

# JOURNAL OF THE SENATE

Wednesday, April 12, 1939

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 11, 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 11, 1939, was corrected as follows:

On page 8, column 2, lines 42, 43 and 44, strike out "So the bill passed, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately by waiver of the rule," and insert in lieu thereof the following: "So the bill passed by the required Constitutional two-thirds vote of all members elected to the Senate for the 1939 session of the Legislature."

And as corrected, was approved.

## REPORTS OF COMMITTEES

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

Senate Chamber,

Tallahassee, Fla., April 12, 1939.

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

Sir:

Your committee on Appropriations, to whom was referred:

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.

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

Very respectfully,

GEO. F. WESTBROOK,  
Chairman of Committee.

And Senate Bill No. 93, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,

Tallahassee, Fla., April 12, 1939.

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

Sir:

Your committee on Appropriations, to whom was referred:

Senate Bill No. 32:

A bill to be entitled An Act to provide for the purchase, distribution and administration of anti-hog cholera serum and hog cholera virus by the State Live Stock Sanitary Board; making an appropriation therefor; and repealing Chapter 18153, laws of Florida, Acts of 1937, being "AN ACT to provide for the purchase, distribution and administration of anti-hog cholera serum and hog cholera virus in the State of Florida by the State Live Stock Sanitary Board; making appropriation therefor and creating a fund to be known as the serum fund."

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

Very respectfully,

GEO. F. WESTBROOK,  
Chairman of Committee.

And Senate Bill No. 32, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator H. S. McKenzie, chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 12, 1939.

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

Sir:

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

House Bill No. 107:

An Act transferring and appropriating funds to pay the cost of completing and furnishing the North Wing of the State Capitol and providing for the payment thereof.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of Senate.

Very respectfully,

H. S. MCKENZIE,  
Chairman of the Joint Committee on Enrolled  
Bills on the Part of the Senate.

The bill contained in the above report was 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 H. S. McKenzie, chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 12, 1939.

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

Sir:

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

House Bill No. 107:

An Act transferring and appropriating funds to pay the cost of completing and furnishing the North Wing of the State Capitol and providing for the payment thereof.

Be glad 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.

## INTRODUCTION OF RESOLUTIONS

By Senator Kelly (16th)—

Senate Resolution No. 9:

WHEREAS, On the eve of the first primary election in June, 1934, Almighty God saw fit to remove from our midst the late Honorable James B. Stewart of Fernandina, who was a candidate for re-election to this Honorable Body and who served as a member of the House of Representatives during the session of 1917, later serving as County Judge of Nassau County from 1917 to 1927, also serving the Democratic Party as Democratic Executive Committeeman from Nassau County for many years and chairman of the State Democratic Executive Committee in 1928; further serving as a member of the State Sen-

ate representing the Sixteenth District in the sessions of 1927, 1929, 1931 and 1933. and

WHEREAS, The late Honorable James B. Stewart left surviving him a widow and four children, and

WHEREAS, One of his daughters, Gloria Stewart, is in need of employment at the present time, and

WHEREAS, It has been the custom and the practice of this Honorable Body to employ close relatives of deceased members;

NOW, THEREFORE, BE IT RESOLVED, that we, the Senate body in and for the 1939 session, do recommend to the Chairman and members of the Attache Committee, that the said Gloria Stewart, be employed as a Verifier during the session and assigned a position as such Verifier, with the courtesies of this body in session assembled.

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. 9 was adopted.

By Senator Whitaker—

Senate Concurrent Resolution No. 10:

WHEREAS, the State of Florida has been and is setting up a state highway system, and

WHEREAS, the proper beautification and safety of such highways require the proper zoning of such highways with respect to sign boards and other outdoor advertising allowed thereon, and

WHEREAS, it is desired that the State Planning Board make a proper survey of the State highways for the purpose of setting up a non-discriminatory zoning law in respect to sign boards and other outdoor advertising thereon, and

WHEREAS, it is the desire of the Legislature that such a report be made by the State Planning Board at the next session of the Legislature of the State of Florida, in order that the Legislature might have before it proper information for consideration of the non-discriminatory zoning law in respect to such advertising on the highways of the State of Florida.

