

JOURNAL OF THE SENATE

Monday, May 12, 1941

The Senate convened at 3:00 o'clock P. M., pursuant to adjournment on Friday, May 9, 1941.

Senator Dye, President Pro Tempore, presiding.

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

Mr. President; Senators Adams (25th), Adams (30th), Beall, Butler, Clarke, Cliett, Collins, Cooley, Drummond, Dye, Folks, Gideons, Graham, Hinely, Horne, Housholder, Johnson, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, McKenzie, 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 Friday, May 9, 1941, was corrected as follows:

On page 24, column 1, line 16, strike out the name "Shepherd" and insert in lieu thereof the name "Kanner."

On page 24, column 1, line 21, strike out the name "Shepherd" and insert in lieu thereof the name "Kanner."

On page 25, column 2, in lines 30 and 31 from the bottom of the page, strike out the words "and the consideration thereof was informally passed" and place a period after the word "order."

On page 25, column 2, between lines 29 and 30 from the bottom of the page insert the following:

"Senator Johnson moved that the rules be waived and consideration of the motion made by Senator Smith to reconsider the vote by which Senate Bill No. 230 failed to pass the Senate on May 7, 1941, be informally passed at this time and taken up at a later date.

Which was agreed to by a two-thirds vote.

And as corrected was approved.

The Journal of April 30, 1941, was further corrected as follows:

On page 3, column 2, in line 8 insert the word "any" between the words "by" and "such."

On page 5, column 1, line 22 strike out the word "of" and insert in lieu thereof the word "or."

And as further corrected was approved.

The Journal of May 8, 1941 was further corrected as follows:

On page 9, column 1, in line 4, insert the word "any" between the word "by" and "such."

And as further corrected was approved.

By unanimous consent granted at the request of Senator Whitaker, the privileges of the Senate floor were extended to Rabbi Adolph Burger of Tampa.

REPORTS OF COMMITTEES

Senate Chamber,
Tallahassee, Fla., May 1, 1941.

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

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 traveling 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 condi-

tions 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 of 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.

A. L. WILSON,
Chairman

And Senate Bill No. 333, contained in the above report was referred to the Committee on Prisons and Convicts under the joint reference.

Senate Chamber,
Tallahassee, Fla., May 9, 1941

Senator Maines, Chairman of the Committee on Prisons and Convicts, reported that the Committee had carefully considered the following bill and recommends that the same pass, with Committee amendments:

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 traveling 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 of 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 of 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 amendments are as follows:

Amendment No. 1:

Section 1, Line 19. (page 2) After the words "only persons who" and before the word "by" insert the following words: "citizens of Florida and who have resided within the state a period of ten years or more and".

Amendment No. 2:

Section 1. At the end of the first paragraph add "and the members of the Commission shall be certified to the Senate by the Board of Commissioners of State Institutions for confirmation."

Amendment No. 3:

Section 1. At the end of the last paragraph in Section 1 add "All such removals shall be submitted to the Senate for its consent as provided by said section of the Constitution."

Amendment No. 4:

Section 5. (page 4) At the end of the Section insert

citizens of Florida who have resided in the state for (10) ten years or more shall be eligible for employment by the Commission

Amendment No. 5:

Section 6. (page 4) At the end of the first paragraph add the following sentence. "Only citizens of Florida who have resided in the state for ten (10) years or more shall be eligible for employment by the Commission."

Amendment No. 6:

Section 9. (page 5) Strike the words and figures "Forty-eight Hundred Dollars (\$4800.00) and insert "Four Thousand Dollars (\$4000.00)"

Amendment No. 7:

Section 12 (page 8) At the end of the first paragraph strike out the words "and until he has served at least five years of such term."

Amendment No. 8:

Section 32A. (page 18) After Section 32 insert the following additional Section 32A. "In all Criminal Courts of Record or Courts of Crimes, created by special legislative acts not specifically covered by the above section 32 the Parole Commissioners shall appoint the parole supervisors and shall determine their compensation subject to the provisions of Section 6 of this Act. In all such courts heretofore created by special legislative Acts, the expenses and salary of the parole supervisors shall be paid by the County so affected. All special courts of record of whatever character hereafter created shall be subject to the general provisions of this Act, as to appointments of parole supervisors."

Amendment No. 9:

Section 1. Line 9. (page 2) Strike out the words "said examining board" and insert in place thereof "the Board of Commissioners of State Institutions."

HAL Y. MAINES,
Chairman.

And Senate Bill No. 333, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on second reading.

Senator Johnson, Chairman of the Committee on Temperance, submitted the following report:

Senate Chamber
Tallahassee, Fla., May 12, 1941.

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

Sir:

Your Committee on Temperance, to whom was referred:

Senate 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.

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

DEWEY M. JOHNSON
Chairman.

And Senate Bill No. 176, contained in the above report, was placed on the Calendar of Bills on second reading.

Senator Lewis, Chairman of the Committee on Judiciary "B", submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Sir:

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

Senate Bill No. 249:
A bill to be entitled An Act to amend Chapter 17,112, Laws of Florida, Acts of 1935, entitled "An Act to limit to seven years the notice given by filing for record any mortgage, or other security instrument creating a lien on or conveying or

reserving an interest in personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised; to provide for its application to such instruments heretofore filed or recorded; to provide for the renewal of such notice; to provide for the Clerk's fee, and for other purposes, and when this Act shall become effective," by adding thereto a separate section to be known as Section 5, and by changing the numbers of the present Section 5, 6 and 7 to be numbered respectively 6, 7 and 8.

Have had the same under consideration and recommend that the following Committee substitute therefor do pass:

A bill to be entitled An Act to Amend Section 1 of Chapter 17,112, Laws of Florida, Acts of 1935, entitled "An Act to limit to seven years the notice given by filing for record any mortgage, or other security instrument creating a lien on, or conveying or reserving an interest in, personal property, or agricultural, horticultural or fruit crops planted, growing or to be planted, grown or raised; to provide for its application to such instruments heretofore filed or recorded; to provide for the renewal of such notice; to provide for the Clerk's fee, and for other purposes; and when this Act shall become effective," by providing that said Act shall not apply to any mortgage or other security instrument in, or in respect of property owned by or sold or leased to, any railroad corporation, where such mortgage has been or shall be recorded in the County in the State of Florida in which the mortgaged property is situated, or in the case of such other instrument, where such other instrument has been or shall be recorded in the office of the Secretary of State of the State of Florida.

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

AMOS LEWIS,
Chairman.

And Senate Bill No. 249, together with Committee substitute, contained in the above report, was placed on the Calendar of Bills on second reading.

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

Senator Wilson, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following bill and recommends that the same pass.

Senate Bill No. 472:

A bill to be entitled An Act to create the Florida Economic Advancement Council, composed of the Governor, the Secretary of State, the Commissioner of Agriculture, and the Attorney General, which council shall have the power and duty to cooperate with the Florida delegation in the Congress of the United States in the development and promotion of the commercial, industrial, agricultural, tourist, and other vital economic interests of the State, particularly with reference to the needs and requirements of National Defense, by maintaining representation at Washington, D. C., and elsewhere as conditions may warrant, and to engage in research, publicity, and sales promotion in behalf of the State to advance the general economic welfare of the State; to authorize the council to employ the necessary personnel and facilities to carry out the purpose of this Act; to make an appropriation to carry out such purposes; to repeal all laws and parts of laws in conflict herewith; and to provide that this Act shall remain in effect for two years from the date it becomes a law.

A. L. WILSON,
Chairman.

And Senate Bill No. 472, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., May 12, 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. 13:

A bill to be entitled An Act amending Section 105 of Chapter 16103, Laws of Florida, Acts of 1933, and to provide for the division and distribution of net income of Testate Estates where there is a residuary estate with income payable to one person and remainder to another.

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

S. A. HINELY, Chairman.

And Senate Bill No. 13, contained in the above report, was referred to Committee on Enrolled Bills.

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

Senate Chamber, Tallahassee, Fla., May 12, 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. 367:

