

JOURNAL OF THE SENATE

Tuesday, April 11, 1939

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 10, 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, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook. Whitaker, Wilson.—38.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The Journal of April 10, 1939, was corrected and as corrected was approved.

Senator Kelly (16th) moved that the prayer of the Chaplain be spread upon the Journal each day.

Which was not agreed to.

The Committee on Rules and Calendar submitted its report containing rules to govern the Senate during the 1939 session in addition to those rules heretofore adopted by the Senate on April 5, 1939.

Senator Westbrook moved that the reading of the rules contained in the report be dispensed with and that the rules be adopted as recommended by the Committee on Rules and Calendar and filed with the Secretary of the Senate.

Which was agreed to and the rules were adopted.

REPORTS OF COMMITTEES

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

Senate Chamber,
Tallahassee, Fla., April 11, 1939

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

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

House Concurrent Resolution No. 1:

Providing that all Florida invite their Majesties, George VI and Elizabeth, King and Queen of Great Britain and Ireland and of the Dominions beyond the Seas, Emperor and Empress of India, to visit the State while they are Honor Guests of the United States.

Also—

House Joint Memorial No. 1:

To the Honorable Franklin D. Roosevelt, President of the United States, and the Honorable Senate and House of Representatives of the United States, in Congress assembled, memorializing and petitioning the Congress of the United States to immediately enact the General Welfare Act of 1937, known as bill H. R. 2 and now pending in Congress, providing for a national old age retirement system and creating a fund for the maintenance thereof.

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

Very respectfully,
H. S. MCKENZIE,

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

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

Senate Chamber,
Tallahassee, Fla., April 7, 1939.

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

Sir:

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

Senate Concurrent Resolution No. 1:

Senate Concurrent Resolution advising the Governor that the Legislature by his request will assemble in the Chamber of the House of Representatives for the purpose of receiving his Excellency's message in joint assembly.

Senate Concurrent Resolution No. 2:

Senate Concurrent Resolution inviting President Franklin D. Roosevelt to address the Legislature upon such subject as he may select, and at such time, as he may designate.

Senate Concurrent Resolution No. 3:

Senate Concurrent Resolution granting to the ladies of the American Legion Auxiliary at Tallahassee, Florida, the privilege of conducting a cold drink stand in the lobby of the Capitol during the duration of the 1939 session of Legislature.

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

Very respectfully,
H. S. MCKENZIE,

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

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

Senate Chamber,
Tallahassee, Fla., April 10, 1939.

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

Sir:

Your Committee on Public Health, to whom was referred:

Senate Bill No. 65.

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

Very respectfully,

GEO. A. DAME,
Chairman of Committee.

And Senate Bill No. 65, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 10, 1939.

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

Sir:

Your Committee on Public Health, to whom was referred:

Senate Bill No. 72.

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

Very respectfully,

GEO. A. DAME,
Chairman of Committee.

And Senate Bill No. 72, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 10, 1939.

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

Sir:

Your Committee on Public Health, to whom was referred:

Senate Bill No. 73.

Have had the same under consideration and recommend

that the same pass.

Very respectfully,

GEO. A. DAME,
Chairman of Committee.

And Senate Bill No. 73, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., April 10, 1939.

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

Sir:

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

Senate Bill No. 3:

A bill to be entitled An Act providing for nomination for appointment to the office of Circuit Judge by a political party in a primary election and providing for the qualifying of candidates therefor.

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

Amendment No. 1:

In line four of the title after the word "Judge" insert the following: "and to the office of Judge of the Court of Record of Escambia County, Florida,"

Amendment No. 2:

In Section 1, Line 2, after the word "Court" insert the following: "and to the office of Judge of the Court of Record of Escambia County, Florida,"

Very respectfully,
PAT WHITAKER,
Chairman of Committee.

And Senate Bill No. 3, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

INTRODUCTION OF RESOLUTIONS

By Senator Kendrick—

Senate Resolution No. 7:

WHEREAS, Honorable Lewis W. Zim, late of St. Johns County, Florida, died on the 20th day of June, 1938, at the age of 85, and

WHEREAS, The Honorable Lewis W. Zim was a member of the State Senate from the 31st District of Florida for twelve years, and a member of the House of Representatives for ten years, and

WHEREAS, The Honorable Lewis W. Zim was held in high esteem by his fellow members, and gave much of his time in public service to the upbuilding of St. Johns County, and the State of Florida, and

WHEREAS, In the passing of Lewis W. Zim the County of St. Johns and the State of Florida have lost a capable, public spirited citizen, who long had been referred to by the leaders of the Democratic Party in St. Johns County, as "The Grand Old Man of Democracy."

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

That, the Senate take cognizance of the passing of one of its honored members, that this Resolution of tribute to the late Honorable Lewis W. Zim be spread on the Journal of the Senate, and that a copy of this Resolution, under the Great Seal of the State of Florida, be furnished to the members of the family of Lewis W. Zim, and to the press.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 7 was adopted.

Senator Parker moved that the President appoint a committee of three to prepare a suitable resolution commemorating

the life and service to the State of the late Honorable Ben H. Lindsey, a former member of the Senate.

Which was agreed to.

By Senator Whitaker—

Senate Resolution No. 8:

A resolution to provide a secretary and messenger for Judiciary B Committee of the Senate for the 1939 Session, to be appointed by the Chairman of said Committee:

WHEREAS, There having already been referred to the Judiciary B Committee twenty-five Senate Bills which have been introduced in the Senate and the work of said Committee is going to be so voluminous that it is impossible to properly and expeditiously transact the same without requiring the services of a secretary as well as a messenger.