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

Section 1. That the State Planning Board be and the same hereby is directed to make a proper survey of the highways of the State of Florida and gather all necessary and vital information concerning the proper zoning of such highways in respect to sign boards and outdoor advertising, said report to have especial regard concerning beautification of said highways and concerning the safety of the users of such highways, and that such report be submitted by the State Planning Board to the next session of the Legislature of the State of Florida.

Section 2. There is hereby appropriated to the State Planning Board the sum of \$3,000.00 to be used for the purposes of this Resolution as hereinabove set out and the total expenditures of such Planning Board in respect to survey and report above set out are expressly limited to that amount.

Which was read the first time in full.

Senator Whitaker moved that Senate Concurrent Resolution No. 10 be referred to the Committee on Appropriations.

Which was agreed to and it was so ordered.

By Senator Price—

Senate Concurrent Resolution No. 11:

WHEREAS, the custom has been in the past years to have the Legislative printing checked by a person experienced in these Legislative matters, and

WHEREAS, it is to the best interests of the Legislature that this be done during the 1939 session, and

WHEREAS, the Honorable Ferd B. Nordman of Ormond Beach, Florida, is a former member of both the Senate and the House of Representatives of the State of Florida, and is familiar with Legislative matters

NOW THEREFORE BE IT RESOLVED by the Senate of the State of Florida, the House of Representatives concurring, that Honorable Ferd B. Nordman, of Ormond Beach, Florida, be and he is hereby employed to check the Legislative printing for the 1939 Legislative session.

Which was read the first time in full and went over under the rule.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Whitaker—

Senate Bill No. 156:

A bill to be entitled An Act authorizing, empowering and directing the Board of County Commissioners and the Clerk of the Circuit Court in counties having a population of not less than 85,000 and not more than 170,000 according to the next preceding State or Federal Census and in which an emergency now exists or may in the future exist, to sell, exchange and dispose of bonds taken in payment of delinquent taxes and in tax adjustments pursuant to Chapter 16252, Laws of Florida, Acts of 1933, and Chapter 16,910, Laws of Florida, Acts of 1935, prescribing the mode and method of selling and disposing of the same; providing for the distribution of the funds derived therefrom; providing that said Boards of County Commissioners shall transfer funds necessary to give the Board of Public Instruction in said counties at least \$100,000.00 total of Special School District taxes and County School Fund taxes; providing for delivery of said bonds; defining what is an emergency; and providing for such other and further duties of the Boards of County Commissioners and Clerks of the Circuit Courts in such counties necessary to comply with this Act.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 156 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 156 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 156 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. 156 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, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—38.

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 Adams—

Senate Bill No. 157:

A bill to be entitled An Act for the relief of M. L. Horton, Sr., and his wife, Helen Horton.

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

By Senator Kelly (16th)—

Senate Bill No. 158:

A bill to be entitled An Act providing for the reregistration of qualified electors to vote in Primary Elections, who, by reason of holding an official position with the Government of the United States, are required to be absent from the State during the period allowed for such reregistration and who are, therefore, not able to reregister as provided by law.

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

By Senator Kanner—

Senate Bill No. 159:

A bill to be entitled An Act to Amend Chapter 16992, Laws of Florida, Acts of 1935, being "An Act Relating to the administration of estates and providing upon what conditions no administration therein shall be necessary, and providing the conditions, procedure, cost and effect thereof."

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

By Senator Rose—

Senate Bill No. 160:

A bill to be entitled An Act Relating to damage to prop-

erty by automobiles, trucks and other motor vehicles, requiring the owner or operator thereof to give notice of said damage, together with his name and address and the name and address of the owner, and prescribing penalties for failure to do so.

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

Senator Kelly (11th) moved that the rules be waived and the Senate do now reconsider the vote by which the Senate passed Senate Bill No. 124 on April 11, 1939.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 124 was passed.

Pending roll call, Senator Kelly moved that the further consideration of Senate Bill No. 124 be informally passed, which was agreed to and it was so ordered.

Senator Whitaker moved that the rules be waived and the Senate do now reconsider the vote by which the Senate passed Senate Bill No. 147 on April 11, 1939.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 147 was passed.

By unanimous consent Senator Whitaker withdrew Senate Bill No. 147.

