

17859, Laws of Florida, Acts of 1937, and all laws or parts of Laws in conflict herewith.

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

And Senate Bill No. 1084, contained in the above report, was referred to the Committee on Enrolled Bills.

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. 1974:**

A bill to be entitled An Act to abolish the present municipality of the City of Daytona Beach, in the County of Volusia and State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Daytona Beach in Volusia County, State of Florida, to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges; and to provide for the appointment by the Governor of the first members of the City Commission.

**House Bill No. 1625:**

A bill to be entitled An Act fixing the salary of the judge of the Juvenile Court of Orange County, Florida, for the year ending August 17, 1939, and subsequent years, and validating and confirming salary theretofore paid under former Statutes.

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

Senator Kelly (16th) moved that the hour of adjournment be extended indefinitely.

Which was agreed to and it was so ordered.

By permission the following Resolutions were introduced:

By Senator Whitaker—

**Senate Resolution No. 34:**

**BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA:**

The Senate has heard with profound regret of the death of Simeon E. Sparkman, a pioneer and patriotic citizen of Hillsborough County.

Simeon E. Sparkman was born August 9, 1851, in Hillsborough County, Florida. He served the people of Hillsborough County as Tax Collector from 1877 until 1881. He served them as County Commissioner in 1883 and 1884. He served them in the Legislature from 1889 to 1893. He served them as Tax Assessor on three separate occasions, first from 1881 to 1883, next from 1907 to 1917 and next from 1921 until he retired in 1935.

Honored by his people on fifteen different occasions by election to public office and serving them with ability, loyalty and honor in three different capacities, no man in Hillsborough County had more friends or better deserved them. He was one of the leaders in the agricultural development of his section and almost to the end of his 87 years he took great interest and pride in anything pertaining to the economic, material and moral advancement of his people.

Truly the Grand Old Man of Hillsborough County is gone and this Senate mourns his loss along with the people whom he served so splendidly for so many years.

**BE IT RESOLVED FURTHER,** that a copy of this resolution be forwarded to the family of Mr. Sparkman and given to the press.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 34 was adopted.

By Senators Hodges and Beall—

**Senate Resolution No. 35:**

**WHEREAS,** it appears that under the provisions of Chapter 18010, Acts of 1937, Section 3 of said Act, provides that the Sergeant-at-Arms of the Senate be entitled to pay for fifteen (15) days for pre-session work, and

**WHEREAS,** it appears that due to the fact certain repairs and remodeling of the Senate Chamber and committee rooms due to installation of the Air Conditioned system, it was neces-

sary for the Sergeant-at-Arms, of the Senate, to render service in excess of the fifteen (15) days allowed, Therefore,

**BE IT RESOLVED BY THE SENATE,** that the Committee on Legislature expense be, and are hereby authorized to pay said Sergeant-at-Arms for said services.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 35 was adopted.

Senator Kanner moved that the rules be waived and the Senate do now revert to the consideration of Messages from the House of Representatives, out of their order.

Which was agreed to by a two-thirds vote.

**MESSAGES FROM THE HOUSE OF REPRESENTATIVES**

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

Tallahassee, Florida,  
June 1, 1939.

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

Sir:

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

**Committee Substitute for Senate Bill No. 25:**

A bill to be entitled An Act relating to public education, providing for the organization, establishment, operation, maintenance, and support of the State system of public education and prescribing penalties for violating any provision of the Act, and any rule and regulation made pursuant to the Act.

Which Amendments read as follows:

**House Amendment No. 1:**

At end of Section 404, add the following: Nothing contained in this Act shall repeal prior to July 1st, 1941 any of the provisions of sub-sections fourth, sixth, tenth, eleventh, seventeenth, eighteenth and nineteenth of Section 13 of Chapter 17,747, Laws of Florida, Acts of 1937.

**House Amendment No. 2:**

In Section 502, line (printed bill), strike out the words insert the following: as an additional paragraph to said Section: That graduates of Colleges and Universities in this State, where qualified, shall be given preference by school trustees and County School boards in the selection or appointment of teachers over graduates of colleges and universities outside the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

**BEN H. FUQUA,**

Chief Clerk House of Representatives.