IT IS THEREFORE RESOLVED AND ORDERED That the Chairman of Judiciary B Committee of the Senate be and is hereby authorized and empowered to employ a secretary and messenger for said Judiciary B Committee to be appointed at the 1939 Session and said secretary and messenger so employed is to be paid the same amount and in the same manner as other attaches.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 8 was adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Beall—

Senate Bill No. 89:

A bill to be entitled An Act to Amend Chapter 18,402, Acts of 1937, by making necessary provisions for the Florida Industrial Commission to requisition lump sum amounts from the Comptroller for payment of benefits; to provide for a "Benefit Payment Account"; to provide for the Commission to draw and issue checks in payment of benefits to individuals entitled thereto under this Act; and in so doing to amend Section 10 of said "Florida Unemployment Compensation Law," being:

"An Act providing for relief from involuntary unemployment; providing a system of unemployment compensation in the State of Florida; declaring the public policy of the State of Florida; providing for the administration of the Act by the Florida Industrial Commission; defining and providing for the functions, duties and powers of the Florida Industrial Commission in the administration of this Act; providing for an Unemployment Compensation Fund by the levying of certain contributions on all employers of eight or more persons with certain designated exemptions and providing for the collection, appropriation, deposit, distribution and disbursement of the contributions and other monies which may be collected pursuant to this Act; defining conditions of eligibility for and regulating benefits; providing for the payment of unemployment benefits and establishing a procedure for the settlement and review of benefit claims; permitting reciprocal agreements or arrangements with the Federal Government or the other States of the Union; providing for the establishment of State employment offices and for the administration of all such offices as a division of the Florida Industrial Commission; providing for an Unemployment Compensation Division in the Florida Industrial Commission; providing for an Unemployment Compensation Administration Fund; providing penalties for the violation of this Act; providing for all the terms, conditions, requirements, limitations and prohibitions under which the said system of unemployment compensation shall be created and administered and the Unemployment Compensation Fund shall be collected, administered and disbursed; providing for the election and termination of coverage; providing for the creation of Advisory Councils; reserving right of amendment and repeal; and providing for the repeal of Chapter 17,270, Laws of Florida, Acts of 1935, being

"An Act creating the State Employment Board, fixing the number thereof, and the manner of appointment, authorizing said Board to employ certain personnel, providing for the compensation and expenses thereof and appropriating funds therefor and appointing said board as State agency to receive the benefits of the Wagner-Peyser Act and providing for reports to be made by said Board."

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

By Senator Beall—
Senate Bill No. 90:

A bill to be entitled An Act to authorize the Florida Industrial Commission to assist and cooperate in the enforcement of the Fair Labor Standards Act of 1938.

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

By Senator Parrish—
Senate Bill No. 91:

A bill to be entitled An Act making it a crime to enter any farm, garden, orchard or fruit grove with intent to commit an offense therein, and providing for the punishment of any person violating the Act if he be armed or commit an assault, and providing for the punishment of any violator who is not armed does not commit an assault.

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

Senator Westbrook moved that the Senate recess at 11:45 o'clock, A. M., until 4:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

By Senators Kanner, Beacham and Graham—
Senate Bill No. 92:

A bill to be entitled An Act extending State Road 199 in Palm Beach and Martin Counties.

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

By Senator Beacham—
Senate Bill No. 93:

A bill to be entitled An Act authorizing and directing a refund from the State Treasury to Palm Beach Mercantile Company, a Florida corporation, for payments made to Secretary of State upon its capital stock in excess of the amount required by it to be paid pursuant to Chapter 14,677, Acts of 1931 as amended.

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

By Senator Parrish—
Senate Bill No. 94:

A bill to be entitled An Act to repeal Chapter 16,862, Laws of Florida, Acts of 1935, entitled: "An Act Relating to Citrus Fruit; prescribing conditions and limitations upon the sale, marketing and processing thereof, and the effect of contracts of sale and of marketing and processing agreements."

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

By Senator Beall—
Senate Bill No. 95:

A bill to be entitled An Act to amend Section 2936, Revised General Statutes of Florida, 1920 (being Section 4656, Compiled General Laws of Florida, 1927) relating to adverse possession without color of title by providing therein that the said land so occupied adversely shall be within one year after the entry by such adverse owner returned for taxation and all taxes subsequently assessed against the same duly paid.

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

By Senator Adams—
Senate Bill No. 96:

A bill to be entitled An Act to be cited as the "Rural Electric Cooperative Act" to provide for the organization, operation and management of cooperative, non-profit, membership corporations, referred to as "cooperatives," for the purpose of engaging in rural electrification by supplying electric energy and promoting and extending the use thereof in rural areas; prescribing the powers of such cooperatives, the inclusion of certain words in the names thereof, the number and character of the incorporators, the contents and manner of execution of the Articles of Incorporation and By-Laws therefor, the qualifications of members, the meetings of such members and the voting privileges thereof, the election of boards of trustees, the meetings, terms, quorum, powers and other matters relating thereto, provisions for voting districts, for the election of trustees and delegates, and provisions relating to the appointment and removal of officers and their powers and duties; prescribing the method of the amendment of the

Articles of Incorporation of such cooperatives and for the consolidation, and merger thereof and the effect of such consolidation or merger; prescribing the method of conversion of existing corporations into such cooperatives; prescribing for the initiative of members by petition; prescribing the method of dissolution of such cooperatives; prescribing the method of filing articles thereof; prescribing for the disposition of the revenues of such cooperatives and for the distribution of patronage refunds; prescribing for the disposition of the property of such cooperatives under certain conditions, for the non-liability of members for the debts of such cooperatives, for the recordation of mortgages, deeds of trust and other instruments executed thereby, for waiver of notice required by this act and for trustees, officers or members serving as notaries public; prescribing for the qualification of similar foreign corporations for the transaction of business in this State; prescribing certain filing fees; prescribing an annual license fee to be paid by such cooperatives and exempting them from excise taxes; providing for the exemption of such cooperatives from commission jurisdiction and from the provisions of the Uniform Sale of Securities Act; defining certain terms; prescribing for the liberal construction of this Act, the separability of its provisions and that the terms thereof shall be controlling and further prescribing the effective date thereof.