Senator Beacham moved that Senate Bill No. 23 be recalled from the Committee on Public Roads and Highways.

Which was agreed to and it was so ordered.

By unanimous consent, Senator Beacham withdraw Senate Bill No. 23.

Senator Whitaker moved that a committee be appointed to escort Honorable H. C. Tillman, former Senator from the 34th Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Whitaker, Lewis and McKenzie as the committee.

MESSAGE FROM THE GOVERNOR

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE

April 12, 1939.

Honorable J. Turner Butler,  
President of the Senate,  
Tallahassee, Fla.

Sir:

I have the honor to inform you that on April 12th, A.D. 1939, I approved the following Resolutions which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

SCR No. 1—Relating to Governor's message.

SCR No. 2—Relating to President of U. S.

SCR No. 3—Relating to cold drink stand.

Respectfully yours,

FRED P. CONE,  
Governor.

The following communication from the Secretary of State was received and read:

Tallahassee, Fla.  
April 10th, 1939.

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

Sir:

I am transmitting herewith Senate Concurrent No. 7, adopted by the Legislature of the State of California, March 12, 1938.

Also—

Senate Resolution No. 17, adopted by the Legislature of the State of Oklahoma, February 27th 1939.

Also—

Senate Bill No. 19, adopted by the Legislature of the State of Utah, February 24th 1939.

Which I have been requested to transmit to your Honorable body.

Yours very truly,

R. A. GRAY,  
Secretary of State.

Senate Concurrent Resolution No. 7 of the State of California, Senate Resolution No. 17 of the State of Oklahoma, and Senate Bill No. 19 of the State of Utah, contained in the foregoing communication, were read and referred to the Committee on Rules and Calendar.

OFFICE OF THE SECRETARY OF STATE  
STATE OF FLORIDA

Tallahassee, Fla., Apr. 11, 1939.

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

Sir:

In conformity with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for the consideration of the Senate, the following vetoed Acts with the Governor's objections attached thereto, viz:

(Senate Bill No. 389)

"A bill to be entitled An Act creating the State Market Authority, providing for the appointment of its governing body and defining its powers, duties and jurisdiction, authorizing the issuance of revenue certificates of the authority and providing for the payment thereof."

(Senate Bill No. 705)

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

(Senate Bill No. 864)

"A bill to be entitled An Act to amend Chapter 9158, Laws of Florida, 1923, being an act entitled "An Act to provide that all persons who are not residents of the State of Florida and who are engaged in the business of selling automobiles or automobile trailers at retail in the State of Florida shall pay a license tax." To provide the amount of said tax; to provide for the method of collection and enforcement of said tax; to provide for the penalty for a violation of this act."

(Senate Bill No. 1002)

"A bill to be entitled An Act relating to South Florida Conservancy District; amending Sections 2 and 27 of Chapter 17258, Laws of Florida, Acts of 1935, relating to said South Florida Conservancy District."

(Senate Bill No. 913)

"A bill to be entitled An Act to fix the Compensation of Assistant State Attorneys in all Judicial Circuits of the State of Florida which are now, or may hereafter be, composed of six counties, and which now, or may hereafter have, two Circuit Judges, and which have a population of more than 90,000, according to the last State or Federal census."

(Senate Bill No. 1057)

"A bill to be entitled An Act providing for employment of a stenographer for clerical help in the office of the State Attorney in all Judicial Circuits of Florida having six counties only and two Circuit judges, etc."

(Senate Bill No. 1142)

"A bill to be entitled An Act providing for the cancellation of all outstanding Tax Sales Certificates held and owned by the State of Florida, and all tax liens for subsequent unpaid taxes, and directing the comptroller of the State of Florida to cancel said certificates and taxes on certain lands in Pinellas County, Florida."

(Senate Bill No. 1186)

"A bill to be entitled An Act to provide for a Statewide Retirement System for Teachers; to provide for its management and regulation; to define its membership and benefits payable thereunder; to provide for contributions by the members of the Retirement System and by the State of Florida; to appropriate money from the Central Revenue Fund of the State for the payment of part of the costs of maintenance and all of the costs of administering the System and to regulate the use of these monies; to provide that all benefits under the System shall be exempt from all taxes and from execution and attachment and other legal process and shall be non-assignable except as provided therein; and to provide penalties for violation of this act."