And Committee Substitute for Senate Bill No. 25, contained in the above message, was read by title together with House Amendments thereto.

Senator Kanner moved that the Senate do concur in House Amendment No. 1 to Committee Substitute for Senate Bill No. 25.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Committee Substitute for Senate Bill No. 25.

Senator Kanner moved that the Senate do concur in House Amendment No. 2 to Committee Substitute for Senate Bill No. 25.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Committee Substitute for Senate Bill No. 25.

And Committee Substitute for Senate Bill No. 25, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

By permission the following bills were introduced:

By the Joint Committees on Finance and Taxation and Public Roads and Highways—

**Senate Bill No. 1216:**

A bill to be entitled An Act to provide for the refunding to the several counties of the State of Florida of such sum of

money as will equal the amount of money by such counties, respectively, paid or to be paid, or properly allowable as interest upon moneys furnished, advanced, contributed, paid out or expended by such counties, respectively, in the construction of that portion of the State Road system of this State comprehended within the provisions of Chapter 15659, Laws of Florida, Acts of 1931; declaring the money so expended or to be expended as having been incurred by the counties for a proper State purpose; providing for an additional audit to ascertain the credits allowable hereunder, making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, Acts of 1931 for the cost of the audit provided for herein and for the refunding to such counties of the said sums above mentioned; providing the method of distribution of the credits hereunder; and prescribing the duties of certain officials in carrying out the purposes of this Act.

Which was read the first time by title only.

Senator Holland moved that Senate Bill No. 1216 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By the Joint Committees on Finance and Taxation and Public Roads and Highways:

Senate Bill No. 1217:

A bill to be entitled An Act to provide for the refunding to each county of the State of Florida of all moneys which have been furnished advanced, paid out, distributed or expended during the period of time extending from January 1, 1915, to January 1, 1939, in the construction or building by any such county or counties or any Special Road and Bridge District or other Special Taxing District, of any road or roads which have been designated a State road prior to January 1, 1939, not including any amounts certified as credits to the several counties pursuant to Chapter 15659, Laws of Florida, Acts of 1931, declaring such roads to have been built for State purposes and as being State undertakings; making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, for the cost of the audit provided for herein and for the refunding to such counties of the said sums above mentioned; providing the method of distribution and use of the credits hereunder; and prescribing the duties of certain officials in carrying out the provisions of this Act.

Which was read the first time by title only.

Senator Holland moved that Senate Bill No. 1217 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By the Joint Committees on Finance and Taxation and Public Roads and Highways:

Senate Bill No. 1218:

A bill to be entitled An Act to amend Section 14 of Chapter 14486, Acts of 1929, Laws of Florida, entitled: "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and Special Road and Bridge Districts of the State or otherwise, authorizing the issuance of refunding bonds by said counties and Special Road and Bridge Districts, and providing for the creation of a Board of Administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges," as amended by Chapter 15891, Acts of 1933, Laws of Florida, which amendment provided for certain additional, alternative and supplementary duties and powers of the State Board of Administration in connection with its functions as a fiscal agent for the several counties of the State of Florida with reference to Road District, Road and Bridge District, Special Road and Bridge District, and county road bonds, and bond issues subject to said chapter, and providing by this amendment for the disposition of any surplus in any county account for public highway construction and maintenance purposes and/or for the lease or purchase of certain toll or other bridges; and limiting the use of second gas tax funds placed to the credit of the several counties administered by the State Board of Administration.

Which was read the first time by title only.

Senator Holland moved that Senate Bill No. 1218 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

By the Joint Committees on Finance and Taxation and Public Roads and Highways:

Senate Bill No. 1219:

A bill to be entitled An Act relating to the Board of Administration established by Chapter 14486, Laws of Florida, Acts of 1929, being entitled: "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and Special Road and Bridge Districts of the State or otherwise, authorizing the issuance of refunding bonds by said counties and Special Road and Bridge Districts, and providing for the creation of a Board of Administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges," as amended by Chapter 15891, Laws of Florida, Acts of 1933, which said Act of 1933 provided certain additional powers and duties of the State Board of Administration in connection with its functions as the fiscal agent for the several counties of the State of Florida with reference to Road Districts, Road and Bridge District, Special Road and Bridge District, and county roads bonds and bond issues subject to said Chapter 14486, Laws of Florida, Acts of 1929, so as to provide for participation in the distribution provided in said Act of 1929, as so amended, of bonds as re-defined herein, issued, delivered and outstanding on or prior to July 1, 1931, or bonds issued to refund the same; and prescribing the duties of said State Board of Administration in connection therewith; but in no manner affecting the apportionment, allotment, allocation or formula therefor of any gasoline tax moneys payable under the Laws of Florida; and repealing all laws or parts of laws in conflict herewith and providing for an effective date hereof.

