

JOURNAL OF THE SENATE

Thursday, April 17, 1941

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, April 16, 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, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kan-ner, 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 15, 1941, was further corrected as follows:

On Page 25, Column 1, between lines 36 and 37, insert the following:

"Which was agreed to by a two-thirds vote."

And as further corrected was approved.

The Journal of Wednesday, April 16, 1941, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senate Chamber
Tallahassee, Fla., April 16, 1941.

Senator Maddox, Chairman of the Committee on Executive Communications, reported that the Committee had carefully considered the following bills and recommends that the Senate do not sustain the veto of the Governor on the following bills, to-wit:

(Senate Bill No. 578)

"A bill to be entitled An Act relating to the requirements to do business in the State of Insurance Companies transacting the business of fidelity and surety; and to permit such companies to make cash deposits as a condition to the doing of such a business in Florida."

(Senate Bill No. 61)

"A bill to be entitled An Act amending Section 4339 of the Revised General Statutes of Florida, 1920, as amended by Chapter 12321, Laws of Florida, Acts of 1927, relating to the requirements to do business in the State, of surety companies."

(Senate Bill No. 444)

"A bill to be entitled An Act for the relief of the M. F. Comer Bridge and Foundation Company."

(Senate Bill No. 1000)

"A bill to be entitled An Act for the relief of Alberto Camero."

Very respectfully,
THOS. S. MADDOX,
Chairman of Committee.

And Senate Bills Nos. 578, 61, 444 and 1000, contained in the above report, were placed on the Calendar of Bills on second reading.

Senate Chamber
Tallahassee, Fla., April 16, 1941.

Senator Maddox, Chairman of the Committee on Executive Communications, reported that the Committee had carefully considered the following bills and recommends that the Senate do sustain the veto of the Governor on the following bills, to-wit:

(Senate Bill No. 372)

"A bill to be entitled An Act making an appropriation of Five Thousand (\$5,000.00) Dollars, to each of six Counties of the State of Florida, viz: Escambia, Santa Rosa, Walton, Okaloosa, Bay and Wakulla, in order to be able to secure any Federal or United States funds that may be appropriated for the control and elimination of the Dog Fly Pest in said Counties; providing for a method of repayment of the appropriation by the State of Florida; and setting up methods for the enforcement of this Act."

(Senate Bill No. 849)

"A bill to be entitled An Act authorizing and directing the State Road Department of Florida to convert a certain railroad bridge at McIntyre, Florida, on the Ochlocknee River into a draw-bridge and pay the costs therefor as State highway projects are paid for."

(Senate Bill No. 782)

"A bill to be entitled An Act appropriating Five Thousand (\$5,000.00) Dollars from the General Inspection Fund for the use of the State Executive Committee of the Young Democratic Clubs of Florida in its campaign to bring the 1941 National Convention of the Young Democratic Clubs of America to Florida."

(Senate Bill No. 693)

"A bill to be entitled An Act making an appropriation to be used as sponsor's contribution to match Federal funds for the construction of building at the Florida School for the Deaf and Blind."

(Senate Bill No. 690)

"A bill to be entitled An Act for the relief of C. D. Ivey, a resident of St. Johns County, Florida, providing an appropriation for injuries and damages sustained by him on account of an automobile collision occurring at Junction Point on State Highway No. 4 near St. Augustine, Florida, on January 1, 1936; providing for the State Treasurer and the State Comptroller of the State of Florida to draw and cause to be drawn, warrant in payment of the said appropriation herein provided for; and providing for the enforcement of this Act."

(Senate Bill No. 541)

"A bill to be entitled An Act to amend Section 1 of Chapter 17976, Acts of 1937, entitled An Act relating to the guardianship of weak-minded and physically incapacitated persons by the appointment of a curator to take charge of their property, and, if necessary a guardian to take charge of their persons prescribing the form of petition, notice of hearing and procedure with reference to making said appointment, powers and duties of curator and guardian, discharge of curator and of guardian, appointed under the provisions of this Act, effect of the decree of appointment and provisions for safe-guarding the property and interests of said weak-minded or physically incapacitated persons."

(Senate Bill No. 514)

"A bill to be entitled An Act for the relief of Jarlif, Inc., a Corporation of the State of Florida."

(Senate Bill No. 422)

"A bill to be entitled An Act for the relief of L. B. Alexander, of the City of Waldo, County of Alachua, State of Florida, on account of injuries to his automobile caused by a State convict running into said car."

(Senate Bill No. 266)

"A bill to be entitled An Act authorizing the State Road Department to permit any responsible person, firm or corporation to erect within the right of way of any State Road, stations or waiting rooms for school children who are transported by school buses; providing the conditions and terms under and by which such permits may be granted; and empowering the Road Department to make reasonable rules and resolutions covering the same."

(Senate Bill No. 167)

"A bill to be entitled An Act to define farm and farm trailers operated in connection therewith; to provide that such farm vehicles and farm trailers shall be exempt from the requirement of registration and the purchase of tags under the Motor Vehicle Laws of this State, when such farm vehicles and/or trailers are operated on farms, groves and orchards and in going to or from headquarters to such farms, groves and orchards."

(Senate Bill No. 141)

"A bill to be entitled An Act for the relief of R. H. Brown in the matter of damage done to certain lands owned by

him by the building of highways and requiring the Florida State Road Department to pay to the said R. H. Brown the sum of Two Hundred and Fifty Dollars."

(Senate Bill No. 81)

"A bill to be entitled An Act authorizing the establishment and maintenance of separate State Prisons for the confinement and punishment of female persons and first offenders under twenty-five years of age, convicted and sentenced to the State Prison."

(Senate Bill No. 1160)

"A bill to be entitled An Act providing that in all Counties of the State of Florida having a population of not less than 7,000 and not more than 7,500, according to the last preceding State Census, the provisions of Section 9 of Chapter 18296, Laws of Florida of 1937, shall not apply to any lots, parcels or tracts of land where the County or any Municipality or any Drainage District, or other taxing authority in the said County holds a lien, other than a State and County Tax Lien, on said lots, parcels or tracts of land by virtue of any valid law of said State of Florida."

(Senate Bill No. 1098)

"A bill to be entitled An Act providing that in all Counties of the State of Florida having a population of not less than 60,000 and not more than 80,000 according to the last preceding State Census, the provision of Chapter 18,292, Laws of Florida, Acts of 1937, same being An Act relating to and concerning taxation and providing for the sale of tax certificates together with subsequent omitted or levied taxes; and further providing for vesting or title to land covered by tax certificates in State of Florida, shall not apply and shall be of no force and effect in such Counties; repealing all laws in conflict herewith."

(Senate Bill No. 1190)

"A bill to be entitled An Act providing that in all Counties of the State of Florida having a population of not less than 9,000 and not more than 9,700, according to the last preceding State Census, the provisions of Section 9 of Chapter 18296, Laws of Florida of 1937, shall not apply to any lots, parcels or tracts of land where the County or any Municipality or any Drainage District, or other taxing authority in the said County holds a lien, other than a State and County Tax Lien, on said lots, parcels or tracts of land by virtue of any valid law of said State of Florida."

Very respectfully,
THOS. S. MADDOX,
Chairman of Committee.

And Senate Bills Nos. 372, 849, 782, 693, 690, 541, 514, 422, 266, 167, 141, 81, 1160, 1098 and 1190, were placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber
Tallahassee, Fla., April 17, 1941.

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

Sir:

Your Committee on Judiciary "A", to whom was referred: Senate Bill No. 55:

A bill to be entitled An Act relating to the time of entry of defaults and decrees pro confesso.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 55, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber
Tallahassee, Fla., April 17, 1941.

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

Sir:

Your Committee on Judiciary "A", to whom was referred: Senate Bill No. 53:

A bill to be entitled An Act fixing the salaries of the Judges of the Circuit Court payable by the State of Florida, making

appropriation to pay the same, and repealing conflicting laws.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 53, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber
Tallahassee, Fla., April 17, 1941.

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

Sir:

Your Committee on Judiciary "A", to whom was referred: Senate Bill No. 54:

A bill to be entitled An Act relating to the removal of a prisoner to jail of another County, and to repeal Section 6209 Revised General Statutes of Florida.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 54, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber
Tallahassee, Fla., April 17, 1941.

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

Sir:

Your Committee on Judiciary "A", to whom was referred: 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: providing for the priority of such mortgages or other instruments: and providing when this Act shall become effective.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 10, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber
Tallahassee, Fla., April 17, 1941.