Respectfully,  
R. A. GRAY,  
Secretary of State.

Senate Bill No. 389 (1937 Session), contained in the above message together with the Governor's objections thereto, was taken up.

Senator Parrish moved that Senate Bill No. 389 (1937 Session) be referred to the Committee on Agriculture and Livestock.

Which was agreed to and it was so ordered.

Senate Bill No. 705 (1937 Session), contained in the above message together with the Governor's objections thereto, was taken up.

The President put the question "Shall the bill pass, the Governor's objection to the contrary notwithstanding?"

Upon the call of the roll on the question the vote was:

Yeas—Senator Lewis—1.

Nays—Mr. President; Senators Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, 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—36.

So the bill failed to pass over the Governor's veto.

Senate Bill No. 864 (1937 Session), contained in the above message together with the Governor's objections thereto, was taken up.

The President put the question "Shall the bill pass, the Governor's objection to the contrary notwithstanding?"

Upon the call of the roll on the question the vote was:

Yeas—None.

Nays—Mr. President; Senators Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—36.

So the bill failed to pass over the Governor's veto.

Senate Bill No. 1002 (1937 Session), contained in the above message together with the Governor's objections thereto, was taken up.

The President put the question "Shall the bill pass, the Governor's objection to the contrary notwithstanding?"

Upon the call of the roll on the question the vote was:

Yeas—None.

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

So the bill failed to pass over the Governor's veto.

Senate Bill No. 913 (1937 Session), contained in the above message together with the Governor's objections thereto, was taken up.

The President put the question "Shall the bill pass, the Governor's objection to the contrary notwithstanding?"

Upon the call of the roll on the question the vote was:

Yeas—None.

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

So the bill failed to pass over the Governor's veto.

Senate Bill No. 1057 (1937 Session), contained in the above message together with the Governor's objections thereto, was taken up.

The President put the question "Shall the bill pass, the Governor's objection to the contrary notwithstanding?"

Upon the call of the roll on the question the vote was:

Yeas—None.

Nays—Mr. President; Senators 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—37.

So the bill failed to pass over the Governor's veto.

Senate Bill No. 1142 (1937 Session), contained in the above message, together with the Governor's objections thereto, was taken up and the consideration thereof was informally passed.

Senate Bill No. 1186 (1937 Session), contained in the above message, together with the Governor's objections thereto, was taken up and the consideration thereof was informally passed.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,  
April 7, 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 adopted:

#### House Concurrent Resolution No. 2:

Providing for the appointment of a committee to study the question of trade relations between the State of Florida and the State of Georgia; to study existing Florida laws affecting commerce between the two states, and to recommend reciprocal legislation, to encourage and promote free commerce between the citizens of Florida and the citizens of Georgia in the products of said states; and to ratify and make effective tentative agreements made by an unofficial committee of the Florida Legislature with an official committee of the Georgia Legislature, pursuant to which the Georgia Legislature of 1939 has enacted reciprocal laws.

WHEREAS, the industrial, commercial, and social interests of the people of the State of Florida and the people of the State of Georgia are so interdependent each upon the other that free and unrestricted commerce between the citizens of the two states in their respective products is essential to the prosperity of each of such states; and

WHEREAS, because of a want of mutual understanding and because of unintentional oversight in the enactment of legislation affecting such trade relationship between the two states, each of such states has enacted laws operating to the disadvantage of the other so that trade barriers have arisen affecting the prosperity of the people of both of the States; and

WHEREAS, such conditions having come to the attention of the people of each of such states because of the harmful effects of such legislation, the President of the Florida State Senate and the Speaker Designate of the Florida House of Representatives for 1939, unofficially appointed a legislative committee to discuss with a like legislative committee officially appointed by the President of the Senate and the Speaker of the House of Representatives of Georgia, then in session, to discuss reciprocal laws between the two states, to encourage and promote better trade relations between the two states, and the prosperity of the citizens of each of such states; and such discussions between the legislative committees of the two states were held at Atlanta, Georgia, and resulted in the enactment by the Georgia Legislature of all reciprocal measures requested by the Florida unofficial legislative committee, but which laws were so enacted subject to the action of the Florida Legislature in carrying out the proposed agreements for the enactment by that body of similar reciprocal legislation; and

