

# JOURNAL OF THE SENATE

Monday, May 22, 1939

The Senate convened at 2:00 o'clock P. M., pursuant to adjournment on Saturday, May 20, 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, 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.

A quorum present.

Senator Dame was excused from attendance upon the sessions on account of illness until such time as he is able to return.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 19, 1939, was further corrected as follows:

On page 3, column 1, line 20 from the bottom of the page, strike out the figures "22" and insert in lieu thereof the following: "220."

On page 14, column 1, line 19 from the bottom of the page strike out the words, "strike out the words."

And as further corrected was approved.

The Journal of May 20, 1939, was corrected as follows:

On page 1, column 1, line 28 from the top of the page strike out the figures "411," and insert in lieu thereof the following: "311."

On page 2, column 2, line 15 from the top of the page strike out the figures "482" and insert in lieu thereof the following figures: "492."

On page 3, column 1, line 2 from the top of the page, strike out the following: "referred to Miscellaneous Legislation and."

And as corrected was approved.

## REPORTS OF COMMITTEES

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

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

House Bill No. 969:

A bill to be entitled An Act relating to Napoleon B. Broward Drainage District in Broward County, Florida, providing that the one mill tax levied under Chapter 11861, Laws of Florida, Acts of 1927, when lands were sold for taxes be included in the State and County Tax Sales Certificate; providing that no separate sale be made for said one mill tax; declaring the intent of the Legislature in levying said one mill tax was that same was to be sold with the State and County taxes and included in State and County Tax Sales Certificates; declaring that it was not the intent of the Legislature that the title to lands should vest in the district upon sale for the non-payment of such one mill tax; and further providing that upon redemption from any such sale no redemption deed shall be necessary.

House Bill No. 1056:

A bill to be entitled An Act cancelling certain tax sale certificates on lands in Hamilton County, Florida, now held and owned in trust for the Florida Stephen Foster Memorial.

House Bill No. 1058:

A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court for services performed in suits or proceedings in law and in chancery before the Circuit Court in all Counties of the State of Florida having a population of not less than 14,554 and not more than 14,560 according to the State census of Florida for 1935.

House Bill No. 1148:

A bill to be entitled An Act relating to the compensation of the members of the Boards of Public Instruction for Counties having a population of not less than 5,450 and not more than 5,550.

House Bill No. 1101:

A bill to be entitled An Act authorizing any municipality, whether incorporated by Special Act of the Legislature, or under the General Laws of the State, located in a County having over 180,000 population according to the last or any future official, Federal or State Census, to contribute material, equipment, labor and/or money to any enterprises of another municipality, which enterprise or purpose is for the common benefit of the contributing municipality and such other municipality and declaring the purposes for which such contribution is to be made a municipal purpose of the contributing municipality.

House Bill No. 1183:

A bill to be entitled An Act to authorize the Board of Public Instruction of Palm Beach County, Florida, to issue and sell interest bearing coupon bonds for and on behalf of Special Tax School District Number 1 of said County; to make provision for a sinking fund for the retirement of said bonds and the interest to become due thereon; to prescribe and regulate the expenditure of the sum derived from the sale of said bonds; to provide for an election by the freeholders to approve the issuance of said bonds and providing for the qualification of said electors in said election; to provide for the validation of said bonds, and providing for and requiring a majority approving vote in a referendum election before this Act shall become effective; and providing for the method, manner and procedure in carrying out the purposes and intent of this act.

House Bill No. 1205:

A bill to be entitled An Act to authorize the Board of Public Instruction of Palm Beach County, Florida, to issue and sell interest bearing coupon bonds for and on behalf of Special Tax School District Number 4 of said County; to make provision for a sinking fund for the retirement of said bonds and the interest to become due thereon; to prescribe and regulate the expenditure of the sum derived from the sale of said bonds; to provide for an election by the Freeholders to approve the issuance of said bonds and providing for the qualification of said electors in said election; to provide for the validation of said bonds, and providing for and requiring a majority approving vote in a referendum election before this Act shall become effective; and providing for the method, manner and procedure in carrying out the purposes and intent of this Act.

House Bill No. 1222:

A bill to be entitled An Act affecting the government of the City of Jacksonville by providing service credits for any member of the Jacksonville Police Department.

House Bill No. 1225:

A bill to be entitled An Act giving the Board of County Commissioners of St. Johns County, Florida, the power to construct and maintain a water plant on Anastasia Island within said County outside of the limits of the City of St. Augustine; to take steps to obtain aid from the Federal Government in connection with the construction and operation of such a water plant; and providing that no part of the expense of same shall constitute a lien upon any property within said County other than said water plant that may be constructed and the revenue derived from the operation and use of same; and giving said Board of County Commissioners the power to do all other Acts necessary or proper to carry into effect the provisions of this Act; and providing for a referendum if deemed expedient.

Have examined the same and find them correctly enrolled.

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

The bills contained in the above report were thereupon duly

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

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

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

**Senate Bill No. 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.

**Senate Bill No. 580:**

A bill to be entitled An Act authorizing and empowering the several Boards of Public Instruction in counties of between 16,250 and 16,500 population according to the last State census to transfer funds from their interest and sinking fund accounts to their general fund account whenever there is an excess in the interest and sinking fund over and above the current bond and interest coupon payments; and further providing for the procedure for the same.

**Senate Bill No. 627:**

A bill to be entitled An Act relating to expenditures and disbursements of surplus moneys remaining in highway bond fund and bond trustees of Putnam County. Special Account fund, both of said funds being administered by Board of Bond Trustees of Putnam County, Florida, and providing that such surplus moneys may be applied to the road and bridge fund in amounts to be determined by said Board of Bond Trustees.

**Senate Bill No. 629:**

A bill to be entitled An Act providing an exclusive method by which the City of Starke, Florida, may dispose of, lease, sell, or abandon the usual operation of its municipal light and water plants, or either, and repealing all conflicting laws herewith.

**Senate Bill No. 661:**

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

**Senate Bill No. 687:**

A bill to be entitled An Act to prescribe the Commissions and fixing the compensation of the County Assessor of Taxes and the County Tax Collector in Counties having a total population of not less than 8800 and not more than 8845, according to the State Census of 1935.

**Senate Bill No. 696:**

A bill to be entitled An Act to repeal in part and amend in part Section 19 of Chapter 9710, Laws of Florida, Acts of 1923, entitled "An Act to abolish the present municipal government of the City of Clearwater, County of Pinellas, Florida, and to create and establish a municipal corporation to be known as the City of Clearwater; to provide a charter for said city; to define its territorial limits; provide for its government; and prescribe its jurisdiction and powers."

**Senate Bill No. 702:**

A bill to be entitled An Act to provide for the registration and registration of all qualified electors in Columbia County, Florida, as a prerequisite for voting; and further providing for the making of a new set of registration books in Columbia County, Florida, and for the payment of expenses of same by the Board of County Commissioners of Columbia County, Florida, and for the compensation of the supervisor of registration by the Board of County Commissioners of Columbia County, Florida.

**Senate Bill No. 718:**

A bill to be entitled An Act requiring the Board of County Commissioners in Counties of this State having a population of not less than 14,500 and not more than 14,600, according to the last Federal census to pay over to the Board of Public Instruction of such Counties a certain portion of monies derived from the operation of race tracks.

**Senate Bill No. 722:**

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 13,600 nor more than 13,675, according to the last preceding State census.

**Senate Bill No. 723:**

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 13,600 nor more than 13,675, according to the last preceding State census.

**Senate Bill No. 725:**

A bill to be entitled An Act prescribing the qualifications of candidates for an elective office in the City of Tarpon Springs and providing for a filing fee of Twenty-five dollars (\$25.00) to be paid by any one becoming a candidate.

**Senate Bill No. 726:**

A bill to be entitled An Act to authorize the City Commissioners of the City of Dunedin, Florida, to provide and prescribe building regulations affecting said city.

**Senate Bill No. 727:**

A bill to be entitled An Act providing for discounts on municipal taxes paid to the City of Tarpon Springs, Florida, and the rate of interest to be charged on taxes and fixing a date on which the same shall become delinquent and subject to foreclosure and repealing all laws in conflict herewith.

**Senate Bill No. 728:**

A bill to be entitled An Act to authorize the City Commissioners of the City of Dunedin, Pinellas County, Florida, to provide and prescribe zoning regulations affecting said city.

**Senate Bill No. 729:**

A bill to be entitled An Act to repeal in part and amend in part Section 43-51-54-62 and 88 of Chapter 15183 Laws of Florida, Acts of 1931, entitled "An Act to abolish the present municipal government of the City of Dunedin, Pinellas County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Dunedin and to define its territorial boundaries and provide for its government, jurisdictions, powers, franchises and privileges."

**Senate Bill No. 743:**

A bill to be entitled An Act relating to Salt Water fish and to permit the catching or taking and the buying or selling of mullet in Nassau County, Florida, during the open season, provided, such mullet shall measure eight inches or more from tip of nose to fork of tail.

**Senate Bill No. 763:**

A bill to be entitled An Act authorizing Palm Beach County to accept gifts, donations or contributions of land for County Park and Forest purposes; providing for the custody and control of all such lands by the Board of County Commissioners of said County; authorizing, empowering and directing the trustees of the internal improvement fund to make, execute and deliver a deed for certain land to Palm Beach County for park and forest purposes; authorizing said Board of County Commissioners to make rules and regulations with respect to the purposes of this Act; authorizing said Board of County Commissioners to lease said lands to certain organizations; providing for the levy of taxes not to exceed one mill for the purpose of maintaining, operating and controlling said park or parks and forests; providing for the cancellation of all past taxes and assessments against said lands and the exemption of said lands from all future taxes and assessments; declaring the acquisition, maintenance, opera-

tion and control of said park or parks and forests to be a public purpose.

