

JOURNAL OF THE SENATE

Wednesday, April 30, 1941

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, April 29, 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, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Tuesday, April 29, 1941 was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senate Chamber
Tallahassee, Fla., April 30, 1941.

Senator Maddox, Chairman of the Committee on Execu-tive Communications, reported that the Committee had care-fully 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. 293:

A bill to be entitled "An Act authorizing and directing the State Road Department of the State of Florida to procure an All-Florida moving picture for showing as part of the Florida Exhibit at the New York World's Fair and at such other places and times as the State Road Department or any other Department or Agency of the Government of the State of Florida may provide, and authorizing the expenditure by the State Road Department of the monies necessary to secure such moving picture."

Senate Bill No. 681:

A bill to be entitled "An Act for the relief of T. Bernard Bishop and J. M. Mashburn for all liability as sureties upon an appearance bond of Joe James, in the County Judge's Court of Jackson County, Florida."

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

And Senate Bills Nos. 293 and 681, contained in the above report, were placed on the Calendar.

Senate Chamber
Tallahassee, Fla., April 30, 1941.

Senator Maddox, Chairman of the Committee on Execu-tive Communications, reported that the Committee had care-fully considered the following bills and recommends that the Senate do not sustain the veto of the Governor on the fol-lowing bills, to-wit:

Senate Bill No. 733:

A bill to be entitled "An Act to designate and establish certain roads in Union County as State Roads."

Senate Bill No. 1213:

A bill to be entitled "An Act to declare, designate and establish certain State Roads in Hardee County."

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

And Senate Bills Nos. 733 and 1213, contained in the above report, were placed on the Calendar.

Senate Chamber,
Tallahassee, Fla., April 24, 1941.

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

House Bill No. 102:

A bill to be entitled An Act relating to the publication of

official public notices and legal advertisements and amounts to be charged therefor; amending Section 2944 of the revised General Statutes of Florida of 1920, being the same as Section 3 of Chapter 3022, Laws of Florida, Acts 1877, as amended by Section 1 of Chapter 12215, Laws of Florida, Acts of 1927, being the same as Section 4668, of the compiled General Laws of Florida, 1927.

With the following amendment:

Add a new paragraph four (4) following paragraph num-bered "(3)" of Section 1 to read as follows:

"4. Any person violating provision of this Act either allowing or accepting any discount, rebate, commission or fund shall be guilty of a misdemeanor, upon conviction there-of shall be punished by imprisonment of not more than six days or by fine not to exceed \$300.00 or by both such fine and imprisonment in the discretion of the court.

Very respectfully,
PHILIP D. BEALL,
Chairman.

And House Bill No. 102, contained in the above report, together with Committee Amendment thereto, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., April 24, 1941.

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

Senate Bill No. 273:

A bill to be entitled An Act relating to, providing for regulating the drawing of names for venirees for juries, term time and in vacation, the organization thereof, the length of service of jurors, the duties of the clerks of court relative thereto, and the repeal of Sections 4455, 4456, 4458, 4459, 4460, and 4461 compiled General Laws of Florida of 1927, Sections 2777, 2778, 2779, 2780, 2781, 2782, and 2783 revised General Statutes of Florida of 1920, as amended by Chapter 12068, Laws of Florida of 1927, and as amended by Chapter 13675, Laws of Florida of 1929.

Very respectfully,
PHILIP D. BEALL,
Chairman.

And Senate Bill No. 273, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., April 24, 1941.

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

Senate Bill No. 286:

A bill to be entitled An Act requiring that the State Superintendent of Public Instruction be made a party to all suits and proceedings brought wherein the validity, construction and interpretation of any school law or rule of the State Board of Education is involved.

Very respectfully,
PHILIP D. BEALL,
Chairman.

And Senate Bill No. 286, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., April 24, 1941.

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

Senate Bill No. 287:

A bill to be entitled An Act requiring that the State Controller and all County and District Boards and agencies will or may be, in any way, affected by the entry of an order, judgment or decree in any suit or proceeding involving the apportionment and distribution of any proceeds derived from taxation including taxes upon gasoline and

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petroleum products and the operation of race tracks and other pari-mutuel pools, be made parties defendant to all such suits or proceedings.

Very respectfully,
PHILIP D. BEALL,
 Chairman.

And Senate Bill No. 287, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber,
 Tallahassee, Fla., April 24, 1941.

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

Senate Bill No. 274:

A bill to be entitled An Act to amend Section 2660 of the Revised General Statutes of Florida, 1920, relating to pleas of set-off; extending the same to counterclaims and cross-claims; providing for the force and effect of counterclaims and cross-claims; providing for the transfer of certain cases from an inferior to a superior court; and providing for the consolidation of certain suits.

Very respectfully,
PHILIP D. BEALL,
 Chairman.

And Senate Bill No. 274, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Whitaker, Chairman of the Committee on Judiciary "C," submitted the following report:

Senate Chamber,
 Tallahassee, Fla., April 30, 1941.

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

Sir:

Your Committee on Judiciary "C," to whom was referred: House Bill No. 302:

A bill to be entitled An Act relating to and governing the exercise of appellate jurisdiction by Circuit Court having more than four Circuit Judges.

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

Very respectfully,
PAT WHITAKER,
 Chairman.

And House Bill No. 302, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Whitaker, Chairman of the Committee on Judiciary "C," submitted the following report:

Senate Chamber,
 Tallahassee, Fla., April 30, 1941.

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

Sir:

Your Committee on Judiciary "C," to whom was referred: Senate Bill No. 230:

A bill to be entitled An Act relating to the rights of married women in Florida, and providing further that this Act shall not be construed as (A) relieving a husband from any duty of supporting and maintaining his wife and children, (B) abolishing estates by the entirety or any of the incidents thereof, (C) abolishing dower or any of the incidents thereof, (D) changing the rights of either husband or wife to participate in the distribution of the estate of the other upon his or her death, as may now or hereafter be provided by law, or (E) dispensing with the joinder of husband and wife in conveying or mortgaging homestead property.

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

Very respectfully,
PAT WHITAKER,
 Chairman.

And Senate Bill No. 230, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Whitaker, Chairman of the Committee on Judiciary "C," submitted the following report:

Senate Chamber
 Tallahassee, Fla., April 30, 1941.

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

Sir:

Your Committee on Judiciary "C", to whom was referred: Senate Bill No. 235:

A bill to be entitled An Act amending Section 5491 of the Revised General Statutes of Florida of 1920, now Section 7649, Compiled General Laws of Florida of 1927, by providing that said Act shall not apply to theaters in which moving pictures are shown.

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

Very respectfully,
PAT WHITAKER,
 Chairman of Committee.

And Senate Bill No. 235, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber
 Tallahassee, Fla., April 30, 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 pass, with Committee amendments:

Senate Bill No. 82:

A bill to be entitled An Act providing for the establishment and quieting of title to real property held in continued adverse possession, either under color of title or without color of title, for a period of seven years.