WHEREAS, this desirable result was accomplished by reason of the interest and cooperation of Honorable G. Pierce Wood, Speaker Designate of this House of Representatives, who headed the said Florida unofficial legislative committee, and Honorable Stuart Gillis, then President of the Florida Senate, and Honorable J. Turner Butler, then President Designate of the Florida Senate for 1939, and it is incumbent upon the Florida Legislature at this session to make effective the results of the work of the said committees; NOW THEREFORE,

#### BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1. That a special committee to be composed of not less than three and not more than five members of the House of Representatives be appointed by the Speaker of the House of Representatives, and of not less than three and not more than five members of the Senate be appointed by the President of the Senate, to make a study of all existing laws affecting trade between the State of Georgia and the State of Florida, and to study the report of the unofficial committee which has

conferred and negotiated with the legislative committee of the State of Georgia, and the laws of the State of Georgia affecting the trade between the two states, and that such committee be authorized, empowered, and directed to prepare and recommend to this Legislature such acts as may be necessary to make effective the tentative agreements between the unofficial Florida legislative committee and the Georgia legislative committee, and such acts as may make effective complete industrial, commercial, and social reciprocity between the State of Florida and the State of Georgia.

2. That the said committee, when so appointed, function as a joint committee of the Senate and House of Representatives of the State of Florida, and report to each of the Senate and the House from time to time, its findings and recommendations on the subjects referred to in this Resolution.

3. That the said committee be and it is authorized to invite members of the Legislature and officials of Georgia to confer with it upon the subject of reciprocal legislation between the States, but that no expenses be incurred by the said committee without express authority of the Legislature.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

House Concurrent Resolution No. 2, contained in the above message, was read the first time in full.

Senator Horne moved that the rules be waived and House Concurrent Resolution No. 2 be read the second time in full.

Which was agreed to by a two-thirds vote.

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

The question was put on the adoption of the Resolution.

Which was agreed to and House Concurrent Resolution No. 2 was adopted, 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,  
April 12, 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 adopted.

By Senator Kelly—

Senate Concurrent Resolution No. 8:

WHEREAS, the pine belt of the South has been developed into one of the main sources of wood pulp in North America, and

WHEREAS, a great portion of the State of Florida is within the pine belt and there has been attracted to the region large investments for the purpose of processing Southern pine into wood pulp, and

WHEREAS, the wood pulp industry in Florida and the United States has been adversely affected by the recent change in the relation between the British, Swedish and Finnish moneys and the American dollar, and

WHEREAS, the foreign wood pulp producers have obtained thereby an advantage over American producers of wood pulp in the United States market, and

WHEREAS, by reason of the advantage of foreign producers of wood pulp over American producers of wood pulp the demand for American produced wood pulp has declined drastically for the past several months and workers in American wood pulp producing mills find their incomes either reduced or cut off entirely, and

WHEREAS, the Federal Government could rectify this unfortunate condition by means at their disposal;

THEREFORE BE IT RESOLVED by the Senate, the House concurring, that Congress be requested to invoke such monetary clauses in the British, Swedish and Finnish Trade Agreements as may be necessary to protect the American wood pulp industry as well as other industries in competition with goods imported from the said countries, and to take cognizance of the plight of American wood pulp producers.

BE IT FURTHER RESOLVED that a copy of this resolution be dispatched immediately upon its passage to each mem-

ber of the Florida Delegation in Congress for their earnest consideration.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 8, 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,  
April 12, 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 adopted.