A bill to be entitled An Act to provide payment to Fisher-Pou Funeral Service, S. W. Boyd, Pensacola Hospital, Pensacola Hospital, Dr. Turberville, Dr. Wallace Mayo, Pensacola Hospital, Fisher-Pou Funeral Service, Pensacola Hospital, S. W. Boyd, Dr. Turberville, Pensacola Hospital, Pensacola Hospital, McNeil Funeral Home, John J. McGuire, McNeil Funeral Home, John J. McGuire, Pensacola Hospital, H. E. Franklin; also the following past due accounts, to-wit: City of Pensacola, Gulf Power Company, Pensacola Hospital, Pensacola Hospital, So. Bell Tel. & Tel. Co., City of Pensacola, Gulf Power Company, Pensacola Hospital, So. Bell Tel. & Tel. Co., Pensacola Hospital, Pensacola Hospital, Gulf Power Company, City of Pensacola, So. Bell Tel. & Tel. Co., American Legion, J. D. Johnson, City Ice & Fuel Co., Standard Hardware Co., So. Bell Tel. & Tel. Co., Gulf Power Company, City of Pensacola, Pensacola Hospital, Sam Rosenau Agency, Knowles Bros. Agency, J. D. Daniels, Fisher-Brown Ins. Agcy., Benboe Funeral Home, Fisher-Pou Funeral Service, Atwell Coal & Trans. Co. Pensacola Linen Supply Co., City Ice & Fuel Co., Pensacola Hospital, So. Bell Tel. & Tel. Co., Gulf Power Company, City of Pensacola, Brosnahan Agency, Brosnahan Agency, Fisher-Pou Funeral Service, Morris Funeral Home, Benboe Funeral Home, Waters & Hibbert, Morris Funeral Home, H. Ellis, Empire Laundry Co., Cudahy Packing Co., Lewis Bear Co. Peninsular Lurton Co., Swift & Co., Geo. S Brent, Agent, Doctor Turberville for Hospitalization; also the following past due accounts, to-wit: Edw. M. Chadbourne, H. A. Godwin, Edw. M. Chadbourne, State Oil Co., Standard Oil Company, United Auto Supply Co., H. A. Godwin, D. H. Tart, Berry and Brown, Inc., D. H. Tart, Ray-Brooks Mach. Co., West Fla. Tr. & Tractor Co., H. A. Godwin, John H Myrick, Lewis Bear Co., D. H. Tart, W. G. Resmondo for moving houses Road No. 62 as per bid and contract dated July 2, 1940, W. G. Resmondo for moving houses Road No. 62 as per bid and contract dated October 1, 1940, Guy E. Yaste, Inc., Pensacola Buggy Works, Muldon Motor Company, and West Fla. Truck and Tractor Company account purchase of new trucks for use of WPA; also the following, to-wit: W. G. Resmondo for moving houses Road No. 62 as per bid and contract dated March 17, 1941, J. G. Davis for clay pit; also the following sums for damages sustained or for rights of way granted in connection with the improvement of State Road 62 in Escambia County, Florida, to-wit: all of which accounts and amounts have been investigated and found to be due and proper.

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

S. A. HINELY, Chairman.

And Senate Bill No. 367, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber, Tallahassee, Fla., May 12, 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. 419:

A bill to be entitled An Act imposing an additional tax upon wines, providing a differential as to unfortified Florida wines, and appropriating the moneys collected therefrom.

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

S. A. HINELY, Chairman.

And Senate Bill No. 419, contained in the above report, was certified to the House of Representatives.

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

Senate Chamber, Tallahassee, Fla., May 12, 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. 261:

A bill to be entitled An Act relating to the City of Pensacola requiring any claimant as a condition precedent to the filing or institution in any court of any tort action against said the City of Pensacola to give written notice of said claim within a certain time after the accrual of said claim requiring said notice to be filed with the City Attorney of said City within a certain time; providing for the character of information to be contained in said notice; repealing all laws and parts of laws in conflict herewith.

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

S. A. HINELY, Chairman.

And Senate Bill No. 261, contained in the above report, was referred to the Committee on Enrolled Bills.

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

Senate Chamber, Tallahassee, Fla., May 7, 1941.

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

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

Senate Bill No. 265:

A bill to be entitled An Act to amend Sections 1, 2, 5, 6, 14, 17, 18, 22, and 23, of Chapter 16800, Laws of Florida, Acts of 1935, the same being an Act entitled "An Act defining the practice of Beauty Culture and requiring a license of certificate of registration as a condition precedent to any school teaching Beauty Culture or any person practicing Beauty Culture as Beautician, Manicurist, and Pedicurist, or acting as a junior operator beautician and prescribing the terms and conditions upon which licenses or certificates of registration may be issued to any person to practice Beauty Culture or act as a Junior Operator Beautician or Manicurist and Pedicurist or operate a Beauty Culture School or teach in a Beauty Culture School in the State of Florida; creating the State Board of Beauty Culture Examiners and defining and declaring its powers and duties; regulating the teaching and practicing of Beauty Culture or acting as a Junior Operator Beautician, Manicurist and Pedicurist by those licensed hereunder; regulating the operation of Beauty Schools, prescribing a course of study for such schools and the requirements for graduation therefrom; imposing certain fees upon persons applying for licenses, or certificates of registration to practice Beauty Culture, act as a Junior Operator Beautician or Manicurist and Pedicurist or teach in Beauty Culture Schools or Operate Beauty Culture School in this State; and appropriating the proceeds thereof to accomplish the purposes of this Act; prescribing penalties for the violation of the provisions of this Act and regulations hereunder;" by defining the practice of Beauty Culture and requiring a license of certificate of registration as a condition precedent to any School Teaching Beauty Culture or any person practicing Beauty Culture as Beautician, Manicurist, and Pedicurist or acting as a Junior Operator Beautician and prescribing the terms and conditions upon which licenses or certificates of registration may be issued to any person to practice Beauty Culture or act as a Junior Operator Beautician or Manicurist and Pedicurist or operate a Beauty Culture School or teach in a Beauty Culture School

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in the State of Florida; creating the State Board of Beauty Culture Examiners and defining and declaring its powers and duties; regulating and teaching and practice of Beauty Culture or acting as a Junior Operator Beautician, or Manicurist and Pedicurist, by those licensed hereunder; regulating the operation of Beauty Schools, prescribing a course of study for such schools and the requirements for graduation therefrom; imposing certain fees upon persons applying for licenses, or certificates of registration to practice Beauty Culture, act as a Junior Beautician or Manicurist and Pedicurist or teach in Beauty Culture Schools or operate a Beauty Culture School in this State; and appropriating the proceeds thereof to accomplish the purposes of this Act; and prescribing penalties for the violation of the provisions of this Act and regulations hereunder.

Have examined the same and find same correctly enrolled.

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

Very respectfully,

A. P. DRUMMOND,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Sir:

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

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 a horse race meet, 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 wilful or wanton non-payment of tax.

Senate Bill No. 213:

A bill to be entitled An Act fixing the compensation of County Judges in counties of the State of Florida having a population of not less than eight thousand or more than eight thousand five hundred according to the United States census of 1940, in criminal cases, and providing that fees collected in criminal cases shall be turned into the County Fine and Forfeiture Fund.

Senate Bill No. 237:

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

Senate Bill No. 239:

A bill to be entitled An Act granting to the Boards of County Commissioners of Counties having a population of not

less than 267,000 according to the last preceding State or Federal Census, full authority to suspend for reasonable periods of time, in their discretion, and to revoke the licenses of licensees under the Beverage Act of 1935, following the same procedure, for the same causes and under the same limitations as the director of the Beverage Department is authorized by Section 1, Chapter 16774, Acts of 1935, Section 3, Chapter 18015, Acts of 1937, and Section 1-A Chapter 19301, Acts of 1939, to suspend and to revoke the licenses of said licensees.

Senate Bill No 259:

A bill to be entitled An Act to repeal in its entirety Senate Bill Number 666, Special Acts of the Legislature for the State of Florida for 1939, which Senate Bill Number 666 is an Act relating to and regulating Municipal Elections and certain related matters in the City of Auburndale, Polk County, Florida; and to re-enact Section 29 of Chapter 10301, Special Acts of the Legislature of Florida for 1925, which Section 29 prescribed the qualifications for electors in Municipal Elections in the City of Auburndale, Polk County, Florida.

Senate Bill No. 260:

A bill to be entitled An Act providing how all monies paid to the several boards of County Commissioners of all Counties in the State of Florida, or to all Counties in the State of Florida, whose population according to the 1940 Federal census was not less than 5,750 and not more than 5,950, under the provisions of Chapter 14832 Laws of Florida, Acts of 1931, or any laws amendatory or supplemental thereto, shall be spent and appropriated, and giving authority for the expenditure of said monies for each of the fiscal years, A. D. 1940-1941, 1941-1942, and 1942-1943, and repealing all laws in conflict therewith, and dealing generally with said fund.

Senate Bill No. 276:

A bill to be entitled An Act to repeal Chapter 19996, Laws of Florida, Acts of 1939, being an Act relating to hunting and taking wild game; to provide that Deer may be hunted and taken in Nassau County, Florida, only on Tuesday and Thursday of each week during the regular open hunting season, and providing a penalty for the violations of the provisions of this Act.

Senate Bill No. 280:

A bill to be entitled An Act providing that one-half of all monies received from the Race Track Taxes, which shall be paid to Calhoun County, Florida, under the provisions of Chapter 14832, Laws of Florida, Acts of 1931, and any Acts amendatory thereof or supplementary thereto, shall be paid to the Board of Public Instruction for the County of Calhoun, State of Florida, and requiring the State Comptroller to draw warrants for the same and pay the same over to the said Board of Public Instruction, for the County of Calhoun, State of Florida, and providing for the use of said money by the Board of Public Instruction of said County.

Senate Bill No. 303:

A bill to be entitled An Act relating to the Salaries of the Judges of the Circuit Court residing in a Circuit composed of four counties, with one county of said circuit having a population of 50,000 or more, according to the latest Federal Census, and having no court of Record with a Civil Jurisdiction concurrent with the Circuit Court, and providing for a portion of such salaries to be paid from the general Revenue of such Counties.

Senate Bill No. 304:

A bill to be entitled An Act relating to the City of Hialeah, Dade County, Florida: providing for the setting aside, annulling and cancelling of all unpaid taxes and/or assessments heretofore levied or assessed by or for said City of Hialeah against or upon the North one-half (1/2) of Section one (1) Township fifty-three (53) South, Range forty (40) East, three hundred twenty (320) acres more or less, and all interest and penalties upon such taxes and assessments notwithstanding the purpose for which such taxes or assessments were levied or assessed; and providing for the cancellation of all lien claims or tax sale certificates evidencing or representing such taxes and assessments, interest and penalties, and directing the appropriate officers to note such cancellation of record; declaring that the said City of Hialeah is without any jurisdiction, power or authority over, or with respect to, said land and that said City has no authority or power to levy or assess taxes or assessments, for any purpose, against said land; and repealing all laws or parts of laws in conflict herewith.