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

By Senators Beacham, Adams, McKenzie and Savage—
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.

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

By Senators Beacham and Holland—
Senate Bill No. 98:

A bill to be entitled An Act Relating to married women, their property, rights, disabilities and liabilities, the manner in which they may sue and be sued, and otherwise dealing with the holding, management and conveyance of their property, the subjects of dower and curtesy, and in general the relationship of marriage and the rights, duties and obligations arising therefrom or incidental thereto.

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

By Senator Hodges—
Senate Bill No. 99:

A bill to be entitled An Act providing for the beautification, care and upkeep of the Natural Bridge Battleground for the appointment of a supervisor, whose duties are defined, and making an appropriation to carry out the purposes of this Act.

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

By Senator Hodges—
Senate Bill No. 100:

A bill to be entitled An Act granting permission of the State of Florida and all subdivisions and agencies thereof, and all tax districts, counties and municipalities, to sue such governmental agencies for the recovery of illegally collected taxes, defining illegally collected taxes; providing the time within which such suits may be brought, declaring certain rules for the construction of this Act, and providing that illegally collected taxes may be by such tax payers recovered from such governmental agencies whenever the same, for any reason has been declared illegal within the meaning of this Act by the Supreme Court of the State of Florida and other courts of competent jurisdiction; limiting the defences of such governmental agencies in such suits, and providing for a continuing appropriation to pay for all claims for such illegally collected taxes.

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

By Senator Hodges—
Senate Bill No. 101:

A bill to be entitled An Act setting and fixing the salaries

of the several State Attorneys of the State of Florida where no Assistant State Attorney is now provided by law.

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

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, 1927, 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.

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

By Senator Hodges—
Senate Bill No. 103:

A bill to be entitled An Act to repeal Section 5494 of the Revised General Statutes of Florida, the same being Section 7652 of the Compiled General Laws of Florida, 1927, relating to the use of firearms on Sunday.

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

By Senator Hodges—
Senate Bill No. 104:

A bill to be entitled "An Act to amend Chapter 6951, Laws of Florida, 1915, entitled: 'Providing for the creation and establishment of a Florida State Board of Architecture, granting certain powers to and prescribing the duties of said Board; providing for the examination and registration of architects, regulating the practice of architecture in the State of Florida, and providing penalties for the violation of this Act,' and particularly amending Sections 1, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14 and 15, repealing all laws in conflict herewith, empowering said Board to sue and to be sued as in Instrumentality of the State of Florida, providing procedure, remedies and penalties for the enforcement of this Act, and for other purposes incidental hereto."

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

By Senators Hodges, Beacham, Adams, Gideons and Kelly (11th)—

Senate Joint Resolution No. 105:

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

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

THAT, the following amendment to Article Nine (9) of the Constitution of the State of Florida, to be known as Section Fifteen (15) of said Article Nine (9), be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida at the next general election to be held on the first Tuesday after the first Monday, in November, A. D. 1940, for ratification or rejection.

"Section 15: From and after December 31, 1940, no ad valorem tax shall be levied against real or personal property in this State by the State or any county, city, or governmental subdivision thereof or therein. Ad valorem tax shall be construed to mean a tax against property or the ownership thereof based upon value as determined by an assessing officer or agency."

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Beall—
Senate Bill No. 106:

A bill to be entitled An Act to open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up, as a means to this end, a program of voluntary apprenticeship under approved apprentice

agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education; to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an apprenticeship council and local and state joint apprenticeship committees to assist in effectuating the purposes of this Act; to provide for a director of apprenticeship within the industrial commission; to provide for reports to the Legislature and to the public regarding the status of apprentice training in the State; to establish a procedure for the determination of apprentice agreement controversies; to accomplish related ends; and to provide the necessary appropriation therefor.

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

By Senator Westbrook—
Senate Bill No. 107:

A bill to be entitled An Act designating and establishing a State road to be known as State Road 8-A, extending from State Road 2 at Leesburg via Haines City, Avon Park, Moore Haven to Clewiston.

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. 108:

A bill to be entitled An Act to define farm tractors and farm trailers operated in connection therewith; to provide that such farm tractors 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 tractors and/or trailers are operated on farms, groves and orchards and in going to or from their headquarters to such farms, groves and orchards.

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

By Senator Westbrook—
Senate Bill No. 109:

A bill to be entitled An Act providing for the segregation of the tax on gasoline sold for use by watercraft; for the making of monthly reports to the State Comptroller by dealers in gasoline of the amount of gasoline sold for use by watercraft; for the enactment by the State Comptroller of regulations to facilitate the administration of this Act; providing for the expenditure of said funds so segregated, by the State Road Department of the State of Florida in the procurement of rights of way for, and the development of, the inland and coastal waterways of the State of Florida; declaring a primary system of inland and coastal waterways upon which said funds shall be first expended; fixing penalty 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 Ward—
Senate Bill No. 110:

A bill to be entitled An Act to promote public safety by enforcing the Department of the Florida Highway Patrol to enforce certain traffic and motor vehicle regulatory laws, and other laws providing for safety on the public highways; providing for the administration of said highway patrol, and the duties and compensation of the employees of said highway patrol.

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

By Senator Ward—
Senate Bill No. 111:

A bill to be entitled An Act for relief of T. Lawrence Williams, a citizen of Lee County, Florida, and providing an appropriation for injuries and damages, sustained by him by reason of an accident with truck belonging to and being operated by the State Road Department, and providing for the payment of same.

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

The hour of adjournment having arrived a point of order was called and the Senate took a recess at 11:45 o'clock A. M. until 4:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 4:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

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

Mr. President; Senators Adams, Beacham, Beall, Clarke, Coulter, Dame, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Murphy, Parker, Parish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—35.