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

Sir:

Your Committee on Judiciary "A", to whom was referred: Senate Bill No. 83:

A bill to be entitled An Act relating to and fixing the liability of persons for the negligent or wrongful operation of motor vehicles within the State of Florida.

Have had the same under consideration and recommend that the same do not pass.

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 83, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber
Tallahassee, Fla., April 17, 1941.

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

Sir:

Your Committee on Judiciary "A", to whom was referred:

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Senate Bill No. 56:

A bill to be entitled An Act relating to witness pay rolls and to amend Section 1778 (CGL 2829) Revised General Statutes of Florida, entitled "Clerk not Entitled to Fee."

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And Senate Bill No. 56, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Beall, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber
Tallahassee, Fla., April 17, 1941.

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

Sir:

Your Committee on Judiciary "A", to whom was referred:

House Bill No. 72:

A bill to be entitled An Act to remove from the titles to real estate the clouds of unperformed contracts of record.

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

Very respectfully,
PHILIP D. BEALL,
Chairman of Committee.

And House Bill No. 72, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber
Tallahassee, Fla., April 16, 1941.

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

Senate Bill No. 66:

A bill to be entitled An Act exempting machines used for vending drinking cups, postage stamps and also coin operated machines or devices, such as parcel checking lockers and toilet locks, used in railroad, bus, airport station, depots and hotels, boarding houses, restaurants and rest rooms for the convenience of or in rendering service to the public from any and all license taxes.

Very respectfully,
PAT WHITAKER,
Chairman of Committee.

And Senate Bill No. 66, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber
Tallahassee, Fla., April 17, 1941.

Senator Perdue, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following bills and recommend that they do favorably pass.

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.

Senate Bill No. 90:

A bill to be entitled An Act amending Section 1285, Revised General Statutes of the State of Florida, as amended, and setting the motor vehicle license fee for motor vehicles used exclusively for the transportation of pupils to and from school; repealing all laws in conflict herewith and setting the time for which this Act shall become effective.

Senate Bill No. 79:

A bill to be entitled An Act providing that no motor vehicle shall be offered for sale, sold or exchanged which has been in Taxi Cab, U-Drive-It or for Hire Service unless the cer-

tificate of title has stamped upon it that such motor vehicle has been in such service and unless a notice is also affixed to the windshield of such motor vehicle that it has been in such service, and providing penalties for the violation hereof.

Senate Bill No. 84:

A bill to be entitled An Act providing for the recording in the office of the Motor Vehicle Commissioner of a notice of all liens for purchase money or as security for debts on motor vehicles; providing that no such lien shall be enforceable unless such notice has been recorded in such office; authorizing the Motor Vehicle Commissioner to make rules and regulations for the enforcement of this Act and prepare forms and books for such recording; providing the amount of fees to be charged; providing for the satisfaction of such liens; providing for the cancellation of such liens upon payment and penalties for failure to cancel such liens upon payment.

Senate Bill No. 81:

A bill to be entitled An Act providing for the registration and licensing of manufacturers, factory branches and factory representatives of motor vehicles: setting forth reasons for the denial, suspension or revocation of licenses: providing for the denial, suspension or revocation of such licenses: authorizing the Motor Vehicle Commissioner to make rules and regulations, and providing for the enforcement of this Act and penalties for the violation therefor.

Very respectfully,
G. E. PERDUE,
Chairman of Committee.

And Senate Bills No. 3, 90, 79, 84, 81, contained in the above report, were placed on the Calendar of Bills on second reading.

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

Senate Chamber
Tallahassee, Fla., April 16, 1941.

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

Sir:

Your Committee on Engrossed Bills, to whom was referred after third reading.

Senate Bill No. 24:

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

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

Very respectfully,
S. A. HINELY,
Chairman of Committee.

And Senate Bill No. 24, contained in the above report, was ordered to be certified to the House of Representatives.

Senator Horne moved that Senate Joint Resolution No. 68 be recalled from the Committee on Constitutional Amendments and be referred to the Committee on Finance and Taxation; that the joint reference of Senate Bills Nos. 70 and 71 to the Committees on Public Roads and Highways, and Finance and Taxation be set aside and said bills be referred to the Committee on Finance and Taxation; and that Senate Bills Nos. 1216, 1217, and 1219 of the 1939 Session, together with the Governor's objections thereto, be recalled from the Committee on Executive Communications and be referred to the Committee on Finance and Taxation.

Pending consideration of the motion made by Senator Horne, Senator Ward moved as a substitute motion that Senate Joint Resolution No. 68 be recalled from the Committee on Constitutional Amendments and be referred to the Committee on Public Roads and Highways and the Committee on Finance and Taxation, jointly; that the joint reference of Senate Bills Nos. 70 and 71 to the Committee on Public Roads and Highways, and Finance and Taxation be permitted to stand; and that Senate Bills Nos. 1216, 1217 and 1219 of the 1939 Session, together with the Governor's objections thereto, be recalled from the Committee on Executive Communications and be referred to the Committees on Public Roads and Highways, and Finance and Taxation, jointly.

The question was put on the substitute motion made by Senator Ward.

Which was agreed to and the substitute motion made by Senator Ward prevailed.

Senator Shands moved that a committee of three be appointed to escort Honorable Samuel W. Getzen, former Senator from the 38th Senatorial District, and Honorable Ferd B. Nordman, former Senator from the 28th Senatorial District, to seats on the rostrum.

Which was agreed to.

The President appointed Senators Shands, Dye and Shepherd as the committee.

INTRODUCTION OF BILLS

By Senator Dye—

Senate Bill No. 134:

A bill to be entitled An Act making an appropriation for the maintenance of the Judah P. Benjamin Memorial in Manatee County, Florida, and compensation of the custodian.

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

By Senator Shepherd—

Senate Bill No. 135:

A bill to be entitled An Act prohibiting in St. Johns County, Florida, any person to pursue, take, hunt or kill any game, game birds or game animals on Monday, Wednesday and Friday of each week during the period in which the pursuing, taking, hunting or killing of any game, game birds or game animals may be permitted by the laws of the State of Florida and providing that any person violating same shall be guilty of a misdemeanor and repealing all Laws in conflict herewith.

The following proof of publication was attached to Senate Bill No. 135 when it was introduced in the Senate:

THE ST. AUGUSTINE RECORD

St. Augustine, St. Johns County
Florida

STATE OF FLORIDA)
COUNTY OF ST. JOHNS)

Before the undersigned authority personally appeared A. H. Tebault who on oath says that he is Business Manager of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement, being a Notice of Proposed Legislation in the matter of Prohibiting Hunting on Monday, Wednesday and Friday during Hunting Season in the Court, was published in said newspaper in the issues of March 7, 1941.

Affiant further says that the said St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Saturdays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signed) A. H. TEBAULT,
Business Manager.

Sworn to and subscribed before me
this 8th day of March, A.D. 1941.

(Signed) GLADYS STEVENS,
(Seal)

Notary Public, State of Florida, at
Large, My Commission Expires Feb. 15, 1945.

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 prohibiting in St. Johns County, Florida, any person to pursue take, hunt or kill game, game birds, or game animals on Monday, Wednesday and Friday of each week during the period in which the pursuing, taking, hunting or killing of any game, game birds or game animals may be permitted by the Laws of the State of Florida and providing

that any person violating same shall be guilty of a misdemeanor and repealing all laws in conflict herewith.

ST. JOHNS COUNTY SPORTSMEN'S LEAGUE.

Which was read the first time by title only.

Senator Shepherd moved that the rules be waived and Senate Bill No. 135 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 135 was read the second time by title only.

Senator Shepherd moved that the rules be further waived and Senate Bill No. 135 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. 135 was read the third time in full.

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

Yeas—Mr. President; Senators Adams (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, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By Senator Shepherd—

Senate Bill No. 136:

A bill to be entitled An Act declaring portions of the Beach of the Atlantic Ocean within the confines of St. Johns County, Florida, to be a public highway, but subject to any right of the public to use same for bathing and recreation, and placing the jurisdiction, supervision, regulation and control of the beach as such highway with the Board of County Commissioners of St. Johns County, Florida.

The following proof of publication was attached to Senate Bill No. 136 when it was introduced in the Senate:

THE ST. AUGUSTINE OBSERVER

St. Augustine, St. Johns County, Florida

STATE OF FLORIDA,)
COUNTY OF ST. JOHNS.)

Before the undersigned authority personally appeared J. H. Turner who on oath says that he is Editor of the St. Augustine Observer, a weekly newspaper published at St. Augustine, in St. Johns County, Florida; that the attached copy of advertisement, being a Notice of Proposed Legislation in the matter of Declaring the Beach in St. Johns County a Public Highway in the Court, was published in said newspaper in the issues of February 20, 1941.