Which was read the first time by title only.

Senator Holland moved that Senate Bill No. 1219 be placed on the Calendar of Bills on second reading without reference.

Which was agreed to and it was so ordered.

Senator Parrish now presiding.

Senator Holland moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 1216, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 1216:

A bill to be entitled An Act to provide for the refunding to the several Counties of the State of Florida of such sum of money as will equal the amount of money by such counties, respectively, paid or to be paid, or properly allowable as interest upon moneys furnished, advanced, contributed, paid out or expended by such Counties, respectively, in the construction of that portion of the State Road system of this State comprehended within the provisions of Chapter 15659, Laws of Florida, Acts of 1931; declaring the money so expended or to be expended as having been incurred by the Counties for a proper State purpose; providing for an additional audit to ascertain the credits allowable hereunder, making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, Acts of 1931, for the cost of the audit provided for herein and for the refunding to such Counties of the said sums above mentioned; providing the method of distribution of the credits hereunder; and prescribing the duties of certain officials in carrying out the purposes of this Act.

Was taken up.

Senator Holland moved that the rules be waived and Senate Bill No. 1216 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1216 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 1216 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. 1216 was read the third time in full.

Upon the passage of Senate Bill No. 1216 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Coulter, Dame, Dugger, Gillis, Hinely, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Kendrick, Lewis, Linder, Mapoles, McKenzie, Murphy, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker, Wilson—32.

Nays—Senator Graham—1.

So Senate Bill No. 1216 passed, title as stated, and the action

of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Holland moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 1217, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 1217:

A bill to be entitled An Act to provide for the refunding to each County of the State of Florida of all moneys which have been furnished, advanced, paid out, distributed or expended during the period of time extending from January 1, 1915, to January 1, 1939, in the construction or building by any such County or Counties or any special road and bridge district or other special taxing district, of any road or roads which have been designated a State road prior to January 1, 1939, not including any amounts certified as credits to the several Counties pursuant to Chapter 15659, Laws of Florida, Acts of 1931, declaring such roads to have been built for state purposes and as being state undertakings; making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, for the cost of the audit provided for herein and for the refunding to such Counties of the said sums above mentioned; providing the method of distribution and use of the credits hereunder; and prescribing the duties of certain officials in carrying out the provisions of this Act.

Was taken up.

Senator Holland moved that the rules be waived and Senate Bill No. 1217 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1217 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 1217 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. 1217 was read the third time in full.

Upon the passage of Senate Bill No. 1217 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 1217 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Holland moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 1218, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 1218:

A bill to be entitled An Act to amend Section 14 of Chapter 14486, Acts of 1929, Laws of Florida, entitled "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the State or otherwise, authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a Board of Administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges," as amended by Chapter 15891, Acts of 1933, Laws of Florida, which amendment provided for certain additional, alternative and supplementary duties and powers of the State Board of Administration in connection with its functions as a fiscal agent for the several counties of the State of Florida with reference to road district, road and bridge district, special road and bridge district, and county road bonds, and bond issues subject to said Chapter, and provided by this amendment for the disposition of any surplus in any county account for public highway construction and maintenance purposes and/or for the lease or purchase of certain toll or other bridges; and limiting the use of second gas tax funds placed to the credit of the several counties administered by the State Board of Administration.

Was taken up.

Senator Holland moved that the rules be waived and Senate Bill No. 1218 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1218 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 1218 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. 1218 was read the third time in full.

Upon the passage of Senate Bill No. 1218 the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 1218 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Holland moved that the rules be waived and the Senate do now take up and consider Senate Bill No. 1219, out of its order.

Which was agreed to by a two-thirds vote.