Senate Bill No. 305:

A bill to be entitled An Act providing for the distribution of

all monies accruing to Holmes County under the terms of Chapter 14832, Acts of 1931, and all laws supplemental or amendatory thereto; and repealing all laws in conflict therewith.

Senate Bill No. 313:

A bill to be entitled An Act to establish a Game Preserve in a certain portion of Nassau County, and to prohibit the hunting or taking of Wild Game or birds in such preserve for a period of five years.

Senate Bill No. 314:

A bill to be entitled An Act to establish a Game Preserve in a certain portion of Nassau County and to prohibit the hunting or taking of wild game or birds in such Preserve for a period of five years.

Senate Bill No. 356:

A bill to be entitled An Act authorizing the Board of County Commissioners of Levy County, Florida, to levy each year on all taxable property within said County a tax of not exceeding two mills on the dollar in order to provide a special fund to be used for the Health and Welfare and Betterment of the Poor and Indigent of the County.

Senate Bill No. 360:

A bill to be entitled An Act authorizing the City of Tallahassee to acquire, furnish, equip, operate and maintain a building or buildings suitable as a Public Municipal hospital, authorizing the issuance of certificates of indebtedness to pay therefor, authorizing the City to do all things necessary or incidental to the acquisition and operation of such hospital and the issuance of such certificates of indebtedness, providing for the payment of such certificates solely from the net revenues to be derived from the operation of said hospital or from revenues to be derived by the city from the operation of the electric distribution system or the gas plant or the water system of the City, or from all three of such utility systems and said hospital, authorizing the refunding of certain outstanding certificates of indebtedness, and providing in the event of a default by the City.

Senate Bill No. 364:

A bill to be entitled An Act to amend Sections 5 and 6 of Chapter 10569 of the Acts of the Legislature of the State of Florida, approved May 14, 1925, being "An Act to validate and legalize an election held in and for the Town of Fort Meade, Florida, on the 22nd day of April, A. D. 1925; to validate and legalize the Charter of the City of Fort Meade which was adopted by the electors of said Town of Fort Meade at said election held on the 22nd day of April, A. D. 1925, and providing a form and method of government for said City of Fort Meade."

Senate Bill No. 371:

A bill to be entitled An Act authorizing, directing and empowering the Board of County Commissioners of Escambia County, Florida, without advertisement or budgetary restrictions to expend a sum not to exceed \$7500.00 for the acquisition of Rights of way for State Road Number 62 in Escambia County, Florida, by paying into court the amounts of any award or awards in condemnation cases brought by said County condemning or seeking to condemn rights of way for said State Road Number 62 in said County.

Senate Bill No. 373:

A bill to be entitled An Act validating, ratifying and confirming the issuance, sale and delivery of bonds of special tax school District No. 53 of Polk County, Florida, voted at an election held in said District on March 22, 1938, and ratifying, validating and confirming the manner of execution of said bonds and the interest coupons attached thereto.

Senate Bill No. 396:

A bill to be entitled An Act prohibiting and making it unlawful for horses, asses, mules, cattle, swine, sheep, goats, and other grazing animals to run or roam at large within Dade County, Florida; providing for impounding of live stock found running or roaming at large in violation of this Act; providing for impounding fees and for the collection thereof; providing for the sale or other disposition of impounded live stock; making it a misdemeanor to allow such live stock to run or roam at large in violation of this Act; and making the owner of live stock running or roaming at large in violation of this Act liable in damages for all injuries caused, either directly or indirectly, by such live stock while running or roaming at large in violation of this Act and providing a lien therefor.

Senate Bill No. 398:

A bill to be entitled An Act to amend Section 55 of Article 5 of the Charter of the City of Apalachicola, Florida, being Chapter 7182 Laws of Florida, 1915, entitled "An Act to abolish the present Municipal Government of the City of Apalachicola in the County of Franklin and State of Florida; and to organize and establish a Commission form of Government for the same to prescribe its jurisdiction and power; and to authorize the imposition of penalties for the violation of its Ordinances, authorizing and empowering said City to levy and impose license taxes and excise taxes for the purpose of regulating and revenue upon all occupations and any and all privileges to determine and fix the amounts of such taxes and providing for the enforcement of the collection thereof.

Senate Bill No. 405:

A bill to be entitled An Act authorizing and requiring the State Road Department to expend the proceeds of the Second Gas Tax in which Gadsden County, Florida, participated, which has accrued or will accrue prior to July 1, 1941, for the purpose of constructing State Roads within said County, the order of preference as designated by the Board of County Commissioners of said County.

Senate Bill No. 408:

A bill to be entitled An Act authorizing and empowering the Board of Public Instruction for Lee County, Florida, to transfer funds from its Interest and Sinking fund account to its General Fund Account whenever there is an excess in the Interest and Sinking fund over and above the current bond and Interest Coupon payments; and further providing for the procedure for the same.

Senate Bill No. 409:

A bill to be entitled An Act providing for the distribution of one-half of race track funds allocated to Lee County, Florida, to the Board of Public Instruction of Lee County, Florida, and its use for General School purposes.

Senate Bill No. 439:

A bill to be entitled An Act appropriating funds to pay the cost incurred by the Senate Improvement Committee of the Senate in providing for the remodeling and furnishing of the Senate Offices, Chamber, and Committee Rooms under the provisions of Senate Resolution Number 39 of the 1939 Session of the Legislature.

Have examined the same and find them correctly enrolled. The same having been duly signed by the Speaker and Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,
A. P. DRUMMOND,

Chairman of the Joint Committee on Enrolled Bills on the part of the Senate.

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

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

Senate, Chamber,
Tallahassee, Fla., May 12, 1938

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

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

House Bill No. 427:

A bill to be entitled An Act fixing the terms of office successors to the incumbent members of the State Road Department, the State Racing Commission, the Florida Inland Waterways Commission, the Director of the State Beverage Department, the Hotel Commissioner, and the State Vehicle Commissioner; providing that such terms of office shall hereafter expire concurrently with the regular terms of the successive Governors of Florida.

House Bill No. 435:

A bill to be entitled An Act relating to the City of Cotton, in Hendry County, Florida; amending Sections

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of Article I and Section 2 of Article III of Chapter 10433, Laws of Florida, Special Acts of 1925, being An Act entitled "An Act to repeal Chapter 9712, Laws of Florida, Acts of 1923, and the Laws amendatory thereto, enacted by the Legislature of Florida Session of 1925, and approved May 14 1925, and to provide for the creation of a Municipal Corporation to be known as the City of Clewiston in Hendry County, Florida; to fix and determine the territorial limits, jurisdiction and powers of said City and the jurisdiction and powers of its officers; and to provide a referendum on the question of incorporating said City," as amended by Chapter 13962, Laws of Florida Special Acts of 1929, being an Act entitled: "An Act to amend Sections Three (3), Six (6) and Seven (7) of Article I and Section One (1) and Two (2) of Article III of Chapter 10433, of the Laws of Florida of 1925; providing for and creating the City of Clewiston, as amended by Chapter 12616 of the Laws of Florida of 1927;" amending Section 1 of Article II, Section 2 of Article V, Section 1 of Article VI, and Section 2 of Article IX of said Chapter 10433; providing for nomination of candidates for commissioner and the holding of primary elections; empowering the City of Clewiston to construct, purchase, acquire, own, lease or establish, operate, maintain, extend, enlarge, reconstruct and improve one or more electric light plants or waterwork plants or a combined electric and water system; expressly withdrawing said City from the operative sphere of the provisions of Chapter 4600, Laws of Florida, Acts of 1897; authorizing the issuance by the City of Clewiston of revenue certificates and bonds; providing that the City of Clewiston may secure payment of bonds or revenue certificates issued to acquire public utilities or to reconstruct, extend, enlarge or improve the same, by mortgage or pledge of such utilities and revenues therefrom; authorizing the sale by the City of Clewiston of water and electric service; and repealing all laws and parts of laws in conflict herewith.

House Bill No. 822:

A bill to be entitled An Act to amend Section 196 of Chapter 11678, Special Acts of Florida, extraordinary Session of 1926, entitled "An Act to abolish the present Municipal Governments of the City of Panama City, the Town of Millville and City of St. Andrews, in the County of Bay, and State of Florida, and to establish, organize and constitute a Municipality to be known and designated as the City of Panama City, Bay County, and State of Florida. To define its territorial boundaries and to provide for its jurisdiction, power and privileges," by providing for the payment of refunding bonds to be issued by the present City of Panama City and for the levy of a uniform tax on all taxable property within the present City of Panama City for the payment of the same and for the holding of an election in accordance with Chapter 14715, Laws of Florida, Acts of 1931, with reference thereto.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

A. P. DRUMMOND,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

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

- Senate Bill No. 87:
A bill to be entitled An Act to declare, designate and establish a Certain State Road.
- Senate Bill No. 174:
A bill to be entitled An Act to declare, designate and establish a Certain State Road.

Senate Bill No. 222:

A bill to be entitled An Act to declare, designate and establish a Certain State Road in Clay County, Florida.

Senate Bill No. 223:

A bill to be entitled An Act to declare, designate and establish a Certain State Road in Clay County, Florida.

Senate Bill No. 238:

A bill to be entitled An Act designating and establishing as a part of the State Road System of Florida certain Roads in Franklin County, leading into and connecting with State Highway Number 10 in said County.