Affiant further says that the said St. Augustine Observer is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each week, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

J. H. TURNER,
Editor.

Sworn to and subscribed before me this 24th day of February, A. D. 1941.

(Seal) HELEN GUENTHER,
Notary Public.

My Commission Expires Oct. 8, 1941.

NOTICE

NOTICE is hereby given of the intention to apply to the Legislature of the State of Florida at its regular session in April, 1941, for the passage of an Act declaring the beach of the Atlantic Ocean between high and low water mark in St. Johns County, Florida, except that part of said beach lying within the corporate limits of the City of St. Augustine, to be a public highway, but subject to any right of the public to use of the same for bathing and recreation, and placing said beach as such highway under the jurisdiction, supervision,

regulation and control of the Board of County Commissioners of St. Johns County, Florida, with the power to cause obstructions to be removed from said beach, and to restrain and regulate the use and occupation of said beach for the protection of the public and of life and property, provided that nothing in such Act shall be construed as prohibiting the use of said beach for flying machines.

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Which was read the first time by title only.

Senator Shepherd moved that the rules be waived and Senate Bill No. 136 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 136 was read the second time by title only.

Senator Shepherd moved that the rules be further waived and Senate Bill No. 136 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. 136 was read the third time in full.

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

Yeas—Mr. President; Senators Adams (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 and Wilson—38.

Nays—None.

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

By Senator Shepherd—

Senate Bill No. 137:

A bill to be entitled An Act prohibiting any person or persons from taking, killing or hunting any migratory or nonmigratory bird and any game animal and fur-bearing animal within the State which are declared to be the property of the State of Florida by Chapter 13,644, Laws of Florida, Acts of 1929, which are within any field, pasture, plantation, refuge or other land area which embraces more than one thousand acres of contiguous land, and which is fenced or posted by the owner or owners in such a manner that the general public is excluded from hunting said birds and game animals belonging to the state, without written consent, and providing a penalty for the violation hereof and for the enforcement of this Act.

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

By Senator Shepherd—

Senate Bill No. 138:

A bill to be entitled An Act prohibiting in St. Johns County, Florida, the pursuing, taking, hunting or killing of any fox squirrel at any time in said county for a period of five years, commencing with the 1941-1942 open season and ending with the beginning of the 1946-1947 open season, and providing that any person violating same shall be guilty of a misdemeanor and repealing all laws in conflict herewith.

Which was read the first time by title only.

Senator Shepherd moved that the rules be waived and Senate Bill No. 138 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 138 was read the second time by title only.

Senator Shepherd moved that the rules be further waived and Senate Bill No. 138 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. 138 was read the third time in full.

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

Yeas—Mr. President; Senators Adams (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, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

By Senator Shepherd—

Senate Bill No. 139:

A bill to be entitled An Act to require any person killing any deer in St. Johns County, Florida, to report each such deer killed to the County Judge of said County, or to a duly commissioned game warden or deputy warden under the Laws of the State of Florida, or to the Sheriff of St. Johns County, Florida, or to a Deputy Sheriff of said county and prohibiting the dismemberment or mutilation of any deer so killed in said county so as to prevent the determination of its sex prior to the time of the killing thereof has been reported, and a written certificate of the fact of such reporting and permit to dismember such deer, obtained from such officer; requiring such officers to give such written certificate and permission to dismember upon production to them of the carcass of such animal for inspection to determine if it were such an animal as it was then lawful to kill in said county; and providing that any person violating same shall be guilty of a misdemeanor and repealing all laws in conflict herewith.

The following proof of publication was attached to Senate Bill No. 139 when it was introduced in the Senate:

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:

A bill to be entitled An Act to require any person killing any deer in St. Johns County, Florida, to report each such deer killed to the County Judge of said county, or to a duly commissioned Game Warden or Deputy Game Warden under the Laws of the State of Florida, or to the Sheriff of St. Johns County, Florida, or to a Deputy Sheriff of said county and prohibiting the dismemberment or mutilation of any deer so killed in said county so as to prevent the determination of its sex prior to the time of the killing thereof has been reported, and a written certificate of the fact of such reporting and permit to dismember such deer, obtained from such officer; requiring such officers to give such written certificate and permission to dismember upon production to them of the carcass of such animal for inspection to determine if it were such an animal as it was then lawful to kill in said county; and providing that any person violating same shall be guilty of a misdemeanor and repealing all laws in conflict herewith.

ST. JOHNS COUNTY SPORTSMEN'S LEAGUE.

M7—Adv.

THE ST. AUGUSTINE RECORD

Published Sunday and Every Afternoon
Except Saturday

St. Augustine, St. Johns County, Florida.

STATE OF FLORIDA,)
COUNTY OF ST. JOHNS.)

Before the undersigned authority personally appeared A. H. Tebault who on oath says that he is Business Manager of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement, being a Notice of Proposed Legislation in the matter of An Act to Require Any Person Killing Any Deer in St. Johns County, Florida, to Report Each Such Deer Killed to the County Judge in the Court, was published in said newspaper in the issues of March 7, 1941.

Affiant further says that the said St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper has heretofore been continuously published in said St. Johns County, Florida, each day, except Saturdays, and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

A. H. TEBAULT,
Business Manager.

Sworn to and subscribed before me this 8th day of March, A. D. 1941.

GLADYS STEVENS,

(Seal)

Notary Public, State of Florida at Large.
My Commission Expires Feb. 15, 1945.

Which was read the first time by title only.

Senator Shepherd moved that the rules be waived and Senate Bill No. 139 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 139 was read the second time by title only.

Senator Shepherd moved that the rules be further waived and Senate Bill No. 139 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. 139 was read the third time in full.

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

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Chett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

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

By Senators Adams (30th), and Hinely—

Senate Bill No. 140:

A bill to be entitled An Act to Amend Section 12 of Chapter 17808, Laws of Florida, Acts of 1937, as Amended by Section 2 of Chapter 19018 Laws of Florida, Acts of 1939, the same being An Act to promote the planting and production of sea island cotton, and to provide protection for growers and producers thereof, and providing for the administration and enforcement of said Act, and making an annual appropriation for carrying out its provisions, and providing penalties and punishment for violation thereof.

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

By Senator Johnson—

Senate Bill No. 141:

A bill to be entitled An Act to Amend Section 3191, Revised General Statutes of Florida, 1920, the same being Section 4983, Compiled General Laws of Florida, 1927, relating to divorce and stating the grounds therefor.

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

By Senator Shands—

Senate Bill No. 142:

A bill to be entitled An Act granting a pension to E. R. Simmons of Alachua County, Florida.

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

By Senator King—

Senate Bill No. 143:

A bill to be entitled An Act relating to General Elections and providing a method of voting a straight party ticket.

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

By Senator Shuler (By request)—

Senate Bill No. 144:

A bill to be entitled An Act to provide punishment for the exhibition in the same enclosure of animals which by their natural instincts are antagonistic to each other.

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

By Senator Shuler (By request)—

Senate Bill No. 145:

A bill to be entitled An Act making the baiting or fighting of birds or animals, or the keeping of a place therefor, a misdemeanor, providing for the punishment thereof and for the seizure of implements used in such fights.

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

By Senator Shuler (By request)—

Senate Bill No. 146:

A bill to be entitled An Act defining roadside menageries for the supervision and control thereof, for the issuing of licenses therefor, and for the punishment for the failure to secure such licenses.

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

By Senator Whitaker—

Senate Bill No. 147:

A bill to be entitled An Act to amend Chapter 18999 of the Laws of Florida, Acts of 1939, being An Act to amend Section 35 of Chapter 16103 of the Laws of Florida, Acts of 1933, the same being An Act relating to wills and the probate thereof, to descent and distribution of decedents' estates, to dower, to the administration of decedents' estates and the practice and procedure relating thereto, to revise and consolidate the law relating to the estates of decedents, and to repeal all laws and statutes in conflict therewith, as amended by Chapter 17171 of the Laws of Florida, Acts of 1935, and as further amended by Chapter 18066, Laws of Florida, Acts of 1937, which amendment, however, shall provide for the dower of a widow in realty and personalty, ratably subject to the debts of the estate of the decedent, along with the remainder of the estate, and shall further provide that if a decedent be survived by a widow and lineal descendants and none of such lineal descendants are also lineal descendants of such widow, then, in that event, this amendment provides that such widow shall be limited to a child's part, where the decedent died interstate.