Which amendments read as follows:

Senate Amendment No. 1:

After the title add the following: "And also providing for the establishment and quieting of title to real property where the title is based upon a tax deed and the grantee in such deed has been in actual continuous possession of said real estate for a period of four (4) years under said deed and has paid the taxes accruing thereon for said period, said action to quiet title may be brought at the end of said four (4) years.

Senate Amendment No. 2:

At the end of Sub-Section "B" add the following: "(c) Where possession is based on tax deed. Any person to whom has been issued a tax deed and who has been in continuous actual possession of said real estate for a period of four (4) years and has paid all taxes levied and assessed against said real estate during said period shall be entitled to have his title to said real estate established and quieted at the end of said four (4) years.

Senate Amendment No. 3:

Strike all of Section 4.

Senate Amendment No. 4:

Strike all of Section 5.

Senate Amendment No. 5:

Strike out all of Section 6 and insert in lieu thereof the following: "Section 4. Prossess and the service thereof shall be issued and executed in proceedings authorized and brought under the provisions of this Act as to all defendants in the same manner as now provided by existing law."

Senate Amendment No. 6:

Strike out all of Section 16 and renumber the following sections so as to give them the proper numbers.

Very respectfully,
PAT WHITAKER,
 Chairman of Committee.

And Senate Bill No. 82, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Whitaker, Chairman of the Committee on Judiciary "C", submitted the following report:

Senate Chamber
 Tallahassee, Fla., April 30, 1941.

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

Sir:

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

Senate Bill No. 216:

A bill to be entitled An Act prescribing the duties of the County Tax Collectors of the several Counties of the State of Florida, relative to the sale of lands for the non-payment of taxes, and the redemption and/or sale of said tax sale certificates; and prescribing that the Clerks of the Circuit Courts in the several Counties of the State of Florida turn over to the several County Tax Collectors, on the first Monday in January A. D. 1942, all books, records and papers relating to tax sale certificates in their possession, and providing that thereafter all delinquent taxes be paid to, and that all tax sale certificates be redeemed or purchased from the Tax Collectors after the first Monday in January A. D., 1942.

Have had the same under consideration and ask that the same be placed on the Calendar of Bills on second reading without recommendation.

Very respectfully,
PAT WHITAKER,
Chairman of Committee.

And Senate Bill No. 216, contained in the above report, was placed on the Calendar of Bills on second reading, without recommendation.

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

Senate Chamber,
Tallahassee, Fla., April 28, 1941.

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

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

Senate Bill No. 35:

A bill to be entitled An Act relating to Pari-Mutuel Pools, commissions thereon, the distributions thereof, the "Breaks" and defining same, regulating the purchase and sale of an interest in any such pool, making it a crime to violate such regulations and amending Section 16 of Chapter 14832, Laws of Florida, Acts of 1931, as amended by Section 10 of Chapter 17276, Laws of Florida, Acts of 1935, relative thereto; and levying a tax upon every licensee conducting horse race meets, or operating a race track equal to five per centum of the total contributions to all Pari-Mutuel pools on horse races in addition to all other taxes otherwise levied or assessed; and providing when and where said taxes shall be paid, making an appropriation thereof and designating said tax as the "Old Age Assistance Tax," and providing deductions from said tax to be paid in equal amounts to the Counties of this State, according to law, should the amounts payable to said counties from horse race meets be less than the total amount distributed to the said Counties therefrom in the racing season 1940-1941, and limiting the force and effect of this Act until July 1st, 1943, and providing a penalty for willful or wanton non-payment of tax.

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

Very respectfully,
S. A. HINELY,
Chairman.

And Senate Bill No. 35, contained in the above report, was certified to the House of Representatives.

Senator Whitaker asked unanimous consent of the Senate for Colonel Howell T. Lykes of Tampa, a pioneer Senator of Florida, to remain within the rail of the Senate floor.

The unanimous consent was granted.

Senator Whitaker moved that a committee be appointed to escort the Honorable Henry C. Tillman, former Senator from the Thirty-fourth Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Whitaker, Taylor and Lewis as the committee.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Shepherd—

Senate Bill No. 320:

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

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

By Senators Horne, Ward, Drummond and Beall—

Senate Bill No. 321:

A bill to be entitled An Act to provide for the refunding to each county of the State of Florida of all moneys which have been furnished, advanced, paid out, distributed or expended during the period of time extending from January 1, 1915, to the effective date of this Act, in the construction or building by any such county or counties or any special road and bridge district or other special taxing district, of any road or road which have been or which may during the 1941 session of the Legislature be designated a State road, not including any amounts certified as credits to the several counties pursuant to Chapter 15659, Laws of Florida, Acts of 1931, declaring such roads to have been built for State purposes and as being State undertakings, making an appropriation from the proceeds of the second gas tax levied and assessed by said Chapter 15659, for the cost of the certificate provided for herein and for the refunding to such counties of the said sums above mentioned; providing the method of distribution and use of the credits hereunder; and prescribing the duties of certain officials in carrying out the provisions of this Act.

Which was read the first time by title only.

Senator Horne moved that the rules be waived and Senate Bill No. 321 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 321 was read the second time by title only.

Senator Horne moved that the rules be further waived and Senate Bill No. 321 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. 321 was read the third time in full

Upon the passage of Senate Bill No. 321 the roll was called and the vote was:

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

Nays—Senator Cliett—1.

So Senate Bill No. 321 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Horne, Ward, Drummond and Beall—

Senate Bill No. 322:

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

Which was read the first time by title only.

Senator Drummond moved that the rules be waived and Senate Bill No. 322 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 322 was read the second time by title only.

Senator Drummond moved that the rules be further waived and Senate Bill No. 322 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. 322 was read the third time in full

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Upon the passage of Senate Bill No. 322 the roll was called and the vote was:

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

Nays—Senator Cliett—1.

So Senate Bill No. 322 passed, title as stated, and the action of the Senate was ordered certified to the House Representatives immediately, by waiver of the rule.