Senate Bill No. 244:

A bill to be entitled An Act to redesignate and re-establish State Road No. 77-A.

Senate Bill No. 258:

A bill to be entitled An Act to declare, designate and establish Certain State Roads.

Senate Bill No. 270:

A bill to be entitled An Act fixing the salary of the Members of the Board of Public Instruction of Calhoun County, and the Chairman thereof, and to provide for monthly payments.

Senate Bill No. 284:

A bill to be entitled An Act to declare, designate and establish Certain State Roads.

Senate Bill No. 289:

A bill to be entitled An Act to amend Chapter 19623, Laws of Florida, Acts of 1939, being An Act to declare, designate and establish certain State Roads in Highlands County, Florida.

Senate Bill No. 295:

A bill to be entitled An Act to declare, designate and establish a Certain State Road.

Senate Bill No. 308:

A bill to be entitled An Act to establish and designate a Certain Road in Levy County, Florida, as a State Road.

Senate Bill No. 315:

A bill to be entitled An Act to declare, designate and establish a Certain Road, in Duval County.

Senate Bill No. 316:

A bill to be entitled An Act to declare, designate and establish a Certain State Road.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

A. P. DRUMMOND,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

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

Senate Bill No. 12:

A bill to be entitled An Act concerning Common Trust Funds and to make uniform the law with reference thereto.

Senate Bill No. 46:

A bill to be entitled An Act to amend Section 16 of Chapter 18285, Laws of Florida, 1937, as amended, by adding thereto a subsection authorizing the State Welfare Board in its discretion to sell any personal property that it may acquire or have acquired by way of donation, gift, contribution, bequest or devise from any person, persons or organizations; directing that all moneys derived from such sale be transmitted to the State Treasury to be credited to

the State Welfare Board; authorizing the use by the State Welfare Board of moneys realized from such sales; declaring the intention of the Legislature in connection therewith; regulating the withdrawal of such moneys and appropriating such moneys to the use of the State Welfare Board in addition to other funds which have been or may otherwise be appropriated for Public Aid and Social Welfare purposes; repealing all laws in conflict herewith; and providing for the effective date hereof.

Senate Bill No. 50:

A bill to be entitled An Act to amend Section 17, Chapter 18285, Laws of Florida, 1937, as amended, by raising the maximum monthly Old Age Assistance Benefits payable under said Act from Thirty (\$30.00) Dollars, to Forty (\$40.00) Dollars.

Senate Bill No. 253:

A bill to be 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.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

A. P. DRUMMOND,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Sir:

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

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 roads 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 provision of this Act.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

A. P. DRUMMOND,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Sir:

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

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 sums 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, contributed, paid out or expended by them, respectively, in the construction of that portion of the State Road System of this 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 thereunder, 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 purpose of this Act.

Have examined the same and find them correctly enrolled.

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

Very respectfully,

A. P. DRUMMOND,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Sir:

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

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 delinquencies, and other moneys for road and bridge indebtedness of Counties and Special Road and Bridge Districts of the State or otherwise, authorizing the issuance of refunding bonds of said Counties and Special Road and Bridge Districts, providing for the creation of a Board of Administration for the disbursements of such funds to pay such indebtedness, 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 supplemental 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 and Bridge 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 distribution of any surplus in any County account for public highway construction and maintenance purposes and/or for the purchase of certain toll or other bridges; and limiting the use of second gas tax funds placed to the credit of the

Count and Florid said s to the Count or oti surplh Count the C invest of said State bridge Bridge Hav The Chief presen Secret The signed session Enrolle Govern Senat Enrolled followir Hon. Jo. Presid Sir: Your referred: Senat A J IX of t taxation creating powers a two cen tax for bonds is District Bridge p Have e The sr Chief Cl present Secretary The bil signed by session an Enrolled Bil Governor Senat Enrolled following Hon. John President Sir: Your Jo referred: Senat A bill to Chapter 1. Act relativ Gasolin

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.

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

Very respectfully,

A. P. DRUMMOND,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Sir:

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

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.

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

Very respectfully,

A. P. DRUMMOND,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Sir:

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

Senate Bill No. 325:

A bill to be entitled An Act to amend Sections 1 and 8 of Chapter 15659, Laws of Florida, Acts of 1931, entitled: "An Act relating to taxation, levying and imposing an excise tax on gasoline and other like products of petroleum in addition

on every dealer in gasoline or any other like product of to other taxes thereon; levying and imposing a license tax petroleum; providing for the report of sale of such commodities, and the collection and payment of such taxes; creating special funds for the reception of such taxes; providing the purposes of such taxes, and for the deposit, appropriation and disposition of the proceeds derived from such taxes, and prescribing the duties of certain officials with reference thereto, and declaring certain roads to have been and to be built for State purposes and as being State undertakings; repealing Chapter 14575, Laws of Florida, Acts of 1929, relating to the subject of gasoline taxes; repealing Chapter 14573, Acts of 1929, relating to the subject of gasoline taxes, and raising special revenue for educational purposes, and all laws in conflict with this Act; providing for the enforcement of this Act and penalties for violation hereof," by providing the amount, use and disposition of first and second gas taxes; and also providing in this Act for the method of distributing the second gas tax to the several Counties in payment of amounts credited to each of them, and also providing that certain percentages of said gas tax shall be used for road construction and maintenance purposes.

Have examined the same and find same correctly enrolled.

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

Very respectfully,

A. P. DRUMMOND,
Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

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

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

Senate Chamber,
Tallahassee, Fla., May 12, 1941.

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

Sir:

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

House Bill No. 427:

A bill to be entitled An Act fixing the terms of office of successors to the incumbent members of the State Road Department, the State Racing Commission, the Florida Industrial Commission, the Director of the State Beverage Department, the Hotel Commissioner, and the State Motor Vehicle Commissioner; providing that such terms of office shall hereafter expire concurrently with the regular terms of the successive Governors of Florida.

House Bill No. 435:

A bill to be entitled An Act relating to the City of Clewiston, in Hendry County, Florida; amending Sections 6 and 7 of Article I and Section 2 of Article III of Chapter 10433, Laws of Florida, Special Acts of 1925, being An Act entitled "An Act to repeal Chapter 9712, Laws of Florida, Acts of 1923, and the Laws amendatory thereto, enacted by the Legislature of Florida Session of 1925, and approved May 14, 1925, and to provide for the creation of a Municipal Corporation to be known as the City of Clewiston in Hendry County, Florida; to fix and determine the territorial limits, jurisdiction and powers of said City and the jurisdiction and powers of its officers; and to provide a referendum on the question of incorporating said City," as amended by Chapter 13962, Laws of Florida, Special Acts of 1929, being An Act entitled: "An Act to amend Sections Three (3), Six (6) and Seven (7) of Article I and Section One (1) and Two (2) of Article III of Chapter 10433, of the Laws of Florida of 1925; providing for and creating the City of Clewiston, as amended by Chapter 12616 of the Laws of Florida of 1927;" amending Section 1 of Article II, Section 2 of Article V, Section 3 of Article VI, and Section 2 of Article IX of said Chapter 10433; providing for nomination of candidates for commissioner and the holding of primary elections; empowering the City of Clewiston to construct, purchase, acquire, own, lease or establish, operate, maintain, extend, enlarge, reconstruct and improve one or

more electric light plants or waterwork plants or a combined electric and water system; expressly withdrawing said City from the operative sphere of the provisions of Chapter 4600, Laws of Florida, Acts of 1897; authorizing the issuance by the City of Clewiston of revenue certificates and bonds; providing that the City of Clewiston may secure payment of bonds or revenue certificates issued to acquire public utilities or to reconstruct, extend, enlarge or improve the same, by mortgage or pledge of such utilities and revenues therefrom; authorizing the sale by the City of Clewiston of water and electric service; and repealing all laws and parts of laws in conflict herewith.

House Bill No. 822:

A bill to be entitled An Act to amend Section 196 of Chapter 11678, Special Acts of Florida, extraordinary Session of 1925, entitled "An Act to abolish the present Municipal Governments of the City of Panama City, the Town of Millville and City of St. Andrews, in the County of Bay, and State of Florida, and to establish, organize and constitute a Municipality to be known and designated as the City of Panama City, Bay County, and State of Florida. To define its territorial boundaries and to provide for its jurisdiction, power and privileges," by providing for the payment of refunding bonds to be issued by the present City of Panama City and for the levy of a uniform tax on all taxable property within the present City of Panama City for the payment of the same and for the holding of an election in accordance with Chapter 14715, Laws of Florida, Acts of 1931, with reference thereto.

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

Very respectfully,

A. P. DRUMMOND,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Rose—

Senate Bill No. 509:

A bill to be entitled An Act to provide for, regulate and prescribe expenses of administration, attorney's fees and guardianship commissions in estates of minors, lunatics or others in which guardianship is provided by law.

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

By Senator Smith (By Request)—

Senate Bill No. 510:

A bill to be entitled An Act to require all persons, firms or corporations engaged in the business of copying the whole or any part of public documents, licenses, certificates, or applications for licenses or certificates, for the purpose of sale, to pay a fee for all copies or partial copies of such instruments made.

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

By Senator Smith—

Senate Bill No. 511:

A bill to be entitled An Act relating to the suspension or revocation of licenses of insurance agents or solicitors.