**Senate Bill No. 767:**

A bill to be entitled An Act providing for the annexation of contiguous territory being served by Special Tax School District Number 43 Brewster, Polk County, Florida, to such Special Tax School District, and providing that such territory so annexed shall not be liable for the bonded or other indebtedness of said Special Tax School District Number 43, Brewster, Polk County, Florida.

**Senate Bill No. 773:**

A bill to be entitled An Act to create the Citrus County Historical Commission; providing who shall be members of such commission; prescribing their powers and duties; providing who shall be its chairman and secretary; providing that the expenses of such commission shall be paid by the Board of County Commissioners of Citrus County, Florida, out of the General Fund and that the Clerk of the Circuit Court of such county shall file and record, without charge, historical material and data collected by such commission.

**Senate Bill No. 775:**

A bill to be entitled An Act providing how all monies paid to the several Boards of County Commissioners of all counties in the State of Florida, or to all counties in the State of Florida, whose population, according to the last preceding State census was not less than 5,525 and not more than 5,850, under the provisions of Chapter 14832 Laws of Florida, Acts of 1931, or any laws amendatory or supplemental thereto, shall be spent and appropriated, and giving authority for the expenditure of said monies for each of the fiscal years, A. D. 1938-1939 and A. D. 1939-1940, and repealing all laws in conflict therewith, and dealing generally with said fund.

**Senate Bill No. 786:**

A bill to be entitled An Act fixing the compensation of County Commissioners in the State of Florida in counties having a population of not less than Seventeen thousand five hundred (17,500), and not more than Eighteen thousand (18,000), according to the last preceding State census, and repealing all conflicting laws, including Chapter 14683 Laws of Florida, Acts of 1931

**Senate Bill No. 792:**

A bill to be entitled An Act granting to the Boards of County Commissioners of counties having a population of not less than 180,000, according to the last preceding State or Federal census, full authority to suspend for reasonable periods of time, in their discretion, and to revoke the licenses of licensees under the Beverage Act of 1935, Chapter 16774, Acts of 1935, following the same procedure, for the same causes and under the same limitations as the Director of the Beverage Department is authorized by Section 1, Chapter 16774, Acts of 1935, and Section 3, Chapter 18015, Acts of 1937, to suspend and to revoke the licenses of said licensees.

**Senate Bill No. 796:**

A bill to be entitled An Act to repeal Chapter 18715, Laws of Florida, Acts of 1937, being an Act to protect and regulate the hunting of deer in Nassau County, Florida.

**Senate Bill No. 797:**

A bill to be entitled An Act to amend Section 1 of Chapter 18717, Laws of Florida, Acts of 1937, relating to the authority and power of the Board of County Commissioners of Nassau County, Florida, to levy and assess annually a special tax on real and personal property in said county for the purpose of creating a fund to be known as the "Right of Way Fund" and for other expenses incurred in the acquiring of rights of way for State and County road purposes in said Nassau County.

**Senate Bill No. 798:**

A bill to be entitled An Act to amend Section 1 of Chapter 18716, Laws of Florida, Acts of 1937, relating to the authority and power of the Board of County Commissioners of Nassau County, Florida, to levy and assess annually a special tax on real and personal property in said Nassau County for the purpose of creating a fund to be known as the "County Welfare Fund" and for raising funds for the care of county poor, for the burial of county poor, for medical and hospital treatment of county poor and for general and social welfare work in said Nassau County.

Have examined the same and find them correctly enrolled.

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

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

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

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

**House Bill No. 505:**

A bill to be entitled An Act to provide for the reimbursement of Will C. Spencer, Sheriff of Hillsborough County, Florida, for the balance due him for loss of salary in consequence of his suspension from office by the Governor of the State of Florida under Section 15, Article IV of the Constitution of the State of Florida.

**House Bill No. 1232:**

A bill to be entitled An Act providing for the confirmation and ratification of all purchases of Okeechobee County bonds and/or time warrants by the Board of Administration of the State of Florida, for or by the Board of County Commissioners of said County, and providing for the cancellation of all such bonds and time warrants.

**House Bill No. 1233:**

A bill to be entitled An Act requiring electors in Okeechobee County, Florida, to re-register.

**House Bill No. 1234:**

A bill to be entitled An Act authorizing the Board of County Commissioners of Okeechobee County, Florida, by resolution, to transfer all monies now deposited to the credit of the 1933 Tax Adjustment Fund to the 1936 Tax Adjustment Fund without the approval of the Comptroller of the State of Florida.

**House Bill No. 1235:**

A bill to be entitled An Act to prescribe the commissions and fixing the compensation of County Assessor and Collector of Taxes in Okeechobee County, Florida, and repealing all laws in conflict therewith.

**House Bill No. 1236:**

A bill to be entitled An Act providing for the ratification and confirmation of each and every tax settlement made by the Clerk of the Circuit Court and/or Tax Collector of Okeechobee County, Florida, on tax certificates heretofore issued for non-payment of taxes on lands situated in said County, and providing that all assessments for State taxes shall be paid in full as provided by law.

**House Bill No. 1237:**

A bill to be entitled An Act to provide for the sale on compromise offers without advertisement, of all tax certificates held by the State of Florida for the year 1937 and/or prior years covering lands in Okeechobee County, Florida, and providing that any and all sales shall be approved by the Board of County Commissioners of said County, and providing that the amount of the State tax covered by said certificates shall not be subject to compromise but shall be paid in full as provided by law.

**House Bill No. 1238:**

A bill to be entitled An Act to provide that candidates for Members of the Board of County Commissioners in Counties in the State of Florida having a population of not less than 3,470 and not more than 3,495 according to the last State census of the State of Florida, shall be nominated in the primary elections by vote of electors throughout the County.

**House Bill No. 1239:**

A bill to be entitled An Act providing that the County Commissioners of Okeechobee County, Florida, shall furnish postage expense to the Tax Collector of said County for mailing tax notices and receipts.

**House Bill No. 1341:**

A bill to be entitled An Act prescribing the maximum fees

to be allowed Clerks of Circuit Courts for sale or redemption of State tax certificates on lands lying in counties in the State of Florida having a population not less than 3470 and not more than 3495 according to the last State census of the State of Florida, which have been subdivided into lots, blocks or tracts as evidenced by a plat or plats duly filed among or recorded in the public records of any county and for which no returns for taxation have been made as subdivided for more than three years.

Have examined the same and find them correctly enrolled.

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

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

Senators Hodges and Sharit, Chairmen of the Committees on Public Utilities and Transportation and Traffic, reported that the Committees had carefully considered the following bill and recommend that the same with Committee amendments be placed on the Calendar without recommendation:

**Senate Bill No. 491:**

A bill to be entitled An Act relating to railroads and railroad equipment, and to require all companies, corporations or associations operating railroads in the State of Florida to equip all switches leading off from the mainline, and all tracks designated as mainlines, with switch lights or reflector lights to be governed by standard railroad rules in regard to the lights.

Which amendments are as follows:

No. 1. After Section 1 add: Section 2. That all companies, corporations or associations operating railroads in the State of Florida shall place, establish and maintain warning or turnout boards one mile in advance of switches where inferior trains turn out to meet superior trains. The boards shall be of such design and size as to enable an engineer to see the same at night within the visibility of an engine headlight a distance of three hundred feet.

No. 2. Strike out the words and figures "Section 2" and insert in lieu thereof "Section 3."

No. 3. Strike out the words and figures "Section 3" and insert in lieu thereof "Section 4."

No. 4. Strike out the words and figures "Section 4" and insert in lieu thereof "Section 5."

No. 5. At the end of Section 4 add: "Provided that a period of 12 months shall be allowed the operators to install the necessary equipment."

And Senate Bill No. 491, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

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

**Senate Bill No. 449:**

A bill to be entitled An Act appropriating fifty thousand dollars for use by the State Agricultural Marketing Board in establishing and maintaining in the State of Florida market for the selling and processing of livestock.

**Senate Bill No. 542:**

A bill to be entitled An Act to repeal Chapter 18152, Laws of Florida, 1937, being An Act entitled "An Act to authorize and empower the State Live Stock Sanitary Board to indemnify the owners of animals that have re-acted to the tuberculin test or bang disease blood test and have been condemned and destroyed, and to make appropriation for the carrying out of the provisions of this Act."

And Senate Bills Nos. 449 and 542, contained in the above report, were placed on the Calendar of Bills on second reading.

Senator Westbrook, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and recommends that the same do pass, with Committee amendment:

**Senate Bill No. 439:**

A bill to be entitled An Act to amend Section 1 of Chapter 13809, Laws of Florida, Acts of 1929, entitled: "An Act to create a board consisting of the Governor, the Commissioner of Agriculture and the State Marketing Commissioner, to be known as the State Agricultural Marketing Board, to define its duties and powers and make appropriation for the carrying out of the provisions thereof," as amended by Chapter 15860, Laws of Florida, Acts of 1933, entitled: "An Act amending Section 1 of Chapter 13809, Laws of Florida, Acts of 1929, relating to the creation of the State Agricultural Marketing Board, defining its powers and duties and making appropriation therefor," so as to provide for an appropriation from the General Revenue Fund for the fiscal year beginning July 1, 1939.

Which amendment is as follows:

No. 1. In Section 1, sub-section b, typewritten bill, strike out the words:

One Hundred Thousand (\$100,000.00) Dollars and insert in lieu thereof the following:

Fifty Thousand (\$50,000.00) Dollars.