A quorum present.

By permission the following Reports of Committees were filed:

Senator Walker, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 11, 1939.

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

Sir:

Your Committee on Game and Fisheries, to whom was referred:

Senate Bill No. 52:

A bill to be entitled An Act to amend Chapter 7909 of the Laws of Florida, Acts of 1919, and the title thereof, as amended by Chapter 8591, Laws of Florida, Acts of 1921, being Sections 8073, 8074 and 8075 Compiled General Laws of Florida, 1927, as amended by Chapter 13618, Laws of Florida, Acts of 1929, as amended by Chapter 14702, Laws of Florida, Acts of 1931, being An Act entitled: "An Act providing a closed season for salt water crawfish in the waters of the State of Florida, and providing a penalty for taking the same from the waters of the State of Florida, for commercial purposes, during certain periods, and for having any salt water crawfish in possession by any person, firm, or corporation during said periods, and to prohibit the transportation of the same during the closed season, and providing a penalty therefor."

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

Very respectfully,

H. N. WALKER,
Chairman of Committee.

And Senate Bill No. 52, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Parker, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 11, 1939.

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

Sir:

Your Committee on Public Roads and Highways, to whom was referred:

Senate Bill No. 19:

A bill to be entitled An Act authorizing and empowering the State Road Department of Florida to cooperate with any state adjoining the State of Florida, or the highway department of any such adjoining state or any political subdivision or other duly authorized agency therein, in the construction, building, or by participation in the cost or purchase, of any bridge, which extends from said adjoining state so that said bridge or one of its approaches physically connects or when constructed will physically connect, any designated and established state road of the state system of roads of Florida, to the extent of fifty (50%) per cent of the construction cost of any such bridge, or the purchase price thereof.

Senate Bill No. 21:

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

Senate Bill No. 67:

A bill to be entitled An Act assenting to and accepting the provisions of an Act of Congress approved July 11, A. D. 1916, and all amendments thereto, the same being entitled, "An Act to provide that the United States Government shall aid the States in the construction of rural post roads, and for other purposes," and providing for the apportionment and appropriation of funds to meet the same.

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

Very respectfully,

F. P. PARKER,
Chairman of Committee.

And Senate Bills Nos. 19, 21 and 67, contained in the above report, were placed on the Calendar of Bills on second reading.

By Senator Ward—

Senate Bill No. 112:

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

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

By Senators Ward, Kelly (16th), Gideons, Hodges, Dye, Adams and Beacham—

Senate Bill No. 113:

A bill to be entitled An Act to provide for a refund or drawback of gasoline tax paid on gasoline used in certain motor boats and tractors, herein defined, and which tax is paid under Chapter 15659, Acts of 1931, Laws of Florida; providing for registration of such motor boats and tractors with the Comptroller of the State of Florida; providing for fees to be charged for such registration; methods of making such application for such refunds; method of making the payment of such refund; authorizing the Comptroller of the State of Florida and the Treasurer of the State of Florida to pay such refunds out of funds in the hands of the Treasurer of the State of Florida by virtue of Chapter 15659, Acts of 1931, Laws of Florida; and prescribing penalties for making any false statements in receipts given to any purchaser of gasoline by any dealer in gasoline; and to prescribe penalties for any person making any false statement or affidavit to be used for the purpose of securing a refund on the gasoline tax in this Act provided for; repealing all laws in conflict with this Act and providing time of the taking effect of this Act.

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

By Senator Holland—

Senate Bill No. 114:

A bill to be entitled An Act Amending Section 19 of Chapter 15789, Laws of Florida, Acts of 1931, defining and classifying intangible personal property for the purpose of taxation and the levy and collection of taxes upon such intangible personal property, said Act being cited or referred to as "Intangible Personal Property Taxation Act of 1931. To provide by such amendment that the lien of such intangible personal property taxes shall be upon all the real or personal property of the taxpayer in the county in which they are assessed from the time the tax becomes due and a lien in other counties from the time action is taken to enforce such taxes in such other counties and to subordinate said lien, whether heretofore or hereafter accruing to the lien of bona fide prior existing mortgages and vendors' liens; and further providing for the enforcement of such prior mortgages or vendors' liens against such tax lien of the State of Florida and consenting to such suits to enforce such prior liens with the making of the Comptroller of the State of Florida a party defendant for and on behalf of the State of Florida.

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

By Senator Wilson—

Senate Bill No. 115:

A bill to be entitled An Act providing for the repayment to every County and/or Special Road and Bridge District or other special taxing districts of such county of all amounts which shall have been furnished, advanced, paid out, distributed or expended in the construction or building within such county of any road which shall have been designated a State Road since the enactment of Chapter 15659, Acts of 1931; directing the proceedings to bring about such payment, and fixing the basis of such payment.

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

By Senator Wilson—
Senate Bill No. 116:

A bill to be entitled An Act to Amend 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."

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

By Senator Holland—
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."

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

By Senator McKenzie—
Senate Bill No. 118:

A bill to be entitled An Act requiring all persons having on hand prior to the commencement of the applicable closed season any fish, crabs, shrimp, crayfish or other shell fish to make and file a sworn statement of the quantity and places of storage of such frozen stock with the State Board of Conservation, and regulating the commercial handling and sale of such frozen stock during their applicable respective closed seasons and providing a punishment for failure to comply with said regulations.

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

By Senator Parker—
Senate Bill No. 119:

A bill to be entitled An Act to repeal Section 3954, 3955 and 3956 of the Revised General Statutes of Florida, 1920, being Sections 5873, 5874, 5875 of the Compiled General Laws of Florida, 1927, and being Chapter 1476, Laws of Florida, Acts of the 1866 Session of the Legislature, relating to the support by the children of parents who are unable to support themselves, providing for proceedings in connection therewith and enforcing any order made thereon.

