of such tax unit and providing penalties and forfeiture for violation thereof.

Which amendment is as follows:

No. 1.

In Section 2, of the typewritten bill, following the period at the end of said section add the following:

Such person, firm, corporation or association of persons shall also forfeit all right to compensation and reimbursement provided in the refunding contract. The Circuit Court in the county where the taxing unit involved is located shall have full power and jurisdiction to enforce the forfeitures herein provided which shall be had only after full hearing upon petition filed in the name of the State of Florida, by the State Attorney, hearing to be had after thirty days' notice of the filing of said petition, which notice shall be served upon the person, firm, corporation or association of persons owning or claiming an interest in the bonds or evidence of debt involved as summons ad respondendum is served. Review shall be upon appeal as in chancery matters.

And Senate Bill No. 420, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senator Dye, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following bills and recommends that they do not pass—

Senate Bill No. 475:

A bill to be entitled An Act authorizing municipal corporations to acquire by eminent domain, purchase, gift, devise or lease and to construct, maintain and operate port terminal facilities, warehouses, grain elevators, fruit terminals, re-barreling plants, cold storage and quick freezing plants and other plants and establishments for the packing, compressing and preparing for shipment of commodities, wharves, docks dry docks, quays, yacht and ship basins, land machinery, tanks, conveyors, facilities, appurtenances and equipment for the proper operation thereof; determining and declaring that such facilities and functions are of a

municipal character and that any municipality exercising any of the powers granted under this act shall be construed as exercising a municipal power.

Also—

Senate Bill No. 476:

A bill to be entitled An Act authorizing municipal corporations to acquire by eminent domain, purchase, gift, devise or lease and to construct, maintain and operate libraries, auditoriums, armories, community centers and any other public buildings dedicated or to be dedicated to public use, and declaring such facilities to be municipal facilities.

Also—

Senate Bill No. 616:

A bill to be entitled An Act to amend Sections 8 and 11, of Chapter 10100, Laws of Florida, Acts of 1925, relating to establishment and maintenance of municipal and county recreation centers and playgrounds and prescribing a method of taxation therefor.

And Senate Bills Nos. 475, 476 and 616, contained in the above report, were laid on the table.

Senator Dye, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following bill and recommends that the same do pass—

Senate Bill No. 589:

A bill to be entitled An Act requiring all municipalities in the State of Florida having according to the last census a population in excess of 30,500 to provide medical treatment at municipal expense to indigent residents of such municipalities who are infected with venereal disease, and authorizing the expenditure of municipal funds for such treatment, and authorizing the levy of ad valorem taxes to defray the expenses thereof.

And Senate Bill No. 589, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Dye, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following bill and recommends that the same do not pass—

Senate Bill No. 185:

A bill to be entitled An Act to provide that cities and villages owning, maintaining or operating certain services or facilities may make provision for the collection of reasonable charges from the users of such services or facilities.

And Senate Bill No. 185, contained in the above report, was laid on the table.

Senator Dye, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following bill and recommends that the same do not pass.

House Bill No. 260:

A bill to be entitled An Act to provide that cities and villages owning, maintaining or operating certain services or facilities may make provision for the collection of reasonable charges from the users of such services or facilities.

And Senate Bill No. 260, contained in the above report, was laid on the table.

Senator Dye, Chairman of the Committee on Cities and Towns, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 598:

A bill to be entitled An Act granting to the cities and towns of the State of Florida the power to prescribe and enforce zoning regulations governing the construction, location, and use of buildings and other structures within the corporate limits of such cities and towns; to provide for the method of procedure to establish such regulations; to provide for the creation of a zoning commission and board of adjustment and prescribing the duties of the same; to provide for hearings and appeals; to provide for penalties for violation of this Act and of such regulations, and to provide for civil remedies to restrain, correct, or abate violations of this Act and of such regulations.

And Senate Bill No. 598, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Adams, Chairman of the Committee on Agriculture and Livestock, reported that the Committee had carefully considered the following bill and recommends that the same do pass.

Senate Bill No. 441:

An Act to amend Chapter 18,144, Laws of Florida, approved June 10, 1937, entitled "An Act to declare the necessity of establishing "Soil conservation districts"; to engage in conserving soil resources and preventing and controlling soil erosion; to establish the State soil conservation committee, and to define its powers and duties; to provide for the establishment of soil conservation districts; to define the powers and duties of soil conservation districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift, and otherwise; to empower such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for the establishment of boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for discontinuance of such soil conservation districts, and for other purposes," to create a State Soil Conservation Board and to prescribe its powers and duties and for other purposes.

And Senate Bill No. 441, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bills and recommends that they do pass.

Senate Bill No. 472:

A bill to be entitled An Act making an appropriation for conducting research and demonstration work on bright or flue-cured tobaccos in the State of Florida. Whereas the bright or flue-cured tobacco industry is one of Florida's new and most important industries, and whereas it is important to the State of Florida that her tobacco farmers have advantage of the best scientific information and help in all phases of growing and handling of their tobacco; particularly the control of blue mold and other major problems, and whereas it is deemed necessary and desirable that monies be made available for conducting research and demonstration work for and with bright tobacco farmers, and whereas such work is considered of great importance to the entire State of Florida and her citizens.

Also:

Senate Bill No. 603:

A bill to be entitled An Act making an appropriation for, a portion of the cost of constructing certain buildings and additions at the Florida State Hospital at Chattahoochee, Florida, to supplement a Federal grant of a portion of the amount necessary to construct said building and additions.

Also—

House Bill No. 537:

A bill to be entitled An Act providing for the construction of a new south wing to the State Capitol to include a Senate Chamber and Committee Rooms and executive offices for the Florida State Senate, and appropriating money for the payment therefor.

And Senate Bills Nos. 472, 603 and House Bill No. 537, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Kanner, Acting Chairman of the Committee on Education, reported that the Committee had carefully considered the following bill—

Senate Bill No. 25:

A bill to be entitled An Act relating to public education, providing for the organization, establishment, operation, maintenance, and support of the State System of Public Education.

And offer the following substitute and recommend that the same do pass—

Committee Substitute for Senate Bill No. 25:

A bill to be entitled An Act relating to public education,

providing for the organization, establishment, operation, maintenance, and support of the State System of Public Education and prescribing penalties for violating any provisions of the Act, and any rule and regulation made pursuant to the Act.

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

Senator Graham, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following bill and recommends that the same do pass—

Senate Bill No. 543:

A bill to be entitled An Act to amend second paragraph of Section 9, of Chapter 17276, Laws of Florida, Acts of 1925, being An Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 9, 9B, 16 18 and 21, of Chapter 14832, Laws of Florida, Acts of 1931, being "An Act to provide for a State Racing Commission; to prescribe its powers and duties and to fix the compensation of its members; to provide for the holding of referendum and recall elections in any county; to determine whether racing shall be permitted or continued therein; to provide for licensing and taxing such racing; and apportioning the monies derived therefrom among the several counties of the State; to provide for and regulate the making of parimutuel pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act, and for other purposes relating thereto" by providing that eighty-five percent of the employees of racing plants, and of the concessions and businesses incidental thereto, shall be bona fide residents and citizens of the State of Florida.

And Senate Bill No. 543, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Savage, Chairman of the Special Committee on Social Welfare, appointed pursuant to Senate Resolution No. 16, reported that the Committee had carefully considered the following bill and recommends that the same do pass—

Senate Bill No. 473:

A bill to be entitled An Act to provide for and promote the general welfare of the State of Florida by supplying to the people a more liberal distribution and increase of purchasing power, retiring certain citizens from gainful employment, improving and stabilizing gainful employment for other citizens, stimulating agricultural and industrial production and general business, and alleviating the hazards and insecurity of old age and unemployment; to provide a method whereby citizens shall contribute to the purchase of and receive a retirement annuity; to provide for the raising of the necessary revenue to operate a continuing plan therefor; to provide for the appropriation and expenditure of such revenue; to provide for the proper administration of this Act; to provide penalties for violation of the Act; and for other purposes.

And Senate Bill No. 473, contained in the above report, was placed on the Calendar of Bills on second reading.

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

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

Senate Bill No. 287:

A bill to be entitled An Act to protect good will represented by trade marks, names or brands, against injury by authorizing contracts establishing minimum resale prices on commodities bearing them and defining as unfair competition and making actionable knowingly and wilfully to advertise and sell such commodities at less than the minimum prices established in the contract authorized by this Act, whether the person so advertising and selling is or is not a party to such contract.

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

And Senate Bill No. 287, contained in the above report, was placed on the Calendar of Bills on third reading.

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

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

## Senate Bill No. 659:

A bill to be entitled An Act relating to Napoleon B. Broward Drainage District, in Brown County, Florida; to the enforcement of taxes, interest, and penalties thereon imposed by said district; to the foreclosure of taxes and liens for taxes for said district; providing for suits in chancery by said district for the foreclosure and cutting off of the owners' right to redeem lands where title has vested in the district; providing a supplemental, additional, optional, and alternative method of enforcing tax liens due said district by suit in chancery in rem against said lands; prescribing the practice, pleading, and procedure in such suits and authorizing the allowance of attorneys' fees therein, and providing for lease and sale of lands bid in by the district under such sale.

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

And Senate Bill No. 659, contained in the above report, was certified to the House of Representatives.

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

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

## Committee Substitute for Senate Bill No. 26:

A bill to be entitled An Act to amend Sections 11 and 12 of Chapter 17808, Laws of Florida, Acts of 1937 entitled "An Act to promote the planting and production, within the State of Florida, of Sea Island cotton; in the exercise of the reserve powers of the State of Florida to provide protection for growers and producers of such cotton against hybridization and reduction in value thereof; to that end providing for creation of cotton production control districts: prohibiting the production, in said districts, of any type of cotton other than Sea Island cotton; also prohibiting the planting therein of any type of cotton seed or plants other than Sea Island cotton seed or plants; providing for the administration and enforcement of the provisions hereof; making an annual appropriation for the purpose of carrying out the provisions hereof; providing penalties and punishment for violation of the provisions hereof" so as to clarify the provision of Section 11 as to the territorial scope of the Act and increasing the annual appropriation provided for in Section 12 of the Act.

Also—

## Senate Bill No. 117:

A bill to be entitled An Act to repeal Chapter 4247, Laws of Florida, Acts of 1893, entitled "An Act to incorporate the Florida annual conference of the Methodist Episcopal Church, South."

Also—

## Senate Bill No. 124:

A bill to be entitled An Act authorizing Pinellas County, Florida to construct, acquire, improve, extend, operate and maintain certain public works, undertakings, and projects in said county and under, in, over, above and across the waters of Boca Ceiga or Tampa Bay; prescribing the mode of procedure for and regulating the issuance and sale of bonds and other obligations to finance such works, undertakings and projects, providing for the payment of such bonds and other obligations; and authorizing agreements with the holders of such bonds and other obligations.

Also—

## Senate Bill No. 152:

A bill to be entitled An Act to amend Chapter 6337, Laws of Florida, Acts of 1911, being An Act entitled "An Act relating to the incorporation of the Town of Crescent City, fixing its boundaries, conferring on said town all the powers and privileges incident thereto under the laws of the State of Florida, validating all ordinances heretofore passed by said town, validating all Acts of said town and its officers, providing for the assessment of taxes and collections of revenue providing for paving and improving streets and sidewalks, providing for and authorizing the issue and sale of bonds, providing for a town council and other officials for said town, providing methods for the government of said town and conferring other powers and privileges of said town," as said Chapter 6337, Laws of Florida, Acts of 1911, is amended by Chapter 8928, Laws of Florida, Acts of 1921, this Act providing for the abolishment of the elective offices in said town of town treasurer, town tax collec-

tor, town clerk, and town tax assessor, and providing for a town manager.

Also—

## Senate Bill No. 207:

A bill to be entitled An Act fixing and providing for the payment of salaries of Supervisors of Registration in Counties of the State of Florida having a population of not less than nine thousand, seven hundred and eighty, and not more than ten thousand, according to the last preceding State census taken prior to the passage of this Act.

Also—

## Senate Bill No. 236:

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

Also—

## Senate Bill No. 254:

A bill to be entitled An Act to amend Section 4 and Section 5 of Chapter 18284, Laws of Florida, Acts of 1937, being An Act 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."

Also—

## Senate Bill No. 294:

A bill to be entitled An Act to repeal Chapter 17969, Acts of 1937, Laws of Florida, being "An Act relating to the distribution and expenditure of monies derived from gasoline taxes placed to the credit of the several counties of the State of Florida having a population of not less than seven thousand one hundred and fifty (7,150) and not more than seven thousand two hundred (7,200) according to the State census of 1935, conferring certain powers, authority, and duties upon the State Board of Administration and the State Treasurer with reference thereto, and prescribing the purpose for which such monies shall be expended."

Also—

## Senate Bill No. 337:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Escambia County, Florida, to budget, appropriate and expend moneys out of the General Revenue Fund for the purpose of employing a representative or representatives to consult and advise with the Board of County Commissioners of said County regarding the development of natural resources in said County, the establishment, maintenance and development of industries and Federal and State projects and other governmental establishments in said County and to endeavor to secure such industries, developments, projects and establishments, and validating any and all expenditures for like purposes heretofore made.

Also—

## Senate Bill No. 349:

A bill to be entitled An Act to fix and provide the compensation of members of the County Board of Public Instructions in all counties in the State of Florida having a population of not less than 5,525 nor more than 5,850 according to the last preceding State census.