And Senate Bill No. 439, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

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

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

**Senate Bill 44:**

A bill to be entitled An Act assessing, levying and imposing an annual license tax upon every person, firm, copartnership, joint adventure, joint stock company, association, corporation, estate, business trust, trust, receiver, syndicate, fiduciary, or any other association of persons conducting, engaging in or carrying on the business of a retailer in this State, and operating an independent store or one or more chain stores within this State; and to classify such stores for the purpose of such license taxes and of graduating the license tax in accordance with the number of Chain Stores operated under a single ownership, management, or control, one or more of which Chain Stores is located in this State; said tax upon Chain Stores located in this State to be based on the number of such Chain Stores included under the same general management, supervision, ownership or control, whether located in this State or not; defining "Independent Store" and "Chain Store" and "Chain Stores" and other words used in this Act; to provide for the administration and enforcement of this Act and for the promulgation and enforcement of rules and regulations to facilitate such enforcement; to provide for the creation and enforcement of a lien upon the property of persons and association of persons liable for the payment of such license tax; to provide penalties for the violation of this Act and of rules and regulations lawfully made under the authority hereof; to provide for the filing of sworn reports by the person or association of persons, on which such license tax is imposed; and also assessing, levying, and imposing an independent, separate and additional annual license tax upon every person, firm, copartnership, joint adventure, joint stock company, association, corporation, estate, business trust, trust, receiver, syndicate, fiduciary, or any other association of persons conducting, engaging in or carrying on the business of operating a department store in this State, as defined in this Act, whether such department store be an Independent Store, or Chain Store; and to classify such department stores for the purpose of such independent, separate and additional license tax, and of graduating the license tax in accordance with the number of department stores operated under a single ownership, management, or control, one or more of which department stores is located in this State; said license tax upon department stores that are Chain Stores to be based on the number of such department stores included under the same general management, supervision, ownership or control, whether operated in this state or not; defining a department store; and to repeal conflicting laws, expressly but on condition, including certain parts and Sections of Chapter 16848, Laws of Florida, 1935; and to appropriate the revenues derived hereunder.

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

And Senate Bill No. 44, contained in the above report, was placed on the Calendar of Bills on third reading.

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

**Senate Bill Number 830:**

A bill to be entitled An Act to fix the annual salary of the State Auditor and to repeal all laws and parts of laws in conflict therewith

And Senate Bill No. 830, contained in the above report, was placed on the Calendar of Bills on second reading.

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

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

**House Bill No. 475:**

A bill to be entitled An Act to amend Section 13 of Chapter 14832, Laws of Florida, Acts of 1931, being: "An Act to provide for a State Racing Commission; to prescribe its powers and duties, and to fix the compensation of its members; to provide for holding referendum and recall elections in any county to determine whether racing shall be permitted or continued therein; to provide for licensing and taxing such racing and apportioning the moneys derived therefrom among the several counties of the State; to provide for and regulate the making of pari-mutuel pools within the enclosure of licensed race tracks; providing certain penalties for the violation of this Act; and for other purposes relating thereto," so as to provide an alternative method distribution of the moneys derived from the licensing and taxing of racing in this State in the event the distribution and use thereof as now provided be held illegal by the Supreme Court of this State: declaring such alternative distribution and use thereof to be for a State purpose; and prescribing the duties of certain county officials with respect to said funds.

**House Bill No. 476:**

A bill to be entitled An Act to provide for impounding of all excise and license taxes now or hereafter levied and collected by the State of Florida from the operation of any race track or game of Jai-A-Lai or Pelota, or pari-mutuel pools conducted in conjunction therewith, in the event the apportionment and distribution thereof as now or hereafter provided by law is held to be invalid by the Supreme Court of the State, and requiring the State Treasurer to hold said tax moneys in a special fund to be retained by him and to distribute the same only in such manner and at such time as prescribed by the Legislature of this State.

**House Bill No. 477:**

A bill to be entitled An Act to amend Section 1526, Revised General Statutes of Florida, 1920, relating to the transfer of money from one fund to another fund in the Annual Budgets of counties.

**House Bill No. 1124:**

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

**House Bill No. 482:**

A bill to be entitled An Act to amend Chapter 18,402, Acts of 1937, by making necessary provisions for correlating the operation of said law with the operation of the Federal Railroad Unemployment Insurance Act, approved June 25, 1938, and for cooperating with, and otherwise complying with the terms of, said Railroad Unemployment Insurance Act; by providing for transfer of certain funds from the Florida account in the unemployment trust fund to the Federal Railroad Unemployment Insurance account; by providing for reciprocal agreements with other State or Federal unemployment insurance acts; by clarifying the terms and provisions of said law; by making appropriations for the maintenance of the Florida State Employment Service; by providing for a study of experience rating of employers; by simplifying the

benefit payment provisions thereunder; by transferring the powers of the board of review to the Florida Industrial Commission; by making additional provisions for the better enforcement of the law and the collection of contributions; by making transition provisions from the "old" to the "new" benefit payment formula; and in so doing to amend Sections 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 19, of said "Florida Unemployment Compensation Law," being:

An Act providing for relief from involuntary unemployment; providing a system of unemployment compensation in the State of Florida; declaring the public policy of the State of Florida; providing for the administration of the Act by the Florida Industrial Commission; defining and providing for the functions, duties and powers of the Florida Industrial Commission in the administration of this Act; providing for an unemployment compensation fund by the levying of certain contributions on all employers of eight or more persons with certain designated exemptions and providing for the collection, appropriation, deposit, distribution and disbursement of the contributions and other monies which may be collected pursuant to this Act; defining conditions of eligibility for and regulating benefits; providing for the payment of unemployment benefits and establishing a procedure for the settlement and review of benefit claims; permitting the reciprocal agreements or arrangements with the Federal Government or the other States of the Union; providing for the establishment of State Employment Offices and for the administration of all such offices as a division of the Florida Industrial Commission; providing for an Unemployment Compensation Division in the Florida Industrial Commission; providing for an Unemployment Compensation Administration Fund; providing penalties for the violation of this Act; providing for all the terms, conditions, requirements, limitations and prohibitions under which the said system of unemployment compensation shall be created and administered and the unemployment compensation fund shall be collected, administered and disbursed; providing for the election and termination of coverage; providing for the creation of advisory councils; reserving right of amendment and repeal; and providing for the repeal of Chapter 17,270, Laws of Florida, Acts of 1935, being: "An Act creating the State Employment Board, fixing the number thereof, and the manner of appointment, authorizing said board to employ certain personnel, providing for the compensation and expenses thereof and appropriating funds therefor and appointing said board as state agency to receive the benefits of the Wagner-Peyser Act and providing for reports to be made by said board."

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

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

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

**House Bill No. 969:**

A bill to be entitled An Act relating to Napoleon B. Broward Drainage District in Broward County, Florida, providing that the one mill tax levied under Chapter 11861, Laws of Florida, Acts of 1927, when lands were sold for taxes be included in the State and County Tax Sale Certificate; providing that no separate sale be made for said one mill tax; declaring the intent of the Legislature in levying said one mill tax was that same was to be sold with the State and County taxes and included in State and County Tax Sales Certificates; declaring that it was not the intent of the Legislature that the title to lands should vest in the district upon sale for the non-payment of such one mill tax; and further providing that upon redemption from any such sale no redemption deed shall be necessary.

**House Bill No. 1056:**

A bill to be entitled An Act cancelling certain tax sale certificates on lands in Hamilton County, Florida, now held and owned in trust for the Florida Stephen Foster Memorial.

**House Bill No. 1058:**

A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court for services performed in suits or proceedings in law and in chancery before the Circuit Court in all counties of the State of Florida having a population of not less than 14,554 and not more than 14,560, according to the State Census of Florida for 1935.

House Bill No. 1148:

A bill to be entitled An Act relating to the compensation of the members of the Boards of Public Instruction for counties having a population of not less than 5,450 and not more than 5,550.

House Bill No. 1101:

A bill to be entitled An Act authorizing any municipality, whether incorporated by Special Act of the Legislature, or under the General Laws of the State, located in a county having over 180,000 population, according to the last or any future official, Federal or State census, to contribute material, equipment labor and/or money to any enterprises of another municipality which enterprise or purpose is for the common benefit of the contributing municipality and such other municipality and declaring the purposes for which such contribution is to be made a municipal purpose of the contributing municipality.

House Bill No. 1183:

A bill to be entitled An Act to authorize the Board of Public Instruction of Palm Beach County, Florida, to issue and sell interest bearing coupons bonds for and on behalf of Special Tax School District Number 1 of said County; to make provision for a sinking fund for the retirement of said bonds and the interest to become due thereon; to prescribe and regulate the expenditure of the sum derived from the sale of said bonds; to provide for an election by the freeholders to approve the issuance of said bonds and providing for the qualification of said electors in said election; to provide for the validation of said bonds, and providing for and requiring a majority approving vote in a referendum election before this Act shall become effective; and providing for the method, manner and procedure in carrying out the purposes and intent of this Act.

House Bill No. 1205:

A bill to be entitled An Act to authorize the Board of Public Instruction of Palm Beach County, Florida, to issue and sell interest bearing coupon bonds for and on behalf of Special Tax School District Number 4 of said County; to make provision for a sinking fund for the retirement of said bonds and the interest to become due thereon; to prescribe and regulate the expenditure of the sum derived from the sale of said bonds; to provide for an election by the freeholders to approve the issuance of said bonds and providing for the qualification of said electors in said election; to provide for the validation of said bonds, and providing for and requiring a majority approving vote in a referendum election before this Act shall become effective; and providing for the method, manner and procedure in carrying out the purposes and intent of this Act.

House Bill No. 1222:

A bill to be entitled An Act affecting the government of the City of Jacksonville by providing service credits for any member of the Jacksonville Police Department.

House Bill No. 1225:

A bill to be entitled An Act giving the Board of County Commissioners of St. Johns County, Florida, the power to construct and maintain a water plant on Anastasia Island within said County outside of the limits of the City of St. Augustine; to take steps to obtain aid from the Federal Government in connection with the construction and operation of such a water plant; and providing that no part of the expense of same shall constitute a lien upon any property within said County other than said water plant that may be constructed and the revenue derived from the operation and use of same; and giving said Board of County Commissioners the power to do all other acts necessary or proper to carry into effect the provisions of this Act; and providing for a referendum if deemed expedient.