By Senator Kanner—

Senate Concurrent Resolution No. 7:

WHEREAS, the whole world, rent asunder by strife and contention, violence and intolerance, is today in a state of turmoil and uncertainty, marked by a titanic struggle between Democracy and Autocracy, while in this Country anti-American forces are striving to discredit and destroy the ideals and institutions symbolized by the American Flag, and social, political and economic forces are combating one another; and

WHEREAS, never before in the history of the Nation has there been greater need among our people for the unity, cooperation and tolerance for which our Country's Flag stands; and

WHEREAS, with the Stars and Stripes as its emblem The United States Flag Association, a non-profit, non-partisan and non-sectarian organization incorporated under Federal law and headed by the President of the United States as Honorary President General, is, with the cooperation of various groups, organizations and fields of activity in our National life, conducting a National Patriotic Revival, culminating in FLAG WEEK, June 8th to 14th next, for the two-fold purpose (1) of awakening our people to the dangers threatening our National life, thereby causing them to resolve as never before to uphold and preserve our Country's ideals and institutions, and (2) of promoting National Unity, Patriotic Cooperation and Racial and Religious Tolerance; therefore,

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

That the Legislature of the State of Florida heartily indorses the plan for a great National Patriotic Revival, and that the Governor is hereby authorized and requested, first, to direct the State Superintendent of Public Instruction to arrange for the suitable observance of FLAG WEEK in all the public schools, and, secondly, to issue a proclamation calling upon the State officials to display the United States Flag on all State buildings during FLAG WEEK, and inviting the people of the State to fly the Flag at their homes and other suitable places as well as on their cars, and that in every community they hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions and our determination to uphold and preserve them now and forever.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 7, contained in the above message, was referred to the Committee on Enrolled Bills.

#### SENATE BILLS ON SECOND READING

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.

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

The Committee on Judiciary "B" offered the following amendment to Senate Bill No. 4:

Before the word "service" insert the word "personal."

Senator Beall moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be waived and Senate Bill No. 4, 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. 4, 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, Dame, Dugger, Dye, Gideons, Hodges, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, McKenzie, Parker, Price, Rose, Ward, Whitaker, Wilson—24.

Nays—Senators Gillis, Graham, Hinely, Holland, Lewis, Mapoles, Murphy, Parrish, Savage, Sharit, Walker—11.

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

Senate Bill No. 29:

A bill to be entitled An Act relating to persons who have been adjudged insane or found incompetent, to provide for the service of process upon such persons and upon their guardians ad litem, and to regulate the procedure in suits against such persons.

Was taken up in its order.

Senator Beall moved that the rules be waived and Senate Bill No. 29 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 29 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 29 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. 29 was read the third time in full.

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

Yeas—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dame, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Whitaker, Wilson—33.

Nays—None.

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

Senator Beall moved that Senate Bill No. 12 be withdrawn from the Calendar and recommitted to the Committee on Judiciary "B."

Senate Bill No. 75 was taken up in its order and the consideration of same was informally passed.

Senate Bill No. 15:

A bill to be entitled An Act relating to cross-claims in tort actions, to prescribe the procedure in reference thereto and the consolidation of separate actions, the effect of judgments in causes wherein such cross-claims may or might have been filed, and to repeal conflicting legislation.

Which was taken up in order.

Senator Beall moved that the rules be waived and Senate Bill No. 15 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 15 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 15 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. 15 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, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Parker, Price, Rose, Savage, Sharit, Ward, Westbrook, Whitaker, Wilson—33.

Nays—Senators Lewis, Parrish—2.

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

By permission the following bills were introduced:

By Senators Ward and Whitaker—  
Senate Bill No. 161:

A bill to be entitled An Act for the relief of P. L. Buzbee and Mrs. P. L. Buzbee.

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

By Senators Ward and Whitaker—  
Senate Bill No. 162:

A bill to be entitled An Act for the relief of A. H. Murphy and Mrs. A. H. Murphy.

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

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.

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

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.

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

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

A bill to be entitled An Act to provide for, regulate and control, 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.

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

By Senators Holland and Parrish—  
Senate Bill No. 166:

A bill to be entitled An Act prescribing measurements and contents of standard field boxes to be used in the purchase, sale or handling of oranges, grapefruit and tangerines; and providing penalties for violations of the provisions of this act.

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

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.

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

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

## Senate Concurrent Resolution No. 12

By Senator Ward

Being a Resolution Entitled: "In Memory of BARRON GIFT COLLIER, and His Great Service to the State of Florida and the Nation."