Also—

## Senate Bill No. 350:

A bill to be entitled An Act to fix and provide the compensation of members of the Board of County Commissioners in all counties in the State of Florida having a population of not less than 5,525 nor more than 5,850 according to the last preceding State census.

Also—

## Senate Bill No. 362:

A bill to be entitled An Act to authorize the Board of County Commissioners of Polk County, Florida to provide group insurance for the following officers of Polk County and their respective employees, viz: Board of County Commissioners, Clerk of the Court, County Judge, Sheriff, Tax Collector, Tax Assessor, Clerk County Court and Criminal Court of Record, Supervisor of Registration, and providing that, as to such employees, such group insurance shall be in lieu of the provisions of Chapter 17481, Acts of 1935, known as the

Florida Workmen's Compensation Act, and providing that the expenses thereof shall be paid out of the general fund and validating and confirming all payments heretofore made by such Board of County Commissioners for such group insurance.

Also—

Senate Bill No. 370:

A bill to be entitled An Act to provide payment to the Pace Company, John K. Edwards, M. C. Boley, W. M. Johnson, W. S. Gay, D. C. Dunlap, L. E. Dove, McCurdy Estate, W. T. Farror, Drs. Turberville and Turberville, Pensacola Hospital, Goodyear Service Stores, Pensacola Buggy Works, D. H. Tart and Pensacola Broadcasting Company, by Escambia County, Florida.

Also—

Senate Bill No. 371:

A bill to be entitled An Act to provide payment to L. A. Maygarden, W. J. Noonan, H. E. Gandy, Irving Staples, J. E. and Evelyn Staples, J. H. Simmons, Raymond Grause, Tom Braswell, Paul E. Maygarden, Frank Frick and Gladys Frick, Mrs. W. A. Williams, Walter Jones, George Kinsley, Mrs. R. E. Williams, C. L. J. Smith and Beulah C. Smith, B. N. Cobb, J. C. McConnell, F. W. Nicholson, M. C. Kilpatrick, Luella Marble, Edgar Brockman, Levi Brazwell, J. G. McNair, D. H. Tart, J. M. Gant, R. C. Johnson, and Soule Brothers, by Escambia County, Florida.

Also—

Senate Bill No. 392:

A bill to be entitled An Act providing that no court shall enter any interlocutory or final order, decree or judgement in any case involving the validity or constitutionality of any law relating to the distribution, apportionment of allocation of any state excise or other taxes equally to the several counties of this state, until it appears of record that service of notice of the pendency of the suit and of hearings of applications of such orders, decrees or judgments accompanied by copies of the pleadings has been had upon the chairman of the Board of County Commissioners or chairman of the Board of Public Instruction of the several counties or upon both such chairman of said board depending upon whether one or both or said boards has an interest in the subject matter, and providing that such boards after such service shall be parties to the case and properly aligned by the court.

Also—

Senate Bill No. 398:

A bill to be entitled An Act fixing the fiscal year of the City of Pensacola, fixing the time of passage by the City Council of said City of the annual appropriation ordinance and the annual tax levy ordinance, fixing the time for the submission by the City Manager of the budget estimate for the year, fixing the time for the meeting of the Board of Tax Equalization of said City, and repealing all laws and parts of laws in conflict with the provisions of this Act.

Also—

Senate Bill No. 499:

A bill to be entitled An Act to amend Section 25 of Article 3, and Section 49 of Article 4, and Section 62 of Article 8, and Section 63 of Article 8, of Chapter 15116, Laws of Florida of 1931, entitled: "An Act to abolish the present municipal government of the City of Carrabelle, in the County of Franklin and State of Florida; and to organize and establish a commission form of government for the same; to prescribe its jurisdiction and powers; and to authorize the imposition of penalties for the violation of its ordinances"; enlarging the powers of the City of Carrabelle to incur indebtedness, and to issue bonds and other obligations; authorizing the issuance and delivery of mortgages and deeds of trust creating liens on real estate and personal property of the City of Carrabelle, and the pledge of revenues of public utilities to pay certain indebtedness; providing for a referendum election for the ratification or rejection of this Act; repealing conflicting laws.

Also—

Senate Bill No. 504:

A bill to be entitled An Act making it unlawful, and to

prohibit the netting, placing and setting of nets, or the taking of fish by nets or in any other way or manner except with rod and reel; pole, hook and line from the waters of Homosassa river, in Citrus County, Florida, and providing a penalty for the violation thereof.

Also—

Senate Bill No. 505:

A bill to be entitled An Act prohibiting, in Lake County, the pursuing, taking, hunting or killing of any game, game birds or game animals on Monday, Wednesday and Friday of each week during the period which, under any law, the hunting pursuing, taking or killing is permitted by the laws of the State of Florida; providing a penalty for the violation of this Act and repealing all laws and parts of laws in conflict with this Act; and providing that this Act shall take effect immediately upon its passage and approval by the Governor or its becoming a law without such approval.

Also—

Senate Bill No. 506:

A bill to be entitled An Act fixing the salary of State Attorneys in the State of Florida in circuits comprising five counties with a population of more than 79,000 people according to the last State census.

Also—

Senate Bill No. 513:

A bill to be entitled An Act authorizing and directing the Board of County Commissioners of St. Johns County, Florida, to cancel all general school and school district bonds and interest coupons of St. Johns County, and other bonds, interest coupons and evidences of indebtedness heretofore received by St. Johns County officials for the payment of taxes, and prescribing the procedure therefor.

Also—

Senate Joint Memorial No. 1:

A Joint Resolution as a Memorial to Congress to pass an Act for the relief of property owners who suffered damages from the campaign to eradicate the Mediterranean fruit fly.

Also—

Senate Memorial No. 3:

A Joint Resolution as a Memorial to Congress to pass an Act terminating the selling of munitions and war materials by citizens of the United States to the country of Japan.

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

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

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

Senate Bill No. 65:

A bill to be entitled An Act to define and regulate the practice of optometry and declaring the same to be a profession; to provide for a Board of Examiners, its duties, powers, appointments and salaries, and for the examination, qualification and fee of applicants for the practice of optometry; to provide for the issuance and revocation of certificates and registration of licensed practitioners of optometry and providing for the recordation of such certificates; exempting registered optometrists from jury duty and making their services available on a parity with those of any other profession performing similar service; optometrists to give expert testimony relative to the diagnosis of the human eye its appendages of any visual, muscular, neurological or anatomic anomalies of the human eyes and their appendages; prohibiting the unethical or unprofessional practice and sale of eye-glasses, spectacles and lenses; and prohibiting unethical or unprofessional conduct and prescribing the manner of enforcing the provisions of this Act, and fixing the penalties for the violation of the terms and provisions thereof.

Also—

Senate Bill No. 123:

A bill to be entitled An Act authorizing all counties of the State of Florida having a population of not less than 60,000

and not more than 70,000 according to the last official, federal or State census, to pay the compensation of State Auditors engaged in full time work in such counties.

Also—

Senate Bill No. 172:

A bill to be entitled An Act authorizing all counties of the State of Florida having a population of not less than 60,000 and not more than 70,000 according to the last official, federal or state census, to levy a rate or millage not to exceed five mills against all of the taxable property in such counties for the purpose of promoting agriculture.

Also—

Senate Bill No. 173:

A bill to be entitled An Act authorizing all counties of the State of Florida having a population of not less than 60,000 and not more than 70,000 according to the last official, federal or state census, to levy a rate or millage not to exceed two mills against all of the taxable property in such counties for the purpose of bridge construction, maintenance, and repair in such counties.

Also—

Senate Bill No. 174:

A bill to be entitled An Act authorizing all counties of the State of Florida having a population of not less than 60,000 and not more than 70,000 according to the last official, federal or state census, to acquire, mortgage and dispose of real property.

Also—

Senate Bill No. 175:

A bill to be entitled An Act authorizing all Counties of the State of Florida having a population of not less than 60,000 and not more than 70,000 according to the last official, Federal or State census, to levy a rate of millage not to exceed five mills against all of the taxable property of such counties for the purpose of County welfare.

Also—

Senate Bill No. 258:

A bill to be entitled An Act to amend Sections 3, 9, 11, 29, 37, 38, 41, 43, 44, 121, 122, 174, 177, 193, 196, 200, 226, and 229 of Chapter No. 12790 of the Special Acts of the Legislature of the State of Florida of 1927, entitled: "An Act to abolish the present municipality of Haines City, Polk County, Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Haines City, Polk County, Florida, and to define its territorial boundaries and to provide for its jurisdiction, powers and privileges and to authorize the said City of Haines City, Polk County, Florida, to enforce ordinances of said City," and repealing all laws and parts of laws in conflict herewith.

Also—

Senate Bill No. 354:

A bill to be entitled An Act to provide for the sale on compromise offers, without advertisement, of all tax sale certificates held by the State of Florida for the year 1936 and/or prior years covering lands in Putnam County, State of Florida providing that the amount of State tax covered by tax certificates shall not be subject to compromise.

Also—

Senate Bill No. 397:

A bill to be entitled An Act to provide for the biennial registration of all legally qualified voters in the City of Pensacola, Florida, entitled to vote in municipal primary or general elections; providing that no person not registered in accordance with the provisions of this Act shall vote in any such election, repealing Section 4 of Chapter 16989, Laws of Florida, Acts of 1935, and all laws and parts of laws in conflict with the provisions of this Act.

Also—

Senate Bill No. 442:

A bill to be entitled An Act to amend Section 182 of the Charter of the City of St. Augustine (being Chapter 11148, Laws of Florida, Acts of 1925, and Acts amendatory thereof) as amended by Section 77 of Chapter 14375, Laws of Florida, Acts of 1929, relating to the making of contracts by said City with individuals, companies or corporations for furnish-

ing electric power and energy; and repealing all laws or parts of laws in conflict therewith.

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

Tallahassee, Florida,  
May 9, 1939.

*Hon. J. Turner Butler,*  
*President, Florida State Senate,*  
*Tallahassee, Florida.*

Sir:

Your Committee on Rules and Calendar respectfully recommends that a session of the Senate be held on Wednesday, May 10th, from 8:00 to 10:30 p. m., for the consideration of the following classes of bills only:

1. All local bills.
2. Road designation bills.
3. Pension bills.
4. Claims bills.

Respectfully submitted,

A. O. KANNER,

Chairman, Committee on Rules and Calendar.

Senator Kanner moved the adoption of the foregoing report of the Committee on Rules and Calendar.

Which was agreed to and the report was adopted.

Senator Adams moved that the rules be waived and Senate Bills Nos. 468, 469, 466, 465, 467, 96, 450, 451, 452 and 609 be made a Special and Continuing Order of Business for consideration by the Senate beginning at 2:30 o'clock, P. M., Thursday, May 11, 1939.

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

Senator Dame moved that the rules be waived and Senate Bills Nos. 457, 456, 455, 548 and 624 be made a Special and Continuing Order of Business for consideration by the Senate beginning at 2:30 o'clock, P. M., Friday, May 12, 1939.

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

Senator Dame moved that the rules be waived and Senate Bill No. 35 be made a Special and Continuing Order of Business for consideration by the Senate beginning at 4:00 o'clock, P. M., Monday, May 15, 1939.

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

Senator Black moved that the rules be waived and Senate Bills Nos. 422 and 464 be made a Special and Continuing Order of Business for consideration by the Senate beginning at 3:30 o'clock, P. M., Wednesday, May 10, 1939.

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

Senator Dame moved that the rules be waived and Senate Bill No. 279 be made a Special and Continuing Order of Business for consideration by the Senate beginning at 4:30 o'clock, P. M., Monday, May 15, 1939.

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

Senator Savage moved that the rules be waived and Senate Bills Nos. 355 and 356 be made a Special and Continuing Order of Business for consideration by the Senate beginning at 4:00 o'clock, P. M., Wednesday, May 10, 1939.

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

Senator Parrish moved that the rules be waived and Senate Bill No. 222 be made a Special and Continuing Order of Business for consideration by the Senate beginning at 4:10 o'clock P. M., Wednesday, May 10, 1939.

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

Senator Beall moved that the rules be waived and Senate Bill No. 473 be made a Special and Continuing Order of Business for consideration by the Senate beginning thirty minutes after the Senate convenes on Tuesday, May 16, 1939.

Upon which a roll call was demanded.

Upon the adoption of the motion made by Senator Beall the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles,

McKenzie, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—36.

Nays—None.

Which was agreed to and Senate Bill No. 473 was made a Special and Continuing Order of Business for consideration by the Senate beginning thirty minutes after the Senate convenes on Tuesday, May 16, 1939.

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

Which was agreed to.

And the President appointed Senators Savage, Hinely and Parrish as the committee.

Senator Holland moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 287, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 287:

A bill to be entitled An Act to protect trade-mark owners, producers, distributors and the general public against injurious and uneconomic practices in the distribution of competitive commodities bearing a distinguishing trade-mark, brand or name; authorizing the use of contracts establishing minimum resale prices and refusal to sell unless such minimum resale prices are observed, and making such contracts obligatory on all persons having knowledge of them, whether or not such persons are parties thereto.

Was taken up.

Senator Holland moved that the rules be waived and Senate Bill No. 287 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 287 was read the second time by title only.

