

# JOURNAL OF THE SENATE

Monday, April 14, 1941

The Senate convened at 4:00 o'clock P. M., pursuant to adjournment on Friday, April 11, 1941.

The President in the Chair.

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

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Clett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of April 11, 1941, was corrected as follows:

On page 1, column 1, line 13 from the bottom, strike out the word "Senate" and insert in lieu thereof the word "House."

On page 2, column 1, line seven from the bottom, strike out the word "seven" and insert in lieu thereof the word "nine."

On page 2, column 2, line 2 from the top, strike out the word "five" and insert in lieu thereof the word "seven."

And as corrected was approved.

## REPORTS OF COMMITTEES

### Senate Chamber

April 11, 1941.

Senator McKenzie, Chairman of the Committee on Military Affairs, reported that the Committee had carefully considered the following bills and recommends that the same pass.

#### House Bill No. 28:

A bill to be entitled An Act to promote national and state defense by preventing sabotage; to that end to protect property by making criminal certain entries on, injuries to, interferences with and defective workmanship in connection with, property, and attempts, solicitations, and conspiracies to commit such acts; to restrict witnesses' privileges against self-incrimination in proceedings; to provide for questioning and detaining suspected persons; to authorize the closing of, and the restricting of the use of, certain highways; to provide that this Act shall not be construed to impair the rights of labor to suspend inconsistent Acts and parts of Acts; to prescribe penalties for violations of this Act; providing that this Act shall be in effect until May 15, 1945, and thereafter when the United States is at war.

#### House Bill No. 29:

A bill to be entitled An Act to regulate the manufacture, sale, distribution, use and possession of explosives; to require licenses to manufacture, deal in, and possess explosives, and fees for such licenses; providing for the appointment of a licensing authority, and prescribing its powers and duties; requiring reports and records from manufacturers and dealers in explosives; prohibiting the distribution of explosives to unlicensed persons; providing for the revocation of licenses; providing for an appeal from the decisions of the licensing authority; prescribing penalties for violations of this Act; authorizing the licensing authority to prescribe rules and regulations under this Act; and repealing Acts and parts of Acts inconsistent with this Act.

#### House Bill No. 30:

A bill to be entitled An Act relating to national and state defense; authorizing and empowering the Governor to create a State Defense Council to assist in coordinating State and local activities related to national and State defense; providing for the organization of such Council and for the appointment of its members by the Governor; providing for their qualifications and term of office; authorizing the Council to employ an Executive Director and other assistants and make other expenditures to carry out the purposes of this Act; pre-

scribing the powers and duties of the Council; directing the Council, and county, local and Regional Defense Councils to utilize existing services and facilities; providing for the creation of County, Local and Regional Defense Councils and for the powers and duties of such Councils, making appropriations to pay the expense of the State Defense Council; and repealing all laws and parts of laws in conflict herewith.

#### House Bill No. 31:

A bill to be entitled An Act to establish the Florida Defense Force; authorizing the Governor, while the National Guard of this State is in active Federal service, to organize and maintain the Florida Defense Force in accordance with the National Defense Act and the regulations of the Secretary of War of the United States; providing for the membership of such force and its organization under rules and regulations prescribed by the Governor; providing for the pay and allowances of members of such force; authorizing the Governor to requisition arms and equipment and to make available to such force the facilities of State armories and other State property; providing for the calling out of such force; providing that such force shall not be required to serve outside of Florida except on certain conditions; granting permission to military forces of other States and the United States to continue pursuit into this State; provided that certain civil groups shall not be enlisted in the Florida Defense Force as a unit; providing for the qualifications and disqualifications of members of such force; providing for the term of enlistment and commission in such force; providing that the Articles of War of the United States shall be in effect when such force is in active service; providing for freedom from arrest and jury duties of members of such force; providing for the discharge of such force; providing for the payment of expenses in carrying out the provisions of this Act, and repealing all laws and parts of laws in conflict herewith.

H. S. MCKENZIE,  
Chairman.

And House Bills Nos. 28, 29, 30 and 31, contained in the above report, were placed on the Calendar of Bills on second reading.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received:

Tallahassee, Florida, April 14, 1941.