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

By Senator Parker—
Senate Bill No. 120:

A bill to be entitled An Act to Amend Chapter 18285, Laws of Florida, Acts of the 1937 Session of the Legislature, being An Act 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."

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

By Senator Parrish—
Senate Bill No. 121:

A bill to be entitled An Act to authorize, empower and direct the Comptroller of the State of Florida to draw warrants on the State Treasury in favor of certain persons, firms and/or corporations for a refund of license taxes paid by such persons, firms and/or corporations under the provisions of Chapter 17178 Laws of Florida, Acts of 1935, declared unconstitutional by the Supreme Court of Florida, and making appropriation therefor.

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

By Senator Parrish—
Senate Bill No. 122:

A bill to be entitled An Act providing a method whereby a person temporarily within the State of Florida may evidence and declare that he is not permanently removing to and establishing his domicile in the State of Florida.

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

By Senator Kelly (11th)—
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 or any future official, federal or state census, to pay the compensation of State Auditors engaged in full time work in such counties.

Which was read the first time by title only.

Senator Kelly (11th) moved that the rules be waived and Senate Bill No. 123 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 123 was read the second time by title only.

Senator Kelly (11th) moved that the rules be further waived and Senate Bill No. 123 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. 123 was read the third time in full.

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

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

By Senator Kelly (11th)—
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.

The following proof of publication was attached to Senate Bill No. 124 when it was introduced in the Senate:

LEGAL NOTICE

TO WHOM IT MAY CONCERN:

This is to notify you that the undersigned intends to apply to the next Session of the Legislature of the State of Florida which convenes in April, 1939, at Tallahassee, Florida, for the passage of a local Act authorizing Pinellas County and its Board of County Commissioners thereof to construct certain public works, undertakings, and projects such as bridges, tunnels, causeways, aquariums, wharves, docks, warehouses and other improvements for harbor and shipping facilities and the acquisition and disposal of land by sale or lease for commercial or industrial purposes; prescribing the mode of procedure and regulating the issuance and sale of bonds or other obligations to finance such projects.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA.

By JOHN CHESTNUT,
Chairman.

Attest:

RAY E. GREEN,
Clerk.

PUBLISHER'S AFFIDAVIT

COUNTY OF PINELLAS) SS
STATE OF FLORIDA)

Gladys Williams, being first duly sworn, says that she is the Clerk of the St. Petersburg Times, a daily newspaper, printed and published in St. Petersburg in said County and State, and that the publication headed, Legal Notice—Re: To construct certain public works, a copy of which is hereunto attached, was published in the said newspaper in the issue of February 24, 1939; that at the time of such publication that the St. Petersburg Times had been continuously published in St. Petersburg, Florida, at least once a week, and entered as second class matter at St. Petersburg in Pinellas County, Florida, for a period of one year next preceding the first insertion of such publication, and that said newspaper is published in accordance with the provisions and requirements of an Act relating to publication of legal notices and process in newspapers in the State of Florida, Laws of Florida, Acts of 1931, Senate Bill No. 58.

GLADYS WILLIAMS.

Subscribed and sworn to before me this 24th day of Feb. 1939.

L. R. BURR,
Notary Public.

My commission expires May 26, 1940.

Which was read the first time by title only.

Senator Kelly (11th) moved that the rules be waived and Senate Bill No. 124 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 124 was read the second time by title only.

Senator Kelly (11th) moved that the rules be further waived and Senate Bill No. 124 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. 124 was read the third time in full.

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

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

By Senator Kelly (11th)—
Senate Bill No. 125:

A bill to be entitled An Act authorizing Pinellas County Florida: its Board of County Commissioners to enlarge its water supply and distribution system and prescribing the procedure therefor and the financing thereof.

The following proof of publication was attached to Senate Bill No. 125 when it was introduced in the Senate:

LEGAL NOTICE

TO WHOM IT MAY CONCERN:

This is to notify you that the undersigned intends to apply to the next Session of the Legislature of the State of Florida which convenes in April, 1939, at Tallahassee, Florida, for the passage of a local Act authorizing Pinellas County to enlarge and make extensions to its present water works system and prescribing the procedure therefore and the financing thereof and such other and additional authority incidental and appertaining or helpful to the main purpose.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA.

By JOHN CHESTNUT, Chairman.

Attest:

RAY E. GREEN,
Clerk.

PUBLISHER'S AFFIDAVIT

COUNTY OF PINELLAS)
STATE OF FLORIDA) s.s.

Gladys Williams being first duly sworn, says that she is the Clerk of the St. Petersburg Times, a daily newspaper, printed and published in St. Petersburg in said County and State, and that the publication headed, Legal Notice—Re: Water works system, a copy of which is hereunto attached, was published in the said newspaper in the issue of February 25, 1939, that at the time of such publication that the St. Petersburg Times had been continuously published in St. Petersburg, Florida, at least once a week, and entered as second class matter at St. Petersburg in Pinellas County, Florida for a period of one year next preceding the first insertion of such publication, and that said newspaper is published in accordance with the provisions and requirements of an act relating to publication of legal notices and process in newspapers in the State of Florida, Laws of Florida, Acts of 1931, Senate Bill No. 58.

GLADYS WILLIAMS.

Subscribed and sworn to before me this 25th day of February, 1939.

L. R. BURR, Notary Public.

My commission expires May 26, 1940.

Which was read the first time by title only.

Senator Kelly (11th) moved that the rules be waived and Senate Bill No. 125 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 125 was read the second time by title only.

Senator Kelly (11th) moved that the rules be further waived and Senate Bill No. 125 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. 125 was read the third time in full.

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

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

By Senator Kelly (11th)—
Senate Bill No. 126:

A bill to be entitled An Act to Amend Section 52 of the Compiled General Laws of Florida 1927, relating to the boundaries of Pinellas County, Florida.