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

By Senator Cliett (By Request)—

Senate Bill No. 512:

A bill to be entitled An Act to define larceny; to define and describe personal property which may be the subject of larceny; to define, prescribe, establish and describe the method, manner and means whereby and by which a person shall be deemed guilty of larceny; to prescribe the sufficiency and essentials of a warrant, indictment, and information charging larceny; to provide for a bill of particulars; to provide for and prescribe the punishment which may be imposed for the commission of the offense of larceny; to provide that nothing in this Act shall be construed as repealing certain specifically enumerated existing laws; to repeal all laws and parts of laws inconsistent or in conflict herewith and to provide for a date upon which this Act shall be in force and effect.

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

By Senator King—

Senate Joint Resolution No. 513:

A Joint Resolution relating to the calling of a convention to revise the Constitution of the State of Florida.

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

SECTION 1. That it is the determination of this Legislature that it is necessary to revise the Constitution of the State of Florida; that this determination be entered upon the respective Journals of the House and the Senate of this Legislature with the Yeas and Nays thereon.

SECTION 2. That it is the determination of this Legislature to express by the affirmative vote of two-thirds of all the members of both houses that this proposal to call a Constitutional Convention to revise the Constitution of this State be submitted to a vote of electors of the State of Florida at the next general election, to be held in November, 1942, for approval or rejection, according to the provisions of Section 2 of Article 17 of the Constitution of the State of Florida.

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

By Senator Dye—

Senate Bill No. 514:

A bill to be entitled An Act relating to witnessing and acknowledging of deeds and mortgages and other instruments under the Laws of the State of Florida.

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

By Senator Shepherd—

Senate Bill No. 515:

A bill to be entitled An Act authorizing and empowering Municipalities to sell and providing for the State Road Department, the Counties and/or any proper State agency or commission to purchase certain bridges constructed by the Municipalities for the cost of which such Municipalities have issued bonds; providing the manner and method of purchase and payment, and declaring, designating and establishing such bridges as State Roads.

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

By Senator Johnson—

Senate Bill No. 516:

A bill to be entitled An Act for the relief of John C. Emersley in compensation for services rendered and in reimbursement of expenses incurred as State Director of Florida State Employment Service and to appropriate money to pay the same.

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

By Senator Shuler—

Senate Bill No. 517:

A bill to be entitled An Act to repeal Chapter 19,570, Laws of Florida of 1939, same being entitled, "An Act regulating the distribution and sale of domestic malt or brewed beverages," as defined in Chapter 16,774, Laws of Florida, Acts of 1935, and to be entitled "An Act regulating and taxing the manufacture, distribution and sale of beverages containing more than one percentum of alcohol, creating and providing penalties for the violation of this Act and repealing existing laws concerning said beverages," providing for a minimum cash deposit on each case of twenty-four bottles of such beverage, and providing for the enforcement of said penalties for the violation of this Act."

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

By the Committee on Judiciary "C"—

Senate Bill No. 518:

A bill to be entitled An Act to amend Section 2775, Revised General Statutes of Florida, 1920, the same being Section 40, compiled General Laws of Florida, 1927, relating to exemption from jury duty, by including therein editorial workers daily and weekly newspapers.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and that Senate Bill No. 518 be placed on the Calendar of Bills on second reading without reference.

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

By the Committee on Judiciary "C"—

Senate Bill No. 519:

A bill to be entitled An Act to amend Section 5918, R.

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General Statutes of Florida, 1920, the same being Section 8182, Compiled General Laws of Florida, as amended by Section One of Chapter 19617, Laws of Florida, Acts of 1939, relating to expenditures allowable in furtherance of the candidacy of any person at a primary election.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 519 be placed on the Calendar of Bills on second reading without reference.

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

By Senator Whitaker—

Senate Bill No. 520:

A bill to be entitled An Act providing that policies issued in the State insuring against liability for property damage or personal injuries shall contain provisions making the insurer directly liable to the injured party to the amount of damages for which the insured is liable; providing that the insured and insurer under such policies may be sued jointly for such damages and that all such policies of insurance shall be deemed to be made subject to the provisions of this Act and that inconsistent provisions shall be void.

Which was read the first time by title only.

Senator Whitaker moved that the rules be waived and Senate Bill No. 520 be placed on the Calendar of Bills on second reading without reference.

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

By Senator Whitaker—

Senate Bill No. 521:

A bill to be entitled An Act relating to the Counties of the State of Florida and providing that no money judgment or decree shall be a lien upon the property thereof; that no fieri facias shall issue on such judgment; and repealing all laws conflicting therewith.

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

By Senator Whitaker—

Senate Bill No. 522:

A bill to be entitled An Act giving and granting to honorary consuls, vice-consuls and consular agents representing foreign governments in the State of Florida the same rights and privileges as are granted to consuls of career.

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

By Senator Clarke—

Senate Bill No. 523:

A bill to be entitled An Act relating to access to safety deposit boxes rented or leased in two or more names.

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

By Senator Cooley—

Senate Bill No. 524:

A bill to be entitled An Act fixing the speed limits for the operation upon the public highways of trucks and buses which are self-propelled motor vehicles; and fixing the speed limits for all motor vehicles operated upon any wooden bridge upon any public highway of this State; making it unlawful to exceed such limits and fixing penalties therefor.

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

By Senator Gideons—

Senate Bill No. 525:

A bill to be entitled An Act authorizing and directing the Board of County Commissioners of all Counties of the State of Florida having a population of not less than 11,000, and not more than 11,125, according to the Federal census of 1940, to levy and collect an annual tax on all property in said Counties for the payment of outstanding indebtedness incurred in the construction of school buildings or in making necessary repairs to present buildings; providing for the expenditure of the funds derived from such tax; and setting the time during which such tax shall be levied and collected.

Which was read the first time by title only.

Senator Gideons moved that the rules be waived and Senate Bill No. 525 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 525 was read the second time by title only.

Senator Gideons moved that the rules be further waived and Senate Bill No. 525 be read the third time in full and put upon its passage.

And Senate Bill No. 525 was read the third time in full.

Which was agreed to by a two-thirds vote.

Upon the passage of Senate Bill No. 525 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 Senate Bill No. 525 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Cliett—

Senate Bill No. 526:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners in Counties having a population of not less than 7,700 and not more than 8,000, according to the 1940 Federal Census, to levy a special tax of not to exceed two mills annually for hospitalization of indigent inhabitants of said Counties.

Which was read the first time by title only.

Senator Cliett moved that the rules waived and Senate Bill No. 526 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 526 was read the second time by title only.

Senator Cliett moved that the rules be further waived and Senate Bill No. 526 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. 526 was read the third time in full.

Upon the passage of Senate Bill No. 526 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 Senate Bill No. 526 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Cliett—

Senate Bill No. 527:

A bill to be entitled An Act authorizing and empowering the Board of County Commissioners in Counties having a population of not less than 10,150 and not more than 10,500, according to the 1940 Federal Census, to levy a special tax of not to exceed two mills annually for hospitalization of indigent inhabitants of said Counties.

Which was read the first time by title only.

Senator Cliett moved that the rules be waived and Senate Bill No. 527 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 527 was read the second time by title only.

Senator Cliett moved that the rules be further waived and Senate Bill No. 527 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. 527 was read the third time in full.

Upon the passage of Senate Bill No. 527 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 Senate Bill No. 527 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Rose—

Senate Bill No. 528:

A bill to be entitled An Act authorizing the use by the State Tuberculosis Board of any unused funds heretofore or hereafter appropriated and in excess of its regular operating appropriations for the purpose of matching or supplementing State or Federal or other funds acquired by gift or grant; to borrow money against revenue certificates; to use any of such funds in the construction and equipment of additional facilities.

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

By Senator Taylor—

Senate Bill No. 529:

A bill to be entitled An Act providing for the cancellation of all unpaid State and County taxes and all outstanding State-owned tax certificates on certain real estate in the City of Dunedin, Florida, owned by said City and dedicated to public use.

Which was read the first time by title only.

The following proof of publication was attached to Senate Bill No. 529 when it was introduced in the Senate:

THE DUNEDIN TIMES

Published Weekly

Dunedin, Pinellas County, Florida.

STATE OF FLORIDA,)
COUNTY OF PINELLAS.)

Before the undersigned authority personally appeared C. W. Cleary, who on oath says that he is Publisher of the Dunedin Times, a weekly newspaper published at Dunedin in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of a local bill to be presented at the Florida Legislature, in the Court, was published in said newspaper in the issues of March 28, A. D. 1941.

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

C. W. CLEARY.

Sworn to and subscribed before me this 28th day of March, A. D. 1941.

C. Y. McMULLEN,

(SEAL) Notary Public.

LEGAL NOTICE

THIS IS TO GIVE NOTICE, as required by the Constitution and laws of the State of Florida, that I will introduce in the 1941 regular Session of the Florida Legislature for passage a Local Bill:

A Bill to cancel all unpaid State and County taxes to and including the year 1941 and all outstanding State-owned Tax Certificates against the following described real estate situate in the City of Dunedin, owned by said City and dedicated to public use, to-wit:

The NW¼ of the SE¼ and that part of the NE¼ of the SW¼ lying East of the Atlantic Coast Line railroad right-of-way, less that certain deed, recorded under instrument No. 184891, to the Board of School Trustees for District No. 5, less the South 492½ feet, all in Section 34, Township 28 South, Range 15 East, Pinellas County, Florida, whereon is located a ball park known as Grant Park.