By Senators Horne, Ward, Drummond and Beall—
Senate Bill No. 323:

A bill to be entitled An Act to amend Section 14 of Chapter 14486, Laws of Florida, Acts of 1929, entitled "An Act providing for depository of sinking funds and delinquent taxes and other moneys for road and bridge indebtedness of the Counties and Special Road and Bridge Districts of the State or otherwise, authorizing the issuance of refunding bonds by said Counties and Special Road and Bridge Districts, and providing for the creation of a Board of Administration and the disbursements of such funds to pay such indebtedness and the use of any surplus in any County for the construction and maintenance of roads and bridges," as amended by Chapter 15891, Acts of 1933, Laws of Florida, which amendment provided for certain additional, alternative and supplementary duties and powers of the State Board of Administration in connection with its functions as a fiscal agent for the several Counties of the State of Florida with reference to road district, road and bridge district, special road and bridge district, and County road bonds and bond issues subject to said Chapter, as amended by Chapter 19279, Laws of Florida, Acts of 1939, which amendment provided for the disposition of any surplus in any County account for public highway construction and maintenance purposes and/or for the lease or purchase of certain toll or other bridges; and limiting the use of second gas tax funds placed to the credit of the several Counties administered by the State Board of Administration, and to amend Section 17 of said Chapter 14486, Laws of Florida, Acts of 1929, and providing by this amendment to said sections the manner of applying gas tax and other moneys to the payment of the road and bridge indebtedness of the Counties and Special Road and Bridge Districts of the State or otherwise; providing for the remission annually of any surplus gas tax or other moneys except sinking funds in any County account for use by the State Road Department and the County for public road purposes; and providing for the investment by the Board of Administration of sinking funds of said Counties or Special Road and Bridge Districts of the State or otherwise, in the matured or unmatured road and bridge bonds of any of said Counties or Special Road and Bridge Districts of the State or otherwise.

Which was read the first time by title only.

Senator Drummond moved that the rules be waived and Senate Bill No. 323 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 323 was read the second time by title only.

Senator Drummond moved that the rules be further waived and Senate Bill No. 323 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. 323 was read the third time in full.

Upon the passage of Senate Bill No. 323 the roll was called and the vote was:

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

Nays—Senator Cliett—1.

So Senate Bill No. 323 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Horne, Ward, Drummond and Beall—
Senate Joint Resolution No. 324:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IX OF THE CONSTITUTION OF THE STATE

OF FLORIDA RELATING TO TAXATION AND FINANCE, BY ADDING THERETO AN ADDITIONAL SECTION CREATING A STATE BOARD OF ADMINISTRATION; PRESCRIBING ITS POWERS AND DUTIES, AND PROVIDING FOR THE USE OF PROCEEDS OF TWO CENTS PER GALLON OF THE GASOLINE OR OTHER MOTOR FUEL TAX FOR (1) THE PAYMENT AND RETIREMENT OF ALL OUTSTANDING BONDS ISSUED BY ANY COUNTY OR SPECIAL ROAD AND BRIDGE DISTRICT PRIOR TO FIRST DAY OF JULY, A. D. 1931, FOR ROAD AND BRIDGE PURPOSES, AND FOR (2) PUBLIC HIGHWAY PURPOSES.

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

That the following amendment to Article IX of the Constitution of the State of Florida relating to Taxation and Finance by adding thereto an additional section to be known as Section 16 of said Article IX creating a State Board of Administration; prescribing its powers and duties, and providing for the use of the proceeds of two cents per gallon of the gasoline or other motor fuel tax for (1) the payment and retirement of all outstanding bonds issued by any county or special road and bridge district prior to the First day of July, A. D. 1931, for road and bridge purposes, and for (2) public highway purposes, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next General Election to be held in 1942, as follows:

"Section 16 (a). That beginning January 1st, 1943, and for fifty (50) years thereafter, the proceeds of two (2c) cents per gallon of the total tax levied by State law upon gasoline and other like products of petroleum, now known as the Second Gas Tax, and upon other fuels used to propel motor vehicles, shall as collected be placed monthly in the 'State Roads Distribution Fund' in the State Treasury and divided into three (3) equal parts which shall be distributed monthly among the several counties as follows: one part according to area, one part according to population, and one part according to the counties' contributions to the cost of State road construction in the ratio of distribution as provided in Chapter 15659, Laws of Florida, Acts of 1931, and for the purposes of the apportionment based on the counties' contributions for the cost of State road construction, the amount of the contributions established by the certificates made in 1931 pursuant to said Chapter 15659, shall be taken and deemed conclusive in computing the monthly amounts distributable according to said contributions. Such funds so distributed shall be administered by the State Board of Administration as hereinafter provided.

(b) The Governor as chairman, the State Treasurer, and the State Comptroller shall constitute a body corporate to be known as the 'State Board of Administration,' which board shall succeed to all the power, control and authority of the statutory Board of Administration. Said board shall have, in addition to such powers as may be conferred upon it by law, the management, control and supervision of the proceeds of said two (2c) cents of said taxes and all moneys and other assets which on the effective date of this amendment are applicable or may become applicable to the bonds of the several counties of this State, or any special road and bridge district, or other special taxing district thereof, issued prior to July 1st, 1931, for road and bridge purposes. The word 'bonds' as used herein shall include bonds, time warrants, notes and other forms of indebtedness issued for road and bridge purposes by any county or special road and bridge district or other special taxing district, outstanding on July 1st, 1931, or any refunding issues thereof. Said board shall have the statutory powers of Boards of County Commissioners and Bond Trustees and of any other authority of special road and bridge districts, and other special taxing districts thereof with regard to said bonds, (except that the power to levy ad valorem taxes is expressly withheld from said board) and shall take over all papers, documents and records concerning the same. Said board shall have the power from time to time to issue refunding bonds to mature within the said fifty (50) year period, for any of said outstanding bonds, or interest thereon, and to secure them by a pledge of anticipated receipts from such gasoline or other fuel taxes to be distributed to such county as herein provided, but not at a greater rate of interest than said bonds now bear; and to issue, sell or exchange on behalf of any county or unit for the sole purpose of retiring said bonds issued by such county, or special road and bridge district, or other special taxing district thereof, gasoline or other fuel tax anticipation certificates bearing interest at not more than three (3) per cent per annum in such denomina-

Section 1, Chapter 8529, Laws of Florida, Acts of 1921, being Section 174 of the compiled General Laws of Florida, relating to the security to be given by banks for the deposit of State moneys; to provide that the State Treasurer shall be authorized to accept safekeeping receipts of certain banks in lieu of the securities being actually deposited with the State Treasurer; to provide the requirements and form of the safekeeping receipts; and to repeal all laws in conflict herewith.

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

By Senator Shands (By request)—

Senate Bill No. 329:

A bill to be entitled An Act relating to the State Treasurer; to provide for additional powers and duties of the State Treasurer as ex officio insurance commissioner in connection with fires; to provide for the levying of an additional tax on all fire insurance premiums; 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 Dye—

Senate Bill No. 330:

A bill to be entitled An Act relating to mortgages or other instruments, to or in favor of any person, firm, association or corporation making agricultural loans, or the Government of the United States, creating liens on real or personal property, or agricultural, horticultural or fruit crops, planted, growing or to be planted, grown or raised, securing existing indebtedness and/or future advances, including optional and obligatory advances; providing for the priority of such mortgages or other instruments; and providing when this Act shall become effective.

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

By Senator Shuler—

Senate Bill No. 331:

A bill to be entitled An Act for the relief of Mrs. Clara Nightengale, of Apalachicola, Florida.