Senate Bill No. 1219:

A bill to be entitled An Act relating to the Board of Administration established by Chapter 14486, Laws of Florida, Acts of 1929, being entitled: "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the counties and special road and bridge districts of the State or otherwise, authorizing the issuance of refunding bonds by said counties and special road and bridge districts, and providing for the creation of a Board of Administration and the disbursement of such funds to pay such indebtedness and the use of any surplus in any county for the construction and maintenance of roads and bridges," as amended by Chapter 15891, Laws of Florida, Acts of 1933, which said Act of 1933 provided certain additional powers and duties of the State Board of Administration in connection with its functions as the fiscal agent for the several counties of the State of Florida with reference to road districts, road and bridge district, special road and bridge district, and county roads bonds and bond issues subject to said Chapter 14486, Laws of Florida, Acts of 1929, so as to provide for participation in the distribution provided in said Act of 1929, as so amended, of bonds as redefined herein, issued delivered and outstanding on or prior to July 1, 1931, or bonds issued to refund the same; and prescribing the duties of said State Board of Administration in connection therewith; but in no matter affecting the apportionment, allotment, allocation or formula therefor of any gasoline tax moneys payable under the laws of Florida; and repealing all laws or parts of laws in conflict herewith and providing for an effective date hereof.

Was taken up.

Senator Holland moved that the rules be waived and Senate Bill No. 1219 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 1219 was read the second time by title only.

Senator Holland moved that the rules be further waived and Senate Bill No. 1219 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. 1219 was read the third time in full.

Upon the passage of Senate Bill No. 1219 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dye, Gillis, Hinely, Hodges, Holland, Horne, Johns, Kanner, Kelly (16th), Kendrick, Lewis, Lindler, McKenzie, Parker, Parrish, Price, Rose, Sharit, Walker, Ward, Westbrook, Whitaker—30.

Nays—Senator Graham—1.

So Senate Bill No. 1219 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The President now presiding.

Senator Mapoles moved that House Bill No. 1302, heretofore held in the Senate at the request of Senator Mapoles, be immediately certified to the House of Representatives.

Which was agreed to and it was so ordered.

Senator Parker moved that the Senate do now adjourn.

Which was not agreed to.

Senator Parrish now presiding.

Senator Clarke moved that the record of the roll call on the adoption of Senate Resolution No. 33 during the morning session, this day, be corrected by expunging therefrom the name of Senator Wilson as voting for the adoption of the Resolution.

Pending adoption of the motion made by Senator Clarke, Senator Kendrick moved that the Senate do now adjourn.

Upon which a roll call was demanded.

The roll was called upon the adoption of the motion made by Senator Kendrick and the vote was:

Yeas—Mr. President; Senators Hinely, Holland, Kanner, Kendrick, Mapoles, McKenzie, Parker, Parrish, Sharit—10.

Nays—Senators Adams, Beacham, Beall, Black, Clarke, Dame, Dugger, Dye, Gillis, Graham, Hodges, Horne, Johns, Kelly (11th), Kelly (16th), Lewis, Lindler, Price, Rose, Walker, Ward, Westbrook, Whitaker, Wilson—24.

So the motion failed of adoption.

The question recurred on the adoption of the motion made by Senator Clarke to correct the record of the roll call on the adoption of Senate Resolution No. 33 during the morning session, this day, by expunging therefrom the name of Senator Wilson as voting for the adoption of the Resolution.

Senator Graham arose and, being recognized, addressed the Senate.

A point of order was called by Senator Clarke that Senator Graham was not speaking to the motion and was, therefore, out of order.

Senator Parrish, presiding, ruled that the remarks of Senator Graham were germane to the motion made by Senator Clarke and in order.

Whereupon, Senator Kelly (16th) appealed to the membership from the decision of the presiding officer.

Upon call of the roll on the appeal taken by Senator Kelly (16th) from the decision of the presiding officer as to whether or not the decision was correct the vote was:

Yeas—Mr. President; Senators Coulter, Dugger, Gillis, Graham, Hinely, Holland, Kanner, Kendrick, Mapoles, McKenzie, Parker, Parrish, Sharit, Walker, Westbrook—16.