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

By Senator Whitaker—

Senate Bill No. 148:

A bill to be entitled An Act to encourage exploration for petroleum oil and/or gas in the State of Florida and to provide for and authorize a bonus to be paid to the explorer and operator who may succeed in completing the first producing petroleum oil and/or gas well in the State of Florida producing oil and/or gas in commercial quantities; to set up and designate the fund from which such bonus shall be paid and also to provide for a reward in leases hereby authorized to be made and executed by the Board of Trustees of the Internal Improvement Fund or the Board of Commissioners of State Institutions to the explorer or operator successfully completing the first producing petroleum oil and/or gas well in Florida producing oil and/or gas in commercial quantities.

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

By Senator Whitaker—

Senate Bill No. 149:

A bill to be entitled An Act to authorize the Trustees of the Internal Improvement Fund of Florida, the Board of Commissioners of State Institutions of Florida and the State Board of Education of Florida to negotiate, sell and convey lease-hold estates and to make, execute and deliver lease contracts commonly known as petroleum oil and gas leases and to sell and convey any and all of the petroleum oil and/or gas and/or any other mineral lying in or under any lands or water bottoms in this State, the legal title to which lands or water bottoms is vested by law or otherwise in either of such State Boards.

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

By Senator Beall—

Senate Bill No. 150:

A bill to be entitled An Act relating to and regulating certain classes of insurance agents and solicitors; to provide for the examination and licensing of such insurance agents and solicitors; fixing the fees to be paid therefor and the appropriation thereof; to provide for the suspension or revocation of such licenses and the procedure thereunder; to make it unlawful to engage in the business of an insurance agent or solicitor without having first procured a license; to prescribe qualifications of an insurance agent or solicitor, and the powers and duties of the State Treasurer or Insurance Commissioner in determining same, and prescribing certain additional

qualifications of agents in cities and towns having certain populations; to require the payment of certain license taxes and qualification fees; to provide for the expense of the administration of this Act; to prohibit insurers from effecting contracts of insurance, or giving compensation therefor except to duly licensed agents under this Act; to provide penalties for the violation of the provisions of this Act; to amend Section 1 of Chapter 17,069, Laws of Florida, Acts of 1935; to amend Section 2 of Chapter 17,069, Laws of Florida, Acts of 1935; to amend Section 4 of Chapter 17,069, Laws of Florida, Acts of 1935; to amend Section 5 of Chapter 14,741, Laws of Florida, Acts of 1931; which said sections of said Acts to be amended relate to the subject matter hereinabove set forth; and to repeal all laws in conflict herewith.

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

By Senator Cooley—

Senate Bill No. 151:

A bill to be entitled An Act relating to primary elections, providing for the names of candidates for the office of President of the United States to be placed on the primary ballot under certain conditions and to provide that candidates for nomination to the office of presidential elector may be placed on the primary election ballot or not as determined by the State Executive Committee or a recognized political party, and repealing any provisions inconsistent therewith.

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

By Senator Kelly—

Senate Bill No. 152:

A bill to be entitled An Act authorizing the State Road Department of Florida to acquire by purchase, or otherwise, a toll road known as Hecksher Drive in Duval County, Florida; to extend said road from Duval County to the city limits of Fernandina, in Nassau County, Florida; and to declare, designate and establish said road, as extended, as a State road.

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

By Senator Kelly—

Senate Bill No. 153:

A bill to be entitled An Act to prohibit the sale, offering or exposing for sale of fireworks; defining fireworks and to regulate the manner of using fireworks, and to provide penalties for the violation of the provisions of this Act.

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

By Senator Collins—

Senate Bill No. 154:

A bill to be entitled An Act authorizing each of the Circuit Judges of the Second Judicial Circuit to employ a stenographer; fixing their term of employment; and providing for payment of compensation to such stenographers out of the appropriation for the necessary and regular expenses of the Judicial Department.

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

By Senator Rose—

Senate Bill No. 155:

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

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

By Senator Rose—

Senate Bill No. 156:

A bill to be entitled An Act relating to state officers: Prohibiting such officers from becoming candidates for other offices during their terms of office without resigning therefrom at least ninety days before the primary election; rendering said officers thereafter ineligible to appointment or election to any state office during the term for which originally elected or appointed; and further defining state offices and state officers.

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

By Senator Whitaker—

Senate Bill No. 157:

A bill to be entitled An Act authorizing and empowering the Boards of Public Instruction in counties having a population of not less than 100,000 and not more than 200,000, according to the last Federal census, to borrow funds to pay teachers' salaries and transportation costs during the last two weeks of the nine months' school term in an emergency as defined herein, and providing that such boards may pledge as security for such loan bonds and coupons which were taken in payment of delinquent taxes, and in tax adjustments pursuant to the provisions of Chapter 16252, Laws of Florida, Acts of 1933, as amended by Chapter 17400, Laws of Florida, Acts of 1935, and which bonds and coupons are now the property of and in the possession of such boards pursuant to Chapter 19372, Laws of Florida, Acts of 1939, or other provisions of law; restricting such pledge to times of emergency and defining emergency; limiting the period of obligations so incurred by such boards; and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 157 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 157 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 157 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. 157 was read the third time in full.

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

Yeas—Mr. President; Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kan-ner, 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, title as stated, and the action of the Senate was ordered to be certified to the House of Representatives immediately, by waiver of the rule.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla., April 16, 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. 4:

A RESOLUTION URGING THE CIVIL AERONAUTICS BOARD OF THE UNITED STATES TO GRANT THE APPLICATION OF EASTERN AIR LINES, INC., FOR A CERTIFICATE TO ENGAGE IN TEMPORARY AIR TRANSPORTATION BETWEEN AND THROUGH TALLAHASSEE, OCALA AND ORLANDO, FLORIDA.

WHEREAS, it has come to the attention of the Legislature that Eastern Air Lines, Inc., has made application to the Civil Aeronautics Board of the United States Government for authority of said airline to immediately commence the operation of two round-trip schedules per day in, between and through Tallahassee, Ocala and Orlando, Florida, in such a way as to provide continuous and direct air transportation all the way between Miami, West Palm Beach, Vero Beach, Orlando, Ocala, Tallahassee and points beyond; and,

WHEREAS direct air transportation of persons, property and mail over the proposed route will greatly facilitate the travel and business of those in central and south Florida who find it both necessary and desirous to travel to and from Tallahassee, the capital of the State, on official business with a minimum of time away from their respective homes and places of business, especially at this time when the State Legislature is in session; and,

WHEREAS the proposed extension will render to the members of the Legislature of the State of Florida, which con-

vened on April 8, 1941 for a sixty-day session and who will be traveling to and from the State Capitol at Tallahassee in connection with their constitutional duties during said legislative session a greatly needed and desired direct passenger and air mail service.

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

Section 1 That the Civil Aeronautics Board of the United States Government be and it is hereby respectfully petitioned, urged and requested to promptly grant the pending application of Eastern Air Lines, Inc. for authority to immediately commence the operation of two round-trip schedules per day in, between and through Tallahassee, Ocala and Orlando, Florida in such a way as to provide continuous and direct air transportation all the way between Miami, West Palm Beach, Vero Beach Orlando, Ocala Tallahassee and points beyond and return.

Section 2 That upon the adoption of this resolution by both the House of Representatives and the Senate, the Secretary of the Senate shall immediately transmit certified copies thereof to the Civil Aeronautics Board of the United States, the Post Office Department of the United States, United States Senators Charles O. Andrews and Claude Pepper and United States Congressmen from Florida, Lex Green, Pat Cannon, Joe Hendricks, Hardin Peterson and Robert Sikes.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 4, contained in the above message, was referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla., April 16, 1941.

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

I am directed by the House of Representatives to inform the Senate that the Speaker of the House of Representatives has appointed Messrs. McLane of Escambia, Cray of Martin, Holt of Dade, and Morrow of Palm Beach as a committee on the part of the House to act with a committee on the part of the Senate in accordance with the provisions of—

Senate Concurrent Resolution No. 5:

A Concurrent Resolution relating to the appointment of a special joint committee to study the revision, compilation, and consolidation of all the central statutes of Florida prepared by the Attorney General pursuant to Chapter 19140, Laws of Florida, Acts of 1939.

WHEREAS, the Legislature of the State of Florida by Chapter 19140, Laws of Florida, Acts of 1939, did authorize and instruct the Attorney General to prepare a complete revision, compilation, and consolidation of all the General Statutes of Florida in force, of a permanent nature, and

WHEREAS, such compilation and revision of such statutes has been substantially prepared by the Attorney General of the State of Florida, now therefore

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

That a Special Joint Committee composed of four members of each body of this Legislature be appointed to inspect and study the compilation of all the General Statutes of Florida, prepared by the Attorney General of the State of Florida under the authority of and pursuant to Chapter 19140, Laws of Florida, Acts of 1939 and that such Joint Committee confer with the Attorney General of the State of Florida on all matters relating to such compilation and consolidation of such General Statutes.