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

By Senator Shuler—

Senate Bill No. 332:

A bill to be entitled An Act requiring the Board of County Commissioners and the County School Board of Liberty County, Florida, to have published in some newspaper published in said County the full proceedings or minutes of their meetings, providing for the price to be paid therefor.

Which was read the first time by title only.

The following proof of publication was attached to Senate Bill No. 332, when it was introduced in the Senate.

PROOF OF PUBLICATION

Bristol, Florida.

COUNTY OF LIBERTY,)
STATE OF FLORIDA,)

Personally appeared before me, a Notary Public for the State of Florida at large, Alwin C. Weaver, who deposes and says that he is publisher of the Bristol Free Press, a weekly newspaper printed in the English language and of general circulation, published in the City of Bristol, in said County and State; and that the attached notice was published in said newspaper weekly for a period of 4 weeks consecutively beginning Mar. 20, and ending April 10, said publication being on the following dates: Mar. 20, 27; April 3rd, and 10, 1941.

And deponent further says that the Bristol Free Press has been continuously published as a weekly newspaper, published each week and has been entered as second class mail matter at the Post Office in the City of Bristol, Liberty County, Florida, each for a period of more than one year next preceding the date of the first publication of the above described notice.

ALWIN C. WEAVER,
Publisher.

Subscribed and sworn to before me this 18th, day of Apr., A. D. 1941.
(SEAL)

R. H. WEAVER,
Notary Public, State of Florida at Large.
My Commission expires Jan. 16, 1944.

NOTICE

Notice is hereby given that there will be introduced in the 1941 session of the Legislature a Bill to be entitled An Act to require the Board of County Commissioners and the Board of Public Instruction of Liberty County, Florida, to have published in some newspaper published in said County the full proceedings or minutes of their monthly meeting.

Jay A. Shuler, Senator.

R. L. Hosford, Representative.

And Senate Bill No. 332 was placed on the Calendar of Local Bills on second reading.

By Senator Ward—
Senate Bill No. 333:

A bill to be entitled An Act providing for and adopting a State administered Probation and Parole System for the State of Florida; creating and establishing a Parole Commission and conferring and defining its duties, powers, and functions, including the power to make rules and regulations and the supervision of persons placed upon probation; providing for the method of appointment and removal of the members of the Parole Commission, its clerks and employees, regulating their compensation, and prohibiting their engaging in certain activities; providing for the purchase of supplies and materials and for the allowance of necessary travelling and other expenses; providing for the placing on parole of persons in certain cases, their discharge from parole, their rearrest with and without a warrant for violation of the terms and conditions of parole; providing for hearings on charges of violation of the terms and conditions of parole, and reimprisonment because of such violation; providing for the recommendation by the Parole Commission to the Board of Pardons for the extension of clemency to deserving persons; authorizing financial aid to indigent parolees at the time of their release; providing for the cooperation of certain public officers and agencies with the Parole Commission; authorizing and regulating the use by the Courts of Probation and suspension of imposition of sentence; permitting appeal from judgment adjudging guilt; excepting certain courts and correctional institutions from the operation of this Act, and authorizing the preservation of probation officers now serving under any previous law; and making an appropriation for carrying into effect the provisions of this Act; fixing an effective date thereof and repealing all laws and parts of laws in conflict herewith.

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

By Senator Smith—

Senate Joint Resolution No. 334:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE FIVE OF THE CONSTITUTION OF FLORIDA BY ADDING THERETO AN ADDITIONAL SECTION RELATING TO THE ELECTION OF ALL CIRCUIT JUDGES, STATE ATTORNEYS, JUDGES OF THE CRIMINAL COURTS OF RECORD, AND COUNTY SOLICITORS.

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

That Article 5 of the Constitution of the State of Florida be amended by adding thereto an additional Section to be known as Section 45 of said Article relating to the Election of Circuit Judges, State Attorneys, Judges of the Criminal Courts of Record, and County Solicitors, be and the same is hereby agreed to, and shall be submitted to the electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, 1942, as follows:

"Section 45. All Circuit Judges, State Attorneys, and Judges of the Criminal Courts of Record and County Solicitors shall hereafter be elected by the qualified electors of their respective judicial circuits or Counties as other State and County officials are elected.

The first election of Circuit Judges shall be held at the General Election in 1948 to take office on the first Tuesday after the first Monday in January, 1949, for a term of six years.

The first election of State Attorneys, Judges of the Criminal Courts of Record and County Solicitors shall be held at the General Election in 1944 to take office the first Tuesday after the first Monday in January, 1945, for a term of four years.

The terms of all such offices as they shall severally exist at the time of adoption of this amendment shall be and they are hereby extended or altered to terminate on the first Tuesday after the first Monday in January, 1945, except the terms of the offices of Circuit Judges, which terms shall be and they are hereby extended or altered to terminate on the first Tuesday after the first Monday in January, 1949.

Any provision of the Constitution in conflict herewith is hereby repealed.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Shands—

Senate Bill No. 335:

A bill to be entitled An Act to amend Section 617 of the Revised General Statutes of Florida, 1920, as amended by Section 1 of Chapter 11857, Laws of Florida, Acts of 1927, relating to disbursements for institutions by the Board of Control, by providing for revolving funds to be set up by certain institutions, to pay wages of laborers and certain expenses, providing for disbursements from such funds and for reimbursement to such funds, providing for the protection of such funds, and repealing all laws and parts of laws in conflict herewith.

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

By Senator Smith—

Senate Bill No. 336:

A bill to be entitled An Act appropriating Fifty Thousand Dollars for use by the State Agricultural Marketing Board in establishing and maintaining in the State of Florida a market for the selling and processing of livestock.

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

By Senator Collins—

Senate Bill No. 337:

A bill to be entitled An Act to make uniform the law on fresh pursuit and authorizing this State to cooperate with other states therein.

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

By Senator Graham—

Senate Bill No. 338:

A bill to be entitled An Act to punish any person who makes any false statement or false representations to another concerning any hotel, inn or apartment house with the intention of inducing such other person to enter, lodge at or to become a guest of any other hotel, inn or apartment house, or who by any false statement or representation induces any person not to enter, lodge or become a guest of any hotel, inn, or apartment house; also any person engaged in the operation of any hotel, inn or apartment house, to pay to any person any compensation for diverting through fraud or other misrepresentation, prospective patrons of a given hotel, inn or apartment house to any other hotel, inn or apartment house, and to provide a penalty for the violation of this Act.

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

By Senator Collins—

Senate Bill No. 339:

A bill to be entitled An Act to make uniform the procedure of interstate extradition.

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

By Senator Collins—

Senate Bill No. 340:

A bill to be entitled An Act amending Sub-Section (13) of Section 1 of Chapter 16087, Laws of Florida, Acts of 1933 regulating the manufacture, sale, possession, control, cultivation, etc., of narcotic drugs and hereby to amend the definition of "cannabis" or products of the plant sometimes known as marihuana.