The South 52 feet of Lot 5 and the South 52 feet of the East 50 feet of Lot 4, Block 20, G. B. & C. P. Lewis' subdivision in Section 27, Township 28 South, Range 15 East, Pinellas County, Florida, whereon is located a water plant.

The West 107.5 feet of Lot "C" and the West 107.5 feet of the North 3/10th feet of Lot "B", W. B. Y. Wilkie's Subdivision

in Section 34, Township 28 South, Range 15 East, Pinellas County, Florida, whereon is located a city park for recreational purposes

DATED at Dunedin, Florida, this 24th day of March, A. D. 1941.

JOHN S. TAYLOR, JR.
Member of the Legislature of the State of Florida from the County of Pinellas

Mar. 28.

Senator Taylor moved that the rules be waived and Senate Bill No. 529 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 529 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 529 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. 529 was read the third time in full.

Upon the passage of Senate Bill No. 529 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 Senate Bill No. 529 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Cooley—

Senate Bill No. 530:

A bill to be entitled An Act to amend Chapter 20225, Laws of Florida, Acts of 1941, entitled "An Act providing for the recording in the office of the Motor Vehicle Commissioner of a sworn notice of all liens for purchase money or as security for debts on Motor Vehicles; providing that no such lien shall be enforceable as against creditors or subsequent purchasers without notice unless such notice has been recorded in such office; authorizing the Motor Vehicle Commissioner to make rules and regulations for the enforcement of this Act and prepare forms and books for such recording; providing the amount of fees to be charged; providing for the cancellation of such liens upon payment; and penalties for failure to cancel such liens upon payment; and repealing all laws in conflict except Chapter 4918, Acts of 1901, known as Section 7866, C. G. L. 1927, and Section 5663, Revised General Statutes;" by adding an additional section providing that the said Act shall not be effective as to any retain title contract, conditional bill of sale, chattel mortgage, or other like instrument executed prior to August 1, 1941.

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

By Senator Taylor—

Senate Bill No. 531:

A bill to be entitled An Act to amend Sections 13 and 14 of Chapter 15183, Laws of Florida, Acts of 1931, entitled "An Act to abolish the present municipal government of the City of Dunedin Pinellas County, Florida, and to create and establish and organize a municipality to be known and designated as the City of Dunedin, and to define its territorial boundaries and provide for its government, jurisdiction, powers, franchises and privileges," by repealing those parts of said sections which require the publication of ordinances in their entirety and publication of the tax roll and providing for publication of ordinances by title only.

Which was read the first time by title only.

The following proof of publication was attached to Senate Bill No. 531 when it was introduced in the Senate:

THE DUNEDIN TIMES

Published Weekly

DUNEDIN, PINELLAS COUNTY, FLORIDA

STATE OF FLORIDA,)
COUNTY OF PINELLAS.)

Before the undersigned authority personally appeared C. W. Cleary, who on oath says that he is publisher of the Dunedin Times, a weekly newspaper published at Dunedin in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of a local bill to be presented at the Florida Legislature, in the Court, was published in said newspaper in the issues of March 28, A. D. 1941.

Times, a weekly newspaper published at Dunedin in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of A Bill to amend the City Charter of the City of Dunedin, Florida, in the..... Court, was published in said newspaper in the issues of March 28, A. D. 1941.

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

C. W. CLEARY,

Sworn to and subscribed before me this 28th day of March, A. D. 1941.
(SEAL)

C. Y. McMULLEN,

Notary Public.

LEGAL NOTICE

THIS IS TO GIVE NOTICE, as required by the Constitution and laws of the State of Florida, that I will introduce in the 1941 regular session of the Florida Legislature for passage a Local Bill;

A Bill to amend the City Charter of the City of Dunedin, Florida, which said Charter was granted by the Legislature of the State of Florida under Chapter 15183, Laws of Florida, Acts of 1931, by repealing those provisions of said Charter which require the publication of all ordinances in their entirety and publication of the Tax Roll, and providing for the publication of ordinances by title only.

DATED at Dunedin, Florida, this 24th day of March, A. D. 1941.

JOHN S. TAYLOR, JR.

Member of the Legislature of the State of Florida from the County of Pinellas.

Mar. 28.

Senator Taylor moved that the rules be waived and Senate Bill No. 531 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 531 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 531 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. 531 was read the third time in full.

Upon the passage of Senate Bill No. 531 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 Senate Bill No. 531 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Taylor—

Senate Bill No. 532:

A bill to be entitled An Act to prescribe, define and enlarge the territory of a Municipal Corporation known as the Town of Sunshine Beach, Pinellas County, Florida; and to provide for the ratification of this Act by the qualified electors of the effected area.

Which was read the first time by title only.

Senator Taylor moved that the rules be waived and Senate Bill No. 532 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 532 was read the second time by title only.

Senator Taylor moved that the rules be further waived and Senate Bill No. 532 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. 532 was read the third time in full.

Upon the passage of Senate Bill No. 532 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 Senate Bill No. 532 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Cooley—

Senate Bill No. 533:

A bill to be entitled An Act to establish a crime detection laboratory; to provide for the appointment of the Director thereof; to provide for the powers and duties of such Director; to provide for the reports of such laboratory to be furnished State, County, and Municipal law enforcement agencies without charge; to provide transportation by the department of Public Safety; and to appropriate funds to carry out the provisions of this Act.

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

By Senator Hinely—

Senate Bill No. 534:

A bill to be entitled An Act for the relief of J. P. Blanchard.

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

By Senator Beall—

Senate Bill No. 535:

A bill to be entitled An Act to amend Section 43 of Chapter 19554, Laws of Florida, Acts of 1939, being an Act entitled, "An Act relating to criminal procedure; to the issuing of warrants and capias and the execution thereof; to preliminary examinations and bail; to methods of prosecution; to the selection and duties of the grand jury; to indictments and informations and process thereon; to arraignment, motions and pleas; to jurisdiction and venue; to change of judges and removal of causes; to trial by jury and waiver of trial; to presence of the defendant; to dismissal of prosecution and continuance; to proceedings to determine mental condition of defendant; to conduct of trial and jury; to motions for a new trial and in arrest of judgment; to judgment, sentence and execution; to provide for the use of evidence at a former trial; to appeal; to revise, re-enact and consolidate the law relating to criminal procedure; to powers and duties of administrative, judicial and prosecuting officers; to capital punishment; to repeal certain laws and all other laws and part of laws in conflict herewith and prescribing a penalty for any officer or other person violating the provisions of this Act."

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

By Senators King and Rose—

Senate Bill No. 536:

A bill to be entitled An Act to amend Sections 2938, 3616, 3617, 3787, 3789, 3797, 3802, 3803, 3806, 3818, 3822, 3825, 3836, and 3841, of the Revised General Statutes of Florida, and also Section 1 Chapter 10,168, Acts of 1925, and Section 1, Chapter 10,169, Acts of 1925; relating to real property titles and estates.

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

By Senator Shands—

Senate Bill No. 537:

A bill to be entitled An Act to designate and establish certain State Roads in Alachua County, Florida.

Which was read the first time by title only.

Senator Shands moved that the rules be waived and Senate Bill No. 537 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 537 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 537 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. 537 was read the third time in full.

Upon the passage of Senate Bill No. 537 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 Senate Bill No. 537 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Ward—

Senate Bill No. 538:

A bill to be entitled An Act relating to the dedication of certain roads to the public.

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

Senator Taylor moved that the rules be waived and the Senate take up and consider House Bill No. 628, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 628:

A bill to be entitled An Act to amend Section 23 of Chapter 14624, Laws of Florida, Acts of 1929, same being, "An Act to abolish the present municipality of the Town of Pass-a-Grille, Pinellas County, Florida, and to create and establish a municipal corporation to be known as the Town of Pass-a-Grille Beach; to prescribe the territory by limits thereof; to prescribe the form of government and to confer certain powers upon said municipality and its officers and to provide a charter for the carrying into effect of the provisions of this Act," by increasing the millage prescribed in Section 23 for operating purposes from twelve to fifteen mills; repealing all laws and parts of laws in conflict herewith and providing for the ratification or rejection of this Act by the electorate of the Town of Pass-a-Grille Beach.

Was taken up.

Senator Taylor moved that the rules be further waived and House Bill No. 628 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 628 was read the second time by title only.

Senator Taylor moved that the rules be further waived and House Bill No. 628 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. 628 was read the third time in full.

Upon the passage of House Bill No. 628 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. 628 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Taylor moved that the rules be waived and the Senate take up and consider House Bill No. 609, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 609:

A bill to be entitled An Act to approve, legalize, ratify, confirm, and validate all acts and proceedings of the City of Clearwater, its City Commission, officers, and agents, in relation to the calling and holding of a special election in City of Clearwater for the adoption of civil service for the members of the police and fire departments under Chapter 17166, Laws of Florida, Acts of 1935; and to

legalize and validate all proceedings of the Civil Service Board established under said Act.

Was taken up.

Senator Taylor moved that the rules be further waived and House Bill No. 609 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 609 was read the second time by title only.

Senator Taylor moved that the rules be further waived and House Bill No. 609 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. 609 was read the third time in full.

Upon the passage of House Bill No. 609 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. 609 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Taylor moved that the rules be waived and the Senate take up and consider House Bill No. 567, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 567:

A bill to be entitled An Act authorizing the creation of a Municipal Tax Adjustment Board for the town of Pinellas Park; prescribing its powers, duties and limitations; providing for a Chairman and Secretary; and authorizing said Board to adjust, settle and compromise taxes, and provide a referendum therefor.