Senator Holland offered the following amendment to Senate Bill No. 287:

(Typewritten bill) strike out the title, and insert in lieu thereof the following title:

"An Act to protect good will represented by trade marks, names or brands, against injury by authorizing contracts establishing minimum resale prices on commodities bearing them and defining as unfair competition and making actionable knowingly and wilfully to advertise and sell such commodities at less than the minimum prices established in the contracts authorized by this Act, whether the person so advertising and selling is or is not a party to such contract."

Senator Holland moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

And Senate Bill No. 287, as amended, was referred to the Committee on Engrossed Bills.

Senator Kanner moved that the rules be waived and when the Senate adjourns at this session it adjourn to reconvene on Wednesday, May 10, 1939, at 2:00 o'clock P. M. and adjourn at 6:00 o'clock P. M.

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

**INTRODUCTION OF RESOLUTIONS AND CONSIDERATION OF OTHER RESOLUTIONS**

By Senators Mapoles, Beall, Gillis, Lewis, Walker, Wilson, Holland, Hodges, Dame, Horne, Kelly (11th), Kelly (16th), Parker, Graham, Lindler, Johns, Hinely, Butler, Rose, Savage, Coulter, Clarke, Westbrook, Ward, Sharit, McKenzie, Murphy, Price, Dugger, Adams, Kendrick, Black, Kanner, Whitaker, Beacham, Dye, Parrish and Gideons—

Senate Concurrent Resolution No. 15:

**A RESOLUTION INVITING THE YOUNG DEMOCRATIC CLUBS OF AMERICA TO HOLD THEIR NATIONAL BIENNIAL CONVENTION FOR 1941 IN THE STATE OF FLORIDA.**

WHEREAS, the State of Florida is the playground of America and attracts each year hundreds of thousands of visitors to bask in its healthful and invigorating climate and sunshine, to enjoy its unparalleled beaches and its thousands upon thousands of fresh water lakes, rivers and streams, and

WHEREAS, it is generally conceded that the great sunshine state is the happy mecca of those who would come to seek recreation, happiness and wonderful living, and

WHEREAS, the variety of entertainment, sports, recreation and points of interest offered by the peninsular state in the great expanse stretching from the banks of the Perdido to the waters of St. Mary's and St. John's Rivers, thence south to the southernmost tip of the United States, are unsurpassed and without equal within the boundaries of these great United States, and

WHEREAS, the State of Florida has since its creation and admission into the Union been a Gibraltar of Democracy and.

WHEREAS, the activities of its prominent Democrats has made its influence felt in the high councils of this nation, and

WHEREAS, the State of Florida is desirous of showing every possible courtesy to the younger element of the great Democratic Party.

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

That the Young Democratic Clubs of America be, and they are herein and hereby cordially invited to hold their national biennial convention for 1941 within the State of Florida.

And be it further resolved that a copy of this resolution be spread upon the minutes of both houses, and that a copy thereof under the great seal of this state, be transmitted to the Honorable Pitt Tyson Manor, President of the Young Democratic Clubs of America, that a copy be furnished the press, and that sufficient copies be ordered for distribution to the delegates at the next biennial convention of the Young Democratic Clubs of America, which is to be held in the City of Pittsburgh, Pennsylvania during 1939.

Which was read the first time in full.

Senator Westbrook moved that the rules be waived and Senate Concurrent Resolution No. 15 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 15 was read the second time in full.

The question was put upon the adoption of the Resolution. No. 15 was adopted, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

**INTRODUCTION OF BILLS AND JOINT RESOLUTIONS**

By Senators Graham, Holland and Hinely—

Senate Bill No. 638:

A bill to be entitled An Act to amend Section three (3) and subsections (b) and (c) of Section 8 of Chapter 15659 Laws of Florida Acts of 1931 entitled "An Act relating to taxation, levying and imposing an excise tax on gasoline and other like products of petroleum in addition to other taxes thereon; levying and imposing a license tax on every dealer in gasoline or any other like product of petroleum; providing for the report of sale of such commodities, and the collection and payment of such taxes; creating special funds for the reception of such taxes; providing the purposes of such taxes, and for the deposit, appropriation and disposition of the proceeds derived from such taxes, and prescribing the duties of certain officials with reference thereto, and declaring certain roads to have been and to be built for State purposes and as being State undertakings; repealing Chapter 14575, Laws of Florida, Acts of 1929, relating to the subject of gasoline taxes; repealing Chapter 14573, Acts of 1929, relating to the subject of gasoline taxes, and raising special revenue for educational purposes, and all laws in conflict with this Act; providing for the enforcement of this Act and penalties for violation hereof." Approved June 22 1931.

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

By Senators Graham, Holland and Hinely—

Senate Bill No. 639:

A bill to be entitled An Act to amend Section 23, of Chapter 18285, Laws of Florida, Acts of 1937, entitled "An Act creating a State Welfare Board and district welfare Boards and providing for their appointment, qualifications, powers and duties; providing that said State Board shall be the agent

for the United States, State, County and municipal governments in the administration of funds for the relief of unfortunates; and authorizing the said boards to act as agent for the United States, State, County and municipal governments in the administration of any funds for investigations, social welfare work, or any other work incident to the public welfare of the United States, State, County and municipal governments; authorizing the State Welfare Board to promulgate rules and regulations necessary to carry out the intent and purposes of this Act; providing for the supervision of State and local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children; authorizing the State Welfare Board to establish minimum standards of care for all local public and private institutions or agencies; creating the office of State Welfare Commissioner and providing for his appointment, providing that this Act shall not affect the enforcement of Chapter 9274, Acts of 1923, of Chapter 11834, and 13384, Acts of 1927, of Chapter 13620, Acts of 1929, and Acts amendatory thereof; repealing all other laws or parts of laws in conflict herewith; and making appropriations to carry out the purposes of said Act; and fixing the qualifications of persons entitled to monetary benefits or assistance under this Act." Approved June 10, 1937

Which was read the first time by title only and referred to the Special Committee appointed by the President pursuant to Senate Concurrent Resolution No. 16.

By Senator Dame—  
Senate Bill No. 640:

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

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

By Senator Dame—  
Senate Bill No. 641:

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

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

By Senators Beacham and Coulter—  
Senate Bill No. 642:

A bill to be entitled An Act to require the teaching of the civil government of Florida in the public schools of the State of Florida and to make it the duty of the State Board of Education and the State School Book Commission to carry out the provisions of this Act.

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

By Senators Beacham and Whitaker—  
Senate Bill No. 643:

A bill to be entitled An Act to amend Section 5918, Revised General Statutes of Florida, the same being Section 8182, Compiled General Laws of Florida, relating to expenditures allowable in furtherance of the candidacy of any person at a primary election.

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

By Senator Beacham—  
Senate Bill No. 644:

A bill to be entitled An Act authorizing and directing the Clerk of the Circuit Court of Broward County, Florida, to deliver certain tax sale certificates held by the State and sold and assigned to Bart A Riley, and set aside and paid for by him, during the year of 1931, under the provisions of a certain contract then existing between said purchaser, the Board of County Commissioners of Broward County, and the State Comptroller, entered into during the month of May, 1931.

Which was read the first time by title only.

By unanimous consent Senator Beacham withdrew Senate Bill No. 644.

By Senator Beall—  
Senate Bill No. 645:

A bill to be entitled An Act providing for tenure of em-

ployment of teachers under the age of 65 years in the public schools of Escambia County, Florida; defining terms used in said Act; providing when teachers are entitled to tenure of employment and the causes for which such teachers may be discharged or demoted and prescribing the procedure thereof; and conferring jurisdiction upon the Circuit Court to issue writs of mandamus and certiorari in order to give effect to the provisions of said Act.

The following proof of publication was attached to Senate Bill No. 645 when it was introduced in the Senate:

#### LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the undersigned will apply to the Legislature of the State of Florida at its present session for the passage of a local law providing for Tenure of Employment of School Teachers in the Public Schools of Escambia County, Florida, defining when such teachers are entitled to such tenure, providing procedure for the termination thereof, and for judicial ascertainment of the rights of parties thereunder.

PHILIP D. BEALL  
EVERITT O. MALONE  
EDWIN HOLSBERY.

6020—1t—4-8-39.

STATE OF FLORIDA,  
COUNTY OF ESCAMBIA:

Before the undersigned personally appeared N. S. Veal, 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 the Tenure of Employment of School Teachers in the Public Schools of Escambia County, Florida, has been published at least thirty days prior to this date, by being printed in the April 8th, 1939 issue of the PENSACOLA JOURNAL, a newspaper published in Escambia 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 or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

N. S. VEAL.

Sworn to and subscribed before me this 8th day of May, 1939.

DOROTHY G. THOMAS,  
(Notary Public).

(Seal) My commission expires March 6, 1940.

Which was read the first time by title only.

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

Which was agreed to by a two-thirds vote.

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

Senator Beall moved that the rules be further waived and Senate Bill No. 645 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 645 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Kendrick—  
Senate Bill No. 646:

A bill to be entitled An Act to amend Section 5086 of the Revised General Statutes of Florida, 1920, the same being Section 7188 of the Compiled General Laws of Florida, 1927, and all amendatory Acts thereto, i. e. Chapter 14831, Acts of 1931, Section 1, and Chapter 17179, Section 1, Acts of 1935; relating to and defining the meaning of pugilistic exhibitions.

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

By Senator Kendrick—  
Senate Bill No. 647:

A bill to be entitled An Act for the relief of A. L. Harris of Flagler County, Florida.

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

By Senator Beall—  
Senate Bill No. 648:

A bill to be entitled An Act authorizing the City of Pensacola to construct, build, maintain and operate docks, dry docks, ship ways, foundations for ship ways and the necessary dredging, filling and bulk-heading incident to the construction of any of such facilities, and such other industrial facilities as the city council of said city may determine by ordinance; authorizing said city to acquire lands for such purposes; authorizing said city to levy taxes for the construction and operation of any of such facilities; authorizing said city to issue bonds for the construction of any of such facilities, and providing method for the payment of such bonds; authorizing said city to sell or lease any of such facilities; declaring the powers and functions granted in this Act to be municipal in character; repealing all laws in conflict with the provisions of this Act; providing for the submission of the question as to whether this Act shall become operative and effective to the voters of said city at the 1939 general municipal election, or at a special election to be called for such purpose, and providing for the canvass of the votes cast upon such question, in either event.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 648 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 648 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 648 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. 648 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Beall—  
Senate Bill No. 649:

A bill to be entitled An Act authorizing the City of Pensacola, Florida, to construct, build, maintain and operate a free public library, a public auditorium, an armory, and a community center, or a combination of any two or more such facilities, and any other building dedicated to public use, and authorizing said City to acquire lands for such purposes; providing that any armory constructed by said City under the provisions of this Act may be conveyed or leased to the State Armory Board; authorizing said City to levy taxes for the construction and operation of any such facilities; authorizing said City to issue bonds for the construction of any such facilities, and providing the method for the payment of said bonds; declaring the powers and functions granted in this Act to be municipal in character; repealing all laws in conflict with the provisions of this Act; and providing for the submission of the question as to whether this Act shall become operative and effective to the voters of said City at the 1939 general municipal election or at a special election to be called for such purpose, and providing for the canvass of the votes cast upon such question in either event.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 649 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 649 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 649 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. 649 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Beall—  
Senate Bill No. 650:

A bill to be entitled An Act relating to the City of Pensacola: authorizing such City to acquire by eminent domain, purchase, gift, devise, or lease and to construct, maintain and operate port terminal facilities, warehouses, grain elevators, fruit terminals, rebarreling plants, cold storage and quick freezing plants and other plants and establishments for the packing, compressing and preparing for shipment of commodities: wharves, docks, dry docks, quays, yacht and ship basins: land, machinery, tanks, conveyors, facilities, appurtenances and equipment for the proper operation thereof: authorizing the issuance of revenue and general obligation bonds of such city for the purposes above set forth, within certain limits: authorizing the issuance of revenue certificates for such purposes: providing for a referendum election for the submission of this Act, to be called and held in the City of Pensacola.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 650 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 650 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 650 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. 650 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Black—  
Senate Bill No. 651:

A bill to be entitled An Act providing that all Justice of the Peace Courts in Alachua County, Florida, as now established, or which may hereafter be established in accordance with law, shall have jurisdiction to hear, try, and determine criminal cases arising within the respective territorial limits of such Justice of the Peace District, which jurisdiction shall be confined to misdemeanors carrying no greater punishment upon adjudication of guilt than a fine of \$500.00, or imprisonment for six months in the county jail or both, and providing for the fees of such Justices of the Peace, and the procedure to be followed in such courts.

The following proof of publication was attached to Senate Bill No. 651 when it was introduced in the Senate:

## NOTICE OF INTENTION TO APPLY FOR SPECIAL LAW

Notice is hereby given that 30 days after the publication hereof, the undersigned will cause to be introduced in the Legislature of the State of Florida a local bill providing in substance that the Justice of the Peace Courts of Alachua County, Florida, are to have full trial jurisdiction for offenses against the State of Florida of a criminal nature where the prescribed punishment does not exceed 6 months imprisonment, or fine of \$500.00 or both.

Dated this 7th day of April, 1939.

L. R. SNOWDEN.

STATE OF FLORIDA  
ALACHUA COUNTY.

NO. 302.

