

JOURNAL OF THE SENATE

Monday, April 24, 1939

The Senate convened at 4:00 o'clock P. M., pursuant to adjournment on Friday, April 21, 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, Herne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Friday, April 21, 1939, was corrected as follows:

On page 1, column 1, strike out the last 10 lines from the bottom of the page and the first 8 lines at the top of page 1, column 2, and insert in lieu thereof the following:

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.

Also—

On page 7, column 1, between the 14th and 15th lines from the bottom of the page, insert the following:

"By Senator Rose—

Senate Joint Memorial No. 1:"

Also—

On page 7, column 2, strike out lines 31 and 32 from the top of the page.

And as corrected was approved.

REPORTS OF COMMITTEES

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

Senate Chamber,

Tallahassee, Florida, April 24, 1939.

President of the Senate:

Sir:

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

Senate Bill No. 60:

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

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

And Senate Bill No. 60, contained in the above report, was certified to the House of Representatives.

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

Senate Chamber,

Tallahassee, Florida, April 24, 1939.

President of the Senate:

Sir:

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

Senate Bill No. 65:

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

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

And Senate Bill No. 65, contained in the above report, was certified to the House of Representatives.

Senate Chamber, April 24, 1939.

Senator Parker, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following bills and recommends that they do not pass:

Senate Bill No. 249:

A bill to be entitled An Act to amend Section 1011, Revised General Statutes as amended by Chapter 8410, Laws of Florida, Acts of 1921, as amended by Chapter 10182, Laws of Florida, Acts of 1925, and as amended by Chapter 16085, Laws of Florida, Acts of 1933, being Section 1285, Compiled General Laws of Florida, 1927, as amended by Chapter 15625, Laws of Florida, Acts of 1931, said Section relating to the operation, licensing and taxing of motor vehicles, trailers, semi-trailers, and motorcycle sidecars and providing penalties for the violation thereof.

Senate Bill No. 242:

A bill to be entitled An Act to promote public safety and to authorize and direct the Boards of County Commissioners of the several counties of Florida to construct and designate upon county roads suitable loading zones for school busses and requiring school busses to stop for loading and unloading in the zones so constructed and designated, and making the violation of this requirement a misdemeanor, and modifying the requirements as to stopping by motor vehicles.

Chairman, Committee on Public Roads and Highways.

And Senate Bills Nos. 249 and 242, contained in the above report, were laid on the table.

Senate Chamber April 24, 1939.

Senator Parker, Chairman of the Committee on Public Roads and Highways, reported that the Committee had carefully considered the following bills and recommends that they do pass—

Senate Bill No. 92:

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

Senate Bill No. 305:

A bill to be entitled An Act designating and establishing a State Road to be known as State Road 5—S. E., extending from State Road 15 at Crystal River, via Inverness, Floral City, Istachatta, Croom, Trilby, Dade City, Richland, Kathleen, Lakeland, Bartow, Fort Meade, Avon Park, Sebring, Bassen-ger, Okeechobee and Indian Town to West Palm Beach.

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.

Chairman, Committee on

Public Roads and Highways.

And Senate Bills Nos. 92, 305 and 140, contained in the above report, were placed on the Calendar of Bills on second reading.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Beall—

Senate Bill No. 337:

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

The following proof of publication was attached to Senate Bill No. 337 when it was introduced in the Senate:

State of Florida,
County of Escambia:

Before the undersigned personally appeared N. S. Veal who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to authorizing the Board of County Commissioners of Escambia County, Florida, to budget, appropriate and expend moneys out of the general revenue fund for employing a representative or rep-resentatives to consult and advise with them regarding the development of natural resources in said county, has been pub-lished at least thirty days prior to this date by being printed in the issue of March 28, 1939 of the Pensacola NEWS, a news- paper published in Escambia County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

N. S. VEAL,

Sworn to and subscribed before me this 31st day of March.