Was taken up.

Senator Taylor moved that the rules be further waived and House Bill No. 567 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 567 was read the second time by title only.

Senator Taylor moved that the rules be further waived and House Bill No. 567 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. 567 was read the third time in full.

Upon the passage of House Bill No. 567 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. 567 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Dye moved that the rules be waived and the Senate take up and consider House Bill No. 496, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 496:

A bill to be entitled An Act regulating the running at large of live stock in Sarasota County, Florida; prohibiting running at large except within a certain defined area of said county; prescribing certain duties, rights, remedies, procedures and penalties in aid of the enforcement of this Act; and enacting certain existing laws relating to the subject matter hereof.

Was taken up.

Senator Dye moved that the rules be further waived and House Bill No. 496 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 496 was read the second time by title only.

Senator Dye moved that the rules be further waived and House Bill 496 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. 496 was read the third time in full.

Upon the passage of House Bill No. 496 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. 496 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Shuler moved that the rules be waived and the Senate take up and consider House Bill No. 473, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 473:

A bill to be entitled An Act to prescribe the commissions and fixing the compensation of the County Assessor of Taxes and the County Collector of Taxes of Liberty County, Florida; and fixing and determining the manner in which such commissions and compensation shall be paid.

Was taken up.

Senator Shuler moved that the rules be further waived and House Bill No. 473 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 473 was read the second time by title only.

Senator Shuler moved that the rules be further waived and House Bill No. 473 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. 473 was read the third time in full.

Upon the passage of House Bill No. 473 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. 473 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senator Cliett moved that House Bill No. 682 be indefinitely postponed.

Which was agreed to and House Bill No. 682 was indefinitely postponed, and the action of the Senate was ordered certified to the House of Representatives.

Senator Folks moved that Senate Bill No. 390 be recalled from the Committee on Motor Vehicles.

Which was agreed to and it was so ordered.

By unanimous consent Senator Folks withdrew Senate Bill No. 390.

Senator Johnson moved that Senate Bill No. 326 be recalled from the Committee on Miscellaneous Legislation.

Which was agreed to and it was so ordered.

By unanimous consent Senator Johnson withdrew Senate Bill No. 326.

By permission the following Concurrent Resolution was introduced:

By Senator Rose—

Senate Concurrent Resolution No. 10:

A Concurrent Resolution to be entitled a Resolution relating to the preservation of moral conditions in the vicinity of army and naval camps and plants erected and maintained by the Federal Government in providing for the National Defense.

BE IT RESOLVED by the Senate of the State of Florida, the House of Representatives concurring:

Section 1. That the Senate of the State of Florida, the House

of Representatives concurring, respectively petition the Congress of the United States of America to give early consideration to legislation suppressing and prohibiting all forms of vice, including the sale of intoxicating beverages, on, in, and in the vicinity of, all plants owned leased or maintained by the United States of America for national defense, including all reservations, camps, bases, training schools, barracks and other areas used for the quartering, training or encampment of the armed forces of the Army and Navy of the United States.

Section 2. Be it further Resolved that the Secretary of State forthwith prepare suitable copies of this Resolution, and cause the same to be transmitted to the Vice-President of the United States, the Speaker of the House of Representatives of the United States, the Chairmen of the several committees on Army and Naval affairs of the Senate and House of Representatives of the United States, and to each of the members of the Senate and House of Representatives of the United States, from the State of Florida.

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

MESSAGES FROM THE GOVERNOR

State of Florida

EXECUTIVE DEPARTMENT

Tallahassee, Fla., May 9th, 1941.

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

Sir:

I have the honor to inform you that I have today approved the following Acts, which originated in your Honorable Body, and have caused the same to be filed in the office of the Secretary of State:

Senate Bill No. 150 relating to Insurance Agents and Solicitors.

Senate Bill No. 375 relating to State Road.

Respectfully yours,
SPESSARD L. HOLLAND
Governor.

State of Florida
EXECUTIVE DEPARTMENT
Tallahassee
May 10th, 1941

Honorable John R. Beacham,
President of the Senate.
Tallahassee
Florida.

Sir:

I have the honor to inform you that I have today caused the following Act, which originated in your Honorable Body, to be filed in the office of the Secretary of State, the same having remained in this office for the full Constitutional period of five days and will become a law without my approval:

Senate Bill No. 77: Relating to Bonifay.

Respectfully yours,
SPESSARD L. HOLLAND,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Fla.,
May 9, 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 Beall and Clarke—

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 to 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 cases.

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

And Senate Bill No. 274, 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.
May 9, 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 Dye—
Senate Bill No. 134:

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

By Senator King—
Senate Bill No. 165:

A bill to be entitled An Act to provide for assistance to blind voters in marking ballots or using voting machines.

By Senator Graham—
Senate Bill No. 229:

A bill to be entitled An Act authorizing, empowering and directing the State of Florida, through the Trustees of the Internal Improvement Fund, to sell to any municipality any lands which were municipally owned prior to being vested in the State of Florida, pursuant to Chapter 18296, Acts of 1937; providing for proof by the Clerk of the Circuit Court in the respective counties showing municipal ownership at the time of requesting conveyance to said municipality by the State of Florida.

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

And Senate Bills Nos. 134, 165 and 229, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida.
May 9, 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 Adams (25th)—
Senate Bill No. 121:

A bill to be entitled An Act to authorize the Florida Board of Forestry to dedicate State park lands for public use.

By Senator Adams (25th)—
Senate Bill No. 125:

A bill to be entitled An Act to change the name of the "Florida Board of Forestry" to the name of "Florida Board of Forestry and Parks."

By Senators Adams (25th)—
Senate Bill No. 126:

A bill to be entitled An Act amending Section 3 of Chapter 17025, Laws of Florida, Acts of 1935, by authorizing the Florida Board of Forestry to employ a director and other employees for the "Florida Park Service"; to prescribe the qualifications, duties and compensation of such director and other employees.

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

And Senate Bills Nos. 121, 125 and 126, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla.,
May 9, 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 Beall—
Senate Bill No. 55:

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

By Senator Beall—
Senate Bill No. 56:

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

By Senator Adams (25th)—
Senate Bill No. 119:

A bill to be entitled An Act to authorize the Florida Board of Forestry to charge fees for the use of State Parks, to provide for the disposition of all monies so collected and authorizing said board to manage and invest any funds by it received in trust.

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

And Senate Bills Nos. 55, 56 and 119, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Florida,
May 9, 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 King, Whitaker and Taylor—
Senate Bill No. 3:

A bill to be entitled An Act to amend paragraph (12) of Section 3 of Chapter 16085, Laws of Florida, Acts of 1938, being paragraph (12) of Section 1285, Permanent Cumulative Supplement to Compiled General Laws of Florida, 1927; said Chapter relating to the operation, licensing and taxing of motor vehicles, trailers, semi-trailers and motorcycle sidecars and providing penalties for the violation thereof, so as to provide for the exemption from the provisions of said Chapter any motor truck, trailer or semi-trailer owned and operated exclusively by The Boy Scouts of America or any subsidiary organization thereof while being used exclusively for the carrying out of the purpose of said organization.

By Senator Kanner—
Senate Bill No. 9:

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

By Senator Beall—
Senate Bill No. 54:

A bill to be entitled An Act relating to the removal of a prisoner to jail of another county, and to repeal Section 6299 Revised General Statutes of Florida.

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

And Senate Bills Nos. 3, 9 and 54, contained in the above message, were referred to the Committee on Enrolled Bills.

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

Tallahassee, Fla.
May 9, 1941.

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

Sir:
I am directed by the House of Representatives to inform

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the Senate that the House of Representatives has adopted an amendment to:

By Senator Rose—
Senate Bill No. 156:

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

Which amendment reads as follows:
"Strike out the enacting clause."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

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

Tallahassee, Fla.,
May 9, 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 with amendments:

By Senators Cooley, Shands, Price, and Kelly—
Senate Bill No. 231:

A bill to be entitled An Act relating to the occupation of barbering and the operation of barber shops; authorizing the Barbers' Sanitary Commission, upon petition signed by a majority of all of the barbers holding certificates of registration in a County to investigate trade practices among barbers and barber shops in such County and, after public hearings, to prescribe and enforce such reasonable rules and regulations pertaining to minimum prices to be charged for barber services and hours of operation of barber shops as will eliminate unfair and unsanitary practices; prescribing the penalty for the violation of the provisions of this Act and the rules and regulations adopted pursuant hereto, and repealing all laws in conflict herewith.

Which amendments read as follows:

House Amendment No. 1:

In Section 3, line 2, of the bill, strike out the word "Majority" and insert the following in lieu thereof: "66 2/3%".

House Amendment No. 2:

After Section 3, add Section 3A as follows: The Board may in its discretion establish zones in a County with appropriate varying prices therein.

House Amendment No. 3:

In Title, line 4, of the bill, strike out the word "Majority" and insert the following in lieu thereof: "66 2/3%".

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 231, contained in the above message, was read by title, together with House Amendments thereto.

Senator Cooley moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 231.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 231.

Senator Cooley moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 231.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 231.

Senator Cooley moved that the Senate do concur in House Amendment No. 3 to Senate Bill No. 231.

Which was agreed to and the Senate concurred in House Amendment No. 3 to Senate Bill No. 231.