Very respectfully,
BEN H. FUQUA,

Chief Clerk House of Representatives.

The President announced the appointment of Senators Collins, Ward Dye and Beall as the Committee on the part of the Senate, pursuant to Senate Concurrent Resolution No. 5.

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

Tallahassee, Florida,
April 17, 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 passed:

House Bill No. 4:

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.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 4, contained in the above message, was read the first time by title only and referred to the Committee on County Organizations.

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

Tallahassee, Florida,
April 17, 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 passed:

House Memorial No. 3:

A Memorial memorializing Congress to consider locating munitions plants in the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Memorial No. 3, contained in the above message, was read the first time in full.

Senator Shepherd moved that the rules be waived and House Memorial No. 3 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Memorial No. 3 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to.

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

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

Tallahassee, Florida,
April 17, 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 passed—

House 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 or 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

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assure the availability of safe and sanitary dwellings for persons engaged in National Defense activities.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 5, contained in the above message, was read the first time by title only and referred to the Committee on County Organizations.

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

Tallahassee, Florida,
April 17, 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 passed by the required Constitutional two-thirds vote of all members of the House of Representatives present on April 16, 1941, the Governor's objection to the contrary notwithstanding:

Committee Substitute for House Bill No. 579 (1939 Session):

An Act to prescribe the maximum weight, width, length and height of certain motor vehicles operated on the public highways of the State of Florida, and relating to the operation of motor vehicles, and placing a maintenance tax thereon.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 579 (1939 Session), contained in the above message, was read by title together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida.

State of Florida
EXECUTIVE DEPARTMENT

Tallahassee, June 10th, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Florida.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto Committee Substitute for House Bill No. 579, entitled:

"An Act to prescribe the maximum weight, width, length and height of certain motor vehicles operated on the public highways of the State of Florida, and relating to the operation of motor vehicles, and placing a maintenance tax thereon."

1. This bill raises the permissible weights of single trucks operated on State highways to 24,000 pounds and vehicles in combination to 40,000 pounds. It also provides for ten per cent overweight where the vehicle has six pneumatic tires in contact with the road.

2. The State has more than \$200,000,000 invested in its highways. A very high gas tax is being paid to build and maintain the roads and bridges of the State. The Engineers of the State Road Department advise that many bridges on the main highways are not able to withstand the increased truck weights allowed under this bill.

3. The roads are now being destroyed rapidly by heavy trucks and if we are to maintain our roads for all vehicular travel, the most of which is in passenger vehicles there must be some reasonable limit to the weight of trucks as well as limitations upon their speed. Many trucks run fifty and sixty miles per hour, never slowing down when crossing bridges. With the increased weights under this bill, these fast moving trucks will wreck and destroy many of our outmoded bridges as well as tear up pavements of the road way, which were not built to withstand same.

4. It is now costing many thousands of dollars to keep the roads in repair and many of our present roads must be built in the next few years and with this added tonnage, it makes the condition more serious. We should not do anything that will add to the cost of road repair and construction especially since there is a Legislative disposition to take away from the

Road Department a large percentage of the revenue collected from the traveling public.

5. This bill fails to take into consideration the safety of the traveling public. These large heavy trucks are a menace to public safety and will be until we are able to widen our highways sufficiently to properly safe-guard all classes of traffic.

6. It is true that the bill places a maintenance tax on trucks of \$50.00 after they exceed 18,000 pounds per single unit and 40,000 pounds in combination but in my opinion the small amount of revenue that will be derived from this source will be entirely inadequate and of very little assistance in remedying the damage that will result from increasing the weight of trucks, therefore, I veto this bill.

Respectfully submitted,
FRED P. CONE,
Governor.

Senator Cooley moved that the rules be waived and the Senate take up and consider House Bill No. 579 (1939 Session) at this time.

Which was agreed to by a two-thirds vote.

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

Upon the passage of the bill 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, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Whitaker, Wilson—36.

Nays—None.

So House Bill No. 579 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
April 17, 1941.

Hon. John R. Beacham,
President of the Senates

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all members of the House of Representatives present on April 15, 1941, the Governor's objection to the contrary notwithstanding.

House Bill No. 655:

A bill to be entitled An Act to declare, designate and establish certain State roads in Gulf County, Florida.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 655 (1939 Session), contained in the above message, was read by title together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida.

State of Florida
EXECUTIVE DEPARTMENT
Tallahassee
June 8th, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to the authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, House Bill No. 655, entitled:

"AN ACT TO DECLARE, DESIGNATE AND ESTABLISH CERTAIN STATE ROADS IN GULF COUNTY, FLORIDA."

This bill seeks to designate twenty-eight roads in one County as State Roads without regard to expense to the State Road Department or the feasibility of the need of the roads,

whether the roads are desired or whether they are useful to the people of the County, to commerce or to the traveling public.

The roads designated are so indefinite that no persons knows whether they are needed or will ever be needed for years to come, in fact, it would be impossible for the State Road Department to build or construct these roads and after they were constructed there would never be enough gas tax money in Florida to keep them in repair, much less build bridges over the streams and waterways in order to haul commerce and accommodate traffic.

If we are ever to have roads in Florida, we must have an orderly system of building, according to specifications by qualified engineers and not only the roads but the bridges must be constructed so as to withstand traffic.

A road system of this kind should not be started until a general plan of building, according to the needs of each County in Florida has been made, then it should be placed in one bill, so that each County could get its fair share of roads designated and an equal amount of the gas taxes for building of such roads necessary for the convenience of the public, commerce and the people in the section through which these roads pass.

The number of roads mentioned in this bill will hardly be useful to the County, its people or to the traveling public, therefore, I veto House Bill No. 655, as passed by the Legislature of 1939.

Respectfully submitted,
(Signed) FRED P. CONE,
Governor.

Senator Adams (25th) moved that the rules be waived and the Senate take up and consider House Bill No. 655 (1939 Session) at this time.

Which was agreed to by a two-thirds vote.

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

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

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

So House Bill No. 655 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
April 17, 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 passed by the required Constitutional two-thirds vote of all members of the House of Representatives present on April 15, 1941, the Governor's objection to the contrary notwithstanding:

House Bill No. 1036:

A bill to be entitled An Act designating and establishing certain roads in Holmes County, Florida, as State Roads.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 1036 (1939 Session), contained in the above message, was read by title together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida.

State of Florida
EXECUTIVE DEPARTMENT
Tallahassee

June 9th, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to the authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, House Bill No. 1036, entitled:

"AN ACT DESIGNATING AND ESTABLISHING CERTAIN ROADS IN HOLMES COUNTY, FLORIDA, AS STATE ROADS."

This bill seeks to designate one hundred thirty-nine roads in one County as State Roads without regard to expense to the State Road Department or the feasibility of the need of the roads, whether the roads are desired or whether they are useful to the people of the County, to commerce or to the traveling public.

The roads designated are so indefinite that no persons knows whether they are needed or will ever be needed for years to come, in fact, it would be impossible for the State Road Department to build or construct these roads and after they were constructed there would never be enough gas tax money in Florida to keep them in repair, much less build bridges over the streams and waterways in order to haul commerce and accommodate traffic.

If we are ever to have roads in Florida, we must have an orderly system of building, according to specifications by qualified engineers and not only the roads but the bridges must be constructed so as to withstand traffic.

A road system of this kind should not be started until a general plan of building, according to the needs of each County in Florida has been made, then it should be placed in one bill, so that each County could get its fair share of roads designated and an equal amount of the gas taxes for building of such roads necessary for the convenience of the public, commerce and the people in the section through which these roads pass.

The number of roads mentioned in this bill will hardly be useful to the County, its people or to the traveling public, therefore, I veto House Bill No. 1036, as passed by the Legislature of 1939.

Respectfully submitted,
(Signed) FRED P. CONE,
Governor.

Senator Drummond moved that the rules be waived and the Senate take up and consider House Bill No. 1036 (1939 Session) at this time.

Which was agreed to by a two-thirds vote.

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

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

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—35.

Nays—None.