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

By Senator Collins—

Senate Bill No. 341:

A bill to be entitled An Act relating to the public health and for the protection of mothers and new born babies; requiring

that all expectant mothers be examined by a duly licensed physician to determine whether or not such mother has any disease that might be communicated or transmitted to any child that might be born of said mother; and requiring such examining physician in the event that treatment is needed to either furnish the same or to report this fact to the State Board of Health who shall immediately arrange for the proper treatment of such expectant mother; and providing that any midwife who is called in attendance upon any expectant mother shall call into attendance a duly licensed physician to make the examination as provided for in Section One hereof provided such examination shall not have been made.

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

By Senator Collins—

Senate Bill No. 342:

A bill to be entitled a Uniform Act to secure the attendance of witnesses from within or without a State in criminal proceedings.

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

By Senator Collins—

Senate Bill No. 343:

A bill to be entitled An Act relating to the public health and for the protection of new-born babies' eyes, and requiring doctors and midwives to use an effective solution of silver-nitrate in new born babies' eyes; to require at least one of the registered practicing physicians who has sponsored the application of any person to practice midwifery to instruct such person in the use of such silver-nitrate solution, and to provide that the failure of either a doctor or midwife to use such solution of silver-nitrate in new-born babies' eyes shall be cause for the revocation of such person's license to practice medicine or midwifery; and to provide that if any person now licensed to practice midwifery does not furnish a certificate from one of the physicians sponsoring her application for license within sixty days after this Act becomes a law, the State Board of Health shall revoke the license to such person to practice midwifery; and providing further that any person who shall hereafter make application for a license to practice midwifery shall furnish a certificate showing that such person has been instructed in the use of silver-nitrate solution in the eyes of new-born babies.

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

By Senator Collins—

Senate Bill No. 344:

A bill to be entitled An Act providing that the State of Florida may enter into a compact with any of the United States for mutual helpfulness in relation to persons convicted of crime or offenses who may be on probation or parole.

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

By Senator Shands—

Senate Bill No. 345:

A bill to be entitled An Act to make it unlawful to sell, barter or exchange, or to possess or manufacture with intent to sell, barter or exchange within this State "Filled Milk" as defined in this Act, to provide for the administration of same, and to repeal all laws in conflict herewith.

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

By Senator Shands—

Senate Bill No. 346:

A bill to be entitled An Act to define milk and milk products, ice cream, frozen custard, ice milk, milk sherbet, ice sherbet, frozen desserts and to regulate the production, manufacture, handling, processing and sale thereof, and to prohibit the manufacture, sale, possession for sale, or offering for sale of adulterated, misbranded or imitations of such products, to provide for the issuing of permits or license to persons engaged in the business of producing, manufacturing, processing, selling, possessing or offering for sale of milk or milk products, ice cream, frozen custard, ice milk, milk sherbet, ice sherbet, or frozen desserts, and to provide for the administration and enforcement of this Act, including the right to make all reasonable rules and regulations therefor, and to fix standards and to provide penalties for violations of this Act or the regulations or standards fixed hereunder, and repealing Chapter 14762, Laws of Florida, Acts of 1931, and Chapter 16047, Laws of Florida, Acts of 1933, and all laws or parts of laws in conflict herewith.

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

By Senators Cooley, McKenzie and Shepherd—
Senate Bill No. 347:

A bill to be entitled An Act to provide for the retirement of any person who shall have attained age sixty-four (64) years and shall have completed thirty (30) years of service as an officer or enlisted man of the organized militia of Florida on, before, or subsequent to the passage of this Act, fixing the retirement pay of such person and making appropriation therefor.

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

By Senator Collins (By request)—
Senate Bill No. 348:

A bill to be entitled An Act for the relief of Fred O. Eberhardt, of Tallahassee, Leon County Florida.

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

By Senators Folks and Ward—
Senate Bill No. 349:

A bill to be entitled An Act making licenses to hunt and take migratory or non-migratory birds issued by any County bordering on a lake, river or other stream effective as to all of the surface of such lakes, rivers or other streams regardless of the exact boundary line or lines.

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

By Senator Cooley—
Senate Bill No. 350:

A bill to be entitled An Act to amend Section 4, Chapter 19,324, Acts of the Legislature of 1939, being a bill entitled: "An Act to prohibit the sale or offering for sale, the transportation, and the preparation, receipt or delivery for transportation or market of any citrus fruit that is immature or otherwise unfit for human consumption; to provide for the enforcement thereof; and to provide penalties for the violation thereof."

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

By unanimous consent Senator Beall withdrew Senate Bill No. 108.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,
April 25, 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 three-fifths vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature—

By Senators Kanner, Whitaker, Adams (30th), Gideons and Shuler—

Senate Joint Resolution No. 88:

A Joint Resolution proposing an Amendment to the Constitution of the State of Florida to be known as Section 3 of Article XVII, relating to Amendments.

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

That the following amendment, to be known as Section 3 of Article XVII of the present Constitution be and the same is hereby agreed to and shall be submitted to the electors of the State at the general election of Representatives to be held in the year A. D. 1942, to-wit:

Section 3. If at any regular or special or extra session, the Legislature, by vote of three-fourths of all members elected to each House, shall determine that an emergency requiring an early decision by the electors of the State exists, an amendment to this Constitution dealing with the subject matter of such emergency may be proposed, and if the proposed amendment be agreed to by a three-fourths vote of all the members elected to each House, the same shall be entered

upon their respective journals with the yeas and nays thereon. Thereupon at the same session, the Legislature shall provide for a special election to be held not less than ninety nor more than one hundred eighty days after adjournment and for publication of notice thereof, at which special election the proposed amendment shall be submitted to the electors of the State for approval or rejection; provided, that if a general election of Representatives is to occur within said period, such amendment shall be submitted to the electors at such general election. If a majority of the electors voting upon the proposed amendment shall adopt the amendment, the same shall become a part of this Constitution. This amendment shall not be held to supersede or in anywise affect any existing provision of the Constitution relating to amendments, but shall be regarded as an additional method of amendment thereto.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Joint Resolution No. 88, 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, Florida,
April 25, 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 Senators Collins, Shands, Graham, Smith, Kanner, Price, King and Kelly—

Senate Bill No. 92:

A bill to be entitled An Act to define and to regulate the practice of Dentistry and Dental Hygiene in the State of Florida, and to provide penalties for the violation of any of the provisions of this Act.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 92, 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, Florida,
April 30, 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—

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

Senate Concurrent Resolution No. 3:

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

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

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

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

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

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

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

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

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

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

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

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

And Senate Concurrent Resolution No. 3, 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 30, 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 three-fifths vote of all members elected to the House of Representatives for the 1941 Session of the Florida Legislature—

Committee Substitute for Senate Joint Resolution No. 28
A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IV OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO THE EXECUTIVE DEPARTMENT, BY ADDING THERETO AN ADDITIONAL SECTION TO CREATE A GAME AND FRESH WATER FISH COMMISSION