Nays—Senators Adams, Beacham, Beall, Black, Clarke, Dame, Dye, Hodges, Horne, Johns, Kelly (11th), Kelly (16th), Lewis, Lindler, Price, Rose, Ward, Whitaker, Wilson—19.

So the Senate reversed the decision of the presiding officer.

The question recurred on the motion made by Senator Clarke to correct the record of the roll call on the adoption of Senate Resolution No. 33 during the morning session, this day, by expunging from the record the name of Senator Wilson as voting for the adoption of the Resolution.

Pending adoption of the foregoing motion made by Senator Clarke, Senator Horne moved that the rules be waived and debate on the motion made by Senator Clarke be limited so as not to extend beyond the hour of 3:25 o'clock A. M.

Upon which a roll call was demanded.

Upon call of the roll on the adoption of the motion made by Senator Horne the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Dye, Hinely, Hodges, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Lindler, McKenzie, Price, Rose, Ward, Westbrook, Whitaker, Wilson—24.

Nays—Mr. President; Senators Gillis, Graham, Holland, Kendrick, Lewis, Mapoles, Sharit, Walker—9.

Which was agreed to by a two-thirds vote and debate on the motion made by Senator Clarke was limited so as not to extend beyond 3:25 o'clock A. M.

The question recurred on the adoption of the motion made by Senator Clarke.

Upon which a roll call was demanded.

Upon call of the roll on adoption of the motion made by Senator Clarke the vote was:

Yeas—Senators Adams, Beacham, Beall, Black, Clarke, Coulter, Dame, Dugger, Hinely, Hodges, Horne, Johns, Kelly (11th), Kelly (16th), Lindler, Price, Rose, Ward, Westbrook, Whitaker—20.

Nays—Mr. President; Senators Dye, Gillis, Graham, Holland, Kanner, Kendrick, Lewis, Mapoles, McKenzie, Parker, Parrish, Sharit, Walker, Wilson—15.

Which was agreed to and the record of the roll call on the adoption of Senate Resolution No. 33 was ordered to be corrected by expunging therefrom the name of Senator Wilson as voting for the adoption of the Resolution.

Senator Horne moved that the result of the roll call on the adoption of Senate Resolution No. 33 during the morning session, this day, be corrected to show the Resolution failed of adoption by a vote of 15 yeas and 15 nays.

Which was agreed to and it was so ordered.

Senator Johns moved that the Senate do now reconsider the vote by which House Bill No. 598 (1939 Session) failed to pass the Senate, this day over the Governor's veto.

Upon which a roll call was demanded.

Upon call of the roll on the motion made by Senator Johns the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Black, Dye, Graham, Hodges, Holland, Horne, Johns, Kanner, Kelly (11th), Kelly (16th), Lewis, Price, Rose, Sharit, Whitaker, Wilson—19.

Nays—Senators Coulter, Dame, Dugger, Gillis, Hinely, Lindler, Mapoles, Parker, Westbrook—9.

Which was agreed to and the Senate reconsidered the vote by which House Bill No. 598 (1939 Session) failed to pass the Senate this day over the Governor's veto.

The question recurred on the passage of House Bill No. 598 (1939 Session) over the Governor's veto.

Upon call of the roll on the passage of House Bill No. 598 (1939 Session) over the Governor's veto, the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Black, Dye, Hodges, Holland, Johns, Kanner, Kelly (11th), Kelly (16th), Lewis, Parrish, Rose, Sharit, Walker, Whitaker, Wilson—18.

Nays—Senators Coulter, Dame, Dugger, Gillis, Hinely, Kendrick, Lindler, Mapoles, Parker, Westbrook—10.

Which was not agreed to by the required Constitutional two-thirds vote of all members present and House Bill No. 598 (1939 Session) failed to pass the Senate over the Governor's veto.

Senator Sharit moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 3:38 o'clock A. M., June 2, 1939, until 10:00 o'clock A. M., June 2, 1939.

#### EXECUTIVE SESSION ANNOUNCEMENTS

The Senate in Executive Session on June 1, 1939, advised and consented to the suspension and removal from office by the Governor of the following named officials:

J. W. Leath, County Judge in and for Calhoun County, State of Florida.

H. L. McDonald, member of the Game and Fresh Water Fish Commission, Fifth District of the State of Florida.