Hon. John R. Beacham,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

#### Senate Concurrent Resolution No. 2:

WHEREAS, Honorable Claude Pepper, United States Senator from Florida is in the State and will be available to address a joint session of the Senate and House of Representatives, on Monday, April 14, 1941, and,

WHEREAS, a message from Senator Pepper will be of utmost benefit to the members of the Senate and House of Representatives in view of his intimate knowledge of national and international conditions and his prominent position with relation to the National Administration.

THEREFORE, BE IT RESOLVED by the Senate and the House of Representatives concurring:

That the Senate and House of Representatives do invite the Honorable Claude Pepper to address them in joint session in the House of Representatives at 8:00 o'clock P. M. Monday evening, April 14, 1941, and that the Senate and House of Representatives do convene in joint session at said time and place, if Senator Pepper accepts said invitation and signifies his ability to be present.

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

And Senate Concurrent Resolution No. 2, contained in the above message, was referred to the Committee on Enrolled Bills.

Senator Dye moved that the rules be waived and when the Senate adjourns at this session it recess until 8:00 o'clock P. M., this day.

Which was agreed to by a two-thirds vote.

#### INTRODUCTION OF RESOLUTIONS

By Senator Hinely—

Senate Resolution No. 1:

BE IT RESOLVED by the Florida State Senate that the President be, and he is hereby authorized and directed to instruct the Sergeant-at-Arms of the Senate to procure from time to time during the 1941 Session of the Senate, stamps for the use of the Senate for the transacting of official business;

BE IT FURTHER RESOLVED that the Sergeant-at-Arms be authorized and directed to dispense to the members of the Senate such stamps as the members require, providing that no member shall be given more than fifty three-cent stamps per days;

BE IT FURTHER RESOLVED, that such stamps be used by the members of the Senate for official business only, or for the purpose of communication with constituents upon matters of legislation pending before the Senate or contemplated by members of the Senate for introduction.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Upon which a roll call was demanded.

Upon the adoption of the Resolution the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—Senator Lewis—1.

So Senate Resolution No. 1 was adopted.

By Senators Cooley, Shepherd, Parker, McKenzie and Graham—

Senate Concurrent Resolution No. 3:

WHEREAS, by military and economic oppression and violence of autocratic powers, practically every nation of the Old World has either been unmercifully besieged and their governments dismembered or are now facing an unrelentless attack by an uncompromising tyranny such as the world has never known; and,

WHEREAS, this subversive and destructive philosophy of government has not only destroyed and threatens destruction to the democracy of the Old World, but the safety and security of the democracy of the Western Hemisphere; and,

WHEREAS, the President and Congress of the United States have long since taken cognizance of the urgency of this perilous situation, and Congress has, by appropriate legislation, put into motion the machinery, not only to build adequate defense for the safety and security of our nation, but for a total effort for total victory for democracy throughout the world; and,

WHEREAS, the President of the United States in the course of his functions as Chief Executive and as Commander-in-Chief of our army, navy and air corps, has issued to all Americans a call to the colors for national unity, a will to sacrifice in whatever position we hold in our national life, and an urgent plea to labor as well as business management and ownership to sacrifice for national defense, not in the tempo of business as usual or normalcy, but longer hours and greater production, to meet the extreme seriousness of the present situation confronting our very national life and liberty; and,

WHEREAS, the State of Florida, on account of its geographic and strategic situation has been placed in one of the few defense areas of the nation, and must play a most vital part in national and hemispheric defense, it being the spearhead of air defense and the operations base for our aerial defenders, and that an enormous amount of national defense construction and training is being conducted within the confines of the State of Florida; and,

WHEREAS, the Legislature of the State of Florida is fully aware of the great need for national unity and the responsibility for sacrifice on the part of the state government, all the people of our state, whether officials or private citizens, and the urgency for full speed ahead in united cooperation for adequate national preparedness; and,

WHEREAS, the state Legislature acknowledges with gratitude and commendation the fine response with which the state government and the people of Florida are cooperating with the Federal Government in the National Defense Program that this nation be adequately re-armed at the earliest possible moment, but it is also cognizant of the fact that a more urgent responsibility lies ahead for a greater adherence to national will, a greater conformity to national unity and a greater public and private sacrifice for national safety and security; and,

WHEREAS, it is the desire of the members of the legislature of the State of Florida to fully assist further the national government in the more aggressive prosecution of the National Defense Program, especially in view of the increasing urgency of the responsibility of world democracy to speed ahead to insure total victory; and to lend every possible facility of the state government to the total and complete execution of adequate preparedness;