WHEREAS, the Legislature of the State of Florida has learned with deep regret of the death of BARRON GIFT COLLIER on the thirteenth day of March in the year of our Lord 1939, and

WHEREAS the brightest days of his splendid life were dominated by his limitless faith in the future of Florida and by his optimistic courage and determination to assist in and further the development of this the State of his adoption, which faith and determination neither reverses nor the weight of advancing years could daunt or prove effectual in blunting the edge of his splendid courage, and

WHEREAS he was illustrious for his great business sagacity and ability, which were of international renown; and were more illustrious for the probity which characterized his handling of the many trusts placed in him by various Nations, States, Cities and Civic Organizations; but more illustrious still for his kindly nature which gave sincerity to all his hospitalities, *camarderie* to his eye, warmth to the pressure of his hand, and caused his genius and greatness to unbend themselves before the playfulness of children and the gratitude of the underprivileged of mankind, and

WHEREAS

"His life was gentle, and the elements  
So mix'd in him that Nature might stand up  
And say to all the World, 'This was a Man'!"

NOW THEREFORE, BE IT RESOLVED by the Legislature of the State of Florida, the Senate and the House of Representatives therein concurring, do hereby record this MEMORIAL and expression of bereavement upon the passing of that late great Floridian, BARRON GIFT COLLIER.

BE IT FURTHER RESOLVED, That a copy of these Resolutions certified by the Secretary of State of the State of Florida under the Great Seal of the State of Florida be immediately forwarded to the bereaved family of BARRON GIFT COLLIER.

BE IT FURTHER RESOLVED, That a copy of these Resolutions be spread upon a page of the Journal of the House of Representatives and the Journal of the Senate of the State of Florida and made a permanent record of this Legislature.

State of Florida in the administration and enforcement of this Act; and to prescribe penalties for the violations of the provisions of this Act.

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

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.

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

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.

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

By Senator Dye—  
Senate Bill No. 171:

A bill to be entitled An Act for the relief of W. H. Hicks on account of damages to personal property sustained by him through the negligent operation on the highway of a truck belonging to the State Road Department.

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

By permission the following Senate Concurrent Resolution was introduced:

By Senator Ward—  
Senate Concurrent Resolution No. 12:

Being a Resolution Entitled: "In Memory of BARRON GIFT COLLIER, and His Great Service to the State of Florida and the Nation."

WHEREAS, the Legislature of the State of Florida has learned with deep regret of the death of BARRON GIFT COLLIER on the thirteenth day of March in the year of our Lord 1939, and

WHEREAS the brightest days of his splendid life were dominated by his limitless faith in the future of Florida and by his optimistic courage and determination to assist in

and further the development of this the State of his adoption, which faith and determination neither reverses nor the weight of advancing years could daunt or prove effectual in blunting the edge of his splendid courage, and

WHEREAS he was illustrious for his great business sagacity and ability, which were of international renown; and were more illustrious for the probity of which characterized his handling of the many trusts placed in him by various Nations, States, Cities and Civic Organizations; but more illustrious still for his kindly nature which gave sincerity to all his hospitalities, *camarderie* to his eye, warmth to the pressure of his hand, and caused his genius and greatness to unbend themselves before the playfulness of children and the gratitude of the underprivileged of mankind, and

WHEREAS

"His life was gentle, and the elements  
So mix'd in him that Nature might stand up  
And say to all the World, 'This was a man!'"

NOW THEREFORE, BE IT RESOLVED by the Legislature of the State of Florida, the Senate and the House of Representatives therein concurring, do hereby record this MEMORIAL and expression of bereavement upon the passing of that late great Floridian, BARRON GIFT COLLIER.

BE IT FURTHER RESOLVED, That a copy of these Resolutions certified by the Secretary of State of the State of Florida under the Great Seal of the State of Florida be immediately forwarded to the bereaved family of BARRON GIFT COLLIER.

BE IT FURTHER RESOLVED, That a copy of these Resolutions be spread upon a page of the Journal of the House of Representatives and the Journal of the Senate of the State of Florida and made a permanent record of this Legislature.

Which was read the first time in full.

Senator Ward moved that the rules be waived and Senate Concurrent Resolution No. 12 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 12 was read the second time in full.

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

Which was agreed to and Senate Concurrent Resolution No. 12 was adopted, 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 1:00 o'clock P. M., until 11:00 A. M., Thursday, April 13, 1939.