DOROTHY G. THOMAS,
Notary Public.

(SEAL)

My Commission expires March 6, 1940.

Notice is hereby given that the undersigned intends to apply to the Legislature of the State of Florida at a regular or special session thereof in the year 1939 for the passage of An Act authorizing the Board of County Commissioners of Escam- bia County, Florida, to budget, appropriate and expend moneys out of the general revenue fund for the purpose of employing a representative or representatives to consult and advise with the Board of County Commissioners of said county regard- ing the development of natural resources in said county, the establishment, maintenance and development of industries and federal and state projects and other governmental estab- lishments in said county and to endeavor to secure such in- dustries, developments, projects and establishments and vali- dating any and all expenditures for like purposes heretofore made.

H. A. BROSNAHAM,

Chairman Board of County Commissioners Escambia Coun- ty, Fla.
3-28-39.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 337 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 337 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 337 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. 337 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, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—36.

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 Beall—

Senate Bill No. 338:

A bill to be entitled An Act providing that whenever any authorized State, County or Municipal officer or agency, an- nually, for two or more consecutive years receives the ten- dered taxes for and issues and delivers license or licenses for places of business or stores, no such officer or agency shall thereafter prohibit the operation of such places of business or stores thereunder, nor issue or enforce any warrants against the licensees or others, for any additional license taxes for such places of business for the periods covered by such licenses so issued; and providing no action shall exist or proceeding be had or taken for any such additional taxes for such places for such license periods.

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

By Senator Hodges—

Senate Bill No. 339:

A bill to be entitled An Act prohibiting the courts of this State from entering final judgments or decrees in cases where legal advertisements or publications have been necessary or employed therein, until proof of the payment for the publica- tion of the same shall be furnished such courts; permitting newspapers to withhold proofs of publication of official no- tices and legal advertisement until the charge therefor is paid and providing that the filing thereof shall be proof that the charge therefor has been paid in full.

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

By Senator Whitaker—

Senate Bill No. 340:

A bill to be entitled An Act to fix the time for open season for the killing or taking of all wild or game birds and game animals; and repealing all laws in conflict and providing pen- alties for the violation thereof.

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

By Senator Dye—

Senate Bill No. 341:

A bill to be entitled An Act authorizing county commission- ers to levy an annual tax for the payment of claims against abolished municipalities, and providing for the distribution and use of the funds derived thereby.

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

By Senator Dye—

Senate Bill No. 342:

A bill to be entitled An Act making it unlawful to stop payment on a check with intent to defeat the payment of same with intent to defraud and providing for prosecution of same.

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

By Senator Whitaker—
Senate Bill No. 343:

A bill to be entitled An Act to require any person, firm, or corporation whose property is assessed for taxation before adding or building any improvements of whatever nature to said property, which said addition or improvements, either real or personal, are to cost more than one thousand dollars to notify in writing the tax assessor of the county in which the property is located of the purpose to make said additions or buildings; to make the failure to comply with the provisions of this Act a misdemeanor, and to prescribe the punishment therefor; prescribing the form of said notice; prescribing the duties of the tax assessor thereunder; and to repeal all laws, or parts of laws, inconsistent herewith.

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

By Senator Dye—
Senate Bill No. 344:

A bill to be entitled An Act providing for the plaintiff to make a deposit to compensate the attorney for the garnishee in garnishment proceedings.

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

By the Committee on Cities and Towns—
Senate Bill No. 345:

A bill to be entitled An Act creating and establishing in certain incorporated municipalities in the State of Florida, a police civil service commission; providing for the selection of the personnel of such commissions; and providing for the rules, funds, compensations, powers and duties of such commissioners: providing that all vacancies in all police departments shall be filled by merit examination; providing for the grading, inspection, and regrading of all merit examination papers; providing for removal and suspension of police officers; and providing for appeals from all removals, fines, suspension, or examinations; and providing for no change in civil service in those municipalities now having civil service commissions.