PERSONALLY CAME BEFORE ME Thomas B. Irving, Publisher of the High Springs Telegram, a weekly newspaper published in the City of High Springs, Alachua County, Florida, and having been published continuously weekly and has been entered as second class mail matter at the post office in High Springs, Alachua County, Florida, for a period of more than one year next preceding the date of first insertion of this notice, who being duly sworn, deposes and says that the advertisement of Notice of Intention to Apply for Special Law in the case of L. R. Snowden, a copy of which is hereunto attached, was duly published and advertised in the regular issue of said newspaper once each week consecutively for the period of 1 time preceding the ..... day of ..... A. D., 1939, as required by law, to-wit: In the issue dated April 7th, 1939.

THOMAS B. IRVING, Publisher.

Sworn to and subscribed before me this 8th day of April, 1939.

KATE RYALS,

Notary Public, State of Florida at Large.

My commission expires March 3, 1941.

Which was read the first time by title only.

Senator Black moved that the rules be waived and Senate Bill No. 651 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 651 was read the second time by title only.

Senator Black moved that the rules be further waived and Senate Bill No. 651 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. 651 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senators Parrish and Kelly (16th)—

Senate Bill No. 652:

A bill to be entitled An Act to amend Section 1, Chapter 15859 (No. 2), Laws of Florida, Acts of 1933, being An Act to fix the annual salaries of certain State officers and employees, and repealing Chapter 15720, Laws of Florida, Acts of 1931, relating to same subject.

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

By Senator Walker—

Senate Bill No. 653:

A bill to be entitled An Act to grant a pension to Mrs. Vester Culverson of Wakulla County, Florida.

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

By Senator Walker—

Senate Bill No. 654:

A bill to be entitled An Act to amend Section 44 of Chapter 13644, Laws of Florida, Acts of 1929, relating to fresh water fish and game; providing for the registration and li-

censing by the Commission of Game and Fresh Water Fish or private game preserves, and prescribing the open season for taking game on such registered licensed private game preserves.

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

By Senator Dye—

Senate Bill No. 655:

A bill to be entitled An Act relating to certain offenses in connection with female children under the age of eighteen years, defining "disorderly person" in relation to such offenses, and prescribing a penalty therefor.

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

By Senator Dame—

Senate Bill No. 656:

A bill to be entitled An Act to declare and designate as the "W. H. Boswell Bridge" a certain bridge on the Withlacoochee River and State Road Number 36.

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

By Senator Savage—

Senate Bill No. 657:

A bill to be entitled An Act amending Section 30 of Chapter 14764, Laws of Florida, Acts of 1931, entitled "An Act providing for the supervision and regulation of persons, firms, corporations and associations owning, controlling, operating or managing motor vehicles used in the business of transporting persons or property for compensation over the public highways of the State; providing for regulations of safety and proper operation affecting the use of said highways and the preservation thereof; defining auto transportation companies and providing supervision and regulation thereof by the Railroad Commission of the State of Florida and providing for the enforcement of the provisions of this Act, and for the punishment of violations thereof and imposing a mileage tax and providing for the disposition of the revenue raised by the same; and providing certain exemptions; and repealing all Acts inconsistent with the provisions of this Act," and Acts amendatory thereof; providing that persons, firms or corporations operating motor vehicles over and upon State Roads Numbers Seventy-Four (74), Eighty-One (81), Five (5), Nineteen (19), Forty-Five (45), Two Hundred Sixty One (261) and Two (2) and the territories adjacent to said State Roads within a radius of ten miles thereof shall be exempted from the provisions of said Act and from Commission Jurisdiction and control.

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

By Senators Kanner, Kendrick, Price, Parrish, Beacham and Graham—

Senate Bill No. 658:

A bill to be entitled An Act authorizing and empowering the Board of Commissioners of Florida Inland Navigation District, a special taxing district under the laws of the State of Florida, to collect, compile and furnish to the United States of America, data, statistics and other appropriate information as to the advantages, benefits, desirability and usefulness of the further improvement of the intracoastal waterway from Jacksonville to Miami, Florida, by the United States; and authorizing and empowering the said Board to acquire and convey to the United States, free of cost, any lands, easements, rights of way and spoil disposal areas as may be required by the United States for the purpose of said improvement of said waterway, and its subsequent maintenance:

The following proof of publication was attached to Senate Bill No. 658 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY FOR SPECIAL  
LEGISLATION.

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN of intention of the undersigned to apply to the Legislature of the State of Florida at its regular session, A. D., 1939, for the passage of the following local or special bill and/or law, the substance of which is:

To authorize and empower the Board of Commissioners of

Florida Inland Navigation District, a Special Taxing District under the laws of the State of Florida, to collect, compile and furnish to the United States of America data, statistics and other appropriate information as to the advantages, benefits, desirability and usefulness of the further improvement of the Intracoastal Waterway from Jacksonville to Miami, Florida, by the United States, and authorizing and empowering the said Board to acquire and so convey to the United States, free of cost any lands, easements, rights-of-way and spoil disposal areas that may be required for the purpose of said improvement, with a view of providing a depth of twelve feet, more or less, at local mean low water, and a width appropriate to said depth, and/or such other improvement as may be authorized and adopted by the United States Congress, and in connection with the subsequent maintenance thereof.

THOMAS J. PANCOAST,

On behalf of the Chamber of Commerce of the City of Miami Beach.

AUGUST BURGHARD,

On behalf of the Chamber of Commerce of the City of Fort Lauderdale.

R. L. RAY,

On behalf of the Chamber of Commerce of the Town of Palm Beach.

DAN McCARTY,

On behalf of the Chamber of Commerce of the City of Ft. Pierce.

O. L. BURTON,

On behalf of the Chamber of Commerce of the City of Eau Gallie.

J. A. BURGMAN,

On behalf of the Chamber of Commerce of the City of Daytona Beach.

JAMES T. DANIELS,

On behalf of the Chamber of Commerce of the City of Jacksonville.

C. D. LEFFLER,

On behalf of the Chamber of Commerce of the City of Miami.

E. F. STUMPF,

On behalf of the Chamber of Commerce of the City of West Palm Beach.

D. H. HUDSON,

On behalf of the Chamber of Commerce of the City of Stuart.

FRANK R. JEWETT,

On behalf of the Chamber of Commerce of the City of Vero Beach.

J. S. DUSS, JR.,

On behalf of the Chamber of Commerce of the City of New Smyrna Beach.

CHRISTINE TOLAN,

On behalf of the Women's Chamber of Commerce of the City of Flagler Beach.

JOHN W. DILLIN,

On behalf of the Chamber of Commerce of the City of St. Augustine.

Pub. April 7, 1939.

THE PALM BEACH POST

Proof of Publication

STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

I HEREBY CERTIFY that on this day personally appeared before me, the undersigned Notary Public in and for the State of Florida at Large, Don Morris who upon being by me first duly sworn, deposes and states: That he is Editor of The Palm Beach Post, a newspaper of general circulation published in the City of West Palm Beach, Palm Beach County, State of Florida; that said newspaper had been, at the time of the first publication of the legal notice, as hereinafter mentioned, continuously published in said County of Palm Beach at least once each week for a period of one year next preceding the date of the said first insertion of such publication, and had also, during said period been entered as second class mailing matter at the United States Post Office in the said City of West Palm Beach, State of Florida; that said legal notice, a true copy of which is hereunto attached, was duly published in the said Palm Beach Post, in all respects in accordance with the provisions of Chapter 14,830,

Acts of the Legislature 1931, on the following dates, to wit: April 7, 1939.

DON MORRIS.

Subscribed and sworn to before me this 7th day of April, 1939.

W. H. HENDRY,

Notary Public,

State of Florida at Large.

My Commission Expires July 6, 1941.

Seal.

Which was read the first time by title only.

Senator Kanner moved that the rules be waived and Senate Bill No. 658 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 658 was read the second time by title only.

Senator Kanner moved that the rules be further waived and Senate Bill No. 658 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. 658 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Beacham—

Senate Bill No. 659:

A bill to be entitled An Act relating to Napoleon B. Broward Drainage District in Broward County, Florida; to the enforcement of taxes, interest, and penalties thereon imposed by said District; to the foreclosure of taxes and liens for taxes for said District; providing for suits in chancery by said District for the foreclosure and cutting off of the owners' right to redeem lands where title has vested in the District; providing a supplemental additional, optional, and alternative method of enforcing tax liens due said District by suit in chancery in rem against said lands; prescribing the practice, pleading, and procedure in such suits and authorizing the allowance of attorneys' fees therein, and providing for lease and sale of lands bid in by the district under such sale.

The following proof of publication was attached to Senate Bill No. 659 when it was introduced in the Senate:

NOTICE OF PROPOSED LEGISLATION

NOTICE IS HEREBY GIVEN that a Bill or Proposed Law will be introduced at the next session of the Legislature of the State of Florida relating to Napoleon B. Broward Drainage District in Broward County, Florida, to the foreclosure of taxes and liens for taxes due said District, providing for the foreclosure and cutting off of the owner's right to redeem lands where title is vested in the District by suits in chancery in the nature of proceedings in rem, providing a supplemental, additional, optional and alternative method of enforcing tax liens due said District by suit in chancery in rem against the lands; prescribing the practice, pleading and procedure in such suits, authorizing the allowance of attorneys' fees therein, and providing for the lease and sale of lands bid in by said District under such sales.

W. H. AIRES,

Secretary Napoleon B. Broward Drainage District.

March 30.

AFFIDAVIT OF PUBLICATION

Now comes J. W. Dickey, who being duly sworn says he is Business Manager of the Ft. Lauderdale Daily News, a newspaper published daily at Ft. Lauderdale, in the County of Broward, State of Florida, that the attached notice has been published in said newspaper in the issue of March 30, 1939. That the said Fort Lauderdale Daily News is a newspaper published in Fort Lauderdale, Broward County, Florida, in accordance with Senate Bill No. 58, enacted by the Legislature of the State of Florida for the year 1931, and approved by

the Governor May 20th 1931; that the said Fort Lauderdale Daily News is a newspaper which has been continuously published at least once a week and has been entered as second class mail matter at a post office in Broward County, Florida, for a period of more than one year next preceding the first insertion of the attached published matter; that the said Fort Lauderdale Daily News was a newspaper published at the time of the passage of said Senate Bill No. 58.

(Signed) J. W. DICKEY.

Subscribed and sworn to before me this 30th day of March, 1939.

(Seal) MARGUERITE K. ARMBRUST,  
Notary Public.

My commission expires 5-9-1939.

STATE OF FLORIDA  
COUNTY OF BROWARD.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 659 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 659 was read the second time by title only.

Senator Beacham offered the following amendment to Senate Bill No. 659:

In Section 4, line 14, (typewritten bill) strike out the words: "fifteen" and insert in lieu thereof the following: "thirty."

Senator Beacham moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beacham also offered the following amendment to Senate Bill No. 659:

In Section 4, line 17, (typewritten bill) strike out the words: "It shall not be necessary in such notice to name any person or describe any parcel of land, but it shall be sufficient to give notice to whom it may concern that at any time after the expiration of fifteen days a suit or suits will be filed by the district for the foreclosure of tax liens and rights of redemption as aforesaid, provided, however that failure to publish such notice shall not invalidate any such proceedings or affect the jurisdiction of the Court in any such proceedings. Proof of publication of such notice shall be made as required by general law for legal notices." and insert the following:

"At least thirty days prior to the filing of any such bill in Chancery, written notice of intention to file the same shall be sent by registered mail to the last known address of the holder of the record title and to the holder of record of each mortgage or other lien, except judgment liens, upon each tract of land to be included in said bill in chancery; such notice shall briefly describe the particular lot or parcel of land, shall state the amount of tax certificate and/or special assessment liens sought to be enforced and shall warn said owner and/or holders of liens, mortgages or other liens that on or after the day named said bill in chancery to enforce the same will be filed, unless paid on or before said date.

A certificate of the attorney shall be attached to the bill of complaint to the effect that said written notice has been given, and such certificate shall be prima facie evidence that the provisions of this Section have been complied with. The complainant's counsel shall make diligent inquiry as to the address of the record title and holders of record liens other than judgments and the Clerk of the Circuit Court shall mail by registered mail a copy of the notice hereinafter provided for, to such record owner and holders of record liens other than judgments at such last known address."

Senator Beacham moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beacham moved that the rules be further waived and Senate Bill No. 659, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 659, as amended, was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles,

McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senators Black and Beacham—  
Senate Bill No. 660:

A bill to be entitled An Act requiring proof of financial responsibility by owners and operators and lien holders of motor vehicles before operating the same, after any accident prescribing the method of furnishing such proof, and to whom, and in what manner furnished, and penalties for violation thereof.

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

By Senator McKenzie—  
Senate Bill No. 661:

A bill to be entitled An Act relating to expenditures and disbursements of surplus moneys in St. Johns River Bridge Fund of Putnam County Florida: providing that such surplus moneys shall be applied to the Road and Bridge Fund of Putnam County, Florida in amounts to be determined by the Board of Bond Trustees of Putnam County, Florida, and validating and confirming use of surplus funds.

The following proof of publication was attached to Senate Bill No. 661 when it was introduced in the Senate.

#### NOTICE OF INTENTION TO APPLY FOR SPECIAL LEGISLATION.

NOTICE IS HEREBY GIVEN, That the Board of Bond Trustees of Putnam County Florida, will apply to the Florida Legislature at its 1939 Session for Enactment of a Special or Local bill relating to expenditures and disbursements of surplus moneys in St. Johns River Bridge Fund of Putnam County. Providing such surplus moneys may be applied to the Road and Bridge Fund of said County in amounts to be determined by said Board of Bond Trustees and validating and confirming use of such surplus funds.