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

That the Legislature of the State of Florida most heartily endorses the great defense program inaugurated by congress, which is being prosecuted under the fine leadership of our great President and the defense machinery which is now in full speed ahead, and commends the Governor, Hon. Spessard L. Holland, and each and every of the citizens of the State of Florida for their unity of will, loyalty, devotion and cooperation that they have shown in lending their aid to this program; and call upon the state government in all of its branches and agencies and upon all citizens of Florida to continue a more aggressive assistance and example, in loyalty to a total effort for a total completion of our defense program. The Legislature further commends and urges the citizens of the State of Florida for a more loyal will to work and sacrifice, a greater integrity for national unity and a more devout awakening to the importance of total and complete national defense and a total victory for democracy; and the Legislature pledges itself to do everything within the scope of its power to lend the facilities of the State Government to said program.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of the United States, to the Secretary of War of the United States, to the Secretary of the Navy of the United States, to the Chief of the Air Corps of the United States, to the Governor of the State of Florida, to the Secretary of State of the State of Florida and each of the United States Senators and Congressmen from the State of Florida.

Which was read the first time in full.

Senator Cooley moved that the rules be waived and Senate Concurrent Resolution No. 3 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 3 was read the second time in full.

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

Which was agreed to.

And Senate Concurrent Resolution No. 3 was adopted and the action of the Senate was ordered certified to the House of Representatives.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senators Smith and Horne—

Senate Bill No. 1:

A bill to be entitled An Act to provide for the transfer of all funds now held by or hereafter coming to the State of Florida or to the Trustees of the Internal Improvement Fund of the State of Florida under the provisions of Section 9, Chapter 18296, Laws of Florida, Acts of 1937, known as the Murphy Act, to an old age assistance fund and to a dependent children's fund in certain proportions, after due allowance for the expenses of administration of said statute, and making an appropriation of said funds for such purposes, and

providing for the administration of such funds by the State Welfare Board.

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

By Senator King—  
Senate Bill No. 2:

A bill to be entitled An Act finding and declaring that the conservation of the surface waters and the raising of the level of the water table in the State of Florida, where the same may be necessary, is in the interest of the public welfare; authorizing the Boards of County Commissioners of the several counties of the State to conserve the surface waters in the several counties; providing authority in the Boards of County Commissioners of the several counties of the State to erect and maintain dams, gates and other barriers and devices for controlling and conserving the flow of surface waters in any natural or artificial outlet or drainage; prohibiting the unauthorized interference with any dam, gate or other barrier or device so erected and providing the punishment and penalty therefor; providing a remedy for the relief or redress by the owner or any other person having any interest in and to any lands which may be damaged or subject to damage as a result of the erection and maintenance of such gates or dams; providing for the payment of the costs of erecting and maintaining such devices for the control and conservation of the flow of surface waters: authorizing the Boards of County Commissioners of the several counties of the State, after due notice, to suspend the right to the further drainage of swamps, marshes, lakes and other natural bodies of surface waters: and repealing all laws in conflict herewith.

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

By Senators King, Whitaker and Taylor—  
Senate Bill No. 3:

A bill to be entitled An Act to amend paragraph (12) of Section 3 of Chapter 16085, Laws of Florida, Acts of 1933, being paragraph (12) of Section 1285, Permanent Cumulative Supplement to Compiled General Laws of Florida, 1927; said chapter relating to the operation, licensing and taxing of motor vehicles, trailers, semi-trailers and motorcycle sidecars and providing penalties for the violation thereof, so as to provide for the exemption from the provisions of said chapter any motor truck, trailer or semi-trailer owned and operated exclusively by any charitable or character-building youth organization or movement organized and operated not for profit and while being used exclusively for the carrying out of the purpose of said organization.