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

By Senator Whitaker—
Senate Bill No. 346:

A bill to be entitled An Act relating to fishing in and taking from the fresh waters of the State of Florida, any fish during the period beginning on the 15th day of February of each year and ending the 15th day of April of the same year and making territorial exceptions thereto, and prohibiting the possession of fresh water fish during the closed season, and providing penalties for the violation of this Act.

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

By Senator Whitaker—
Senate Bill No. 347:

A bill to be entitled An Act to reserve to the citizens of Florida all hunting rights and privileges for wild and game birds and game animals upon any land to which the legal title is vested in the State of Florida or any board bureau or commission created by the State of Florida, or any political subdivision thereof and excluding from the provisions of this Act, parks, breeding grounds or game preserves.

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

By Senator Dame—
Senate Bill No. 348:

A bill to be entitled An Act for the relief of Oni Newson.

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

By Senator Dame—
Senate Bill No. 349:

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

Which was read the first time by title only.

Senator Dame moved that the rules be waived and Senate Bill No. 349 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 349 was read the second time by title only.

Senator Dame moved that the rules be further waived and Senate Bill No. 349 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. 349 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, 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.

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 Dame—
Senate Bill No. 350:

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

Which was read the first time by title only.

Senator Dame moved that the rules be waived and Senate Bill No. 350 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 350 was read the second time by title only.

Senator Dame moved that the rules be further waived and Senate Bill No. 350 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. 350 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, 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.

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 Westbrook—
Senate Bill No. 351:

A bill to be entitled An Act to prohibit a parent from decoying or forcibly taking his or her child from another parent having the legal custody thereof or where judicial proceedings are pending involving such custody with intent to remove same from the state, or having possession, from removing same from the state under certain circumstances; and providing punishment therefor.

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

By Senator Dugger—
Senate Bill No. 352:

A bill to be entitled An Act to amend Section 3, Chapter 14782, Laws of Florida, 1931, by providing for pensions to widows of pensioners who are entitled to receive monthly allowance in the form of a pension to school teachers who have taught in the public free schools of the State of Florida for 35 or more years.

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

By Senator Kelly (11th)—
Senate Bill No. 353:

A bill to be entitled An Act relating to the grounds for

divorce; adding additional grounds for divorce, and repealing all laws in conflict herewith.

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

By Senator McKenzie—
Senate Bill No. 354:

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

The following proof of publication was attached to Senate Bill No. 354 when it was introduced in the Senate:

Copy of Advertisement

NOTICE OF PROPOSED SPECIAL LEGISLATION

Notice is hereby given that a proposed special act will be introduced in the regular session of the Legislature of the State of Florida to be held in the year A. D. 1939, said proposed special law shall be in substance as follows:

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

Board of County Commissioners Putnam County, Florida
by P. B. Revels, County Attorney. March 15.

PROOF OF PUBLICATION

State of Florida,
County of Putnam,

On this day personally appeared before me A. Bev Baker to me well known, who, being by me first duly sworn, deposes and says he is the business manager of The Palatka Daily News, a newspaper having general circulation in Putnam County, Florida, published in the City of Palatka, County of Putnam and State of Florida; That said newspaper has been published in accordance with the provisions and requirements of an act relating to publication of legal notices and process in newspapers in the State of Florida, Laws of Florida, Acts of 1931, approved May 30, 1931, and known as Senate Bill No. 58; And that the attached advertisement was published in said newspaper once each week for one consecutive week, to-wit; in the issue of said newspaper published on March 15, A. D. 1939.

A. BEV BAKER,
Business Manager.

Sworn to and subscribed before me this 24 day of March
A. D. 1939.

MEMRIE JAMES,
Notary Public.

Notary Public. State of Florida at Large.

(Seal).

My commission expires July 7, 1941.

Which was read the first time by title only.

Senator McKenzie moved that the rules be waived and Senate Bill No. 354 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 354 was read the second time by title only.