C. E. CURRIE,

Chairman, Board of Bond Trustees.

Mar. 24-31, April 7-14-21, 1939.

#### AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA )  
COUNTY OF PUTNAM )

BEFORE ME, the undersigned authority personally came H. S. McKenzie, publisher of The Times Herald of Palatka, Putnam County, Florida, who 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 expenditures and disbursements of surplus moneys in St. Johns River Bridge Fund in Putnam County, Florida, has been published at least 30 days prior to this date by being printed in the March 24, 31, April 7, 14, 21 issues of The Times Herald, a newspaper published in Putnam County, Florida, where the matter or thing to be affected by the contemplated law is situate; 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 attached is by reference made a part of this affidavit.

H. S. MCKENZIE.

SWORN to and subscribed before me this 90th day of April, A. D. 1939.

W. P. BEVIS.

Notary Public, State of Florida at Large.

(Seal)

My commission expires April 15, 1940.

Which was read the first time by title only.

Senator McKenzie moved that the rules be waived and Senate Bill No. 661 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 661 was read the second time by title only.

Senator McKenzie moved that the rules be further waived and Senate Bill No. 661 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. 661 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Whitaker—  
Senate Bill No. 662:

A bill to be entitled An Act to amend Sections 11, 16, 17 and 26 of Chapter 14764, Laws of Florida, Acts of 1931, entitled "An Act providing for the supervision and regulation of persons, firms, corporations and associations owning, controlling, operating or managing motor vehicles used in the business of transporting persons or property for compensation over the public highways of the State; providing for regulations of safety and proper operation affecting the use of said highways and preservation thereof defining auto transportation companies and providing supervision and regulation thereof by the Railroad Commission of the State of Florida, and providing for the enforcement of the provisions of this Act for the punishment of violations thereof and imposing a mileage tax and providing for the disposition of the revenues raised by the same; and providing certain exemptions and repealing all Acts inconsistent with the provisions of this Act," as amended by Chapter 18026, Laws of Florida, Acts of 1937; imposing a maintenance tax on motor vehicles operated by auto transportation companies engaged in the transportation of property and providing for the disposition of the revenues raised by the same; and repealing all Acts inconsistent with the provisions of this Act.

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

By Senator McKenzie—  
Senate Bill No. 663:

A bill to be entitled An Act to amend Section 19 of Chapter 18285, Acts of 1911, the same being An Act creating a State Welfare Board and District Welfare Boards; providing for the supervision of State and local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children, and for other purposes.

Which was read the first time by title only and referred to the Special Committee appointed by the President pursuant to Senate Resolution No. 16.

By Senator Beall—  
Senate Bill No. 664:

A bill to be entitled An Act to amend Chapter 17481 Laws of Florida 1935, as amended by Chapter 18413 Laws of Florida 1937, being "An Act to provide for and adopt a comprehensive Workmen's Compensation Law for the State of Florida: to provide compensation thereunder for disability or death resulting from an injury arising out of and in the course of employment; limiting, regulating, and prohibiting resort to certain common law causes of action and/or defenses in cases falling within the purview of this Act; imposing certain duties and exactions upon employers and/or employees falling within the scope of this law; defining the employments subject hereto and delimiting the application of this Act as applied to other employments and setting up an agency of the State for the administration hereof; creating the Florida Industrial Commission and providing for the appointment of three (3) members on said Commission and providing for the appointment of said Commission, consisting of the chairman and two (2) other members; fixing their compensation and prescribing their duties, redefining the employments subject to the Workmen's Compensation Law; providing for a waiting period of four days and for the non-payment of compensation during such period; providing for rules and regulations permitting two or more employers to join together in qualifying as self-assured; making certain changes with respect to death benefits; permitting the Commission to designate in the awards a person to whom compensation is payable in the case of a

minor or incompetent; providing for an election of remedies in case of third party liability; permitting an assessment of not more than three per centum upon premiums for purposes of administering the Workmen's Compensation Act; and providing for autopsy in compensation cases; and for disposition of death benefits to designated parties where no dependents exist; and further to amend such Act by adding thereto certain sections thereby providing for accident prevention and safety of employees in connection with the administration of the Workmen's Compensation Act by authorizing the Industrial Commission to make rules relating to safety in places of employment; requiring employers to maintain safe places of employment; permitting inspectors to see that such safety provisions are observed; providing for appeal from such rules and for penalties in case of violation thereof; surrendering in compensation cases on behalf of the State, its boards, bureaus, departments, and agencies and its subdivisions employing labor the sovereign's right to freedom from suit and authorizing proceedings to collect compensation due employees thereof; providing double compensation in case of injury to illegally employed minors; and for other purposes." By amending Sections 2, 12, 13, 16, 27, so as to define the term "appeal"; relating to compensation for disability or death; relating to medical service and supplies, and providing for the enforcement of claims for medical service and supplies; to provide for the payment of compensation for temporary total disability in addition to compensation for permanent partial disability; to provide for the review of compensation orders and a method for taking appeals therefrom.

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

By Senators Graham and Holland—  
Senate Bill No. 665:

A bill to be entitled An Act authorizing the State Motor Vehicle Commissioner and Railroad Commission of the State of Florida to consummate reciprocal agreements with the proper authorities of other states relative to the operation of motor vehicles by non-residents over the highways of this State; providing for certain conditions to be included in such agreements and certain duties to be performed; and providing for approval by the Governor and repudiation by the Legislature of the State of Florida.

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

By Senator Holland—  
Senate Bill No. 666:

A bill to be entitled An Act to amend the Charter of the City of Auburndale, Polk County, Florida, relating to and regulating municipal elections in the City of Auburndale, Polk County, Florida; prescribing the qualifications of such voters in such elections and providing for the registration of such voters; prescribing an oath to be taken by those desiring to register; providing for the challenging of voters and prescribing an oath for challenged voters; providing for the examination under oath of any person desiring to vote at any such election; prescribing the duties of the election officers; prescribing the manner of holding elections, counting the ballots and canvassing the returns of such elections and recounting the ballots used therein; and authorizing ordinances prohibiting the making falsely of any oath or statement under oath provided for by this Act and prohibiting the voting in any such election of any person not qualified to vote therein and providing penalties for the violation of such ordinances and making each provision hereof an independent provision.

The following proof of publication was attached to Senate Bill No. 666 when it was introduced in the Senate:

(First Published in the Auburndale Journal April 7, 1939)  
4/7-14-21-28;5/5—5tc

NOTICE OF APPLICATION FOR AMENDMENTS TO CHARTER OF CITY OF AUBURNDALE, POLK COUNTY, FLORIDA.

Notice is hereby given that the City of Auburndale, Polk County, Florida, will apply according to Law to the Legislature of the State of Florida, during its regular 1939 session for passage of certain amendments to Chapter 10301, Special Acts of 1925, being the Charter Act of said City, and amendments to be substantially as follows:

AMENDMENT NUMBER 1.

Section 1. To provide that only those persons who at the time of registration and at the time of voting:

(a) Are citizens of the United States and have resided in the State of Florida for twelve (12) months and in the City of Auburndale for six (6) months;

(b) Are at least twenty-one (21) years of age;

(c) Either are and have been for six months the record owners of a freehold interest (having an assessed value of at least Twenty-five (\$25.00) Dollars on the last tax assessment roll of said city) in real estate situated within said city or have been engaged for six (6) months in a business, trade, or profession in said city for which an occupational license is required by said city and have paid the occupational license tax required by said city for the current year;

(d) Have duly registered upon the registration books of said city at least ten (10) days before any such election, shall be qualified to vote in any election held in and by said city.

Section 2. Shall provide for the keeping of the registration books by the City Clerk and when same shall be kept open.

Section 3. Shall provide for the registration of voters and prescribe the oath to be taken by those desiring to register, and the manner of taking said oath.

Section 4. Shall provide for the checking of the Registration Books by the City Council and the method of elimination of the names of those persons not entitled to be registered.

Section 5. Shall provide for the furnishing of a poll list by the City Clerk to the poll holders.

Section 6. Shall provide for the challenging of voters and prescribe an oath for challenged voters to make.

Section 7. Shall provide for the appointment of the Clerk and Inspectors of the election, their qualifications and duties.

Section 8. Shall provide for the presence of a police officer at the polls.

Section 9. Shall provide for the counting of the ballots by the Inspectors and their report to the City Council, and the canvassing of the returns of such election.

Section 10. Shall provide for the oath to be taken by the Clerk and Inspectors.

Section 11. Shall provide for the checking of voters and the keeping of a poll list by the Clerk of the election.

Section 12. Shall provide for the canvassing of the returns of the election, make the City Council a canvassing board, and provide for the recounting of the ballots on request of defeated candidates.

Section 13. Shall provide for the issuance of Certificates of Election by the City Clerk to successful candidates.

Section 14. Shall provide for the printing of the official ballot at least five (5) days before the election and provide what the ballot shall contain; provide for declination of nomination by candidates and for substitute nominations in place of such candidates.

Sections 15 and 16. Shall provide the form and contents of the official ballot.

Section 17. Shall provide for special election in case of a tie vote.

Section 18. Shall place City under Laws of State governing State and County elections except when otherwise provided for by this Act or the Charter or Ordinances of said City.

Section 19. Shall authorize Ordinances prohibiting the making falsely of any oath or statement under oath provided for by this Act, and prohibiting the voting in any such election of any person not qualified to vote therein, and providing penalties for the violation of such Ordinances.

Section 20. Shall make each Provision of this Act an independent Provision

Section 21: Shall repeal all Laws in conflict herewith.

Section 22. Shall provide at what time Act shall become effective.

#### AMENDMENT NUMBER 11.

This Amendment shall provide that beginning with the

next general election, the Mayor shall thereafter be elected for a term of two (2) years instead of for one (1) year.

DATED at Auburndale, Florida, this April 6th, 1939.

CITY OF AUBURNDALE,  
POLK COUNTY, FLORIDA.

By Jas. A. Anderson,  
Mayor.

ATTEST: J. WILEY JONES,  
City Clerk.

(City)  
(Seal)

#### AFFIDAVIT OF PUBLICATION AUBURNDALE JOURNAL

STATE OF FLORIDA )

) ss:

COUNTY OF POLK )

On this day personally appeared before me M. J. Lee, to me well known, who, being by me first duly sworn, deposes and says, that he is publisher of the Auburndale Journal, a newspaper of general circulation published in the City of Auburndale, County of Polk, State of Florida;

That the notice hereto attached of

Notice of Application for Amendments to Charter of City of Auburndale, Florida

was published in said newspaper once each week for 5 consecutive weekly issues, on the following dates, viz:

April 7, 14, 21, 28 1939, May 5, 1939.

making 5 publications as required by law;

That said newspaper at the time of said publication had been continuously published at least once a week and had been entered as second class matter at the post office in Auburndale, Polk County, Florida, where published, for a period of more than one year next preceding the first insertion of said notice, as required by Laws of Florida, Acts of 1931, approved May 20, 1931, and known as Senate Bill No. 58.

Signed M. J. LEE, Publisher.

Sworn to and subscribed before me this May 5, 1939.  
(Seal) H. E. SMOAK,

Notary Public, State of Florida at large.  
My Commission expires Feb. 2, 1942.

Which was read the first time by title only.

Senator Holland moved that the rules be waived and Senate Bill No. 666 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 666 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 666 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. 666 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th) Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Holland—

Senate Bill No. 667:

A bill to be entitled An Act amending Section 25 of Chapter 10301, Laws of Florida, Special Acts of 1925, and changing the term of office of the mayor of the City of Auburndale, Polk County, Florida, from one (1) year to two (2) years.

The following proof of publication was attached to Senate Bill No. 667 when it was introduced in the Senate:

(First Published in the Auburndale Journal April 7, 1939)  
4/7-14-21-28:5/5—5tc

NOTICE OF APPLICATION FOR AMENDMENTS TO  
CHARTER OF CITY OF AUBURNDALE, POLK  
COUNTY, FLORIDA.

Notice is hereby given that the City of Auburndale, Polk County, Florida, will apply according to Law to the Legislature of the State of Florida, during its regular 1939 session for passage of certain amendments to Chapter 10301, Special Acts of 1925, being the Charter Act of said City, said amendments to be substantially as follows:

AMENDMENT NUMBER 1.

Section 1. To provide that only those persons who at the time of registration and at the time of voting:

(a) Are citizens of the United States and have resided in the State of Florida for twelve (12) months and in the City of Auburndale for six (6) months;

(b) Are at least twenty-one (21) years of age;

(c) Either are and have been for six months the record owners of a freehold interest (having an assessed value of at least Twenty-five (\$25.00) Dollars on the last tax assessment roll of said city) in real estate situated within said city or have been engaged for six (6) months in a business, trade, or profession in said city for which an occupational license is required by said city and have paid the occupational license tax required by said city for the current year;

(d) Have duly registered upon the registration books of said city at least ten (10) days before any such election, shall be qualified to vote in any election held in and by said city.

Section 2. Shall provide for the keeping of the registration books by the City Clerk and when same shall be kept open.

Section 3. Shall provide for the registration of voters and prescribe the oath to be taken by those desiring to register, and the manner of taking said oath.