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

By Senator Dame—
Senate Bill No. 127:

A bill to be entitled An Act to regulate and control the distribution of fluid milk and cream, and for this purpose to create a Florida Milk Board, defining its jurisdiction, pow.

ers and duties, during the existing emergency, and to declare a continuing emergency to exist for the purposes above stated, and to provide for the raising of funds, through license tax and other charges, for the administration of this Act and to provide penalties for the violation of the provisions of this Act. To provide for the legal succession by this Board herein created of the Milk Control Board established by Chapter 18022, of the Laws of Florida of 1937.

Senator Dame moved that Senate Bill No. 127 be referred to the Committee on Public Health.

Pending adoption of the motion made by Senator Dame, Senator Graham moved as a substitute motion that Senate Bill No. 127 be referred to the Committees on Public Health and Agriculture and Livestock, jointly.

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

Which was agreed to and Senate Bill No. 127 was referred to the Committees on Public Health and Agriculture and Live Stock, jointly.

By Senators Price and Hodges—
Senate Bill No. 128:

A bill to be entitled An Act appropriating moneys for the use and benefit of the Florida National Exhibits, Inc. in connection with the establishment and maintenance of the Florida exhibit at the New York World Fair.

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

By Senator Dye—
Senate Bill No. 129:

A bill to be entitled An Act making an appropriation for the maintenance of the Judah P. Benjamin Memorial in Manatee County, Florida, and compensation of the custodian.

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

By Senators Hodges and Ward—
Senate Bill No. 130:

A bill to be entitled An Act for the relief of Fred O. Eberhardt of Tallahassee, Leon County, Florida.

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

By Senators Sharit, 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, Murphy, Parker, Parrish, Price, Rose, Savage, Walker, Ward, Westbrook, Whitaker and Wilson—

Senate Bill No. 131:

A bill to be entitled An Act for the relief of Joe L. Sharit as chairman of the committee having charge of the holding of a festival and celebration of the Centennial Anniversary of the Constitution of the State of Florida in Port St. Joe, Florida, during the year 1938, and appropriating money to reimburse the said Joe L. Sharit for monies expended by him as such chairman of such committee.

The following proof of publication was attached to Senate Bill No. 131 when it was introduced in the Senate:

NOTICE

Notice is hereby given that the Legislature of Florida at its regular session to be held in 1939 will be requested to enact a statute for the relief of Joe L. Sharit as Chairman of the Committee in charge of the holding and conducting of the festival and celebration of the Centennial Anniversary of the Constitution of Florida at Port St. Joe, Florida, in December, 1938, and appropriating the sum of Seven Thousand Four Hundred Seventy-nine and 20-100 (\$7,479.20) Dollars to pay the deficit incurred in the holding and conducting of such festival and celebration, which sum was procured and advanced by the said Joe L. Sharit to make such festival and celebration possible.

JOE L. SHARIT.

(Mch. 17-4t)

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF GULF:

Before me personally came C. F. Hanlon, who, being duly

sworn, says he is Publisher of the Gulf County Breeze, a weekly newspaper, printed in the English language, and of general circulation, published in Wewahitchka, Gulf County, Florida, and that the attached notice was published in said newspaper once a week for a period of four consecutive weeks, beginning March 17, 1939, and ending April 7, 1939, the date of such publication being March 17, 24, 31, April 7, 1939.

And deponent further says that the Gulf County Breeze has been continuously published as a weekly newspaper and has been entered as second class mail matter at the Post Office in the City of Wewahitchka, Gulf County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described Order, Notice of Publication and/or Advertisement; and has been published in accordance with Chapter 14830, Laws of Florida, 1931.

C. F. HANLON,
Publisher of the Gulf County Breeze.

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

J. R. HUNTER,
Clerk Circuit Court, Gulf County, Florida.

Which was read the first time by title only.

Senator Sharit moved that the rules be waived and Senate Bill No. 131 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 131 was read the second time by title only.

Senator Sharit moved that the rules be further waived and Senate Bill No. 131 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. 131 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Coulter, Dame, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—34.

Nays—None.

So Senate Bill No. 131 passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Dugger—

Senate Bill No. 132:

A bill to be entitled An Act to Amend Sections 1 and 3 of Chapter 17252, Laws of Florida, Acts of 1935, Being "An Act to Require all Owners or Operators of School Busses to Secure and Keep in Force Liability Insurance on Each of Such Busses, and to Authorize County Board of Public Instruction and/or Trustees of Special Tax School Districts to Insure Against Accident Children While Being Transported to or from School" so as to provide that County Boards of Public Instruction or Trustees of Special Tax School Districts Shall Pay the Premiums on all such Liability Insurance.

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

By Senator Dugger—

Senate Bill No. 133:

A bill to be entitled An Act Providing for the erection of fences and cattle-guards to prevent the intrusion of live stock upon the State Roads in the State, Declaring public policy in relation thereto, Prescribing the powers and duties of the State Road Department of Florida in the Erection and Maintenance of such fences and cattle-guards, and providing for payment of expenses incident to the erection and maintenance of such fences and cattle-guards.

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

By Senator Dugger—

Senate Bill No. 134:

A bill to be entitled An Act to Repeal Section 14, 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 Govern-

ments in the administration of funds for the relief of unfortunates; and authorizing the said board 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 incidental 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 or 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 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.

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

By Senator Dugger—
Senate Bill No. 135:

A bill to be entitled An Act to amend Section 17, 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 relief of unfortunates; and authorizing the said boards to act as agents for the United States, State, County and Municipal Governments in the administration of any funds for investigations, social welfare work, or any other work incidental to the United States, State, County and Municipal Government; 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 municipal standards of care for all local public and private institutions or agencies; creating the office of State Welfare Commissioner and 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; fixing the qualifications of persons entitled to monetary benefits or assistance under this Act.