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

Senator Westbrook moved that the rules be waived and the Senate do now proceed to the Introduction of Bills and Joint Resolutions.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Ward—

Senate Bill No. 969:

A bill to be entitled An Act validating, ratifying and con-

firmed certain Special Tax School District bonds in certain counties in this State; authorizing the sale and issuance thereof and the levy of a sufficient tax for the payment of the principal and interest on such bonds.

Which was read the first time by title only.

Senator Ward moved that Senate Bill No. 969 be placed on the Calendar of Bills on second reading, without reference.

Which was agreed to and it was so ordered.

By Senator Kendrick—

Senate Bill No. 970:

A bill to be entitled An Act creating and establishing a State Industrial School for negro girls; providing the manner in which and the cause for which negro girls may be placed and detained therein; providing the plan of management therefor and making an appropriation to carry out the purposes of this Act.

Which was read the first time by title only.

Senator Hodges moved that Senate Bill No. 970 be placed on the Calendar of Bills on second reading, without reference.

Which was agreed to and it was so ordered.

By Committee on Appropriations—

Senate Bill No. 971:

A bill to be entitled An Act making appropriations for the salaries of the officers and employees of the State and for the current operating expenses of the departments and branches of the State Government for the annual periods beginning July 1, 1939, and July 1, 1940.

Which was read the first time by title only.

Senator Westbrook moved that Senate Bill No. 971 be placed on the Calendar of Bills on second reading, without reference.

Which was agreed to and it was so ordered.

Senator Westbrook moved that three hundred copies of Senate Bill No. 971 be printed.

Which was agreed to and it was so ordered.

By Senator Beall—

Senate Bill No. 972:

A bill to be entitled An Act providing for the creation of a firemen's Relief and Pension Fund by the City of Pensacola; creating a Board of Trustees in said municipality to administer the funds; designating the powers and duties of such Board; providing for contributions to such fund by the city, its employees and pensioners; prescribing who shall receive a pension or relief out of the pension fund; providing for the receipt, deposit appropriation, investment and disposition of funds of said pension fund; providing that all persons heretofore retired now on the pension roll of the City of Pensacola shall continue to receive pensions in the same amount they are now receiving, payable from the source from which such pensions are now paid; authorizing the levy of taxes to supplement and augment the Firemen's Relief and Pension Fund.

The following proof of publication was attached to Senate Bill No. 972 when it was introduced in the Senate:

NOTICE

Notice is hereby given that a local law relating to The City of Pensacola will be introduced at the regular session of the Legislature of the State of Florida of 1939, and the substance of said contemplated law is set forth in the title of the proposed act which is as follows:

"An Act providing for the creation of a Firemen's Relief and Pension Fund by The City of Pensacola; creating a Board of Trustees in said municipality to administer the funds; designating the powers and duties of such Board; providing for contributions to such fund by the City, its employees and pensioners; prescribing who shall receive a pension or relief out of the pension fund; providing for the receipt, deposit, appropriation investment and disposition of funds of said pension fund; providing that all persons heretofore retired now on the pension roll of the City of Pensacola shall continue to receive pensions in the same amount they are now receiving, payable from the source from which such pensions are now paid; authorizing the levy of taxes to supplement and augment the Firemen's Relief and Pension Fund."

This the 15th day of April, 1939.

ARTHUR S. OLIVER.

(270)—4-15-39—oaw-1t.

Pensacola, Fla., May 16, 1939.

(Name) Hon. J. McHenry Jones,  
(Address) Pensacola, Florida.

To THE PENSACOLA PUBLISHING CORP., Dr.  
To publishing attached notice one times, \$3.21.

STATE OF FLORIDA,  
ESCAMBIA COUNTY.

Before the undersigned, a Notary Public in and for the State of Florida, personally appeared Don McLellan, who being duly sworn, says, upon oath that he is Publisher of The Public Record, a newspaper published in the City of Pensacola, County of Escambia, State of Florida, and that The Public Record was on April 15, 1939 and had for more than one year prior thereto, and for more than one year prior to the first insertion of said publication, been continuously published at least once each week, and was on and prior to April 15, 1939, and had during more than one year prior thereto and prior to the said first insertion of said publication been entered as second class mail matter at a postoffice in Escambia county, Florida, and that said paper during all of said time was a newspaper of general circulation in Escambia county, Florida, and that the notice in re: Notice of Firemen's Relief and Pension Bill, a true copy of which is hereto attached, was published in the said newspaper once a week for the full term and period of one consecutive week beginning on the 15th day of April 1939, the other dates being as follows:—

DON McLELLAN, Publisher.

Sworn to and subscribed before me this the 16 day of May A. D., 1939.

ELIZABETH STEARNS,  
Notary Public.

My commission expires Oct. 13, 1939.  
(Seal)

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

By Senator Beall—  
Senate Bill No. 973:

A bill to be entitled An Act to provide for the payment by Escambia County, Florida, for certain advertising and advertising services rendered to Escambia County, Florida, by the News-Journal Company, Inc.; providing for a budget item to cover same and an appropriation therefor if necessary.

The following proof of publication was attached to Senate Bill No. 973 when it was introduced in the Senate:

#### NOTICE

Notice is hereby given that a local law relating to the County of Escambia will be introduced at the regular session of the Legislature of the State of Florida of 1939, and the substance of said contemplated law is set forth in the title of the proposed act which is as follows:

"An Act to provide for the payment by Escambia County, Florida, for certain advertising and advertising services rendered to Escambia County, Florida, by the News-Journal Company, Inc.; providing for a budget item to cover same and an appropriation therefor if necessary."

This the 19th day of April, A. D. 1939.

N. S. VEAL,  
Publisher.

6059—1t—4-20-39.

STATE OF FLORIDA,  
COUNTY OF ESCAMBIA.

Before the undersigned personally appeared William H. White, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to the payment by Escambia County, Florida, for certain advertising and advertising services rendered by the News-Journal Company, Inc., has been published at least thirty days prior to this date, by being printed in the issue of April 20, 1939, of the Pensacola Journal, a newspaper published in Escambia County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

(Seal)

WILLIAM H. WHITE.

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

DOROTHY G. THOMAS,  
Notary Public

My Commission expires March 4, 1940.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 973 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 973 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 973 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. 973 was read the third time in full.

Upon the passage of Senate Bill No. 973 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 973 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beall—  
Senate Bill No. 974:

A bill to be entitled An Act to provide for the payment by Escambia County, Florida, for certain advertising and advertising services rendered to Escambia County, Florida, by the Metropolis Company; providing for a budget item to cover same and an appropriation therefor if necessary.

The following proof of publication was attached to Senate Bill No. 974 when it was introduced in the Senate:

#### NOTICE

Notice is hereby given that a local law relating to the County of Escambia will be introduced at the regular session of the Legislature of the State of Florida of 1939, and the substance of said contemplated law is set forth in the title of the proposed act which is as follows:

"An Act to provide for the payment by Escambia County, Florida, for certain advertising and advertising services rendered to Escambia County, Florida, by The Metropolis Company; providing for a budget item to cover same and an appropriation therefor if necessary." This the 19th day of April, A. D. 1939.

HOWARD W. PARISH,  
Publisher.

6060—1t—4-30-39.

STATE OF FLORIDA,  
COUNTY OF ESCAMBIA.

Before the undersigned personally appeared N. S. Neal, who on oath does solemnly swear that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill relating to the payment by Escambia County, Florida, for certain advertising and advertising services rendered by the Metropolis Company, has been published at least thirty days prior to this date, by being printed in the issue of April 20th, 1939, of the Pensacola Journal, a newspaper published in Escambia County, Florida; that a copy of the notice that has been published as aforesaid and also this affidavit of proof of publication are attached to the proposed or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

N. S. VEAL.

(Seal)

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

DOROTHY G. THOMAS,  
Notary Public.

My Commission expires March 4, 1940.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 974 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 974 was read the second time by title only.

Senator Beall moved that the rules be further waived and Senate Bill No. 974 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. 974 was read the third time in full.

Upon the passage of Senate Bill No. 974 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 974 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Coulter, Dugger and Gideons—

Senate Bill No. 975:

A bill to be entitled An Act levying and imposing an excise tax on all soft drinks or beverages, either bottled or otherwise, sold within the State of Florida; to prescribe the duties of the Comptroller in collecting and enforcing this tax; and prescribing penalties for failure to pay the same.

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

By Senator Kendrick—

Senate Bill No. 976:

A bill to be entitled An Act authorizing the State Board of Administration, by and with the consent and approval of the Boards of County Commissioners of all counties in the State of Florida having a population of not less than 17,500 and not more than 18,000, according to the Florida State census of 1935, to accept bonds issued by said counties in exchange for bonds issued by other counties, municipalities, special road and bridge districts or other taxing units or districts in the State of Florida held by said Board of Administration in the interest and sinking fund accounts of said counties making such exchange.

Which was read the first time by title only.

Senator Kendrick moved that the rules be waived and Senate Bill No. 976 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 976 was read the second time by title only.

Senator Kendrick moved that the rules be further waived and Senate Bill No. 976 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. 976 was read the third time in full.

Upon the passage of Senate Bill No. 976 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 976 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives:

By Senator Kendrick—

Senate Bill No. 977:

A bill to be entitled An Act making it unlawful to take or attempt to take any fish from the waters of Pellicer Creek within St. Johns and Flagler Counties, Florida, in any manner, method or device except hook and line, rod and reel, bob, spinner or troll, and making the possession of nets, seines, traps, gigs, dynamite or similar devices in or upon the waters of said creek unlawful, and limiting the number of fish that may be caught in said creek in any one day,

and providing that any person violating any of the provisions of said Act shall be guilty of a misdemeanor.

The following proof of publication was attached to Senate Bill No. 977 when it was introduced in the Senate:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced at this term of the State Legislature the following contemplated law, the substance of which is as follows:

"An Act making it unlawful to take or attempt to take any fish from the waters of Pellicer Creek within St. Johns and Flagler Counties, Florida, in any manner, method or device, except hook and line, rod and reel, bob, spinner or troll, and making the possession of nets, seines, traps, gigs, dynamite or similar devices in or upon the waters of said creek unlawful, and limiting the number of fish that may be caught in said creek in any one day, and providing that any person violating any of the provisions of said Act shall be guilty of a misdemeanor."