Section 4. Shall provide for the checking of the Registration Books by the City Council and the method of elimination of the names of those persons not entitled to be registered.

Section 5. Shall provide for the furnishing of a poll list by the City Clerk to the poll holders.

Section 6. Shall provide for the challenging of voters and prescribe an oath for challenged voters to make.

Section 7. Shall provide for the appointment of the Clerk and inspectors of the election, their qualifications and duties.

Section 8. Shall provide for the presence of a police officer at the polls.

Section 9. Shall provide for the counting of the ballots by the Inspectors and their report to the City Council, and the canvassing of the returns of such election.

Section 10. Shall provide for the oath to be taken by the Clerk and Inspectors.

Section 11. Shall provide for the checking of voters and the keeping of a poll list by the Clerk of the election.

Section 12. Shall provide for the canvassing of the returns of the election, make the City Council a canvassing board, and provide for the recounting of the ballots on request of defeated candidates.

Section 13. Shall provide for the issuance of Certificates of Election by the City Clerk to successful candidates.

Section 14. Shall provide for the printing of the official ballot at least five (5) days before the election and provide what the ballot shall contain; provide for declination of nomination by candidates and for substitute nominations in place of such candidates.

Sections 15 and 16. Shall provide the form and contents of the official ballot.

Section 17. Shall provide for special election in case of a tie vote.

Section 18. Shall place City under Laws of State governing State and County elections except when otherwise provided for by this Act or the Charter or Ordinances of said City.

Section 19. Shall authorize Ordinances prohibiting the making falsely of any oath or statement under oath provided for by this Act, and prohibiting the voting in any such election of any person not qualified to vote therein, and providing penalties for the violation of such Ordinances.

Section 20. Shall make each provision of this Act an independent provision.

Section 21. Shall repeal all Laws in conflict herewith

Section 22. Shall provide at what time Act shall become effective.

AMENDMENT NUMBER II.

This Amendment shall provide that beginning with the next general election, the Mayor shall thereafter be elected for a term of two (2) years instead of for one (1) year.

DATED at Auburndale, Florida, this April 6th, 1939.

CITY OF AUBURNDALE,  
POLK COUNTY FLORIDA.

By Jas. A. Anderson,

Mayor.

ATTEST: J. WILEY JONES,

City Clerk.

(City)

(Seal).

AFFIDAVIT OF PUBLICATION

Auburndale Journal

STATE OF FLORIDA)

) ss:

COUNTY OF POLK )

On this day personally appeared before me M. J. Lee, to me well known, who, being by me first duly sworn, deposes and says, that he is publisher of the Auburndale Journal a newspaper of general circulation published in the City of Auburndale, County of Polk, State of Florida;

That the notice hereto attached of Notice of Application for Amendments to Charter of City of Auburndale, Florida was published in said newspaper once each week for 5 consecutive weekly issues, on the following dates, viz: April 7, 14, 21, 28, 1939, May 5, 1939, making 5 publications as required by law;

That said newspaper at the time of said publication had been continuously published at least once a week and had been entered as second class matter at the post office in Auburndale, Polk County, Florida, where published, for a period of more than one year next preceding the first insertion of said notice, as required by Laws of Florida, Acts of 1931, approved May 20, 1931, and known as Senate Bill No. 58.

Signed M. J. LEE,  
Publisher.

Sworn to and subscribed before me this May 5, 1939.

H. E. SMOAK,

Notary Public.

(Seal).

Notary Public, State of Florida at Large.

My commission expires Feb. 2, 1942.

Which was read the first time by title only.

Senator Holland moved that the rules be waived and Senate Bill No. 667 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 667 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 667 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. 667 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senators Holland and Parrish—

Senate Bill No. 668:

A bill to be entitled An Act to exempt motor vehicles used exclusively in the transportation of agricultural and/or horticultural products from necessity of procuring for hire license and tags and to exempt such vehicles when so used from jurisdiction and control of the State Railroad Commission.

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

By Senator Beall—  
Senate Bill No. 669:

A bill to be entitled An Act to amend Section 19 of Chapter 10,096 Laws of Florida, Acts of 1925, the same being entitled "An Act relating to corporations," so as to provide that any trustee or trustees in any voting trust shall not have the right, as such trustee, to vote said stock held by him for the purpose of either increasing or reducing the capital stock of such corporation, unless such right is expressly conferred in said voting trust agreement, and providing that until all holders of stock of the class or classes transferred to the voting trust have joined therein and become a party thereto, such voting trust shall remain in choate and be revocable by the parties previously joining therein.

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

By Senator Beall—  
Senate Bill No. 670:

A bill to be entitled An Act to amend Section 19 of Chapter 10,096 Laws of Florida, Acts of 1925, the same being entitled "An Act relating to corporation," so as to provide that any trustee or trustees in any voting trust shall not have the right, as such trustee or trustees, to vote said stock held by such trustee or trustees for the purpose of either increasing or reducing the capital stock of such corporation, unless such right is expressly conferred in said voting trust agreement.

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

By Senator Whitaker—  
Senate Bill No. 671:

A bill to be entitled An Act providing for the inspection of steam boilers and their appurtenances; and the licensing of engineers and firemen; regulating the operation thereof; making certain exceptions; the employment or qualification of boiler inspectors, engineers and firemen; providing for a penalty for the violation of this Act, and appropriating of sufficient sum to operate the two divisions covered by this Act, for the enforcement of the provisions hereof of boiler inspection and the licensing of engineers and firemen.

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

By Senator Whitaker—  
Senate Bill No. 672:

A bill to be entitled An Act relating to the practice of Osteopathy; to authorize certain persons to practice osteopathy and to authorize and direct the State Board of Osteopathic Medical Examiners to issue to certain persons licenses to practice osteopathy in the State of Florida.

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

By Senator Beacham—  
Senate Bill No. 673:

A bill to be entitled An Act relating to the Lake Worth Drainage District, a corporation under the General Drainage Laws, existing in Palm Beach County, Florida; authorizing the said Lake Worth Drainage District to maintain water levels within the District and to install and operate pumps and pumping stations and to assess the land in the District benefitted by the maintenance of said water levels and installation and operation of said pumps and pumping stations not to exceed seventy five cents per acre per annum to defray the cost and expenses of maintaining of said water levels and installing and operating said pumps and pumping stations; and empowering the Board of Supervisors of the District to determine the lands benefitted and the amounts of such benefits; and giving said the Lake Worth Drainage District a lien on the land assessed as security equal in dignity to the lien for State and County taxes, and providing for the enforcement of said lien; and making it unlawful to interfere with the water levels maintained by the said District or with any of its pumps or pumping stations or with any of its dams, flood gates or water controls or to pump or drain any water from the canals of said District without its consent.

The following proof of publication was attached to Senate Bill No. 673 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY TO THE FLORIDA  
LEGISLATURE OF 1939 FOR THE PASSAGE OF  
A SPECIAL OR LOCAL LAW.

Notice is hereby given that the Board of Supervisors of The Lake Worth Drainage District, a corporation under the general drainage laws of Florida, existing wholly in Palm Beach County, Florida, and having its principal place of business at West Palm Beach, Florida, intend to apply to the Florida Legislature of 1939 for the passage of a special or local law relating to said The Lake Worth Drainage District, and the substance and substantial text of the contemplated law which said Board of Supervisors will ask to be introduced in and passed by said Florida Legislature are as follows:

A BILL TO BE ENTITLED:

An Act relating to the Lake Worth Drainage District, a corporation under the General Drainage Laws, existing in Palm Beach County, Florida; authorizing said the Lake Worth Drainage District to maintain water levels within the district and to install and operate pumps and pumping stations and to assess the land in the district benefitted by the maintenance of said water levels and installation and operation of said pumps and pumping stations not to exceed seventy five cents per acre per annum to defray the cost and expense of maintaining of said water levels and installing and operating said pumps and pumping stations; and empowering the Board of Supervisors of the district to determine the lands benefitted and the amounts of such benefits; and giving said the Lake Worth Drainage district a lien on the land assessed as security equal in dignity to the lien for State and County taxes and providing for the enforcement of said lien; and making it unlawful to interfere with the water levels maintained by the said district or with any of its pumps or pumping stations or with any of its dams, flood gates or water controls or to pump or drain any water from the canals of said district without its consent.

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

Section 1. That The Lake Worth Drainage District, a corporation under the general drainage laws of Florida, existing in Palm Beach County, Florida, be and it is hereby permitted and authorized to maintain and control water levels within The Lake Worth Drainage District and to install, operate, keep and maintain pumps, pumping stations, dams, flood gates and such other works within said District which it deems necessary in order to keep, maintain and control said water levels.

Section 2. That in order to defray the cost of maintaining and controlling said water levels, and installing, operating and maintaining said pumps, pumping stations, dams, flood gates and other works which it deems necessary to maintain and control said water levels, said The Lake Worth Drainage District is hereby authorized and permitted to assess the land in the District benefitted by the maintenance and control of such water levels and the installation, operation and maintenance of said pumps, pumping stations, dams, flood gates and other works not to exceed Seventy-five Cents (.75) per acre per annum. The Board of Supervisors are hereby empowered to determine the lands benefitted by the maintenance and control of such water levels and installation, operation and maintenance of said pumps, pumping stations, dams, flood gates and other works, and the total amount of the benefits and also the proportionate part of the benefits to be assessed against each piece of land so found to be benefitted, and they shall assess each piece of land benefitted its proportionate part of such total benefits at the same time and in the same manner as other assessments made by the said The Lake Worth Drainage District on lands within its boundaries, and said assessments shall be made on the basis of proportionate benefits not to exceed but may be as much as Seventy-five Cents (.75c) per acre or less on each piece of land benefitted, depending upon the amount of the benefits as determined by said Board.

Section 3. All funds collected from assessments levied under and pursuant to the provisions of this Act shall be set up and kept in a separate and distinct fund and shall be used only for the purpose of defraying the cost and expense of maintaining and controlling said water levels, and installing, operating and maintaining said pumps, pumping stations, dams, flood gates and other works and furnishing water to the area assessed, and shall be used for no other purpose.

Section 4. That said The Lake Worth Drainage District from the date of the assessment of said lands under and pursuant to the provisions of this Act shall have a lien therefor on the land assessed, which lien shall be of equal dignity with the lien for State and County taxes, and shall be enforced by foreclosure in the same manner that the said The Lake Worth Drainage District enforces and forecloses its other drainage tax liens.

Section 5. When the Board of Supervisors of the District have fixed and determined the lands benefitted by the maintenance and control of such water levels and installation, operation and maintenance of said pumps, pumping stations, dams, flood gates and other works, and the total amount of the benefits and also the proportionate part of the benefit to be assessed against each piece of land so found to be benefitted, they shall publish a notice in some newspaper published in Palm Beach County, Florida, once a week for two consecutive weeks, stating a time when and a place where they will hear complaints as to the proposed assessments, and said notice shall contain a description of the land to be assessed and the proportionate assessment to be made against each piece of land, and as far as its known the names of the owners of the land to be assessed, but a mistake in naming the owner of the land shall not invalidate the notice or assessment which follows unless the owner has been purposely misnamed with intent to deceive. The Board of Supervisors of the District at the time and place named in said notice shall hear complaints of the land owners as to the proposed assessments, if any, and if they are of the opinion that any objection is well taken and should be sustained, they shall revise the proposed assessments accordingly, otherwise said proposed assessments shall stand as originally determined.

Section 6. The assessment authorized and provided for by this Act shall be separate and distinct from and in addition to the maintenance tax already provided by law.

Section 7. It shall be unlawful for any person to interfere with the water levels maintained and controlled by the said The Lake Worth Drainage District pursuant to the provisions of this Act, or with any of its pumps or pumping stations, or with any of its dams, flood gates, water controls or other works installed or used by said District to maintain and control such water levels, or to pump or drain any water from any of the canals of said District without special permit from said District, and any person violating the provisions hereof shall be deemed guilty of misdemeanor and shall be punished accordingly.

Section 8. If any section, paragraph or clause or provision of this Act shall be held unconstitutional, the remaining provisions hereof shall nevertheless stand and be and remain of full force and effect.

Section 9. This Act shall take effect immediately upon its becoming a law.

Pub.: March 18, 1939.

THE PALM BEACH POST  
PROOF OF PUBLICATION  
STATE OF FLORIDA )  
COUNTY OF PALM BEACH )

I HEREBY CERTIFY that on this day personally appeared before me, the undersigned Notary Public in and for the State of Florida at Large, Don Morris, who upon being by me first duly sworn, deposes and states: That he is Editor of The Palm Beach Post, a newspaper of general circulation published in the City of West Palm Beach, Palm Beach County, State of Florida; that said newspaper had been, at the time of the first publication of the legal notice, as hereinafter mentioned, continuously published in said County of Palm Beach at least once each week for a period of one year next preceding the date of the first insertion of such publication, and had also, during said period, been entered as second class mailing matter at the United States Post Office in the said City of West Palm Beach, State of Florida; that said legal notice, a true copy of which is hereunto attached, was duly published in the said Palm Beach Post, in all respects in accordance with the provisions of Chapter 14,830, Acts of the Legislature 1931, on the following dates, to-wit: March 18, 1939.

DON MORRIS.

Subscribed and sworn to before me this 18th day of March, 1939.