Senator McKenzie moved that the rules be further waived and Senate Bill No. 354 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. 354 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, 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.

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 Savage—
Senate Bill No. 355:

A bill to be entitled An Act to provide for the adoption and the enforcement of agreements as to minimum prices and maximum hours in the practice of the occupation of barbering as now defined by law; to vest the Barbers Sanitary Commission with jurisdiction to hear and adjust controversies arising among members and organizations of the barber occupation, and to approve and enforce agreements fixing minimum prices for barber service and establishing opening and closing hours for barber shops or barber schools or colleges; to prescribe territorial units for voting upon each agreement as to hours and prices; to prescribe additional powers and duties of the Barbers' Sanitary Commission; to declare the public safety of this State relating to the practice of the occupation of barbering and to declare such occupations as being affected with a public interest; to provide penalties for the violation of this Act; and for other purposes.

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

By Senator Savage—
Senate Bill No. 356:

A bill to be entitled An Act defining the practice of barbering and requiring a license or certificate of registration as a condition precedent to any person practicing barbering or acting as an apprentice barber and prescribing the terms and conditions upon which licenses or certificates of registration may be issued to any person to practice barbering or act as an apprentice barber in the State of Florida; creating the Barbers' Sanitary Commission and defining and declaring its powers and duties; regulating the practice of barbering or acting as apprentice barber by those licensed hereunder; regulating the operation of barber schools, prescribing a course of study for such schools and the requirements for graduation therefrom; imposing certain fees upon persons applying for licenses, or certificates of registration to practice barbering, act as apprentice barber or teach in barber schools in this State; and appropriating the proceeds thereof to accomplish the purposes of this Act; and prescribing penalties for the violation of the provisions of this Act and regulations hereunder; repealing conflicting laws and transferring to the General Revenue Fund of the State of Florida all money in the special fund known as "State Board of Barber Examiners Fund" and appropriating certain monies for the administration of this Act.

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

By Senator Savage—
Senate Bill No. 357:

A bill to be entitled An Act for the relief of Octavia Hodge, of Marion County, Florida, and providing for the payment by the State Road Department of the State of Florida for her compensation.

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

By Senator Savage—
Senate Bill No. 358:

A bill to be entitled An Act for the relief of Sherman Walker, of Orange Lake, Florida, and providing for the payment by the State Road Department of Florida, for his compensation and payment of medical and surgical and hospital services rendered in his behalf.

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

By Senator Savage—
Senate Bill No. 359:

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

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

By Senator Gillis—
Senate Bill No. 360:

A bill to be entitled An Act granting a pension to Mrs. Eliza Bowers of Walton County, Florida.

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

By Senator Gillis—
Senate Bill No. 361:

A bill to be entitled An Act to declare and establish a certain State Road.
Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Holland—
Senate Bill No. 362:

A bill to be entitled An Act to authorize the Board of County Commissioners of Polk County, Florida to provide group insurance for the following officers of Polk County and their respective employees, viz: Board of County Commissioners, Clerk of the Circuit Court, County Judge, Sheriff, Tax Collector, Tax Assessor, Clerk County Court and Criminal Court of Record, Supervisor of Registration, and providing that, as to such employees, such group insurance shall be in lieu of the provisions of Chapter 17481, Acts of 1935, known as the Florida Workmens Compensation Act, and providing that the expenses thereof shall be paid out of the General Fund and validating and confirming all payments heretofore made by such Board of County Commissioners for such group insurance.