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

By Senators Adams (25th), and Drummond—  
Senate Bill No. 4:

A bill to be entitled An Act to amend Chapter 17,981, Laws of Florida, Acts of 1937, entitled "An Act to declare the necessity of creating public bodies corporate and politic to be known as Housing Authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income: to create such Housing Authorities in cities having a population of more than 5,000; to define the powers and duties of Housing Authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing debentures and other obligations, and giving security therefor; to provide that Housing Authorities may obtain validation of their obligations and proceedings; and to confer remedies on obligee of Housing Authorities," as amended by Chapter 19,510, Laws of Florida, Acts of 1939, by adding thereto the following sections to be designated and known as Sections 27, 28, 29, 30, 31, 32, 33 and 34 to create Housing Authorities for counties and to provide for the organization of such authorities, to authorize the creation and organization of regional Housing Authorities by groups of counties, to define the powers, duties and area of operation of such Housing Authorities, to provide for the appointment of Commissioners of such Housing Authorities and to authorize such Housing Authorities to provide housing for farmers of low income.

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

By Senators Adams (25th) and Drummond—  
Senate Bill No. 5:

A bill to be entitled An Act to authorize Housing Authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize Housing Authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government; to acquire or lease such projects and to sell certain projects to the Federal Government; to authorize public bodies to assist such projects of Housing Authorities and of the Federal Government; to make obligations issued for such projects of Housing Authorities legal investments and security for deposits; and to declare valid all bonds, notes and obligations of Housing Authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities.

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

By Senators Adams (25th) and Drummond—  
Senate Bill No. 6:

A bill to be entitled An Act to declare valid and legal the establishment and organization of Housing Authorities in the State of Florida under the provisions of the Housing Authorities Law, and all contracts, bonds, notes, agreements, obligations and undertakings of such Housing Authorities, and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto.

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

By Senator Kanner—  
Senate Bill No. 7:

A bill to be entitled An Act imposing an additional tax upon gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing for the disposition of the moneys derived from such taxes, and the apportionment thereof to the General Revenue Fund of the State, and to the County School Fund; providing that the Gasoline Inspection Laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by Municipalities and other political subdivisions of gasoline taxes; providing for the enforcement of this Act, and penalties for violation hereof and providing that this Act is an emergency revenue measure and shall be of no force and effect from and after July 1, 1943.

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

By Senator Kanner—  
Senate Bill No. 8:

A bill to be entitled An Act granting leaves of absence to officers and employees of the State of Florida and of the several counties, municipalities and political subdivisions of the State of Florida, who serve in the active military service of the United States of America; and prescribing the terms and conditions of such leaves of absence, and return to civil duty.

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

By Senator Kanner—  
Senate Bill No. 9:

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

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

By Senator King—  
Senate Bill No. 10:

A bill to be entitled An Act relating to mortgages or other instruments given by cooperative associations, as defined herein, for the purpose of creating liens on real or personal property, or both, securing not only existing indebtedness but also future advances, whether obligatory or otherwise: provid-

ing for the priority of such mortgages or other instruments; and providing when this Act shall become effective.

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

By Senator Adams (25th)—

Senate Bill No. 11:

A bill to be entitled An Act for the Relief of R. E. Minchin. Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Clarke—

Senate Bill No. 12:

A bill to be entitled An Act concerning common trust funds and to make uniform the law with reference thereto. Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Clarke—

Senate Bill No. 13:

A bill to be entitled An Act relating to the disposition and distribution of income earned on the estate of a testator after his death and during the period of administration of his estate.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator Clarke—

Senate Bill No. 14:

A bill to be entitled An Act to increase to the public the credit facilities of banks, trust companies and national banks doing business in this State by fixing the rate of interest or discount that may be charged on loans not exceeding one thousand and five hundred dollars (\$500.00), to prescribe the methods for effecting such charge, and to prescribe the charge thereon.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senators Taylor, Adams, Graham, Kanner, Cooley, Kelly, Shepherd, Smith, Drummond, Shuler, Whitaker, Hinely, and Ward—

Senate Bill No. 15:

A bill to be entitled An Act to regulate advertising outside of the corporate limits of cities and incorporated towns in sight of public highways; to provide for licensing persons engaged in the business of outdoor advertising and for the issuance of permits for advertisements and advertising structures; to prohibit certain advertisements and advertising structures and to provide for the removal of advertisements and advertising structures illegally posted, displayed, erected, used or maintained; to prescribe the powers and duties of certain officers relating thereto; and to prescribe penalties for violations of this Act.

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

By Senator Adams (25th)—

Senate Bill No. 16:

A bill to be entitled An Act for the relief of J. A. McKeithen and directing payment of same by the Department of Game and Fresh Water Fish of the State of Florida.