BOARD OF COUNTY COMMISSIONERS,  
OF ST. JOHNS COUNTY, FLORIDA.

By H. H. BAILEY, Chairman.

(Seal)  
Attest:

HIRAM FAVER,

Clerk and Auditor.

April 6.

PROOF OF PUBLICATION

(St. Augustine Observer, St. Augustine, Florida.)

COUNTY OF ST. JOHNS,  
STATE OF FLORIDA,

ss.:

Personally appeared before me, a Notary Public for the State of Florida at Large, J. R. Poland, who deposes and says that he is Business Manager of the St. Augustine Observer, a weekly newspaper printed in the English language and of general circulation, published in the City of St. Augustine, in said County and State; and that the attached order, notice, publication and/or advertisement of Notice of Proposed Legislation in Re: Fishing in Pellicer Creek, was published in said newspaper for a period of one week, consecutively beginning April 6, 1939, and ending April 6, 1939, said publication being made on the following date: April 6, 1939.

And deponent further says that the St. Augustine Observer has been continuously published as a weekly newspaper, published each Thursday, and has been entered as second-class mail matter at the post office in the City of St. Augustine, St. Johns County, Florida, each, for a period of more than one year next preceding the date of the first publication of the above described order, notice, publication and/or advertisement.

J. R. POLAND,  
Business Manager.

Subscribed and sworn to before me this 8th day of April, A. D. 1939.

(Seal)

OTIS E. BARNES,

Notary Public for the State of Florida at Large.  
My Commission expires November 14, 1942.

(Copy of Advertisement)

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced at this term of the State Legislature the following contemplated law, the substance of which is as follows:

"An Act making it unlawful to take or attempt to take any fish from the waters of Pellicer Creek within St. Johns and Flagler Counties, Florida, in any manner, method or device, except hook and line, rod and reel, bob, spinner or troll, and making the possession of nets, seines, traps, gigs, dynamite or similar devices in or upon the waters of said creek unlawful, and limiting the number of fish that may be caught in said creek in any one day, and providing that any person violating any of the provisions of said act shall be guilty of a misdemeanor."

No. 39—42 April

(Signed)

EARL BROCKETT.



By Senator Whitaker—  
Senate Bill No. 980:

A bill to be entitled An Act authorizing and empowering the governing body of Hillsborough County, Florida, to purchase lands to be used for airport purposes; to make it lawful for said County to deed said land to the Government of the United States for any branch thereof as an aid to said government for any national defense purposes or for any purpose of training or other legal purpose; to give said county authorities the same powers for the purposes herein stated that is conferred on counties by Chapter 17,708, Laws of Florida, 1937, and to give said county the powers conferred in said Chapter to aid the United States Government which are given in said chapter to counties for their own use and to prescribe methods and regulations carrying this Act into effect.

The following proof of publication was attached to Senate Bill No. 980 when it was introduced in the Senate:  
No. 3429

NOTICE

Notice is hereby given that the undersigned will apply to the Legislature of Florida now in session at Tallahassee, Florida, for the passage of an Act affecting Hillsborough County, the purpose of which is as follows:

An Act authorizing and empowering the governing body of Hillsborough County, Florida, to purchase lands to be used for airport purposes; to make it lawful for said County to deed said land to the Government of the United States or any branch thereof as an aid to said government for any national defense purposes or for any purpose of training or other legal purpose; to give said County authorities the same powers for the purposes herein stated that is conferred on Counties by Chapter 17708, Laws of Florida, 1937, and to give said County the powers conferred in said chapter by the United States Government which are given in said chapter to Counties for their own use and to prescribe methods and regulations carrying this Act into effect.

Said Act will be introduced in one of the Houses of said Legislature more than 30 days after this Notice shall be seen in The Evening News, a newspaper of general circulation in Hillsborough County.

H. C. TILLMAN.

(4)—26 (1t)—No. 3429.

PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA )  
 ) ss.  
COUNTY OF HILLSBOROUGH )

Before me, the undersigned authority, this day personally appeared W. J. Placie, who by me being first duly sworn according to law, deposes and says that he is the Publisher of The Evening News, a newspaper of general circulation and published at Tampa, in said County of Hillsborough, State of Florida, and that a full, true and correct copy of which said publication is hereto attached, was published in said newspaper in its issues of April 26, 1939.

Affiant further says that the above named newspaper has been continuously published once each week in said County of Hillsborough, State of 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 at Tampa, Hillsborough County, Florida, thereby conforming to the requirements of Senate Bill No. 58, the same being an Act of the 1931 Legislature of the State of Florida in reference to publication of such notices and court processes, approved May 20, 1931.

W. J. PLACIE.

(Seal)

Sworn to and subscribed before me this 26th day of April, A. D. 1939.

LUCILE TRICE CARTEN,

Notary Public, State of Florida at Large  
My Commission Expires August 16, 1941.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 980 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 980 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 980 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. 980 was read the third time in full.

Upon the passage of Senate Bill No. 980 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 980 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Whitaker—  
Senate Bill No. 981:

A bill to be entitled An Act cancelling all outstanding State and County tax certificates owned by the State of Florida on lands situate in Sections 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 32, 33, 34, 35, Township 30 South Range 18 East: when, as and if the Government of the United States of America or any branch thereof shall take title to said lands for national defense or other legal purposes, providing that this Act shall not become effective nor cover any lands in the sections above described until the Government of the United States has taken title thereto; providing the duties of the Comptroller of the State of Florida and Clerk of the Circuit Court of Hillsborough County, Florida, with reference to cancelling said tax certificates: forbidding the sale of any tax certificates in the area described herein to individuals from and after the passage of this Act: exempting from taxation all lands in the area described herein from and after the date of the acquiring of said lands by the United States Government for so long a time as said lands are held by said Government: providing other powers and duties incident hereto.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 981 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 981 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 981 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. 981 was read the third time in full.

Upon the passage of Senate Bill No. 981 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Dugger, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Lindler, Murphy, Parker, Parrish, Price, Savage, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—32.

Nays—None.

So Senate Bill No. 981 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Whitaker—  
Senate Bill To. 982:

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

The following proof of publication was attached to Senate Bill No. 982 when it was introduced in the Senate:

LEGAL NOTICE

Notice is hereby given that a Special Act of Hillsborough County Florida, will be introduced for passage at the 1939 Session of the Legislature of the State of Florida, title of which is as follows: "An Act to prohibit the operation of motor

propelled boats or water craft without mufflers on Lake Carroll in Hillsborough County, Florida, and to provide a penalty for the violation thereof."

#### AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA,  
COUNTY OF HILLSBOROUGH.

Before me, the undersigned authority, this day personally appeared Ralph Nicholson who, being by me first duly sworn, deposes and says that he is the Business Manager of the Tampa Daily Times, a newspaper published in the City of Tampa and having general circulation in Hillsborough County, Florida, and that the notice, order, or publication, a copy of which is attached hereto, was published in said newspaper for one (1) consecutive week, the date of each publication of said notice, order or publication being as follows: in the issue of said newspaper of March 20, A. D. 1939.

That said newspaper, at the time of such publication, had been continuously published daily (except Sunday) and had been entered as second class mail matter in the Post Office in Tampa, Hillsborough County, Florida, for a period of more than one year next preceding the date of the first insertion of said publication, as herein stated.

(Signed) RALPH NICHOLSON,

Affiant.

Sworn to and subscribed before me this 20th day of March, A. D. 1939.

(Seal)

RUSSELL D. GEST,

Notary Public for the State of Florida at Large.

My Commission expires September 28, 1942.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 982 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 982 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 982 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. 982 was read the third time in full.

Upon the passage of Senate Bill No. 982 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 982 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Whitaker—

Senate Bill No. 983:

A bill to be entitled An Act ratifying and validating all Acts and proceedings of the City of Tampa, Florida, its officers and its Board of Representatives, since the 4th day of November, 1931, except any such Acts and proceedings which are now in litigation.

The following proof of publication was attached to Senate Bill No. 983 when it was introduced in the Senate:

#### NOTICE OF INTENTION TO APPLY FOR LEGISLATURE OF FLORIDA TO PASS SPECIAL OR LOCAL LAW

Notice is hereby given to all whom it may concern that the undersigned intends to apply for the Legislature of Florida to pass at the regular session held in 1939 a special or local law concerning the City of Tampa, Florida, which in substance is: An Act ratifying and validating all acts and proceedings of the City of Tampa, Florida, its officers and its Board of Representatives, since the 4th day of November, 1931, except any such acts and proceedings which are now in litigation.

This 12th day of April, 1939.

ALONZO B. McMULLEN,  
City Attorney.

#### PUBLISHER'S AFFIDAVIT

STATE OF FLORIDA,  
COUNTY OF HILLSBOROUGH.

Before me, the undersigned authority, this day personally appeared W. J. Plain, who by me being first duly sworn according to law, deposes and says that he is the Publisher of The Evening News, a newspaper of general circulation and published at Tampa, in said County of Hillsborough, State of Florida, and that a full, true and correct copy of which said publication is hereto attached, was published in said newspaper in its issues of April 12, 1939.

Affiant further says that the above named newspaper has been continuously published once each week in said County of Hillsborough, State of 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 at Tampa, Hillsborough County, Florida, thereby conforming to the requirements of Senate Bill No. 58, the same being an Act of the 1931 Legislature of the State of Florida in reference to publication of such notices and court processes, approved May 20, 1931.

W. J. PLAIN.

(Seal)

Sworn to and subscribed before me this 12th day of April, A. D. 1939.

LUCILE TRICE CARTEN,

Notary Public, State of Florida at large.