W. A. HENDRY,  
Notary Public, State of Florida at Large.  
My Commission Expires July 6, 1941.

(Seal)

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 673 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 673 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 673 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. 673 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Beacham—

Senate Bill No. 674:

A bill to be entitled An Act prohibiting the change in location of or the abandonment of any part or section of that portion of State Road No. 140 lying in Palm Beach County; the same being known as the Ocean Boulevard in Palm Beach County, without first submitting the question to the qualified electors of said County for them to determine by a majority vote whether or not the location of any part or section of that portion of State Road No. 140 lying in Palm Beach County, the same being known as the Ocean Boulevard in Palm Beach County, shall be changed or abandoned; providing for the calling and holding of an election in such case and providing penalties for the violation of said Act; providing for a referendum herein; repealing all laws in conflict herewith.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 674 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 674 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 674 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. 674 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

By Senator Beacham—

Senate Bill No. 675:

A bill to be entitled An Act for the relief of James A. Henderson, and authorizing the State Road Department to pay the said James A. Henderson for injuries sustained by him while assisting one of its employees in the performance of his duties.

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

By Senator Mapoles—

Senate Bill No. 676:

A bill to be entitled An Act to create a system for the administration of adult parole; authorizing and regulating the use of parole; establishing a state commission of parole; conferring and defining its jurisdiction, powers and duties;

providing for the method of selection or employment of its members; regulating the selection or employment of members and employees, removal and discharge of its employees; regulating the compensation of members of the commission and of employees thereof; making violations of certain provisions of this Act misdemeanors and providing punishment therefor; defining parole and making provisions therefor, authorizing supervision and defining violation thereof; and for other related purposes; making appropriation for operation of this Act; effective date of Act, and to repeal all laws and parts of laws inconsistent with this Act.

Which was read the first time by title only and referred to the Special Committee appointed by the President pursuant to Senate Resolution No. 16.

By Senator Gideons—  
Senate Bill No. 677:

A bill to be entitled An Act to provide for and adopt a comprehensive insurance plan for compensation insurance in the State of Florida; to provide compensation thereunder for disability or death resulting from an injury arising out of and in the course of employment; providing for an insurance fund and method of collecting premiums for the said fund; providing for the administration by the Florida Industrial Commission and prescribing certain duties for the state rating bureau, and for other purposes; repealing all laws in conflict herewith, and prescribing the effective date of this Act.

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

By Senator Wilson—  
Senate Bill No. 678:

A bill to be entitled An Act to designate and establish certain roads in Gadsden county as State roads.

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

By Senator Westbrook—  
Senate Bill No. 679:

A bill to be entitled An Act imposing a tax of seven cents (7c) per gallon upon any liquid fuel of any kind or character not already taxed by the State of Florida when such fuel is used in any combustion engine to propel a vehicle over the streets and highways in the State of Florida; providing for reports of such sales to the Comptroller of the State of Florida; providing for the disposition of moneys derived from such taxes and fixing the penalty for the violation of any of the provisions of this Act; and providing further that it is the intent of the Legislature to tax any liquid fuel of any kind or character not already taxed by the State of Florida for the sale of gasoline or other like products of petroleum.

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

By Senator Rose—  
Senate Joint Resolution No. 680:

A Joint Resolution proposing an amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department, to be numbered Section 30 of said Article IV, creating a Commission of Game and Fresh Water Fish, prescribing its functions and authority and establishing a State Game Fund.

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

That the following amendment to Article IV of the Constitution of the State of Florida, relative to the Executive Department, to be numbered Section 30 of said Article IV, be, and the same is, hereby agreed to and shall be submitted to the electors of the State on the first Tuesday after the first Monday in November, 1940, for their ratification or rejection, to-wit:

SECTION 30. The administrative control and regulation of the taking, utilization, possession and management of all game and non-game birds, mammals, fresh-water fish, amphibians and reptiles and of all land and waters physical properties and equipment owned, used, leased or hereafter acquired by the State for the conservation and restoration of said wild life in Florida as prescribed by law, are vested in a Commission of Game and Fresh Water Fish, which shall be comprised of one Commissioner from each Congressional District

of the State, who shall be appointed by the Governor for a term of five years by and with the consent of the Senate and who shall be a resident of the District from which he is appointed at the time of his appointment and continuously thereafter during the time that he serves as Commissioner from said District; provided that members of the statutory Commission who are in office when this amendment shall become effective shall continue as Commissioners hereunder for the remainder of the respective terms for which they were appointed. Each Commissioner appointed thereafter shall be appointed for a term of five years respectively. Should a Commissioner remove his residence from his respective District during the term for which he was appointed, the office of Commissioner from said District becomes vacant. Any vacancy so occurring on said Commission or caused by suspension of a member of said Commission or otherwise, shall be filled within sixty days of its occurrence by appointment made by the Governor subject to approval of the Senate when it is next in session. Organization, operation and further authorities of the Commission of Game and Fresh Water Fish, compensation and reimbursement of its members for expense incurred in discharge of the duties incident thereto shall be as prescribed by law.

Any member of the Commission of Game and Fresh Water Fish may be suspended or removed from office on grounds for suspension or removal cited in Section 15 of Article IV of the Constitution of the State of Florida. Charges preferred shall be written, sustained by competent evidence and heard by the Governor, the Attorney-General and any three of the other Administrative Officers of the State named by the Governor, who shall come together for said hearing on the Governor's call and provided that the Commissioner against whom said charges are preferred shall be permitted to be present and to submit evidence to refute the same. Should the majority of those sitting under this Amendment deem circumstance and evidence submitted warrant suspension from office they shall recommend such action, and the Governor shall suspend said Commissioner from office, and shall immediately notify him of the action taken; and shall report the same to the Senate when it next convenes, for its approval. Should the Senate approve the Governor shall remove that Commissioner from office.

All revenues accruing to the State from the operation of those laws administered by the Commission of Game and Fresh Water Fish shall be placed in the State Game Fund, hereby established, and shall be expended for the conservation and restoration of wild life in Florida aforementioned, and for no other purpose.

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

By Senator Lewis—  
Senate Bill No. 681:

A bill to be entitled An Act for the relief of T. Bernard Bishop and J. M. Marshburn from all liability as sureties upon an appearance bond of Joe James, in the county judge's court of Jackson County, Florida.

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

By Senator Westbrook—  
Senate Bill No. 682:

A bill to be entitled An Act declaring an emergency to be existing in the citrus industry in the State of Florida, and reducing the taxes levied for advertising purposes on grapefruit and tangerines for the two year period ending on June 30, 1941; and exempting express shipments from the payment of any tax on citrus fruit during such period.

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

By Senators Dye and Mapoles—  
Senate Bill No. 683:

A bill to be entitled An Act appropriating three cents (3c) of the gasoline tax collected from gasoline used in fishing boats in this State which formerly was allocated to the State Road Department to the State Board of Conservation; requiring wholesale and retail dealers of gasoline to make a report to the Comptroller every thirty (30) days of the amount of gasoline sold by them which was used in fishing boats; providing penalties for the violation of this Act; 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 Senator Dye—  
Senate Bill No. 684:

A bill to be entitled An Act to amend Sections 1, 13 and 19 of Chapter 10177, Laws of Florida of 1925, entitled "An Act to license and regulate the business of making loans in certain counties in sums of three hundred (\$300) dollars or less, secured or unsecured, at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the violation thereof, and regulating the assignment of wages or salaries, earned or to be earned when given as security for any such loan," making said statute of state-wide application, and available to all banks, state or national, and adding a new section relative to salary and wage buying where the consideration is less than three hundred (\$300) dollars, making such transactions loans.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Gideons—  
Senate Bill No. 685:

A bill to be entitled An Act designating the time in which a fence shall be erected and built as a prerequisite to the taking effect of an election declaring a closed range territory.

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

By Senator Johns (By Request)—  
Senate Bill No. 686:

A bill to be entitled An Act providing penalty for persons making and filing for recordation instruments concerning interest in real estate when person making and recording same does not have purported interest in said property evidenced by said instrument.

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

By Senator Johns—  
Senate Bill No. 687:

A bill to be entitled An Act to prescribe the commissions and fixing the compensation of the county assessor of taxes and the county tax collector in counties having a total population of not less than 8800 and not more than 8845, according to the state census of 1935.

Which was read the first time by title only.

Senator Johns moved that the rules be waived and Senate Bill No. 687 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 687 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 687 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. 687 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

Nays—None.

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

Senator Whitaker moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 621, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 621:

A bill to be entitled An Act to allow the bringing of a

bill of complaint in Chancery to quiet the title to real estate, and to preclude a wife or heirs from claiming her inchoate dower or other interest in real estate conveyed by a husband as a single man, where the said husband and wife have not lived and cohabited together as husband and wife for a period of thirty years, and during the said period of time the said husband has conveyed real estate as a single man, which said real estate has come into the hands of innocent purchasers for a valuable consideration without notice to the said purchasers that the said husband is married or ever was married.

Was taken up and read the second time in full.

Senator Whitaker moved that the rules be waived and Senate Bill No. 621 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. 621 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, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Price, Savage, Sharit, Westbrook, Whitaker—28.

Nays—None.

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

Senator Hodges moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 339, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 339:

A bill to be entitled An Act prohibiting the courts of this State from entering final judgments or decrees in cases where legal advertisements or publications have been necessary or employed therein, until proof of the payment for the publication of the same shall be furnished such courts; permitting newspapers to withhold proofs of publication of official notices and legal advertisement until the charge therefor is paid and providing that the filing thereof shall be proof that the charge therefor has been paid in full.

Was taken up.

Senator Hodges moved that the rules be waived and Senate Bill No. 339 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 339 was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 339 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. 339 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, Dye, Gillis, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Savage, Sharit, Walker, Ward, Westbrook, Wilson—34.

Nays—None.

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

Senator Hodges moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 189, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 189:

A bill to be entitled An Act establishing uniform affidavits for proof of publication of all official public notices or legal advertisements published in newspapers in the State of Florida.

Was taken up.

Senator Hodges moved that the rules be waived and Senate Bill No. 189 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 189 was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 189 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. 189 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, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Wilson—32.

Nays—None.

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

Senator Adams moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 97, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 97:

A bill to be entitled An Act relating to the compensation of the Clerk of the Supreme Court of Florida, the fees required to be collected by him, and to provide for their disposition.

Was taken up and read the second time in full.

Senator Adams moved that the rules be waived and Senate Bill No. 97 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. 97 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, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Walker, Ward, Whitaker, Wilson—34.

Nays—None.

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

Senator Dugger moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 214, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 214:

A bill to be entitled An Act permitting companies and corporations authorized and qualified to do an insurance business under the laws relating to sick and funeral benefit insurance who have paid up capital of fifty thousand (\$50,000.00) dollars to issue or assume on any one life or risk, policies, contracts or agreements, wherein the death benefits may equal but not exceed five hundred (\$500.00) dollars.

Was taken up and read the second time in full.

Senator Dugger moved that the rules be waived and Senate Bill No. 214 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. 214 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, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Price, Rose, Sharit, Walker, Ward, Whitaker, Wilson—32.

Nays—None.

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

Senator Dugger moved that the rules be waived and the

Senate do now take up and consider Senate Bill No. 218, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 218:

A bill to be entitled An Act requiring companies and corporations doing an insurance business under the sick and funeral benefit laws, to set aside and maintain for the protection of policies issued after the passage of this Act, the same reserve required of life insurance companies for the protection of similar policies, and requiring said companies and corporations to set aside and maintain reserve at the rate of not less than twenty per cent per year until full reserve is set aside to protect policies which are in force at the time this Act takes effect and providing for annual valuation of policies by Insurance Commissioner.

Was taken up.

Senator Dugger moved that the rules be waived and Senate Bill No. 218 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 218 was read the second time by title only.

Senator Dugger moved that the rules be further waived and Senate Bill No. 218 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. 218 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, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Price, Rose, Sharit, Walker, Ward, Whitaker, Wilson—29.

Nays—None.

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

Senator Dugger moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 219, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 219:

A bill to be entitled An Act defining companies and corporations engaged in the business of issuing life or annuity contracts, including combined life, health and accident contracts, which hold reserves for the fulfillment of its contracts of more than fifty per centum of its total reserve fund or such other reserve as may be required under any law or regulation of the United States of America now or hereafter in force to be life insurance companies.

Was taken up.

Senator Dugger moved that the rules be waived and Senate Bill No. 219 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 219 was read the second time by title only.

Senator Dugger moved that the rules be further waived and Senate Bill No. 219 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. 219 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, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—31.

Nays—None.

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

Senator Parker moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 366, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 336:

A bill to be entitled An Act to require the State Board of

Veterinary Examiners to issue without examination the licenses provided for in Chapter 10289, Laws of Florida, Acts of 1925, as amended by Chapter 13891, Laws of Florida, Acts of 1929, to persons who have been veterinary practitioners for five years prior to June 8, 1925.

Was taken up.

Senator Parker moved that the rules be waived and Senate Bill No. 336 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 336 was read the second time by title only.

Senator Parker moved that the rules be further waived and Senate Bill No. 336 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. 336 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, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Holland, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Whitaker, Wilson—29.

Nays—None.

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

Senator McKenzie moved that the rules be waived and the Senate do now take up and consider Messages from the House of Representatives, out of their order.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,  
May 9, 1939.