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

By Senators Clarke, Graham, Horne, Smith, Kanner, Cooley, Drummond, King, Collins, Folks, Beall, Hinely, Kelly, Lindler, Shepherd, Maines, Perdue, Cliett, Gideons, Maddox, Wilson, Lewis, Housholder, Taylor, Adams (30th), Butler, Parker, Shuler, McKenzie, Shands and Ward—

Senate Bill No. 17:

A bill to be entitled An Act to regulate the purchase of wages, salaries or other compensation for services and the taking of assignments thereof where the consideration for the purchase or assignment shall be \$300 or less, and to provide that such transactions shall, in the application of all laws, civil or criminal, relating to loans, interest charges or usury, be deemed loans secured by such assignments and that the amount by which such assigned compensation shall exceed the amount of the consideration actually paid therefor shall,

in the application of such laws, be deemed interest on the loan from the date of the payment for such purchase or assignment until the date such compensation is payable.

Which was read the first time by title only.

Senator Horne moved that the rules be waived and Senate Bill No. 17 be read the second time by title only.

Upon which a roll call was demanded.

The roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Folks, Graham, Hinely, Horne, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Shands, Shepherd, Shuler, Smith, Taylor, Whitaker, Wilson—32.

Nays—Dye, Gideons, Housholder, Johnson, Rose, Ward—6.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 17 was read the second time by title only.

Senator Whitaker offered the following amendment to Senate Bill No. 17:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section 1 of Chapter 10177, Laws of Florida 1925, is hereby amended so that as amended it shall read as follows: SECTION 1. That no person, co-partnership, or corporation shall engage in the business of making loans of money, credit, goods or things in action in the amount or to the value of Three Hundred (\$300) Dollars or less or who shall purchase or buy and take an assignment of or order for the payment of any salary, wages, commissions or other compensation for services earned or to be earned in the amount or to the value of Three Hundred (\$300) Dollars or less and charge, contract for, or receive a greater rate of interest or discount than Ten per centum per annum therefor except as authorized by this Act and without first obtaining a license from the Comptroller of the State of Florida hereinafter called the license official.

SECTION 2. Section 13, Chapter 10177, Laws of Florida, 1925, is hereby amended so that as amended it shall read as follows: SECTION 13: Every person, co-partnership and corporation licensed hereunder may loan any sum of money or purchase or buy and take an assignment of or order for the payment of any salary, wages, commissions or other compensation for services earned or to be earned in any sum of money not exceeding in amount the sum of Three Hundred (\$300) Dollars and may charge, contract for, and receive thereon interest or discount at a rate not to exceed one and one-half (1½) per centum per month. Interest shall not be payable in advance or compounded and shall be computed on unpaid balances. In addition to the interest herein provided for, no further or other charges or amount whatsoever for any examination, service, brokerage, commission or other thing or otherwise shall be directly or indirectly charged, contracted for or received, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for filing or recording or releasing in any public office, any instrument securing the loan, which fees may be collected when the loan is made or at any time thereafter. If interest or charges in excess of those permitted by this Act shall be charged, contracted for or received, the contract or loan shall be void and the licensee shall have no right to collect or receive any principal, interest or charges whatsoever.

SECTION 3. The title to Chapter 10177, Laws of Florida, 1925, is hereby amended so that as amended it shall read as follows: "An Act to license and regulate the business of making loans or purchasing and buying and receiving an assignment of or order for the payment of any salaries, wages, commissions or other compensation for services earned or to be earned, in certain counties in sums of Three Hundred (\$300) Dollars or less, secured or unsecured at a greater rate of interest or discount than Ten per centum per annum; prescribing the rate of interest and charge therefor and penalties for the violation thereof and regulating the assignment of wages or salaries earned or to be earned when given as security for any such loan."

SECTION 4. All laws and parts of laws in conflict herewith are hereby repealed.

SECTION 5. This act shall become effective upon its becoming a law.

Senator Whitaker moved the adoption of the amendment.

Upon which a roll call was demanded.

The roll was called on the adoption of the amendment and the vote was:

Yeas—Senators Adams (25th), Beall, Cliett, Folks, Gideons, Johnson, Landler, Parker, Taylor, Ward, Whitaker—11.