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

That the following amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department by adding thereto an additional Section to be known as Section 30 of said Article IV, creating a Game and Fresh Water Fish Commission be and the same is hereby agreed to and shall be submitted to the Electors of the State of Florida for ratification or rejection, at the General Election to be held on the first Tuesday after the first Monday of November 1942, as follows:

Section 30. 1. From and after January 1, 1943, the management, restoration, conservation, and regulation, of birds, game, fur bearing animals, and fresh water fish, the State of Florida, and the acquisition, establishment, control, and management, of hatcheries, sanctuaries, refuges, reservations, and all other property now or hereafter owned or used for such purposes by the State of Florida, shall be vested in a Commission to be known as the Game and Fresh Water Fish Commission. Such Commission shall consist of five members, one from each congressional district, as existing on January 1, 1941, who shall be appointed by the Governor, subject to confirmation by the Senate. The members so appointed shall annually select one of their members chairman of the Commission.

2. The first members of the Commission shall be appointed on January 1, 1943 and shall serve respectively for one, two, three, four, and five years. At the expiration of each of such terms, a successor shall be appointed to serve for a term of five years.

3. The members of the Commission shall receive no compensation for their services as such, but each Commissioner shall receive his necessary traveling or other expenses incurred while engaged in the discharge of his official duties, but such shall not exceed the sum of \$600.00 in any one year.

4. Among the powers granted to the Commission by this Section shall be the power to fix bag limits and to fix open and closed seasons, on a state-wide, regional or local basis as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing and using birds, game, fur bearing animals, fresh water fish, reptiles, and amphibians. The Commission shall also have the power to acquire by purchase, gift, or otherwise, all property necessary, useful, or convenient, for the use of the Commission in the exercise of its powers hereunder.

5. The Commission shall appoint, fix the salary of, and pleasure remove, a suitable person, as Director, and the Director shall have such powers and duties as may be prescribed by the Commission in pursuance of its duties under this Section. Such Director shall, subject to the approval of the Commission, appoint, fix the salaries of, and at pleasure remove, assistants and other employees who shall have such powers and duties as may be assigned to them by the Commission or the Director. No Commissioner shall be eligible for any such appointment or employment.

6. The funds resulting from the operation of the Commission and from the administration of the laws and regulations pertaining to birds, game, fur bearing animals, fresh water fish, reptiles, and amphibians, together with any funds specifically provided for such purpose shall constitute the State Game Fund and shall be used by the Commission as it shall deem fit in carrying out the provisions hereof for no other purposes. The Commission may not expend itself beyond the current resources of the State Game Fund unless specifically so authorized by the Legislature.

7. The Legislature may enact any laws in aid of, or inconsistent with, the provisions of this amendment, and existing laws inconsistent herewith shall no longer be in force and effect. All laws fixing penalties for the violation of the provisions of this amendment and all laws imposing license taxes, shall be enacted by the Legislature from time to time.

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

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April 30, 1941

JOURNAL OF THE SENATE

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And Committee Substitute for Senate Joint Resolution No. 28, 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 30, 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 Senator King—
Senate Bill No. 10:

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

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 10, 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 25, 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 present in the House of Representatives on April 24, 1941, the Governor's objections to the contrary notwithstanding.

By Senator Beacham—

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.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 578 (1939 Session), contained in the above message, was ordered certified to the Secretary of State.

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

Tallahassee, Florida,
April 29, 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 failed to pass by the required Constitutional two-thirds vote of all members present in the House of Representatives on April 28, 1941—

By Senator Beacham—

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.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

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

Tallahassee, Florida,
April 25, 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 Messrs. Sheldon and McDonald of Hillsborough and Burke of Pasco, Safford of Polk, Clements of Pinellas, Croft of Lafayette, Ayers of Gilchrist, Beck of Palm Beach, Chavous of Dixie, Acosta of Duval, Davis of Gadsden, Turner of St. Johns, Dixon and Lambe of Jackson, Andrews of Madison and Overstreet of Dade—

House Memorial No. 4:

To the Honorable Franklin D. Roosevelt, President of the United States, and the Honorable Senate and House of Representatives of the United States, in Congress assembled.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Memorial No. 4, contained in the above message, was read the first time in full and referred to the Committee on Welfare.

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

Tallahassee, Florida,
April 25, 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 Mr. Burks of Pasco—

House Bill No. 176:

A bill to be entitled An Act "Regulating and restricting the sale of wine and vinous spirits and vinous liquors for sacramental or religious purposes; providing for the issuance of permits for such sale by the Beverage Commission of the State of Florida upon payment of a fee therefor, exempting such wine or vinous spirits or vinous liquors and the sale thereof from all other regulations, restrictions and taxation relating to the sale and distribution of wine, vinous spirits or vinous liquors imposed by the Laws of the State of Florida, repealing all laws or parts of laws in conflict herewith, and providing that this Act shall take effect immediately upon its becoming law."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Bill No. 176, contained in the above message, was read the first time by title only and referred to the Committee on Temperance.

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

Tallahassee, Florida,
April 25, 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 Committee on National Guard and Military Affairs—

House Bill No. 554:

A bill to be entitled An Act providing for leave of absence to public officials in military service; defining the term "active military service" and the term "period of active military service; authorizing the appointment of deputies or assistants to perform the duties of the absent official, fixing the compensation of such deputies or assistants, regulating the bond of the absent official and that of the deputy or assistant, and fixing the term of appointed deputies or assistants; defining the powers and duties of deputies or assistants appointed; providing for the performance of the duties of judi-

cial officials absent on leave for military service; providing for the performance of the duties of State Attorneys absent on leave for military service; preserving the seniority rights, efficiency ratings, promotional status, and retirement privileges of public officials absent on leave for military service; providing for public officials absent on leave for military service to resume their official duties upon being mustered out of the service of the armed forces of the United States; providing for the granting of leaves of absence for military service to employees of the State of Florida, of the Counties of the State of Florida, and of the Municipalities or political subdivisions of the State of Florida under certain conditions; adopting certain provisions of the Federal law relating to re-employment of persons selected under the selective service act and providing for the removal from office of any State County or Municipal officer refusing to comply therewith; and repealing all laws and parts of laws in conflict herewith.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 554, contained in the above message, was read the first time by title only and referred to the Committee on Military Affairs.

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

Tallahassee, Florida,
 April 25, 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 Committee on Judiciary "A"—
 House Bill No. 159:

A bill to be entitled An Act to provide necessary facilities for the Supreme Court, Railroad Commission and Law Library; for the erection and furnishing of a suitable addition to the Court Building erected in the year 1912, by a special building commission; making an appropriation for the same and otherwise relating to said purpose.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 159, contained in the above message, was read the first time by title only and referred to the Committee on Appropriations.