So House Bill No. 1036 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

SENATE BILLS ON SECOND READING

By Senators Wilson, Collins, and Shands—
Senate Bill No. 78:

A bill to be entitled An Act relating to the reduction of fire hazards on buildings owned and controlled by the State Board of Education, Board of Commissioners of State Institutions or the State Board of Control, and authorizing the State Treasurer to advance surplus funds in the State Fire Insurance Fund for the accomplishment thereof and making appropriations therefor.

Was taken up in its order.

June 6th, 1939.

Senator Wilson moved that the rules be waived and Senate Bill No. 78 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 78 was read the second time by title only.

Senator Wilson moved that the rules be further waived and Senate Bill No. 78 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. 78 was read the third time in full.

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

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Linder, Maddox, Maines, McKenzie, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—36.

Nays—None.

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

Senator Beall moved that the rules be waived and when the Senate adjourns it recess until 8:00 o'clock P. M., this day, for the purpose of conducting memorial services.

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

Senator Whitaker now presiding.

By Senator Beall—

Senate Resolution No. 2:

WHEREAS, the Senate has enjoyed the excellent oranges provided by Senator John S. Taylor, Jr., NOW, THEREFORE, BE IT RESOLVED, that the Senate extends its thanks and appreciation therefor to Senator Taylor.

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. 2 was adopted.

Senator Cooley moved that a committee be appointed to escort Honorable Truman G. Futch, former Senator from the 23rd District and a past President of the Senate, to a seat on the rostrum.

Which was agreed to.

And the presiding officer appointed Senators Cooley, Perdue and Butler as the committee.

By Senator Lewis—

Senate Resolution No. 3:

WHEREAS, the members of the Senate were the guests of Senator Dan Kelly and the Delegates from Nassau County; and Senator Shepherd and the delegation from St. Johns County, in the House of Representatives at a Fernandina Shrimp Supper.

BE IT RESOLVED, by the Senate of the State of Florida that its appreciation and enjoyment of the excellent Fernandina and St. Johns County Shrimp and of their hospitality is hereby expressed.

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. 3 was adopted.

Senator Beacham moved that the rules be waived and the Senate take up and consider Senate Bill No. 578 (1939 Session) at this time.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 578 (1939 Session):

A bill to be entitled An Act relating to the requirements to do business in the State of Insurance Companies transacting the business of fidelity and surety; and to permit such companies to make cash deposits as a condition to the doing of such a business in Florida.

Was taken up and read by title together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 578, entitled:

"A bill to be entitled An Act relating to the requirements to do business in the State of insurance companies transacting the business of fidelity and surety; and to permit such companies to make cash deposits as a condition to the doing of such a business in Florida."

This bill seeks to deprive the State Treasurer of being the Depository for all funds and collateral of every nature for a licensed insurance company to do business in this State and attempts to amend the General Laws for one particular insurance company.

It requires the State Treasurer to accept a receipt from a National or State Bank for cash deposited, which is contrary to the General Laws controlling deposits for insurance companies, for the protection of the insured. This bill takes one particular company outside the provisions of the General Laws which is contrary to law.

This bill seeks to require the State Treasurer in lieu of taking bonds, money or other collateral to accept a bare receipt from a bank showing that such money was deposited in a bank and by this act the bank would be perpetually designated as a depository and all the State would have for the protection of the insurers would be a receipt from the said bank.

The law requires that the Insurance Companies shall deposit with the State Treasurer collateral to the market value of \$75,000 and then, if the State Treasurer in his discretion wants to re-deposit it in a bank and let the bank put up collateral in addition to the receipt, then the matter would be a protection to the insured, but as this bill is framed the money would be put in a bank, a receipt issued and delivered to the State Treasurer, which would be all the State Treasurer would have for the protection of the insured from the proposed Insurance Company.

Section 1 of the bill refers to Chapter 13321, Laws of Florida, Acts of 1927, which is a Special Law pertaining to Polk County, Florida, and has no connection with Insurance Companies.

For the above reasons, I veto this bill.

Respectfully submitted,

FRED P. CONE,

Governor.

The presiding officer put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of the bill 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, Linder, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—Senator Lewis—1.

So Senate Bill No. 578 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Beacham moved that the rules be waived and the Senate take up and consider Senate Bill No. 61 (1939 Session) at this time.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 61 (1939 Session):

"A bill to be entitled An Act amending Section 4339 of the Revised General Statutes of Florida, 1920, as amended by Chapter 12321, Laws of Florida, Acts of 1927, relating to the requirements to do business in the State, of Surety Companies."

Was taken up and read by title, together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida.

June 9th, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 61, entitled:

"A bill to be entitled An Act amending Section 4339 of the Revised General Statutes of Florida, 1920, as amended by Chapter 12321, Laws of Florida, Acts of 1927, relating to the requirements to do business in the State, of surety companies."

This bill seeks to require the State Treasurer to accept in lieu of a bonding company depositing \$75,000 worth of government bonds or other acceptable security with him, bonds of another surety company of \$75,000 which is authorized to do business in the State.

All the Treasurer would have for security for the insured with the proposed company would be a surety bond of some other surety company and the insurers would be dependent upon the cash value of same.

It would be subject to all technicalities usually written in a surety bond and is not proper security for firms and persons desiring to do a surety business.

The fees charged by the surety companies in this State are certainly enough for the price being paid to protect the insured, therefore, I veto Senate Bill No. 61, passed by the 1939 session of the Legislature.

Respectfully,
FRED P. CONE,
Governor.

The presiding officer put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of the bill 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, Maddox, Maines, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker and Wilson—35.

Nays—Senator Lewis—1.

So Senate Bill No. 61 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Ward moved that the rules be waived and the Senate take up and consider Senate Bill No. 1000 (1939 Session) at this time.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 1000 (1939 Session):

"A bill to be entitled An Act for the relief of Alberto Camero."

Was taken up and read by title, together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida.

June 10th, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Fla.,

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 1000, entitled:

"A bill to be entitled An Act for the relief of Alberto Camero."

The State of Florida is without any funds with which to pay this claim, and the Legislature failed and omitted to provide any source of revenue from which the said claim could be paid, therefore, I veto said bill.

Respectfully,
(Signed) FRED P. CONE,
Governor.

The presiding officer put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon passage of the bill 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, Hinely, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So Senate Bill No. 1000 (1939 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered to be certified to the House of Representatives.

Senator Graham moved that the rules be waived and the Senate take up and consider Senate Bill No. 444 (1939 Session) at this time.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 444 (1939 Session):

"A bill to be entitled An Act for the relief of M. F. Comer Bridge and Foundation Company."

Was taken up and read by title together with the following objections thereto of the Honorable Fred P. Cone, former Governor of Florida.

June 6th, 1939.

Honorable R. A. Gray,
Secretary of State,
Tallahassee, Fla.

Dear Mr. Gray:

Pursuant to authority vested in me as Governor of Florida under the provisions of Section 28, Article III of the Constitution of this State, I transmit to you with my objections thereto, Senate Bill No. 444, entitled:

"A bill to be entitled An Act for the relief of the M. F. Comer Bridge and Foundation Company."

The FERA, upon which this claim is based, was a Federal and not a State Agency and the State of Florida could not be held responsible for hurricanes or things caused by an Act of God, no more that it could be, had the barge in question been destroyed by an earthquake. Under the decision of the Supreme Court, the State of Florida is not liable for an Act of God.

The FERA expended approximately \$5,000 raising this barge and rebuilding it for the M. F. Comer Bridge and Foundation Company after the storm, besides it paid this Company \$27.00 a day as rental for the period of time used in rebuilding the barge, which amounted to \$7,779.55.

The M. F. Comer Bridge and Foundation Company introduced in Congress a claim for this barge, which was not allowed and this company has tried at every session of the Legislature since to get a bill through and it has been unsuccessful until the present time.

The State Welfare Board has investigated every phase of this claim and can find no foundation for the payment of same and if there was any responsibility at all, it was a liability of the United States Government and not the State of Florida. I, therefore, veto this bill.

Respectfully submitted,
FRED P. CONE,
Governor.

The presiding officer put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Pending roll call on the passage of Senate Bill No. 444 (1939 Session), Senator Maines moved that the further consideration thereof be informally passed.

Which was agreed to and it was so ordered.

The hour of adjournment having arrived a point of order was called and the Senate took a recess at 1:22 o'clock P. M., until 8:00 o'clock P. M., this day.

NIGHT SESSION

Pursuant to motion made by Senator Shands on April 10, 1941, the Senate reconvened at 8:00 o'clock P. M., for the purpose of memorializing and honoring those former members of the Senate who have passed away since the last biennial session of the Legislature.

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, Maddox, Maines, McKenzie, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—38.

A quorum present.