The following proof of publication was attached to Senate Bill No. 362 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY FOR THE PASSAGE OF A SPECIAL OR LOCAL BILL BY THE LEGISLATURE OF THE STATE OF FLORIDA AT ITS REGULAR SESSION IN 1939:

To Whom It May Concern:

Notice is hereby given of the intention to apply for the passage of a Special or Local Bill by the Legislature of the State of Florida at its regular session in 1939, the substance of which contemplated law, shall be to authorize the Board of County Commissioners of Polk County, Florida, to provide Group Insurance for the following officers of Polk County and their respective employees, viz. Board of County Commissioners, Clerk of the Circuit Court, County Judge, Sheriff, Tax Collector, Tax Assessor, Clerk County Court and Criminal Court of Record, Supervisor of Registration, and providing that, as to such employees, such Group Insurance shall be in lieu of the provisions of Chapter 17481, acts of 1935, known as the Florida Workmens Compensation Act, and providing that the expense thereof shall be paid out of the General Fund and validating and confirming all payments heretofore made by such Board of County Commissioners for such Group Insurance.

Given at Bartow, Polk County, Florida, this 17th day of March, A. D. 1939.

BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA,
By JAS. W. FOLEY, Chairman.

(Mar. 21)

AFFIDAVIT OF PUBLICATION
THE POLK COUNTY RECORD

STATE OF FLORIDA)
) ss.
COUNTY OF POLK)

On this day personally appeared before me Roy T. Gallemore, to me well known, who, being by me first duly sworn, deposes and says that he is publisher of The Polk County Record, a newspaper of general circulation published in the City of Bartow in the County of Polk and State of Florida, and that he has made publication of the notice of Intention to apply for passage of a Local Bill to provide Group Insurance for certain Polk County officers and their employees (a copy of which is hereto attached), for 1 consecutive weeks, as required by law, embracing issues of March 21, 1939.

Affiant further says that the above named newspaper has been continuously published once each week in Polk County, Florida, for more than one year immediately preceding the first publication of said notice and was during all of such time and now is entered as second class mail matter in the United States Post Office in Bartow, Polk County, Florida, and that said newspaper has been published in accordance with the requirements of Senate Bill No. 58 passed by the Legislature of the State of Florida in 1931 and approved May 20, 1931.

Signed ROY T. GALLEMORE, Publisher.

Sworn to and subscribed before me, this 22nd day of March 1939.

Cleone Frazier, Notary Public.
My commission expires Aug. 8, 1942.

Which was read the first time by title only.

Senator Westbrook moved that the rules be waived and Senate Bill No. 362 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 362 was read the second time by title only.

Senator Westbrook moved that the rules be further waived and Senate Bill No. 362 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. 362 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, 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.

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 Holland—
Senate Bill No. 363:

A bill to be entitled An Act to declare, designate, and establish a certain State road.

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

By Senator Holland—
Senate Bill No. 364:

A bill to be entitled An Act amending Section 30 of Chapter 14764, Laws of Florida, Acts of 1931, entitled "An Act providing for the supervision and regulation of persons, firms, corporations and associations owning, controlling, operating or managing motor vehicles used in the business of transporting persons or property for compensation over the public highways of the State; providing for regulations of safety and proper operation affecting the use of said highways and the preservation thereof; defining auto transportation companies and providing supervision and regulation thereof by the Railroad Commission of the State of Florida, and providing for the enforcement of the provisions of this Act, and for the punishment of violations thereof and imposing a mileage tax and providing for the disposition of the revenue raised by the same; and providing certain exemptions; and repealing all Acts inconsistent with the provisions of this Act"; as amended by Section 1 of Chapter 17115, Laws of Florida, Act of 1935.

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

By Senator Holland—
Senate Bill No. 365:

A bill to be entitled An Act to extend State Road No. 61 as designated in Chapter 10269 Laws of Florida of 1925.

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

By Senator Parker—
Senate Bill No. 366:

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

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

By Senator Holland—
Senate Bill No. 367:

A bill to be entitled An Act relating to mortgages or other instruments given by cooperative associations, as defined herein, for the purpose of creating liens on real or personal property, or both, securing not only existing indebtedness but also future advances, whether obligatory or otherwise; providing for the priority of such mortgages or other instruments; and providing when this Act shall become effective.