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

Tallahassee, Florida,
 April 30, 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 Messrs. Yaeger of Leon, and Simpson of Jefferson—
 House Bill No. 213:

A bill to be entitled An Act to require all persons licensed to practice chiropractic in the State of Florida to renew annually their licenses with the State Board of Chiropractic Examiners; to provide for the conditions upon which renewal of licenses shall be issued and requirements prerequisite to the granting of such renewal of licenses; to provide for notice to be given licensees under said Board of the provisions and requirements of this Act; to provide for the forfeiture of licenses to practice chiropractic in the State of Florida for failure to comply with the provisions of this Act, and to prescribe requirements for the restoration of such forfeited licenses.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 213, contained in the above message, was read the first time by title only and referred to the Committee on Public Health.

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

Tallahassee, Florida,
 April 30, 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 Committee on Judiciary "A"—
 House Bill No. 510:

A bill to be entitled An Act recognizing and providing for the Supreme Court of Florida is authorized to prescribe the qualifications and requirements necessary for admission to practice law in this State; to provide for the investigation, examination and admission of applicants; to prescribe a code of ethics governing the professional conduct of attorneys; to law and a code of judicial ethics; to prescribe procedure for disciplining, suspending, and disbarring attorneys at law; to organize and supervise the government of an association to be known as the Florida State Bar composed of attorneys practicing law in this State to act as an administrative agency of said Supreme Court and to require that all persons practicing law in this State shall be members of such association and pay annual fees to be fixed or approved by said Court; repealing all laws or parts of laws in conflict with rules promulgated by said Court pursuant to such authority.

By Messrs. Getzen of Sumter, Gray of Bay, Littlefield of Volusia—

House Bill No. 92:

A bill to be entitled An Act to amend Sections 4979 and 4980, Revised General Statutes of Florida, 1920, the same being Sections 7068 and 7069, Compiled General Laws of Florida, 1927, relating to the payment of wages due an employee upon his death to his wife or other close relative by including therein in addition to wages traveling expenses due said employee.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 510, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B".

And House Bill No. 92, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B".

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

Tallahassee, Florida,
 April 30, 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 three-fifths vote of all members elected to the House of Representatives for the Session of the Florida Legislature:

By Messrs. Simpson of Jefferson, Carroll of Osceola of Orange, Holt of Dade, and Perry of Sarasota—

House Joint Resolution No. 96:

A Joint Resolution Proposing an amendment to Article IV of the Constitution of the State of Florida relative to the executive department, by adding thereto an additional department to create a Game and Fresh Water Fish Commission.

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

That the following amendment to Article IV of the Constitution of the State of Florida relative to the Executive Department by adding thereto an additional Section to be known as Section 30 of said Article IV, creating a Game and Fresh Water Fish Commission be and the same hereby agreed to and shall be submitted to the Electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November 1942, as follows:

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Section 30. 1. From and after January 1, 1943, the management, restoration, conservation, and regulation, of the birds, game, fur bearing animals, and fresh water fish, of the State of Florida, and the acquisition, establishment, control, and management, of hatcheries, sanctuaries, refuges, reservations, and all other property now or hereafter owned or used for such purposes by the State of Florida, shall be vested in a Commission to be known as the Game and Fresh Water Fish Commission. Such Commission shall consist of five members, one from each congressional district, as existing on January 1, 1941, who shall be appointed by the Governor, subject to confirmation by the Senate. The members so appointed shall annually select one of their members as Chairman of the Commission.

2. The first members of the Commission shall be appointed on January 1, 1943, and shall serve respectively for one, two, three, four, and five years. At the expiration of each of such terms, a successor shall be appointed to serve for a term of five years.

3. The members of the Commission shall receive no compensation for their services as such, but each Commissioner shall receive his necessary traveling or other expenses incurred while engaged in the discharge of his official duties, but shall not exceed the sum of \$600.00 in any one year.

4. Among the powers granted to the Commission by this section shall be the power to fix bag limits and to fix open and closed seasons, on a State-wide, regional or local basis, as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing and using birds, game, fur bearing animals, fresh water fish, reptiles, and amphibians. The Commission shall also have the power to acquire by purchase, gift, or otherwise, all property necessary, useful, or convenient, for the use of the Commission in the exercise of its powers hereunder.

5. The Commission shall appoint, fix the salary of, and at pleasure remove, a suitable person, as Director, and such Director shall have such powers and duties as may be prescribed by the Commission in pursuance of its duties under this section. Such Director shall, subject to the approval of the Commission, appoint, fix the salaries of, and at pleasure remove, assistants and other employees who shall have such powers and duties as may be assigned to them by the Commission or the Director. No Commissioner shall be eligible for any such appointment or employment.

6. The funds resulting from the operation of the Commission and from the administration of the laws and regulations pertaining to birds, game, fur bearing animals, fresh water fish, reptiles, and amphibians, together with any other funds specifically provided for such purpose shall constitute the State Game Fund and shall be used by the Commission as it shall deem fit in carrying out the provisions hereof and for no other purposes. The Commission may not obligate itself beyond the current resources of the State Game Fund unless specifically so authorized by the Legislature.

7. The Legislature may enact any laws in aid of, but not inconsistent with, the provisions of this amendment, and all existing laws inconsistent herewith shall no longer remain in force and effect. All laws fixing penalties for the violation of the provisions of this amendment and all laws imposing license taxes, shall be enacted by the Legislature from time to time.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Joint Resolution No. 96, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

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

Tallahassee, Florida,
April 30, 1941.

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

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

By Mr. Dowda of Putnam—
House Memorial No. 5:

A resolution to memorialize Congress to continue the women's program of the Works Progress Administration 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. 5, contained in the above message, was read the first time in full and referred to the Committee on Welfare.

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

Tallahassee, Florida,
April 30, 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 Committee on Judiciary "B"—
House Bill No. 493:

A bill to be entitled An Act relating to and affecting the time within which writs of error shall be sued out in actions at law or taken in suits in chancery; to repeal certain statutes relating thereto, and certain statutes saving the time therefor in favor of infants and married women; and to fix the effective date hereof.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 493, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B."

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

Tallahassee, Florida,
April 30, 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 Messrs. Lanier of Highlands, and Inman of Bradford—
House Bill No. 595:

A bill to be entitled An Act to define the area of operation of housing authorities regarding projects to 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. 595, contained in the above message, was read the first time by title only.

Senator Cliett moved that the rules be waived and House Bill No. 595 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 595 was read the second time by title only.

Senator Cliett moved that the rules be further waived and House Bill No. 595 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 595 was read the third time in full.

Upon the passage of House Bill No. 595 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, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Whitaker, Wilson—37.

Nays—None.