Invocation by the Senate Chaplain, Reverend William Henry Williams.

INTRODUCTION OF SENATE RESOLUTIONS

By Senators Adams (25th), Adams (30th), Beacham, 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—

Senate Resolution No. 5:

WHEREAS Almighty God in His divine providence has removed from the scene of action Honorable William J. Epperson, a former Senator from the Twenty-first District, who served his district and the State of Florida capably and ably, and

WHEREAS, the Honorable W. J. Epperson was a member of a pioneer family of Florida, much interested in the development of its resources and encouraging good citizenship, and

WHEREAS, this venerable gentleman, splendid citizen, patriot and legislator, at all times had a keen interest in the making of laws and in the welfare of the State of Florida and its citizens,

THEREFORE, BE IT RESOLVED by the Senate of the State of Florida, that in the passing of the Honorable W. J. Epperson the State of Florida lost a valuable citizen, a man who at all times was interested in the welfare of the State and its citizens, and in his going the State has sustained a great loss.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journal of the Senate and that a copy thereof be forwarded to his bereaved family by the Secretary of State under the Great Seal of the State with the condolences of this Body.

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. 5 was adopted.

By Senators Adams (25th), Adams (30th), Beacham, 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—

Senate Resolution No. 6:

Your Committee of the Florida State Senate, appointed to prepare suitable resolutions upon the death of our former fellow-member, James Wilcox Turner, whose death occurred on the 20th day of June, 1940 at Cedar Key, Florida, beg to report as follows:

James Wilcox Turner, the son of Elias Turner and Sophronia Turner, was born in Wilcox County, Georgia, on the 8th day of March, 1878; when a young boy, his parents moved to Polk County, Florida, and in a short while he became a resident of Levy County, Florida, where he spent the remainder of his life.

He graduated in the Academic Department of John B. Stetson University in 1901, and from the Medical Department of Tulane University in 1904. His whole professional life was spent in Levy County; he was regarded as one of the leading physicians in that section of Florida and at different times resided at Otter Creek, Cedar Key and Chiefland.

In 1921 he was elected Senator from Levy County and served continuously from 1921 through the session of 1935. As a Senator he was regarded as an authority upon legislation affecting public health and conservation, particularly, conservation of fish, game and forests. He also had extensive business connections in Levy County where at the time of his death he was engaged in Naval Stores, farming and banking operations.

He was married first to Edith Peacock of Bronson, Florida;

upon her death, he was married the second time to Virginia Tooke of Cedar Key, Florida.

Senator Turner left surviving him besides his widow, the following children: James Turner and Julian Turner of Chiefland, Gilbert Turner, Margaret Turner and Sara Turner of Cedar Key a brother, Dr. Smith L. Turner of Williston, and two sisters, Mrs. E. P. Bowen and Mrs. I. W. Bowen, now deceased of Tifton Georgia.

WHEREAS Almighty God in His divine wisdom has seen fit to take from among us our honored and beloved former member the Honorable James Wilcox Turner, late a Senator from the twenty-first District of Florida, who, by his courage, courtesy, integrity and distinguished ability, had endeared himself to all who knew him, either in person or by reputation, a man whom we all admired and loved, and in whose counsel and wisdom we had learned to confide. Who to his friends was always fair, and to his opponents considerate and in his devotion to every duty was firm and unswerving, and

WHEREAS, by his untimely passing the State of Florida lost one of her most able citizens, who going shall not soon be replaced:

THEREFORE, BE IT RESOLVED by the Senate of the State of Florida in session assembled, that the Senate has learned with deep sorrow and regret of the passing of the Honorable James Wilcox Turner.

BE IT FURTHER RESOLVED that in the death of former Senator James Wilcox Turner, the State of Florida and this Body have lost a true friend, a most valuable citizen and outstanding statesman.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate, and a copy thereof be transmitted by the Secretary of State under the Great Seal of Florida to the family of James Wilcox Turner.

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. 6 was adopted.

By Senators Adams (25th), Adams (30th), Beacham, 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—

Senate Resolution No. 7:

WHEREAS on December 24, 1939, the final summons came to Honorable S. D. Harris, a former Legislator and former member of this Senate, and an outstanding citizen of Florida; and

WHEREAS by his death the State of Florida has lost a most valued and patriotic citizen who has long served her interests; and

WHEREAS, it is fitting that the example of his worthwhile life should be recognized by the Senate in which he served as a public official and Legislator, and be attended with expressions thereof to be recorded in the Journal of this Session; NOW, THEREFORE

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA that the Senate does hereby record this memorial and expression of bereavement upon the death of the Honorable S. D. Harris, of Pinellas County, Florida;

IN MEMORIAM—S. D. HARRIS

S. D. Harris was born in Sumterville, Sumter County, Florida, April 6, 1867. He was the son of Thomas and Permelia Harris. In 1869 he moved to what is now Pinellas County west of Largo, and resided in Pinellas County until the time of his death in December, 1939. In 1889 he was married to Emma Cone then of Hamilton County, who is now a resident of St. Petersburg, Florida. In 1905 he moved from the middle portion of the county to St. Petersburg where he resided until his death.

He first became interested in politics in 1909 when he, together with the late Senator John S. Taylor who was then a representative, attempted the creation of Pinellas County. This movement failed at that session but succeeded in the 1911 session as a result of which Pinellas County was created, effective on January 1, 1912. He was elected to the House of Representatives for the session of 1917 and served a total of five regular and at least one special session in the House. He was elected to the Senate for the session of 1931 and after the session resigned to accept the position of Juvenile Judge of Pinellas County to which he was appointed by Gov-

ernor Carlton which position he held until his death. Aside from politics his principal interest was church work. He served continuously as superintendent of a Methodist Sunday School for forty-two years.

BE IT FURTHER RESOLVED that a copy of these resolutions certified by the Secretary of the State of Florida under the Great Seal of the State of Florida be immediately forwarded to his widow, Mrs. S. D. Harris, and his sons, John D. and S. Henry Harris.

BE IT FURTHER RESOLVED that a copy of these resolutions be spread upon a page of the Journal of the Senate of the State of Florida and made a permanent record of this Legislature.

BE IT FURTHER RESOLVED that a copy of these resolutions be forwarded to the family of our deceased colleague by the Secretary of State under the Great Seal of Florida.

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. 7 was adopted.

By Senators Adams (25th), Adams (30th), Beacham, 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—

Senate Resolution No. 8:

WHEREAS on March 28, 1940, the Honorable Robert Lucas Black, the Senator of the Thirty-second District, former Member of the House of Representatives, and an outstanding citizen of Florida, departed this life; and

WHEREAS by his death we have lost the presence of a beloved associate, whose record as a citizen and Legislator stands forth as an example of patriotism and fidelity to public service; and

WHEREAS his useful life, his good deeds and patriotic services are worthy of note at death, and should be recognized and attended with proper expressions to be recorded upon the pages of the history of this State; **NOW, THEREFORE**

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA that the Senate does hereby record this memorial and expression of bereavement upon the death of the Honorable Robert Lucas Black, of Gainesville:

IN MEMORIAM—ROBERT LUCAS BLACK

Born at Bamberg, in the State of South Carolina, September 30, 1883, his early years and youth were passed in his native State. He had a noteworthy public career, in part as follows: He was honored by his fellow citizens by his election to the office of City Councilman of Gainesville, his adopted home, on numerous occasions, serving about ten years, and served with distinction. He was elected a member of the House of Representatives and served during the Session of 1931. Thereafter he was twice elected State Senator of the Thirty-second Senatorial District. He was a life long member of the Democratic Party. He was a prominent, respected and trustworthy naval stores operator, business man, and farmer. His talents and ability, both as a business man and Legislator, were recognized throughout the confines of the State. He numbered his friends by the myriad and among all classes of persons. Florida has lost a respected and valued citizen and a progressive and trustworthy business man. May the regard and affection of this Senate in this record express to the citizens of the State the esteem that he merits by the people of the State for whom he lived and to whose interests he struggled.

BE IT FURTHER RESOLVED that a copy of these resolutions certified by the Secretary of State of Florida under the Great Seal of the State of Florida be immediately forwarded to the bereaved family of Honorable Robert Lucas Black.

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

BE IT FURTHER RESOLVED that a copy of these resolutions be furnished 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. 8 was adopted.