My Commission Expires August 16, 1941.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 983 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 983 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 983 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. 983 was read the third time in full.

Upon the passage of Senate Bill No. 983 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 983 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Whitaker—

Senate Bill No. 984:

A bill to be entitled An Act creating a special taxing district in Hillsborough County composed of all that territory lying in County Commissioners District Number Two and all that part of the County Commissioners Districts Numbers One and Three lying West of the Range Line which divides Range 19 East and Range 20 East; empowering the Board of County Commissioners to acquire property within said District for an Army Air Base and dedicate same to the United States; authorizing the levy of a tax within said district; authorizing the borrowing of money and the issuance of bond of other obligations to carry out the purposes of said Act; providing for a referendum election within the district to make said Act effective; and containing a statement of general purposes in the preamble of said Act.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 984 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 984 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 984 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. 984 was read the third time in full.

Upon the passage of Senate Bill No. 984 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 984 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Whitaker—  
Senate Bill No. 985:

A bill to be entitled An Act authorizing the City of Tampa, Florida, to appropriate money for the purpose of refunding any money which it may have collected on license taxes pursuant to Ordinance Number 597-A, adopted on the 7th day of October, 1936, and amended by Ordinance Number 602-A on the 10th day of November, 1936, and pursuant to Ordinance Number 598-A, adopted on the 7th day of October, 1936, and amended by Ordinance Number 603-A, on the 10th day of November, 1936, and pursuant to Ordinance Number 604-A, adopted on the 19th day of November, 1936, which ordinances were adopted to raise money to pay commitment of said City of Tampa to the Works Progress Administration of the United States of America; and authorizing the City of Tampa, Florida, to levy taxes, Excise or Ad Valorem taxes, or both, as may be provided by ordinance, for the purpose of raising such moneys.

The following proof of publication was attached to Senate Bill No. 985 when it was introduced in the Senate:

NOTICE OF INTENTION TO APPLY FOR LEGISLATURE OF FLORIDA TO PASS SPECIAL OR LOCAL LAW

Notice is hereby given to all whom it may concern that the undersigned intends to apply for the Legislature of Florida to pass at the regular session held in 1939 a special or local law concerning the City of Tampa, Florida, which in substance is:

An Act authorizing the City of Tampa, Florida, to appropriate money for the purpose of refunding any money which it may have collected on license taxes pursuant to Ordinance Number 597-A, adopted on the 7th day of October, 1936, and amended by Ordinance Number 602-A on the 10th day of November, 1936, and pursuant to Ordinance Number 598-A, adopted on the 7th day of October, 1936, and amended by Ordinance Number 603-A, on the 10th day of November, 1936, and pursuant to Ordinance Number 604-A, adopted on the 19th day of November, 1936, which ordinances were adopted to raise money to pay commitment of said City of Tampa to the Work Progress Administration of the United States of America; and authorizing the City of Tampa, Florida, to levy taxes, excise or ad valorem taxes, or both, as may be provided by ordinance, for the purpose of raising such money.

This 12th day of April, 1939.

ALONO B. McMULLEN,  
City Attorney.

(4)-12 (1t)—No. 3401.

PUBLISHER'S AFFIDAVIT

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

Before me, the undersigned authority, this day personally appeared W. J. Placie, who by me being first duly sworn according to law, deposes and says that he is the Publisher of The Evening News, a newspaper of general circulation and published at Tampa, in said County of Hillsborough, State of Florida, and that a full, true and correct copy of which said publication is hereto attached, was published in said newspaper in its issues of April 12, 1939.

Affiant further says that the above named newspaper has been continuously published once each week in said County of Hillsborough, State of 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 at Tampa, Hillsborough County, Florida, thereby conforming to the requirements of Senate Bill No. 58, the same being an Act of the 1931 Legislature of the State of Florida in reference to publication of such notices and court processes, approved May 20, 1931.

W. J. PLACIE.

(Seal)

Sworn to and subscribed before me this 12th day of April, A. D. 1939.

LUCILE TRICE CARTEN,

Notary Public, State of Florida at large.

My Commission Expires August 16, 1941.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 985 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 985 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 985 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. 985 was read the third time in full.

Upon the passage of Senate Bill No. 985 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 985 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Whitaker—  
Senate Bill No. 986:

A bill to be entitled An Act setting aside the day March 3rd as Florida Day.

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

By Senator Whitaker—  
Senate Bill No. 987:

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

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 987 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 987 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 987 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. 987 was read the third time in full.

Upon the passage of Senate Bill No. 987 the roll was called and the vote was:

Yeas—Mr. President; Senators Beacham, Beall, Black, Clarke, Coulter, Dye, Gillis, Gideons, Graham, Hodges, Holland, Horne, Johns, Kanner, Kendrick, Lewis, Lindler, McKenzie, Parker, Parrish, Price, Rose, Savage, Sharit, Walker, Westbrook, Whitaker, Wilson—29.

Nays None.

So Senate Bill No. 987 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Hodges—  
Senate Bill No. 988:

A bill to be entitled An Act creating and incorporating a Special Tax District in Leon County, Florida to be known as "The Leon County Hospital Tax District"; fixing and prescribing the boundaries of said district; providing for the government and administration of the same; providing and defining the powers and purposes of said district and of the Board of Trustees and the Board of Governors thereof; authorizing and empowering such board to establish, construct, operate and maintain such hospital, or hospitals, as may be established and constructed by said board in said district; authorizing and empowering such board to issue bonds if the issuance thereof is approved at an election held in accordance with the laws of Florida; authorizing said board to borrow money on the note or notes of said district; authorizing and providing for the levy and collection of taxes for the payment of said bonds and the interest thereon, and authorizing and providing for the levy and collection of additional taxes for the construction, repair and maintenance of said hospital, or hospitals, and of the district; authorizing the Board of Trustees to accept contributions and donations for their use in carrying out the purposes of this Act; authorizing said Board of Trustees to offer to purchase any privately owned hospital, or hospitals, which has been operating in Leon County, Florida, for ten years or more; authorizing said board to construct, operate and maintain the said hospital, or hospitals, without bonds if they so determine to do so; authorizing and providing generally for the operation of the district in granting powers to the Board of Trustees thereof, and prescribing the duties of the said board in carrying out the purposes of this Act.

The following proof of publication was attached to Senate Bill No. 988 when it was introduced in the Senate:

Notice is hereby given that during the 1939 session of the Legislature of the State of Florida an act will be introduced and sought to be passed creating a Leon County Special Hospital Tax District, which shall include all of Leon County, Florida; creating Trustees thereof with a Board of Governors to be named by said trustees; rules and regulations for the operation and maintenance of a hospital to be constructed, operated and maintained by such tax district; granting the trustees thereof power to levy ad valorem taxes or assessments for the maintenance of such hospital and district, and granting certain other powers to the trustees and board of governors incident to the construction, operation and maintenance of the hospital so constructed, and of the district so created.

LEON COUNTY HOSPITAL  
COMMITTEE.

By: JULIUS F. PARKER.

Apr 4-11-18-25—1678.

AFFIDAVIT OF PROOF OF PUBLICATION

STATE OF FLORIDA  
COUNTY OF LEON:

Before me, the undersigned authority, personally appeared Dorothy Hunter, of the Florida State News of Tallahassee, Leon County, Florida, who on oath does solemnly swear that she has knowledge of the matters stated herein: that a notice stating the substance of a contemplated law, or proposed bill relating to creating a Leon County Special Hospital Tax District, which shall include all of Leon County, Florida, creating a board of trustees thereof, with a board of governors, to be named by said trustees; promulgating rules and regulations for the maintenance of a hospital, or hospitals, to be constructed, operated and maintained by such tax district; granting the trustees thereof power to levy ad valorem taxes or assessments for the maintenance of such hospital, or hospitals, and district; and granting certain other powers to the trustees and the board of governors incident to the construction, operation and maintenance of the said hospital, or hospitals, so constructed and of the district so created, has been published at least thirty (30) days prior to this date by being printed in the issues of April 4, 11, 18 and 25, 1939 of the Florida State News, a newspaper published in Leon County, Florida, where the matter or thing to be effected by the contemplated law is situated; that a copy of the notice, published as aforesaid, and also this affidavit of proof of publication are attached to the proposed bill, or contemplated law, and such copy of

said notice so attached is by reference made a part of this affidavit.

DOROTHY HUNTER.

Sworn to and subscribed before me on this 19th day of May A. D. 1939.

ESTHER WILFONG,  
Notary Public State of Florida at Large.  
My Commission expires Nov. 20, 1940.  
(Seal)

Which was read the first time by title only.

Senator Hodges moved that the rules be waived and Senate Bill No. 988 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 988 was read the second time by title only.

Senator Hodges moved that the rules be further waived and Senate Bill No. 988 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. 988 was read the third time in full.

Upon the passage of Senate Bill No. 988 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 988 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sharit—

Senate Bill No. 989:

A bill to be entitled An Act authorizing the Board of County Commissioners of any County of the State of Florida having a population of not less than 2,750 nor more than 3,150, according to the last preceding State census, to assess and collect tolls for the use of any canal connecting any bay with any inter-coastal canal in said counties.

Which was read the first time by title only.

Senator Sharit moved that the rules be waived and Senate Bill No. 989 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 989 was read the second time by title only.

Senator Sharit moved that the rules be further waived and Senate Bill No. 989 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. 989 was read the third time in full.

Upon the passage of Senate Bill No. 989 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 989 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Kelly (11th)—

Senate Bill No. 990:

A bill to be entitled An Act to authorize the preparation of a comprehensive analysis of the finances of all units of Government of Florida in order to provide information as to the trend of income from all sources of taxation, and disbursements by purpose of expenditures, in order to facilitate the study of the relative tax burdens of the various governmental units by function, and for compilation and distribution of this data to all units and departments of Government, and to appropriate funds necessary to carry out the provisions thereof.

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



Nays—None.