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

By Senator Coulter—
Senate Bill No. 368:

A bill to be entitled An Act authorizing the State Road Department of Florida to widen and place curbing on approximately one-half mile of State Road No. 19 in the Town of Bronson, beginning at the intersection of State Roads No. 13 and No. 19 in the Town of Bronson, and extending thence easterly along said State Road No. 19 to a point at or near the intersection of Court Street with State Road No. 19 in the Town of Bronson.

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

By Senator Johns—
Senate Bill No. 369:

A bill to be entitled An Act to amend Section 1 of Chapter 14782, Laws of Florida, Acts of 1931, the same being, "An Act providing for a monthly allowance in the form of a pension to school teachers who have taught in the public free schools of the State of Florida for thirty-five or more years and who are incapacitated and without means of support; providing a method of determining when such teachers are entitled to such pension or allowance and making appropriation to take care of the requirements of such pension or allowance."

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

By Senator Beall—
Senate Bill No. 370:

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

The following proof of publication was attached to Senate Bill No. 370 when it was introduced in the Senate:

LEGAL NOTICES

NOTICE

NOTICE is hereby given that the undersigned will apply for and seek the introduction and passage by and at the 1939 session of the Florida Legislature of a local or special law authorizing, empowering and directing the Board of County Commissioners of Escambia County, Florida, and other fiscal officers of said County to pay from the general fund of Escambia County the sum of approximately \$500.00 to various persons, firms or corporations for damages sustained by them or for rights of way granted by them in connection with the improvement, widening and extension of that certain County Road known as the Nine Mile Road which said road connects the Palafox Highway with the Ferry Pass Highway in Escambia County, Florida; and to pay the sum of approximately \$2500.00 to various persons, firms or corporations for damages sustained by them or for rights of way granted by them in connection with the improvement, widening and extension of those certain roads known as the Molino-Atmore Road and State Road No. 62 running from the Escambia River to Palafox Highway which is State Road No. 7 and thence westerly to the County line all in Escambia County, Florida; and to pay the following past due accounts, to-wit: Turberville Hospital \$59.00, Pensacola Hospital \$1685.60; Goodyear Service Stores \$99.32, Pensacola Buggy Works \$70.57, D. H. Tart, \$146.55, Pensacola Broadcasting Company \$30.00, all of which accounts have been investigated and found to be past due and proper.

H. A. BROSNAHAM.

159—1t—3-21-39.

STATE OF FLORIDA COUNTY OF ESCAMBIA.

Before the undersigned personally appeared N. S. VEAL, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to payment by Escambia County for damages or for rights of way granted in connection with the improvement, widening and extension of Nine Mile Road and the improvement, widening and extension of Molino-Atmore Road and State Road No. 62, and

to pay certain past due accounts, has been published at least thirty days prior to this date, by being printed in the issue of March 21, 1939 of the PENSACOLA NEWS, a newspaper published in Escambia County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

N. S. VEAL.

Sworn to and subscribed before me this 24th day of April, 1939.

(SEAL)

DOROTHY G. THOMAS.
Notary Public.

My commission expires March 6, 1940.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 370 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 370 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 370 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. 370 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, 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.

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 Beall—

Senate Bill No. 371:

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

The following proof of publication was attached to Senate Bill No. 371 when it was introduced in the Senate:

Legal Notices

NOTICE

NOTICE is hereby given that the undersigned will apply for and seek the introduction and passage by and at the 1939 Session of the Florida Legislature of a Local or Special Law authorizing, empowering and directing the Board of County Commissioners of Escambia County, Florida, and other fiscal officers of said County, to pay from the General Fund of Escambia County the sum of approximately \$7500.00 to various persons, firms or corporations for damages sustained by them or for rights of way granted by them, in connection with the improvement, widening and extension of Cervantes Street (State Road No. 1) from the western city limits of the City of Pensacola to the Frisco Railroad in said County.