Hon. J. Turner Butler,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has recalled from the Committee on Enrolled Bills, reconsidered, and indefinitely postponed:

By Messrs. Turner and Versaggi of St. Johns—  
House Bill No. 826:

A bill to be entitled An Act to amend Section 182 of the Charter of the City of St. Augustine (being Chapter 1148, Laws of Florida, Acts of 1925, and Acts amendatory thereof) as amended by Section 77 of Chapter 14375, Laws of Florida, Acts of 1929, relating to the making of contracts by said City with individuals, companies, or corporations for furnishing electric power and energy; and repealing all laws or parts of laws in conflict therewith.

Very respectfully,  
BEN H. FUQUA,  
Chief Clerk House of Representatives.

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

Tallahassee, Florida,  
May 9, 1939.

Hon. J. Turner Butler,  
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 Senators Holland and Parrish—  
Senate Bill No. 163:

A bill to be entitled An Act to prohibit the canning in the State of Florida of citrus fruit that is unwholesome or decomposed so that it is unfit for canning purposes; and providing the powers and duties of the Florida Citrus Commission with reference thereto; providing for the enforcement of this Act and penalties for the violation thereof.

Also—

By Senators Holland and Parrish—  
Senate Bill No. 165:

A bill to be entitled An Act to provide for, regulate and con-

trol, the use of soaps, oils, waxes, gases, gas forming materials, and other similar compositions and the component parts thereof, on or in the processing of citrus fruits, and fixing penalties for the violation thereof.

Very respectfully,  
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bills Nos. 163 and 165, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,  
May 9, 1939.

Hon. J. Turner Butler,  
President of the Senates  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed with amendments:

By Senators Holland and Parrish—  
Senate Bill No. 168:

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

Which amendment reads as follows:

At the end of Section 15A, Senate Engrossed Bill No. 168, insert as part of said Section an additional paragraph as follows: "Nothing in this section shall be interpreted to allow any kind of purchasing or handling of citrus fruit by any dealer who has therefore been under bond and license and whose license has been duly revoked under the provisions of this Act. Any cash buyer desiring to operate under the terms of this exception without furnishing bond and securing license hereunder must first secure a written permit so to do from the Commission which permit shall be issued to him as a matter of right upon his filing with said Commission his written application therefor. Such written permit may be revoked by the Commission for the same reasons and by the same procedure that a license may be revoked by the Commissioner hereunder. In addition to procuring said written permit such cash buyer operating under said permit is likewise required hereby to file with said Commission or its agents or any citrus fruit inspector of the Commissioner, within twenty-four hours after its execution, a duplicate copy of each bill of sale which is given under the terms of this exception.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,  
BEN H. FUQUA,  
Chief Clerk House of Representatives.

And Senate Bill No. 168, contained in the above message, was read by title together with the House Amendment thereto.

Senator Holland moved that the Senate do concur in the House Amendment to Senate Bill No. 168.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 168.

And Senate Bill No. 168, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,  
May 9, 1939.

Hon. J. Turner Butler,  
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 Senator Beall—  
Senate Bill No. 338:

A bill to be entitled An Act providing that whenever any

authorized State, County or Municipal officer or agency, annually, for two or more consecutive years receives the tendered taxes for and issues and delivers license or licenses for places of business or stores, no such officer or agency shall thereafter prohibit the operation of such places of business or stores thereunder, nor issue or enforce any warrants against the licensee or others, for any additional license taxes for such places of business for the periods covered by such licenses so issued; and providing no action shall exist or proceeding be had or taken for any such additional taxes for such places for such license periods.

Also—

By the Committee on Citrus Fruit—  
Senate Bill No. 412:

A bill to be entitled An Act to prescribe the duties of the Florida Citrus Commission with reference to transportation problems affecting the Florida citrus industry and transportation rates and charges on Florida citrus fruits; to prescribe the duties of the Florida Citrus Commission with reference to the study of standards, quality, grade and maturity of Florida citrus fruits and the cause and effect thereof; to prescribe for expenditures from the Orange Advertising Fund, the Grapefruit Advertising Fund and the Tangerine Advertising Fund for protecting the Florida citrus industry in obtaining and enjoying just, reasonable and otherwise lawful transportation rates and charges; and to conduct the study of standards of quality, grade and maturity of Florida citrus fruits and the cause and effect thereof.

Very respectfully,

**BEN H. FÚQUA,**  
Chief Clerk House of Representatives.

And Senate Bills Nos. 338 and 412, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,  
May 9, 1939.

*Hon. J. Turner Butler,*  
*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 Senators Holland and Parrish—  
Senate Bill No. 169:

A bill to be entitled An Act to provide for, regulate, and control, the artificial coloring of certain citrus fruits by the addition of artificial color to the peel thereof, and fixing penalties for the violation thereof.

Also—

By Senators Holland and Parrish—  
Senate Bill No. 170:

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

Also—

By Senators Holland and Parrish—  
Senate Bill No. 181:

A bill to be entitled An Act relating to Citrus fruit damaged by freezing; providing for the determination of the extent of damage occurring to Citrus fruit from freezing temperatures; prescribing conditions under which Citrus fruit damaged by freezing shall be deemed unfit for human consumption; providing for issuance of rules and regulations by the Florida Citrus Commission under the provisions of this Act; providing for an embargo on Citrus fruit under certain conditions; and providing penalties for violation of the provisions of this Act.

Also—

Committee Substitute for Senate Bill No. 194:

A bill to be entitled An Act providing for and prescribing certain additional powers, duties and authority of the

Florida Citrus Commission in connection with the processing, packing and marketing of Citrus Fruit; providing for the promulgation by said Commission of regulations to regulate and control methods and practices used in the preparation and processing of Citrus Fruit for market; providing for the application of other provisions of law to rules and regulations promulgated hereunder; providing penalties for the violation of this Act and rules and regulations promulgated hereunder; and providing the manner in which the provisions of this Act shall be construed.

Very respectfully,

**BEN H. FÚQUA,**  
Chief Clerk House of Representatives.

And Senate Bills Nos. 169, 170, 181 and Committee Substitute for Senate Bill No. 194, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,  
May 5, 1939.

*Hon. J. Turner Butler,*  
*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 Senator Beall—  
Senate Bill No. 4:

A bill to be entitled An Act to provide for the service of process on the directors of dissolved corporations as trustees of such dissolved corporations.

Also—

By Senator Dame—  
Senate Bill No. 72:

A bill to be entitled An Act relating to the functions and duties of the State Bureau of Vital Statistics, and providing for the entry in the records of said Bureau of judgments and decrees relating to the paternity or providing for the adoption of persons whose birth shall have been previously registered in said Bureau, and authorizing the State Registrar of Vital Statistics to seal records in certain cases, to file new and substituted certificates of birth in cases of legitimization or adoption, and to issue copies thereof, and certificates relating thereto.

Also—

By Senators Hodges and Parrish—  
Senate Bill No. 102:

A bill to be entitled An Act to Amend Chapter 12,050, General Laws of Florida, approved June 6, 1937, entitled "An Act to prevent the introduction into and dissemination within the State of Florida of contagious and infectious diseases of honey bees; providing for the eradication of bee diseases; authorizing the State Plant Board of Florida to make rules and regulations for carrying out the provisions of this Act and prescribing a penalty for violations"; to provide for certification of freedom from infectious diseases of honey bees shipped or moved into this State when in wire cages and when without combs or honey, and for other purposes.

Also—

By Senators Holland and Parrish—  
Senate Bill No. 164:

A bill to be entitled An Act to prohibit canning of any citrus fruit that is immature or otherwise unfit for canning purposes; to provide for the enforcement thereof; and to provide penalties for the violation thereof.

Very respectfully,  
**BEN H. FÚQUA,**

Chief Clerk House of Representatives.

And Senate Bills Nos. 4, 72, 102 and 164, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,  
May 5, 1939.

Hon. J. Turner Butler,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has indefinitely postponed.

By Senator Beacham—  
Senate Bill No. 60:

A bill to be entitled An Act to promote public morals by abolishing the right of action to recover sums of money as damages for the alienation of affection, and breach of contract to marry, limiting the time within which such present existing causes of action must be commenced, making it unlawful to prosecute or threaten to prosecute such causes of action, declaring all contracts hereafter executed in payment, satisfaction, settlement or compromise of any cause of action abolished by this Act to be void as against public policy and declaring the public policy of the State and prescribing the penalty of the violation of this Act.

Very respectfully,  
BEN H. FUQUA,  
Chief Clerk House of Representatives.

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

Tallahassee, Florida,  
May 5, 1939.

Hon. J. Turner Butler,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform Senate that the House of Representatives has passed by the Constitutional two-thirds vote of all members elected to the House of Representatives for the 1939 Session of the Legislature—

By Senator Black—  
Senate Bill No. 182:

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

Very respectfully,  
BEN H. FUQUA,  
Chief Clerk House of Representatives.

And Senate Bill No. 182, 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, Florida,  
May 5, 1939.

Hon. J. Turner Butler,  
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 Senators Holland and Parrish—  
Senate Bill No. 167:

A bill to be entitled An Act to define farm vehicles and farm trailers operated in connection therewith; to provide that such farm vehicles and farm trailers shall be exempt from the requirement of registration and the purchase of tags under the motor vehicle laws of this State, when such farm vehicles and/or trailers are operated on farms, groves and orchards and in going to or from headquarters to such farms, groves and orchards.

Also—  
By the Committee on Judiciary "C"—  
Senate Bill No. 324:

A bill to be entitled An Act fixing the salary of the President of the Senate or of the Speaker of the House of Representatives when the powers and duties of Governor shall devolve upon such officer, as provided in Section 19 of Article 4 of the Constitution.

Also—  
By Senators Dame, Savage, Gideons and Westbrook—  
Senate Bill No. 328:

A bill to be entitled An Act to amend Chapter 17,765, of

the Laws of Florida, Acts of 1937, the same being An Act fixing the time of holding the regular terms of Circuit Court of the Fifth Judicial Circuit of Florida, composed of Lake, Marion, Citrus, Hernando and Sumter Counties.

Very respectfully,  
BEN H. FUQUA,  
Chief Clerk House of Representatives.

And Senate Bills Nos. 167, 324 and 328, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,  
May 5, 1939.

Hon. J. Turner Butler,  
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 Messrs. Finch and Pickels of Jackson—  
House Bill No. 71:

A bill to be entitled An Act to provide that in all Appeals and Writs of Error taken to the Supreme Court of Florida from any lower courts, the appellees, or any one of them, and the defendants in error or any one of them, shall have the right to file cross assignments of error and have reviewed by the Supreme Court all rulings, orders, judgments and decrees adversely affecting such appellee or defendant in error, including orders requiring a plaintiff or plaintiffs to enter a remittitur to his or their judgment as an alternative to the granting of a new trial, and conferring upon the Supreme Court to the power to award judgment or relief to the party or parties filing such cross assignment of errors.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,  
BEN H. FUQUA,  
Chief Clerk House of Representatives.

And House Bill No. 71, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C."

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

Tallahassee, Florida,  
May 9, 1939.

Hon. J. Turner Butler,  
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 Mr. Butt of Brevard—  
House Bill No. 23:

A bill to be entitled An Act to fix the annual salaries of the official Court Reporters of the State of Florida.

Also—  
By Messrs. Cooley and Robinson of Lake—  
House Bill No. 336:

A bill to be entitled An Act relating to citrus fruit, and regulating and prohibiting, upon certain conditions, the shipment of all citrus fruit, that will grade number three, when United States standard for citrus fruit, promulgated by the United States Department of Agriculture, Bureau of Agricultural Economics, is applied, and providing means for enforcement of such act, and penalty for violation thereof.

Also—  
Committee Substitute for House Bill No. 340:

A bill to be entitled An Act relating to the marketings, processing, handling, and distributing of citrus fruit grown in the State of Florida, and providing for the regulation of handlers, processors, distributors, producers and others, and establishing standards in relation to such regulation: providing for hearings on and the issuance, administration and enforcement of marketing agreements and marketing orders in connection with the regulation aforesaid; prescribing the powers, duties and jurisdiction of the Commissioner of Agriculture of the State of Florida in rela-

tion thereto and prescribing remedies, rights, duties and penalties with the respect to violations of this Act or any marketing order promulgated thereunder, and providing for assessments to be levied and collected by the Commissioner of Agriculture of the State of Florida to pay the expenses incurred in the formulation, issuance, administration and enforcement of such marketing orders.

Also—

By Mr. Christie of Duval—

House Bill No. 1031:

A bill to be entitled An Act to amend Chapter 9278, Laws of Florida, Acts of 1923, as amended by Chapter 17086, Laws of Florida, Acts of 1935, relating to the voluntary resignation and retirement of Justices of the Supreme Court under certain conditions with pay.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 23, 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. 336, contained in the above message, was read the first time by title only.

Senator Rose moved that House Bill No. 336 be placed on the Calendar of Bills on second reading without reference.

Senator Parrish moved as a substitute motion that House Bill No. 336 be referred to the Committee on Citrus Fruit.

The question was put on the substitute motion made by Senator Parrish.

Which was not agreed to.

The question recurred on the motion made by Senator Rose to place House Bill No. 336 on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

And Committee Substitute for House Bill No. 340, contained in the above message, was read the first time by title only and referred to the Committee on Citrus Fruit.

And House Bill No. 1031, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

Senator Mapoles moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 5:29 o'clock, P. M., until 2:00 o'clock, P. M., Wednesday, May 10, 1939.