So Senate Bill No. 993 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Murphy moved that a committee be appointed to call on Senator Dame who is ill at his home to tender the services and sympathy of the Senate.

Which was agreed to.

The President appointed Senators Murphy, Kelly (11th) and Savage as the committee.

By Senator Holland—  
Senate Bill No. 994:

A bill to be entitled An Act relating to and regulating practice and procedure in the Mayor's Court of the Town of Frostproof, Florida; providing that any person accused of an offense under any ordinance of said town may be tried upon a charge entered in the docket of said Mayor's Court without the making or filing of any affidavit and without the issuance of any warrant relating to such charge; providing that in any trial in said Mayor's Court of any charge of keeping intoxicating liquor for sale in violation of any ordinance of said town, proof that any such intoxicating liquor, in excess of one quart, was kept upon the premises where any other goods were then kept for sale or where any other business was customarily carried on shall constitute prima facie evidence that the person having possession of said premises was keeping said intoxicating liquor for sale even though the portion of such premises where such intoxicating liquor was kept was used for residential purposes.

The following proof of publication was attached to Senate Bill No. 994 when it was introduced in the Senate:

#### NOTICE

#### TO ALL WHOM IT MAY CONCERN:

Notice is hereby given of the intention of the undersigned to apply to the Legislature of the State of Florida at its regular session A. D. 1939 for the passage of a local or special law in substance, as follows:

Relating to and regulating practice and procedure in the Mayor's Court of the Town of Frostproof, Florida; providing that any person accused of an offense under any ordinance of said town may be tried upon a charge entered in the docket of said Mayor's Court without the making or filing of any affidavit and without the issuance of any warrant relating to such charge; providing that in any trial in said Mayor's Court on any charge of keeping intoxicating liquor for sale in violation of any ordinance of said town, proof that any such intoxicating liquor, in excess of one quart, was kept upon the premises where any other goods were then kept for sale of where any other business was customarily carried on shall constitute prima facie evidence that the person having possession of said premises was keeping said intoxicating liquor for sale, even though the portion of such premises where such intoxicating liquor was kept was used for residential purposes.

This 26th day of April, 1939.

TOWN OF FROSTPROOF,

By H. V. FLOOD, Mayor,

Attest: J. W. TRUITT,

(TOWN SEAL)

Town Clerk.

#### PROOF OF PUBLICATION

STATE OF FLORIDA,  
COUNTY OF POLK.

Before the undersigned authority, duly authorized to administer oaths, personally appeared Harold E. Jordan, who, being duly sworn, says that he is Publisher of Highland News, a newspaper published in the Town of Frostproof, Polk County, Florida, and that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill

Relating to and regulating practice and procedure in the Mayor's Court of the Town of Frostproof, Florida; providing that any person accused of an offense under any ordinance of said town may be tried upon a charge entered in the docket of said Mayor's Court without the making or filing of any affidavit and without the issuance of any warrant relating to such charge; providing that in any trial in said Mayor's Court on any charge of

keeping intoxicating liquor for sale in violation of any ordinance of said town, proof that any such intoxicating liquor, in excess of one quart, was kept upon the premises where any other goods were then kept for sale or where any other business was customarily carried on shall constitute prima facie evidence that the person having possession of said premises was keeping said intoxicating liquor for sale, even though the portion of such premises where such intoxicating liquor was kept was used for residential purposes,

has been published by being printed in the issue of April 28, 1939, of said newspaper; that a copy of said notice that has been published as aforesaid is hereto attached and that said copy of said notice as so published and also this affidavit of proof of publication are attached to said proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

Said affiant further says upon oath that said newspaper at the time of such publication had been continuously published in said Town of Frostproof, Polk County, Florida, at least once each week and had been entered as second class mail matter at the Post Office at Frostproof in Polk County, Florida, for a period of one year next preceding the first insertion of such publication in said newspaper and that said newspaper has been published in accordance with Chapter 14830, Laws of Florida, Acts of 1931, and that all provisions of said Chapter have been complied with.

HAROLD E. JORDAN.

Sworn to and subscribed before me this 18th day of May, 1939.  
J. L. TYSON.

Notary Public, State of Florida at Large.

My commission expires: August 12, 1940.  
(Notarial Seal)

Which was read the first time by title only.

Senator Holland moved that the rules be waived and Senate Bill No. 994 be read the second time by title only.

Which was agreed to by a two-thirds vote:

And Senate Bill No. 994 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 994 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. 994 was read the third time in full.

Upon the passage of Senate Bill No. 994 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 994 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Black—  
Senate Bill No. 995:

A bill to be entitled An Act providing for the creation and establishment of a College of Forestry in the University.

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

By Senator Holland—  
Senate Bill No. 996:

A bill to be entitled An Act authorizing the Town of Frostproof, Florida, to prescribe and enforce zoning regulations with respect to the construction and location of buildings and other structures within the limits of said municipality; empowering the Town Council of said town to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and location and use of buildings, structures and land for trade, industry, residence or other purposes; authorizing said Town Council to divide the corporate area of said town into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this Act and providing that within such districts it may regulate and restrict the erection, construction, re-construction, alter-

ation, repair or use of buildings, structures or land and providing that all such regulations shall be uniform for each class or kind of buildings throughout each district, but that the regulations in one district may differ from those in other districts; providing the method of procedure in adopting such regulations and changing the same; providing for a zoning commission for said town and also providing for a Board of Adjustment for said town and prescribing the powers and duties of said zoning commission and said Board of Adjustment.

The following proof of publication was attached to Senate Bill No. 996 when it was introduced in the Senate:

NOTICE

To All Whom It May Concern:

Notice is hereby given of the intention of the undersigned to apply to the Legislature of the State of Florida at its regular session A. D. 1939 for the passage of a local or special law in substance, as follows:

Authorizing the Town of Frostproof, Florida, to prescribe and enforce zoning regulations with respect to the construction and location of buildings and other structures within the limits of said municipality; empowering the Town Council of said town to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, court and other open spaces, the density of population and location and use of buildings, structures and land for trade, industry, residence or other purposes; authorizing said Town Council to divide the corporate area of said town into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this Act and providing that within such districts it may regulate and restrict the erection, construction, re-construction, alteration, repair or use of buildings, structures or land and providing that all such regulations shall be uniform for each class or kind of buildings throughout each district, but that the regulations in one district may differ from those in other districts; providing the method of procedure in adopting such regulations and changing the same; providing for a Zoning Commission for said town and also providing for a Board of Adjustment for said town and prescribing the powers and duties of said Zoning Commission and said Board of Adjustment.

This 26th day of April, 1939.

TOWN OF FROSTPROOF  
By H. V. FLOOD, Mayor.  
Attest: J. W. TRUITT,  
Town Clerk.

(Town Seal)

PROOF OF PUBLICATION

STATE OF FLORIDA  
COUNTY OF POLK.

Before the undersigned authority, duly authorized to administer oaths, personally appeared Harold E. Jordan, who, being duly sworn, says that he is Publisher of Highland News, a newspaper published in the Town of Frostproof, Polk County, Florida, and that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill

Authorizing the Town of Frostproof, Florida, to prescribe and enforce zoning regulations with respect to the construction and location of buildings and other structures within the limits of said municipality; empowering the Town Council of said town to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and location and use of buildings, structures and land for trade, industry, residence or other purposes; authorizing said Town Council to divide the corporate area of said town into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this Act and providing that within such districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land and providing that all such regulations shall be uniform for each class or kind of buildings throughout each district, but that the regulations in one district may differ from those in other districts; providing the method of procedure in adopting such regulations and changing the same; providing for a Zoning Commission for said town and also providing for a Board of

Adjustment for said town and prescribing the powers and duties of said Zoning Commission and said Board of Adjustment.

Has been published by being printed in the issue of April 28, 1939, of said newspaper; that a copy of said notice that has been published as aforesaid is hereto attached and that said copy of said notice as so published and also this affidavit of proof of publication are attached to said proposed bill or contemplated law, and such copy of the notice is attached is by reference made a part of this affidavit.

Said affiant further says upon oath that said newspaper at the time of such publication had been continuously published in said Town of Frostproof, Polk County, Florida, at least once each week and had been entered as second class mail matter at the Post Office at Frostproof in Polk County, Florida, for a period of one year next preceding the first insertion of such publication in said newspaper and that said newspaper has been published in accordance with Chapter 14830, Laws of Florida, Acts of 1931, and that all provisions of said Chapter have been complied with.

HAROLD E. JORDAN.

Sworn to and subscribed before me this 18 day of May, 1939.

J. L. TYSON,

Notary Public, State of Florida at Large.

My commission expires: Aug. 12, 1940.

(Notarial Seal).

Which was read the first time by title only.

Senator Holland moved that the rules be waived and Senate Bill No. 996 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 996 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 996 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. 996 was read the third time in full.

Upon the passage of Senate Bill No. 996 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 996 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Holland—

Senate Bill No. 997:

A bill to be entitled An Act to authorize and empower the Mayor of the Town of Frostproof, Florida, to issue search warrants in aid of the enforcement of ordinances of said town, to be executed within the limits of said town; to regulate their issuance, service and return.

The following proof of publication was attached to Senate Bill No. 997 when it was introduced in the Senate:

NOTICE

To All Whom It May Concern:

Notice is hereby given of the intention of the undersigned to apply to the Legislature of the State of Florida at its regular session A. D. 1939 for the passage of a local or special law in substance, as follows:

To authorize and empower the Mayor of the Town of Frostproof, Florida, to issue Search Warrants in aid of the enforcement of ordinances of said town, to be executed within the limits of said town; to regulate their issuance, service and return.

This 26th day of April, 1939.

TOWN OF FROSTPROOF,  
By H. V. FLOOD, Mayor.

Attest: J. W. TRUITT,  
Town Clerk.