H. A. BROSNAHAM.

157—1t—3-20-39.

March 21, 1939.

State of Florida,
County of Escambia,

Before the undersigned personally appeared N. S. Veal who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to authorizing, empowering and directing the Board of County Commissioners of Escambia County, Florida, and other fiscal officers of said County, to pay from the General Fund of Escambia County the sum of approximately \$7500.00 to various persons, firms or corporations for damages sustained by them or for rights of way granted by them, has been published at least

thirty days prior to this date, by being printed in the issue of March 20th, 1939, of the PENSACOLA NEWS, a newspaper published in Escambia County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

N. S. VEAL,
(Publisher).

Sworn to and subscribed before me this 21st day of April, 1939.

DOROTHY G. THOMAS,
(Notary Public).

(Seal) My Commission expires March 6, 1940.
Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 371 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 371 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 371 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. 371 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, 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.

Nays—None.

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

By Senators Mapoles, Gillis, Sharit, Walker and Beall—
Senate Bill No. 372:

A bill to be entitled An Act making an appropriation of eight thousand (\$8,000.00) dollars, to each of eight counties of the State of Florida, viz: Escambia, Santa Rosa, Walton, Okaloosa, Bay, Gulf, Franklin and Wakulla, in order to be able to secure any Federal or United States funds that may be appropriated for the control and elimination of the Dog Fly pest in said counties; providing for a method of repayment of the appropriation by the State of Florida; and setting up methods for the enforcement of this Act.

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

By Senator Beall—
Senate Bill No. 373:

A bill to be entitled An Act prohibiting the operation of elevators without a permit, making certain exceptions therefrom; providing for the inspection of elevators and the employment or qualification of elevator inspectors by the Industrial Commission; providing for a penalty for the violation of this Act and appropriating three thousand dollars (\$3,000.00) for the enforcement of the provisions hereof.

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

By Senator Rose—
Senate Bill No. 374:

A bill to be entitled An Act relating to all elections; and providing for the marking of ballots and voting of electors who are blind or with impaired vision.

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

By Senators Rose and Dugger—
Senate Bill No. 375:

A bill to be entitled An Act to repeal Chapter 18296, Acts of 1937, entitled "An Act relating to and concerning taxation and providing for the sale of tax certificates together with subsequent omitted or levied taxes; and further providing for vesting of title to land covered by tax certificates in State of Florida," together with a clause saving certain rights thereunder.

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

MESSAGES FROM THE GOVERNOR

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

April 21st, 1939

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

Sir:

I have the honor to inform you that I have today approved the following Act, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

S B NO. 33 RELATING TO WILLS.

Respectfully yours,
FRED P. CONE,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,
April 21, 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 Bill No. 160:

An Act to repeal Chapter 17894 of the Laws of Florida, Acts of 1937, being entitled:

"An Act to provide for the prompt payment and adjustment of claims by those engaged in the dry cleaning and laundry business; to provide for the consolidation and regulation of the cleaning, dyeing, pressing, and laundry industry under one board to be known as the Florida Dry Cleaning and Laundry Board; to provide for the creation of such board and to define its powers, jurisdiction and duties; to exempt the ordinary "washwomen" from the provisions hereof; to provide for the levying of license fees for the operation of such board; to provide for reasonable charges for service; to provide for other purposes reasonable incidental; to repeal all laws in conflict; to provide that this Act shall only apply to counties of over 17,500 population"; and to provide for the disposal of the funds and property of the Florida Dry Cleaning and Laundry Board.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 160, contained in the above message, was read the first time by title only.

Senator Savage moved that House Bill No. 160 be referred to the Committee on Public Health.

Which was agreed to and it was so ordered.

SENATE BILLS ON SECOND READING

Senate Bill No. 68 was taken up in its order and the consideration thereof was informally passed.