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

By Senator Wilson—
Senate Bill No. 136:

A bill to be entitled An Act relating to the examination and commitment of persons to the Florida State Hospital, and repealing all laws and parts of laws in conflict herewith.

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

By Senator Wilson—
Senate Bill No. 137:

A bill to be entitled An Act relating to the management and control of the Florida State Hospital; providing for the employment of a superintendent; prescribing the duties of the superintendent and other employees; fixing the bond of the superintendent; providing for the compensation of the superintendent; prescribing the method of fixing bond of other employees; prescribing the manner of removal of superintendent and other employees; providing for the keeping of records of patients; providing for the admission of pay patients; providing for the care of such patients; fixing the manner of payment and the amount to be paid for the care, custody and maintenance of said pay patients; providing for the fixing of bond for such payment for the care, custody and maintenance of said pay patients by the Board of Commissioners of State Institutions.

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

By Senator Kelly (16th)—
Senate Bill No. 138:

A bill to be entitled An Act to amend Section 4 of Chapter 13761, Laws of Florida, Acts of 1929, entitled, "An Act repealing Sections 370, 410, 412 of Compiled General Laws, 1927, being same as Sections 313, 353 and 355 of Revised General Statutes, 1920, and amending Sections 356, 359, 361, 386, 387, 400, 401, 405, 406, 407, 408, 409, 411 and 421, Compiled General Laws of Florida, 1927, being Sections 300, 303, 305, 329, 330, 343, 344, 348, 349, 350, 351, 352, 354 and 364, Revised General Statutes of Florida, 1920, relating to primary elections providing for a second primary election, abolishing second choice voting and relating to the qualification of voters and the registration of voters, and other matters in connection therewith," as amended by Chapter 16990, Laws of Florida, Acts of 1935, entitled "An Act to amend Section 329 Revised General Statutes as amended by Section 4 of Chapter 13761, Acts 1929, Laws of Florida, relating to time for paying fee and qualifying by candidates for State offices running in primary election," being Section 386, Compiled General Laws of 1927 (Supplement), by changing to forty-five days the time for candidates for State offices to file their sworn statements and receipts for committee assessments.

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

By Senator Kelly (16th)—
Senate Bill No. 139:

A bill to be entitled An Act amending Section 5 of Chapter 13761, Laws of Florida, Acts of 1929, entitled, "An Act repealing Sections 370, 410, 412 of Compiled General Laws, 1927, being same as Sections 313, 353 and 355 of Revised General Statutes, 1920, and amending Sections 356, 359, 361, 386, 387, 400, 401, 405, 406, 407, 408, 409, 411 and 421, Compiled General Laws of Florida, 1927, being Sections 300, 303, 305, 329, 330, 343, 344, 348, 349, 350, 351, 352, 354 and 364, Revised General Statutes of Florida, 1920, relating to primary elections providing for a second primary election, abolishing second choice voting, and relating to the qualification of voters and the registration of voters, and other matters in connection therewith," being Section 387, Compiled General Laws, 1927, by changing to forty-five days the time for candidates for county offices to file their sworn statements and receipts for committee assessments.

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

By Senator Lindler—
Senate Bill No. 140:

A bill to be entitled An Act cancelling certain State and County unpaid taxes, due the State of Florida, and Columbia County, against certain real property owned by the City of Lake City, Florida, a municipal corporation, and authorizing the Comptroller of the State of Florida and the Tax Collector and the Clerk of the Circuit Court of Columbia County, Florida, to cancel certain tax sales certificates.

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

By Senator Mapoles—
Senate Bill No. 141:

A bill to be entitled An Act for the relief of R. H. Brown in the matter of damage done to certain lands owned by him by the building of highways and requiring the Florida State Road Department to pay to the said R. H. Brown the sum of four hundred dollars.

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

By Senator Mapoles—
Senate Bill No. 142:

A bill to be entitled An Act Relating to the prevention of cattle stealing; providing for the search of vehicles for stolen cattle; requiring delivery of bills of sale to purchasers of cattle; and providing penalty for failure to deliver said bills of sale.

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

By Senator Kanner—
Senate Bill No. 143:

A bill to be entitled An Act providing a method for manifesting and evidencing domicile in Florida.

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

By Senator Johns—
Senate Bill No. 144:

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

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

By Senator Parker—
Senate Bill No. 145:

A bill to be entitled An Act to Amend Section 22 of Chapter 14832, Laws of Florida, 1931, being An Act to provide for a State Racing Commission to prescribe its power and duties, and to fix the compensation of its members: To provide for holding referendum and recall elections in any county to determine whether racing shall be permitted or continued therein: To provide for licensing and taxing such racing and apportioning the moneys derived therefrom among the several counties of the State to provide for and regulate the making of parimutuel pools within the enclosure of licensed race tracks: Providing certain penalties for the violation of this Act, and for other purposes relating thereto, as amended by Chapter 16113, Laws of Florida, 1933, and Chapter 17276, Laws of Florida, 1935, so as to provide that if any part of Section 12 or any section with reference to the distribution of the revenue derived and obtained under this Act should be declared illegal or unconstitutional then that the whole of Chapter 14832, Laws of Florida, 1931, together with all amendatory Acts thereof, shall be repealed.

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

By Senator Whitaker—
Senate Bill No. 146:

A bill to be entitled An Act to Amend Chapter 4379, Acts of 1895, Laws of Florida, the same being Sections 4172, 4173, 4174, 4175, 4176 and 4177, of the Compiled General Laws of Florida, 1927, relating to attorneys.

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

By Senator Whitaker—
Senate Bill No. 147:

A bill to be entitled An Act to prohibit the operation of motor propelled boats or water craft without mufflers on Lake Carroll in Hillsborough County, Florida, and to provide a penalty for the violation thereof.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 147 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 147 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 147 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. 147 was read the third time in full.