Nays—Mr. President; Senators Adams 30th, Butler, Clarke, Collins, Cooley, Drummond, Dye, Graham, Hinely, Horne, Housholder, Kanner, Kelly, King, Lewis, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Wilson—27.

So the amendment failed of adoption.

And Senate Bill No. 17 was placed on the Calendar of Bills on third reading.

By Senator Cooley—

Senate Bill No. 18:

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

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

Senator Kelly moved that the Senate remain in session until completion of introduction of bills and reading of veto messages now on the Secretary's desk.

Which was agreed to and it was so ordered.

By Senator Cooley—

Senate Bill No. 19:

A bill to be entitled An Act authorizing the payment to David M. Newell of the sum of \$17,896.00 for monies spent by him on preparing an "All Florida" motion picture on Florida attractions.

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

By Senators McKenzie, Cooley, Shepherd, Parker, Graham, King, and Butler—

Senate Bill No. 20:

A bill to be entitled An Act to establish the Florida Defense Force; authorizing the Governor, while the National Guard of this State is in active Federal service, to organize and maintain the Florida Defense Force in accordance with the National Defense Act and the regulations of the Secretary of War of the United States; providing for the membership of such force and its organization under rules and regulations prescribed by the Governor; providing for the pay and allowances of members of such force; authorizing the Governor to requisition arms and equipment and to make available to such force the facilities of State Armories and other State property; providing for the calling out of such force; providing that such force shall not be required to serve outside of Florida except on certain conditions; granting permission to military forces of other States and the United States to continue pursuit into this State; provided that certain civil groups shall not be enlisted in the Florida Defense Force as a unit; providing for the qualifications and disqualifications of members of such force; providing for the term of enlistment and commission in such force; providing that the articles of war of the United States shall be in effect when such force is in active service; providing for freedom from arrest and jury duties of members of such force; providing for the discharge of such force; providing for the payment of expenses in carrying out the provisions of this Act, and repealing all laws and parts of laws in conflict herewith.

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

By Senators McKenzie, Cooley, Shepherd, Parker, Graham, King and Butler—

Senate Bill No. 21:

A bill to be entitled An Act to repeal Sections 1425 to 1442 inclusive of the Revised General Statutes of Florida, 1920,

being Sections 2079 to 2096 inclusive of the Compiled General Laws of Florida, 1927, and being Chapter 7292, Laws of Florida, Acts of the 1917 Session of the Legislature, entitled, "An Act to provide for the organization, equipment and maintenance of County Guards, to prescribe its powers, duties and regulations, to provide for its maintenance, its terms of service, and prescribing the duties of the County Commissioners in relation thereto."

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

By Senators McKenzie, Cooley, Shepherd, Parker, Graham, King and Butler—

Senate Bill No. 22:

A bill to be entitled An Act relating to National and State Defense; authorizing and empowering the Governor to create a State Defense Council to assist in co-ordinating State and local activities related to National and State Defense; providing for the organization of such Council and for the appointment of its members by the Governor; providing for their qualifications and term of office; authorizing the Council to employ an executive director and other assistants and make other expenditures to carry out the purposes of this Act; prescribing the powers and duties of the Council; directing the Council and County, Local, and Regional Defense Councils to utilize existing services and facilities; providing for the creation of County, Local, and Regional Defense Councils and for the powers and duties of such Councils; making appropriations to pay the expenses of the State Defense Council; and repealing all laws and parts of laws in conflict herewith.

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

By Senators McKenzie, Cooley, Shepherd, Parker, Graham, King, and Butler—

Senate Bill No. 23:

A bill to be entitled An Act to promote National and State Defense by preventing sabotage: To that end to protect property by making criminal certain entries on, injuries to, interferences with, and defective workmanship in connection with, property, and attempts, solicitations, and conspiracies to commit such Acts; to restrict witnesses' privileges against self-incrimination in proceedings; to provide for questioning and detaining suspected persons; to authorize the closing of, and the restricting of the use of, certain highways; to provide that this Act shall not be construed to impair the rights of labor; to suspend inconsistent Acts and parts of Acts; to prescribe penalties for violations of this Act; providing that this Act shall be in effect until May 15, 1945; and thereafter when the United States is at war.

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

By Senator Shands—

Senate Bill No. 24:

A bill to be entitled An Act to designate the General Library of the University of Florida as a State Depository of Public Documents, to provide for furnishing it said documents, and to authorize and instruct it to exchange said documents and to supply certain material to the Law Library of the University of Florida.