Senator Ward moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 80, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 80:

A bill to be entitled An Act prescribing and regulating certain fees to be allowed and charged by County Judges; providing that fees for similar services by County Judges and Clerks of the Circuit Court shall in all respects conform and shall be the same as the fees now or hereafter allowed by law to the Clerks of the Circuit Court.

Was taken up and read the second time in full.

Senator Ward moved that the rules be waived and Senate Bill No. 80 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. 80 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, Graham, Hinely, Hodges, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lindler, Mapoles, McKenzie, Murphy, Parrish, Price, Rose, Walker, Ward, Westbrook, Whitaker, Wilson—29.

Nays—Senators Coulter, Gillis, Gideons, Lewis, Parker, Savage—6.

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

Senator Hodges moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 102, out of its order.

Which was agreed to by a two-thirds vote.

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.

Was taken up and read the second time in full.

Senator Hodges moved that the rules be waived and Senate Bill No. 102 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. 102 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, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Walker, Ward, Westbrook, Whitaker, Wilson—36.

Nays—None.

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

By unanimous consent Senator Adams withdrew Senate Bill No. 36.

Senator Whitaker moved that the hour of adjournment be extended four (4) minutes.

Which was agreed to and it was so ordered.

Senator Whitaker moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 52, out of its order.

Which was agreed to by a two-thirds vote.

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."

Was taken up and read the second time in full.

Senator Whitaker moved that the rules be waived and Senate Bill No. 52 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. 52 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, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Savage, Walker, Ward, Whitaker, Wilson—34.

Nays—None.

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

Senator Dye moved that the hour of adjournment be further extended six (6) minutes.

Which was agreed to and it was so ordered.

Senator Dye moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 171, out of its order.

Which was agreed to by a two-thirds vote.

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.

Was taken up and read the second time in full.

Senator Dye moved that the rules be waived and Senate Bill No. 171 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. 171 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, Coulter, Dame, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Murphy, Parrish, Price, Rose, Savage, Ward, Whitaker—29.

Nays—Senator Gillis—1.

So Senate Bill No. 171 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.

Senator Murphy moved that the hour of adjournment be further extended until 5:30 o'clock P. M.

Which was agreed to and it was so ordered.

Senator Lewis moved that the rules be waived and the Senate do now take up and consider House Bill No. 34, out of its order.

Which was agreed to by a two-thirds vote.

House Bill No. 34:

A bill to be entitled An Act to Amend An Act entitled: "An Act relating to the Disposition of Unclaimed Funds in the hands of Receivers or other representatives of persons, firms or corporations that have been or are in the process of voluntary or involuntary liquidation under the Laws of this State," being Chapter 12035, Laws of Florida, approved June 4, 1927, and to provide for judicial proceedings to determine the existence and rights, if any, of claimants to such funds, and for service of process in such proceedings upon unknown persons and claimants, and further to provide for the disposition of such funds.

Was taken up and read the second time in full.

Senator Lewis moved that the rules be waived and House Bill No. 34 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 34 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, Dame, Dugger, Dye, Gideons, Graham, Hinely, Hodges, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Mapoles, McKenzie, Parker, Parrish, Price, Rose, Savage, Ward, Whitaker, Wilson—29.

Nays—Senator Walker—1.

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

Senator Parrish moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 121, out of its order.

Which was agreed to by a two-thirds vote.

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.

Was taken up and read the second time in full and placed on the Calendar of Bills on third reading.

By permission the following bill was introduced:

By Senator Hodges—

Senate Bill No. 376:

A bill to be entitled An Act granting a pension to Mrs. Sally A. Perkins, Tallahassee, Florida.

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

Senator Whitaker moved that the rules be waived and that when the Senate adjourns at the morning Session, Tuesday, April 25, 1939, it recess to reconvene at 3:00 o'clock P. M.

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

Senator Parker moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 5:27 o'clock, P. M., until 11:00 o'clock A. M., Tuesday, April 25, 1939.