So House Bill No. 595 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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

Tallahassee, Florida,
April 30, 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 concurred in Senate Amendment to—

House Bill No. 406:

A bill to be entitled An Act to authorize and empower the County of Sarasota, Florida and the State Treasurer to exchange for appropriate refunding bonds of said County any and all bonds heretofore used or accepted in settlement of taxes and now in the custody of the State Treasurer or the Clerk of the Circuit Court under the provisions of Chapter 15054, Acts of 1931, or Chapter 16252, Acts of 1933, Laws of Florida; providing for adjustment of interest on bonds so exchanged: prescribing the manner in which and by whom said bonds hereafter shall be held, owned, or disposed of: authorizing and directing the State Board of Administration to assist in making the exchanges herein provided for and ratifying and confirming as valid and sufficient in law any such exchanges heretofore made.

Which amendment reads as follows:

In Section 1, line two (typewritten bill) after the word "taxes" insert the following: "of County of Sarasota or any political or taxing or assessing district or subdivision thereof."

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

By unanimous consent Senator Perdue withdrew Senate Bill No. 241.

SENATE BILLS ON THIRD READING

Senate Bills Nos. 26, 122 and 167 were taken up in their order, pending roll, and the consideration thereof was informally passed.

Senate Bill No. 253:

A bill to be entitled An Act to amend Section 1 of Chapter 13809, Laws of Florida, Acts of 1929, as amended by Chapter 15860, Laws of Florida, Acts of 1933, relating to the creation of a Board consisting of the Governor, the Commissioner of Agriculture, and the State Marketing Commissioner known as the State Agricultural Marketing Board, defining its duties and powers, and providing for carrying out the provisions thereof.

Was taken up in its order, pending roll call having been read the third time in full on April 29, 1941.

By unanimous consent Senators Collins and Shands offered the following amendment to Senate Bill No. 253:

Add after Section 1 a new section to be designated Section 1A, as follows:

The provisions of this Act shall not be applicable to the institutions of higher learning of this State.

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Upon the passage of Senate Bill No. 253, as amended, the roll was called and the vote was:

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

Nays—None.

So Senate Bill No. 253 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bill No. 53 was taken up in its order and the consideration thereof was informally passed.

Senate Bill No. 32:

A bill to be entitled An Act to amend Section 4151 of the Revised General Statutes of Florida as amended by Section 10, Chapter 13576, Acts of 1929, as amended by Section 2, Chapter 17715, Acts of 1937, relating to a limitation on loans to officers, directors, employees, and others made by State Banks and Trust Companies.

Was taken up in its order.

Senator Horne moved that the rules be waived and Senate Bill No. 32 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 32 was read the second time by title only.

Senator Horne moved that the rules be further waived and Senate Bill No. 32 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. 32 was read the third time in full.

Pending roll call, Senator Drummond moved that the further consideration of Senate Bill No. 32 be informally passed.

Which was agreed to and it was so ordered.

Senator Kelly moved that the rules be waived and the Senate take up and consider House Bill No. 218, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 218:

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

Was taken up.

Senator Kelly moved that the rules be further waived and House Bill No. 218 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 218 was read the second time by title only.

Senator Kelly offered the following amendment to House Bill No. 218:

In Section 8, line 1, strike out the words and figures August 1, 1941, and insert the following: January 1, 1942.

Senator Kelly moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

And House Bill No. 218, as amended, was placed on the Calendar of Bills on third reading.

By unanimous consent Senator Kelly withdrew Senate Bill No. 153.

Senator Dye moved that the rules be waived and the hour of adjournment be extended thirty (30) minutes.

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

Senate Bill No. 124:

A bill to be entitled An Act conferring the power of eminent domain on the Florida Board of Forestry and prescribing the method by which such power shall be exercised.

Was taken up in its order.

Senator Adams (25th) moved that the rules be waived and Senate Bill No. 124 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 124 was read the second time by title only.

Senator Adams (25th) moved that the rules be further waived and Senate Bill No. 124 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. 124 was read the third time in full.

Upon the passage of Senate Bill No. 124 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, Perdue, Price, Shands, Shepherd, Smith, Taylor, Ward, Wilson—33.

Nays—Senator Whitaker—1.

So Senate Bill No. 124 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Bill No. 182:

A bill to be entitled An Act to prohibit, as a measure of public safety, standing or walking, or hiring another to stand or walk in a public street or highway to distribute advertising information to any vehicle of another or occupant thereof; and to provide a penalty for the violation of this Act.

Was taken up in its order.

Senator Shepherd moved that the rules be waived and Senate Bill No. 182 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 182 was read the second time by title only.

Senator Shepherd moved that the rules be further waived and Senate Bill No. 182 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. 182 was read the third time in full.

Upon the passage of Senate Bill No. 182, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Drummond, Graham, Horne, Housholder, Kanner, Kelly, King, Maddox, McKenzie, Perdue, Shands, Shepherd, Taylor, Wilson—21.

Nays—Senators Adams (25th), Cliett, Dye, Folks, Gideons, Johnson, Lewis, Lindler, Maines, Price, Shuler, Smith, Ward, Whitaker—14.

So Senate Bill No. 182 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

The following explanation of vote was filed with the Secretary:

My name was put on the bill as a co-introducer without my knowledge by error, and I feel it is too broad, hence I vote "No."

(Signed)

Dewey A. Dye.

By permission, Senator Smith withdrew his name as a co-introducer of Senate Bill No. 182.

Senate Bills Nos. 46, 50 and 62 were taken up in their order and the consideration thereof was informally passed.

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.

Was taken up in its order.

Senator Whitaker moved that the rules be waived and Senate Bill No. 148 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 148 was read the second time by title only.

Senator Whitaker moved that the rules be further waived and Senate Bill No. 148 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. 148 was read the third time in full.

Upon the passage of Senate Bill No. 148 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, Perdue, Price, Rose, Shands, Shepherd, Shuler, Smith, Whitaker, Wilson—35.

Nays—None.

So Senate Bill No. 148 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

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.

Was taken up in its order.

Senator Johnson moved that the rules be waived and Senate Bill No. 141 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 141 was read the second time by title only.

The Committee on Judiciary "C" offered the following amendment to Senate Bill No. 141:

In Section 10, line 2 (typewritten bill), after the word "actually" and before the word "separated," insert the word "continuously."

Senator Whitaker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnson moved that the rules be further waived and Senate Bill No. 141, as amended, be read the third time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 141, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 141, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams (25th), Adams (30th), Beall, Clarke, Cliett, Drummond, Gideons, Housholder, Johnson, Lindler, Maines, Price, Rose, Shuler, Smith, Taylor, Whitaker, Wilson—19.

Nays—Senators Butler, Collins, Cooley, Dye, Folks, Graham, Hinely, Horne, Kanner, Kelly, King, Lewis, Maddox, McKenzie, Perdue, Shands, Shepherd—17.

So Senate Bill No. 141 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senator Dye moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 1:28 o'clock P. M., until 10:00 o'clock A. M., Thursday, May 1, 1941.