(Town Seal)

## PROOF OF PUBLICATION

STATE OF FLORIDA. }  
COUNTY OF POLK. }

Before the undersigned authority, duly authorized to administer oaths, personally appeared Harold E. Jordan, who, being duly sworn, says that he is Publisher of Highland News, a newspaper published in the Town of Frostproof, Polk County, Florida, and that he has knowledge of the matters stated herein; that a notice stating the substance of a contemplated law or proposed bill: To authorize and empower the Mayor of the Town of Frostproof, Florida, to issue search warrants in aid of the enforcement of ordinances of said town, to be executed within the limits of said town; to regulate their issuance, service and return, has been published by being printed in the issue of April 28, 1939, of said newspaper; that a copy of said notice that has been published as aforesaid is hereto attached and that said copy of said notice as so published and also this affidavit of proof of publication are attached to said proposed bill or contemplated law, and such copy of the notice so attached is by reference made a part of this affidavit.

Said affiant further says upon oath that said newspaper at the time of such publication had been continuously published in said Town of Frostproof, Polk County, Florida, at least once each week and had been entered as second class mail matter at the Post Office at Frostproof in Polk County, Florida, for a period of one year next preceding the first insertion of such publication in said newspaper and that said newspaper has been published in accordance with Chapter 14830, Laws of Florida, Acts of 1931, and that all provisions of said Chapter have been complied with.

HAROLD E. JORDAN.

Sworn to and subscribed before me this 18th day of May, A. D. 1939.

(Seal)

J. L. TYSON,

Notary Public for the State of Florida at Large.  
My Commission expires August 12, 1940.

Which was read the first time by title only.

Senator Holland moved that the rules be waived and Senate Bill No. 997 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 997 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 997 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. 997 was read the third time in full.

Upon the passage of Senate Bill No. 997 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 997 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Parker—  
Senate Bill No. 998:

A bill to be entitled An Act to declare certain rivers in the State of Florida to be fresh water from source to mouth, to regulate fishing in such rivers or taking of fish from such rivers and to repeal all laws in conflict herewith.

Which was read the first time by title only.

Senator Parker moved that the rules be waived and Senate Bill No. 998 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 998 was read the second time by title only.

Senator Parker moved that the rules be further waived and Senate Bill No. 998 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. 998 was read the third time in full.

Upon the passage of Senate Bill No. 998 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dugger, Gideons, Graham, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Lindler, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Whitaker, Wilson—31.

Nays—None.

So Senate Bill No. 998 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 Gideons—

Senate Bill No. 999:

A bill to be entitled An Act authorizing and directing the Board of County Commissioners of Sumter County, Florida, to levy and collect an annual tax on all property in said County for the payment of outstanding indebtedness incurred in the construction of school buildings or in making necessary repairs to present buildings: providing for the expending of the funds derived from such tax: and setting the time during which such tax shall be levied and collected.

The following proof of publication was attached to Senate Bill No. 999 when it was introduced in the Senate:

## NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that the Board of Public Instruction, Sumter County, Florida, will apply at the present session of the State Legislature for the passage of a bill authorizing a levy of not to exceed 10 mills for the purpose of paying outstanding school indebtedness.

BROWARD MILLER,  
County Superintendent.

## AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA,  
COUNTY OF SUMTER:

On this day personally appeared before me C. M. Winton, to me well known, who, being by me first duly sworn, deposes and says that he is Editor of the Sumter County Times, a newspaper published in the City of Bushnell, County of Sumter, 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 20, 1931, and known as Senate Bill No. 58; and that the attached advertisement was published in said newspaper once each week for a period of three weeks, to-wit: in the issues of said newspaper published on May 5, 1939; May 12, 1939; May 19, 1939.

C. M. WINTON,  
Editor and Publisher.

Sworn to and subscribed before me this 20th day of May A. D. 1939.

M. G. POTTER,  
Notary Public.

(Seal)

My Commission expires Dec. 10, 1942.

Which was read the first time by title only.

Senator Gideons moved that the rules be waived and Senate Bill No. 999 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 999 was read the second time by title only.

Senator Gideons moved that the rules be further waived and Senate Bill No. 999 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. 999 was read the third time in full.

Upon the passage of Senate Bill No. 999 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, 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.

Nays—None.

So Senate Bill No. 999 passed, title as stated, and the action

of the Senate was ordered certified to the House of Representatives.

By Senator Ward—  
Senate Bill No. 1000:

A bill to be entitled An Act for the relief of Alberto Camero. Which was read the first time by title only and referred to the Committee on Pensions and Claims.

Senator Graham moved that the rules be waived and the Senate do now take up and consider his motion to reconsider the vote by which Senate Resolution No. 24 was adopted by the Senate on May 19, 1939.

Upon which a roll call was demanded.

Upon the motion made by Senator Graham to take up and consider the motion to reconsider the vote by which Senate Resolution No. 24 was adopted, the roll was called and the vote was:

Yeas—Mr. President; Senators Dugger, Gillis, Graham, Hinely, Holland, Johns, Kanner, Kelly (11th), Mapoles, Murphy, Parrish, Rose, Sharit, Walker, Wilson—16.

Nays—Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Gideons, Hodges, Horne, Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Parker, Price, Savage, Whitaker—18.

Which was not agreed to and the Senate refused to take up and consider the motion made by Senator Graham to reconsider the vote by which Senate Resolution No. 24 was adopted.

Senator Gillis moved that all Special and Continuing Orders heretofore adopted which have not been called for consideration, or which have not been taken up and considered, as of this date, be cancelled and that all such bills be placed upon the regular Calendar in their order.

Which was agreed to and it was so ordered.

Senate Bill No. 44:

A bill to be entitled An Act assessing, levying and imposing an annual license tax upon every person, firm, copartnership, joint adventure, joint stock company, association, corporation, estate, business trust, trust, receiver, syndicate, fiduciary, or any other association of persons conducting, engaging in or carrying on the business of a retailer in this State, and operating an independent store or one or more chain stores within this State; and to classify such stores for the purpose of such license taxes and of graduating the license tax in accordance with the number of chain stores operated under a single ownership, management, or control, one or more of which chain stores is located in this State; said tax upon chain stores located in this State to be based on the number of such chain stores included under the same general management, supervision, ownership or control, whether located in this State or not; defining "Independent store" and "chain store" and "chain stores" and other words used in this Act; to provide for the administration and enforcement of this act and for the promulgation and enforcement of rules and regulations to facilitate such enforcement, to provide for the creation and enforcement of a lien upon the property of persons and association or persons liable for the payment of such license tax; to provide penalties for the violation of this act and of rules and regulations lawfully made under the authority hereof; to provide for the filing of sworn reports by the person or association of persons, on which such license tax is imposed; and also assessing, levying, and imposing an independent, separate and additional annual license tax upon every person, firm, copartnership, joint adventure, joint stock company, association, corporation, estate, business trust, trust, receiver, syndicate, fiduciary, or any other association of persons conducting, engaging in or carrying on the business of operating a department store in this State, as defined in this Act, whether such department store be an independent store, or chain store; and to classify such department stores for the purpose of such

independent, separate and additional license tax, and of graduating the license tax in accordance with the number of department stores operated under a single ownership, management, or control, one or more of which department stores is located in this State; said license tax upon department stores that are chain stores to be based on the number of such department stores included under the same general management, supervision, ownership or control, whether operated in this State or not; defining a department store; and to repeal conflicting laws, expressly but on condition, including certain parts and Sections of Chapters 16848, Laws of Florida, 1935; and to appropriate the revenues derived hereunder.

Which was pending third reading as a Special and Continuing Order after motion to indefinitely postpone failed, was taken up and read the third time in full.

Pending roll call on the passage of Senate Bill No. 44, Senator Savage moved that the further consideration thereof be informally passed and Senate Bill No. 44 be made a Special and Continuing Order of Business for consideration by the Senate at 11:00 o'clock Tuesday morning, May 23, 1939.

Which was not agreed to.

The question recurred on the passage of Senate Bill No. 44.

Upon the passage of Senate Bill No. 44 the roll was called and the vote was:

Yeas—Senators Black, Coulter, Dugger, Johns, Kelly (16th), McKenzie, Murphy, Parrish, Price, Whitaker, Wilson—11.

Nays—Mr. President; Senators Adams, Beacham, Beall, Clarke, Dye, Gillis, Gideons, Graham, Hinely, Hodges, Holland, Horne, Kanner, Kelly (11th), Kendrick, Lindler, Mapoles, Parker, Rose, Savage, Sharit, Walker, Ward, Westbrook—25.

So Senate Bill No. 44 failed to pass.

The following pair was announced:

I am paired with Senator Gillis on the passage of Senate Bill No. 44. If he were present he would vote "no" on the passage of the bill and I would vote "aye."

AMOS LEWIS.

The following explanation of vote on Senate Bill No. 44 was filed with the Secretary:

I have been forced to vote on this bill before I could satisfy my mind, in fact the supporters of the bill have forced us to vote no. Had the supporters of the bill been fair and carried the bill over until tomorrow I might have voted for it.

W. H. MAPOLES.

Senator Savage moved that the Senate reconsider the vote by which Senate Bill No. 44 failed to pass the Senate on May 22, 1939.

And the motion went over under the rule.

Pursuant to the motion made by Senator Gillis on May 17, 1939, and the hour having arrived, a point of order was called and the Senate took up for consideration Joint Resolutions as a Special and Continuing Order.

Pending consideration of the Special and Continuing Order, Senator Hodges moved that the consideration thereof be informally passed until thirty (30) minutes after the Senate convenes on Tuesday, May 23, 1939.

Which was agreed to and it was so ordered.

Senator Whitaker moved that Senate Bills Nos. 488, 489, 490 and 492, reported unfavorably by the Joint Committee on Public Utilities and Transportation and Traffic, be placed on the Calendar of Bills on second reading.

And it was so ordered under the rules.

By unanimous consent Senator Dye withdrew Senate Bill No. 221.

Senator Gillis moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 5:02 o'clock P. M., until 11:00 o'clock A. M., Tuesday, May 23, 1939.