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

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

By Senator Whitaker—
Senate Bill No. 148:

A bill to be entitled An Act to provide for the preparation and issuing by the State of Florida of campaign medals to the officers and men who enlisted from the State of Florida and served in the Army, Navy or Marine Corps of the United States during the War with Spain, the Philippine Insurrection or the China Relief Expedition, and making an appropriation therefor.

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

By Senator Whitaker—
Senate Bill No. 149:

A bill to be entitled An Act providing for the incorporation, licensing and regulation of corporations not for profit for the purpose of operating non-profit hospital service plans, exempting such corporations from all other provisions of the insurance laws of the State of Florida, providing penalties for the violation of the provisions of this act, and repealing all laws in conflict therewith.

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

By Senator Westbrook—
Senate Bill No. 150:

A bill to be entitled An Act regulating and fixing the salaries of members of Boards of County Commissioners in all counties of the State of Florida, and setting time when same shall become effective, and repealing all general and special laws in conflict therewith.

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

By Senator Whitaker—
Senate Bill No. 151:

A bill to be entitled An Act granting pension to Mrs. Mary J. Fulgham of Florida.

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

By Senator McKenzie—
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 collection 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 Collector, Town Clerk, and Town Tax Assessor, and providing for a Town Manager.

The following proof of publication was attached to Senate Bill No. 152 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY TO STATE LEGISLATURE OF 1939 FOR PASSAGE OF LOCAL LEGISLATION

TO WHOM IT MAY CONCERN: NOTICE is hereby given of intention to apply to the Legislature of the State of Florida at its regular session A. D. 1939, for the passage of a special or local law, the substance of which contemplated law is to amend the Laws of Florida now in effect regarding the legislative charter of the Town of Crescent City, Putnam County, Florida, as created in and by Chapter 6337, Laws of Florida, Acts of 1911, as amended by Chapter 8928, Laws of Florida, Acts of 1911, so as to provide for a change in the governmental organization of said Town of Crescent City, so as to provide for the abolishment of the elective offices in said Town of town treasurer, town tax collector, town clerk, town marshal

and town tax assessor, and so as to provide for a town manager for said Town of Crescent City.
Given at Crescent City Florida, this 10th day of March A. D. 1939.

(Signed) S. E. WARNER.

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA)
COUNTY OF PUTNAM)

Personally appeared before me, a Notary Public in and for the State of Florida and County of Putnam, W. H. S. JOHNSON, who, being first duly sworn, deposes and says he is Business Manager of the Crescent City Journal, a newspaper published weekly in the Town of Crescent City, in said County and State; that the notice, a copy of which is hereunto attached, has been published in the Crescent City Journal for one insertion as follows: March 10th, 1939.

W. H. S. JOHNSON.

Sworn to and subscribed before me, this, the 14th day of March, A. D. 1939.

A. B. HARBISON,
Notary Public, State of Florida at Large.
My commission expires Feb. 10, 1942.

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

By Senator Savage—
Senate Bill No. 153:

A bill to be entitled An Act granting a pension to Annie Lee Jackson, of Marion County, Florida.

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

By Senator Savage—
Senate Bill No. 154:

A bill to be entitled An Act granting a pension to Mrs. Kate Dodson, of Marion County, Florida.

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

By Senators Savage and McKenzie—
Senate Bill No. 155:

A bill to be entitled An Act repealing Section 14 of Chapter 18285, Laws of Florida, Acts of 1937, the same being "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."

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 6, 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:
House Memorial No. 2:

By Beck and Morrow of Palm Beach, Peeples of Glades, Stewart of Hendry, Platt of Collier, Sheldon and Martin of Hillsborough, Strayhorn of Lee, Crary of Martin, Burwell and Leaird of Broward, Lindsey, Holt and Overstreet of Dade, McCarty of St Lucie—

Memorializing the President and Congress of the United States to increase the sugar quota allotment for Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Memorial No. 2, contained in the above message, was read the first time in full.

Senator Beacham moved that the rules be waived and House Memorial No. 2 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Memorial No. 2 was read the second time in full.

The question was put on the adoption of House Memorial No. 2.

Which was agreed to and House Memorial No. 2 was adopted.

SENATE BILLS ON SECOND READING

Senate Bill No. 70:

A bill to be entitled An Act authorizing the State Game Commissioner to permit the closing of streams and lakes by the owners of property adjacent thereto by the erection of fences for the purpose of establishing breeding grounds for and to protect manatees or sea-cows.

Was taken up in its order.

Senator Sharit moved that the rules be waived and Senate Bill No. 70 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 70 was read the second time by title only.

Senator Sharit moved that the rules be further waived and Senate Bill No. 70 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. 70 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, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, 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.

Senate Bill No. 4 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 33:

A bill to be entitled An Act to amend Section 35 of Chapter 16103, Laws of Florida, Acts of 1933, the same being An Act relating to wills and the probate thereof, to descent and distribution of decedents' estates, to dower, to the administration of decedents' estates and the practice and procedure relating thereto, to revise and consolidate the law relating to the estates of decedents and to repeal all laws and statutes in conflict therewith as amended by Chapter 17171, Laws of Florida, Acts of 1935, and as further amended by Chapter 18066, Laws of Florida, Acts of 1937, which amendment, however, shall provide for the dower of a widow in realty and personalty, ratably subject to the debts of the estate of the decedent along with the remainder of the estate, and shall further provide that if a decedent be survived by a widow and lineal descendants and none of such lineal descendants are also lineal descendants of such widow, then such widow shall be limited to a child's part irrespective of the terms of the will of the decedent.

Was taken up in its order and read the second time in full.
Senator Beall moved that the rules be waived and Senate

Bill No. 33 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. 33 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Coulter, Darne, Dugger, Dye, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Murphy, Parker, Par-

rish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, 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 immediately, by waiver of the rule.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:15 o'clock P. M., until 11:00 A. M., Wednesday, April 12, 1939.