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

By Senators Kanner, Ward, Graham, Cooley, Beall, Whitaker, Kelly, Price, Adams (30th), King, Shands, Maines, Smith, Hinely, McKenzie, Shepherd, Parker, Collins, Gideons, Clarke, Lewis and Horne—

Senate Bill No. 25:

A bill to be entitled An Act relating to city and town streets and roads, or portions thereof, viaducts and bridges, that constitute the route of connection between or extension of State roads in the State highway system; declaring that such serve a state purpose; providing for their designation by the State Road Department; authorizing and requiring the State Road Department to maintain and repair such streets and roads under its supervision and control, and to construct and reconstruct such streets and roads under certain conditions, and authorizing it to exercise certain powers with respect to same; and repealing all laws in conflict herewith.

Which was read the first time by title only.

Senator Beall moved that the rules be waived and Senate Bill No. 25 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 25 was read the second time by title only

Senator Beall moved that the rules be further waived and Senate Bill No. 25 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. 25 was read the third time in full.

By unanimous consent Senator Dye offered the following amendment to Senate Bill No. 25:

In Section 2, line 6, strike all after word "travel" to end of sentence including word "proper."

Senator Dye moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of the bill, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

Nays—None.

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

Senator Horne moved that the Senate do now adjourn.

Which was agreed to and the Senate took a recess at 6:20 o'clock P. M. until 8:00 o'clock P. M., this day.

## NIGHT SESSION

The Senate reconvened at 8:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

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

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Senator Shepherd moved that the Senate do now proceed to the House of Representatives in accordance with Senate Concurrent Resolution No. 2, for the purpose of hearing an address by the Honorable Claude Pepper United States Senator from Florida.

Which was agreed to.

The Senate formed in processional order and went to the House of Representatives in a body, preceded by the Secretary and Sergeant-at-Arms of the Senate.

The House of Representatives received the Senate with due form.

The President of the Senate presiding.

By direction of the President the Chief Clerk called the roll of the House of Representatives and the following members answered to their names:

Mr. Speaker; Messrs. Acosta, Allen, Andrews, Ayers, Bailey, Beck, Bennett, Best, Bonifay, Boyd, Brackin, Brady, Bryan, Burks, Burwell, Butt, Carroll, Carswell, Cawthon, Chavous, Clark, Clement (Pinellas), Clements (Columbia), Commander, Cook, Crary, Croft, Davis, Dixon, Dowda, Druggers, Dugger, Dunham, Getzen, Gillespie, Graves, Gray, Harrell, Harris (Alachua), Harris (Pinellas), Hatch, Helie, Hendry, Holt, Horrell, Hosford, Inman, Jenkins, Johnson, Junkin, Lambe, Lane, Lanier, Leaird, Leedy, Leonardy, Lewis, Littlefield, Luckie, McDonald, McLane, Middleton, Minshall, Morrow, Murray, Overstreet, Papy, Peeples, Perry, Potter, Priest, Riddles, Rivers, Rogers, Safford, Scales, Shafer, Shave, Sheldon, Shivers, Simpson, Slappey, Smith, Strayhorn, Stewart, Thomas, Toland, Turner, Vathis, Versaggi, Williams, Wiseheart, Wotitzky, Yaeger—95.

A quorum of the House of Representatives present.

By direction of the President the Secretary called the roll of the Senate and the following Senators answered to their names:

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum of the Senate present.

The President announced a quorum of the joint assembly present.

Senator Adams (30th) moved that a committee be appointed to escort the Honorable Claude Pepper to the rostrum.

Which was agreed to.

The President appointed Senators Adams, Price and Messrs. Holt, Cawthon and McDonald as the committee.

The Honorable Claude Pepper was received on the rostrum by the President of the Senate and the Speaker of the House of Representatives and after being presented by the President addressed the joint assembly.

At the conclusion of Senator Pepper's address Senator Dye moved that the Senate withdraw from the joint assembly and return to the Senate Chamber.

The Senate resumed its session in the Senate Chamber at 9:30 o'clock P. M.

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

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Senator Drummond moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 9:32 o'clock P. M., until 11:00 o'clock A. M., Tuesday, April 15, 1941.