By Senators Adams (25th), Adams (30th), Beacham, 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—

Senate Resolution No. 9:

WHEREAS, in January, 1940, Honorable Frank Adams of Jacksonville, Florida, four times Senator from his District and twice President of the Senate of Florida and a valuable citizen of Florida departed this life; and

WHEREAS, by his patriotism, public service and excellent citizenship are worthy of the attention of this Senate and of the citizens of Florida and should be memorialized with proper appreciation and should be permanently recorded in the history of the State of Florida; **NOW THEREFORE**

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA that the Senate does hereby record this memorial and expression of bereavement upon the death of Honorable Frank Adams of Jacksonville, Florida:

IN MEMORIAM—FRANK ADAMS

Born at White Springs, Hamilton County, Florida, April 11, 1861; educated in the common schools of Florida, a truly self-made man; a respected and honest merchant of Jasper, Florida; a large farmer in Hamilton County, Florida, he removed to Jacksonville, Florida, in 1909 and became President of the Barnett National Bank of Jacksonville in which capacity he served for more than 10 years during which service the institution under his guidance expanded; he was a member of this Senate for 16 years and was twice President of this Senate, a distinction accorded to no other man. A gentleman of the old school, beloved by all to whom known and who knew nearly every one in the State of Florida. Possessed of extraordinary intellect, of the highest principles and of the greatest energy his talents and ability both in the Senate and in the world of business were recognized throughout the State. In his death one of Florida's outstanding sons and citizens has passed. This body holds him in high regard and esteem.

BE IT FURTHER RESOLVED that a copy of these resolutions certified by the Secretary of the State of Florida under the Great Seal of the State of Florida be immediately forwarded to the bereaved family of Honorable Frank Adams.

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

BE IT FURTHER RESOLVED that a copy of these resolutions be furnished 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. 9 was adopted.

By Senators Adams (25th), Adams (30th), Beacham, 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—

Senate Resolution No. 10:

WHEREAS, On Wednesday, June 26th, 1940, the final summons came to Honorable John B. Johnson, one of the Judges of the Circuit Court of the Second Judicial Circuit of Florida, a former State Senator, and former president of the Senate, former Attorney General, and outstanding citizen of Florida; and

WHEREAS, by his death the State of Florida has lost a most valued citizen who has long served her interests, as Legislator, Attorney General and Judge; and

WHEREAS, it is fitting that the example of his worthwhile life should be recognized by the Senate in which he served with distinction and presided over with dignity and fairness, and be attended with expressions thereof to be recorded in the Journal of this Session; **NOW, THEREFORE**

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA that the Senate does hereby record this memorial and expression of bereavement upon the death of the Honorable John B. Johnson, of Tallahassee, Florida;

IN MEMORIAM—JOHN B. JOHNSON

Born at Live Oak, Suwannee County, Florida; served as Mayor of his native City for several years and also served his County in various positions of Trust and Honor; elected State Senator from the 17th Senatorial District for several terms and served as the President of the Senate of Florida at the 1917 Session; served as Attorney General of Florida; served

many years as Circuit Judge of the Second Judicial Circuit of Florida. In all phases of his public service, as well as in his private life, Judge Johnson exhibited the qualifications of simplicity, fairness, integrity and fidelity to his convictions and thus endeared himself to those with whom he came in contact, particularly his fellow Senators, and later the members of the Bar whose privilege it was to practice before him.

BE IT FURTHER RESOLVED that a copy of these resolutions certified by the Secretary of the State of Florida under the Great Seal of the State of Florida be immediately forwarded to the bereaved sons of the Honorable John B. Johnson.

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

BE IT FURTHER RESOLVED that a copy of these resolutions be furnished 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. 10 was adopted.

By Senators Adams (25th), Adams (30th), Beacham, Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kan-ner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—

Senate Resolution No. 11:

WHEREAS, on March 8, 1941, Brigadier General W. A. MacWilliams, distinguished attorney and former member of the State and local bar associations and former member of the State Senate departed this life; and

WHEREAS his patriotism, public service as a lawyer, legislator and citizen command the attention of this Senate and of the citizens of Florida and it is proper that same should be memorialized and that permanent record thereof be made in the history of the State of Florida; NOW THEREFORE

IN MEMORIAM—HONORABLE W. A. MacWILLIAMS.

Born January 9, 1863 at Camden, New Jersey, coming to Florida in 1885, first to Jacksonville and later to St. Augustine. He attended the public schools at Baltimore, Maryland, and Baltimore City College, but at the age of fourteen was compelled to leave school to earn his living. In early manhood he had ambitions to be a lawyer and studied at night after his daily work. He was admitted to the Bar in Baltimore and to the Bar of this State on June 11, 1885, at the age of twenty-two. He was with the organization of the St. Augustine Guards, a military company, being its first lieutenant, and his connection with the militia of the state from that time had been continuous up until a few years ago. He had held the rank of first lieutenant, captain, colonel and brigadier general, and at one time was adjutant general of the state. He was acting adjutant general and had control of the City of Jacksonville immediately after the fire of 1901. Governor Jennings in his message to the legislature paid him a well-deserved tribute for his handling of the situation in Jacksonville. He later was placed on the retired list of the Florida National Guard.

He was one of the organizers of the Florida State Bar Association, and an active member of that body. He was its President in 1912.

During his political career he filled the offices of justice of the peace, county judge, city judge, city attorney, county attorney representative of the Legislature, and a member of the Florida Senate, of which he was president in 1921 and 1922, he having served in the legislature of the state about a quarter of a century.

He always took an active part in matters pertaining to the welfare of the city and state and had many prominent and warm friends throughout Florida and other states. He has been regarded as one of the most successful lawyers of his time.

In his passing this State has lost a valuable citizen.

BE IT FURTHER RESOLVED that a copy of these resolutions certified by the Secretary of the State of Florida under the Great Seal of the State of Florida be immediately forwarded to the bereaved family of Honorable W. A. MacWilliams.

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

BE IT FURTHER RESOLVED that a copy of these resolutions be furnished 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. 11 was adopted.

By Senators Adams (25th), Adams (30th), Beacham, Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kan-ner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, Parker, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—

Senate Resolution No. 12:

WHEREAS the Honorable William C. Hodges of Tallahassee, Leon County, Florida, died on the 17th day of January, 1940; and

WHEREAS the Honorable William C. Hodges was held in the greatest affection and highest esteem by his brother Senators; and

WHEREAS in the death of William C. Hodges the County of Leon and the State of Florida have lost a most capable, esteemed and valuable public spirited citizen and State Senator; NOW, THEREFORE

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA in regular session that the Senate take note of the passing of one of its honored and beloved members:

IN MEMORIAM—WILLIAM C. HODGES

This long and continuous service is believed to be unequalled in the history of any State Senate, and the late Senator was additionally honored by being chosen President of the 1935 Session, and during the two years tenure of this office his position was equivalent to that of Lieutenant Governor of the State.

For many years Mr. Hodges was Chairman of the Appropriations Committee of the Senate, and favored and worked unceasingly for adequate appropriations for State Institutions and departments, and liberal salaries for state employees.

His outstanding triumph as a legislator was his aid in securing the adoption of an amendment to the State Constitution exempting homesteads up to five thousand dollars in value from ordinary taxation. As a citizen, his support contributed materially to its ratification by the people in the general election of 1934.

Mr. Hodges was nominated for Governor by the Progressive Party in 1912. Thereafter his allegiance was given to the Democratic Party and he was a strong candidate for the gubernatorial nomination in the party primary in 1936.

Born in Ashton, Illinois, in January, 1876, Mr. Hodges removed with his parents to Florida in 1897, thereafter making Tallahassee his home. During the last few years he was the owner of the estate "Goodwood" in the historic LaFayette Grant. There it was his great pleasure, assisted by his charming wife, to entertain fellow members of the Legislature, and other friends. From this beautiful and peaceful home he passed to the future life after an illness of a few hours.

Mr. Hodges was famed for his charities and for his philanthropies, as well as for his hospitality. He was a member of the First Baptist Church of Tallahassee, active in civic work of various kinds, and was outstanding in the practice of law, his chosen profession, and as a student and a lover of art. His consistent interest in the welfare of the Florida State College for Women, in Tallahassee, found final expression in the generous provisions of his will.

May the regard and affection of this Senate in this record express to the citizens of the State the esteem that he merits by the people of the State for whom he lived and to whose interests he struggled.

BE IT FURTHER RESOLVED that a copy of these resolutions certified by the Secretary of State of Florida under the Great Seal of the State of Florida be immediately forwarded to the bereaved family of Honorable William C. Hodges.

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

BE IT FURTHER RESOLVED that a copy of these resolutions be furnished 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. 12 was adopted.

Following convocation the Senate stood adjourned at 9:36 o'clock P. M., until 11:00 o'clock A. M., Friday, April 18, 1941.