And Senate Bill No. 231, as amended, was referred to the Committee on Engrossed Bills, and the action of the Sen-

ate 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, Fla.,
May 9, 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, with amendment:

By Senator Clarke—
Senate Bill No. 14:

A bill to be entitled An Act to increase to the Public the Credit Facilities of banks, trust Companies and National Banks doing business in this State by Fixing the Rate of Interest or Discount that may be charged on loans not exceeding One Thousand Five Hundred Dollars (\$1,500.00) to Prescribe the Methods for Effecting such Charge, and to Prescribe the Charges thereon.

Which amendment read as follows:

Strike out Sections 3 and 4, and insert the following in lieu thereof:

Section 3. This Act shall not apply to any banking corporation operating under Chapter 16791, laws of Florida, Acts of 1935, and any Acts amendatory thereof, or supplemental thereto, which Act regulates "Morris Plan" banks, and banks operating on a similar plan.

Section 4. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Section 5. This Act shall take effect immediately upon its becoming a law.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And Senate Bill No. 14, contained in the above message, was read by title together with House Amendment thereto.

Senator Clarke moved that the Senate do concur in the House Amendment to Senate Bill No. 14.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 14.

And Senate Bill No. 14, as amended, was referred to the Committee on Engrossed Bills 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, Fla.,
May 12, 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 Butler and Shuler—
Senate Concurrent Resolution No. 8:

SENATE CONCURRENT RESOLUTION RELATING TO THE PLACING OF A BIOGRAPHICAL SKETCH OF DR. JOHN GORRIE IN THE ISSUES OF THE ENCYCLOPAEDIA BRITANNICA, BRITANNICA JUNIOR AND COMPTON'S PICTURED ENCYCLOPAEDIA.

WHEREAS, Dr. John Gorrie, a citizen and resident of Apalachicola, State of Florida, invented at Apalachicola, Florida, in the year 1839-1840 the process of artificially manufacturing or producing ice; and,

WHEREAS, Dr. John Gorrie obtained May 6, 1851 from the United States Government a patent No. 8080 for the machine by which ice was for the first time artificially produced; and

WHEREAS, the machine invented by Dr. John Gorrie with which ice was produced for the first time is now in the Smithsonian Institute at Washington, D. C.; and,

WHEREAS, the invention of the ice making machine by Dr. Gorrie by which ice was for the first time produced artificially ranks next to the cotton gin invented by Eli Whitney in importance in the South; and,

WHEREAS, the ice producing machine invented by Dr. John Gorrie was the forerunner of the present modern refrigerating system; and,

WHEREAS, Dr. John Gorrie, a citizen of Florida, was a great inventor, scientist and humanitarian and should take his place in history and science with such other South-erners as Dr Crawford Long, the discoverer of anaesthesia, and Dr. William Crawford Gorgas, sanitarian and surgeon-general; and

WHEREAS, the public should be better informed as to Dr. John Gorrie and his accomplishments; and,

WHEREAS, the statue of Dr. John Gorrie was placed in the Hall of Fame in Washington, D. C. in 1914, as one of the representatives of Florida in the Hall of Fame; and,

WHEREAS a biographical sketch of Dr. John Gorrie does not appear in Britannica Junior, the Encyclopaedia Britannica and Compton's Pictured Encyclopaedia;

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring, that in order that the public may be better informed as to Dr. John Gorrie and his accomplishments, the editors of The Encyclopaedia Britannica, Junior Britannica and Compton's Pictured Encyclopaedia be requested to place a biographical sketch of Dr. John Gorrie in their next issue, the length of which to be commensurable to the achievements of the man.

BE IT FURTHER RESOLVED That the editors of these publications be furnished with a copy of this Resolution and copies be sent to John Gorrie High School, Jacksonville, Florida also to the granddaughter of Dr. Gorrie (Mrs. Carrie F. Stewart) and that a record be spread on the Minutes of the Session.

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

And Senate Concurrent Resolution No. 8, 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.
May 12, 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 receded from its amendments to

By Senators Adams (30th), Folks, Maines, Parker, Horne, Perdue, Shands, Smith, Lewis, Wilson, Hinely, Housholder, Adams (25th), Clarke, Kelly, Lindler, and Beall—

Senate Bill No. 52:

A bill to be entitled An Act to provide for the purchase, distribution and administration of Anti-Hog Cholera Serum and Hog Cholera Virus by the State Live Stock Sanitary Board; making an appropriation therefor; and repealing Chapter 19006, Laws of Florida, Acts of 1939, and repealing all Laws in conflict herewith.

Which amendments read as follows:

House Amendment No. 1:

In Section 2, line 5, of the bill, strike out the words "thereof to any owner of swine in Florida making application therefor, upon blanks to be furnished by the said Board and approved by the administrator of said anti-hog cholera serum and hog cholera virus."

And insert the following in lieu thereof: "thereof without cost to all owners of swine in Florida up to and including forty (40) head of swine, and to all owners of swine for the treatment of swine in addition to forty (40) head, the said Board shall distribute the said serum at fifty (50%) per cent of the cost of said serum, and that said owners shall make application therefor upon blanks to be furnished by the said Board and approved by the administrator of said anti-hog cholera serum and hog cholera virus."

House Amendment No. 2:

In Section 3, line 2, of the bill, strike out the words and figures "One hundred fifty thousand dollars (\$150,000.00)" and insert the following in lieu thereof: "One hundred twenty-five thousand dollars (\$125,000.00)."

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

And Senate Bill No. 52, 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
May 12, 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 with amendments—

By Senator Shands—
Senate Bill No. 194:

A bill to be entitled An Act defining and regulating the practice of professional engineering in Florida and defining a professional engineer; providing for the registration of professional engineers; creating and establishing the Florida State Board of Engineer Examiners; providing for the appointment of members composing said board; defining the qualifications of the members; granting certain powers and duties to said board; providing for the expenses of said board and for the organization and holding of meetings and for the keeping of records of said board; defining violations of this Act and the penalties for such violations; providing procedure for determining violations and prescribing penalties therefor; defining and providing for exemptions from the provisions of this Act; providing as to engineers from other states practicing professional engineering in Florida; providing for registration and examination fees and providing for and defining qualifications for registration; providing for the holding of examinations and the issuance of certificates of registration and for suspending and revoking certificates so issued; providing for appeal from the action of said board; providing for receiving, accounting for, and disbursing monies by said board; providing for the abolishment of the State Board of Engineering Examiners and the transfer of its property, and assumption of its obligations by the Florida State Board of Engineer Examiners; providing for the preservation of rights vested under the law existing prior to enactment of this law; and, save as necessary to preserve such rights, repealing all laws or parts of laws in conflict with this Act.

Which amendments read as follows:

House Amendment No. 1:

In Section 5, Sub-Section D, line 3, of the bill, strike out the words "Where the total estimated cost of the same is One Thousand Dollars or less."

House Amendment No. 2:

At the end of sub-section (e) of Section 5, strike out the period and insert: "and professional engineers admitted and authorized to practice their profession under the laws of some other State and who have been continuously engaged for fifteen years or more in the service of public utilities engaged in interstate commerce, but who do not hold themselves out for hire or engage in other such professional employment in this State."

And respectfully requests the concurrence of the Senate therein.

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

And Senate Bill No. 194, contained in the above message was read by title, together with House Amendments thereon.

Senator Shands moved that the Senate do not concur in House Amendment No. 1 to Senate Bill No. 194.

Which was agreed to and the Senate refused to concur in House Amendment No. 1 to Senate Bill No. 194.

Senator Shands moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 194.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 194.

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

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

Tallahassee,
May 12, 1941.

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

I am directed by the House of Representatives to

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the Senate that the House of Representatives has passed with amendments:

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

Senate Bill No. 15:

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

Which Amendments read as follows:

House Amendment No. 1:

After Section 14 insert the following: "Section 14-A. The provisions of this Act shall not apply to structures or shelters erected primarily for the comfort and convenience of the school children of the State of Florida or advertising thereon."

House Amendment No. 2:

In Section 6 sub-division (b) beginning with line 9, strike out the following: "Every annual renewal or application for advertising privilege shall be accompanied by a fee for each advertisement, advertising sign, or advertising structure which fee shall be retained by the chairman if permit is issued and it shall vary in accord with the size of advertisement, to wit \$1.00 for face area up to and including 100 sq. ft.; \$2.00 for all over 100 sq. ft. up to and including 200 sq. ft.; and \$3.00 for all over 200 sq. ft. Each portion of an advertisement structure upon which an advertisement is posted or displayed shall constitute a separate advertising structure for purposes of this section" and insert the following in lieu thereof: "Every annual renewal or application for advertising privilege shall be accompanied by a fee for each advertisement, advertising sign, or advertising structure, which fee shall be retained by the chairman if permit is issued, and shall be at the rate of 2c per sq. foot for the area of the face of said advertisement, advertising sign or advertising structure, with a minimum fee of 50c for each such advertisement, advertising sign or advertising structure."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 15, contained in the above message, was read by title together with House Amendments thereto.

Senator Shands moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 15.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 15.

Senator Shands moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 15.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 15.

And Senate Bill No. 15, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Florida,
May 12, 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 with amendments:

By Senators Beall, Perdue, King, Cooley, Clarke, Shepherd, McKenzle, Maddox, Butler, Lewis, Folks, Ward, Horne, Kelly, Johnson, Shuler, Collins, Lindler—

Senate Bill No. 236:

A bill to be entitled An Act to provide State Public Safety:

to that end to create the State Department of Public Safety; to prescribe its membership, duties, powers and authority; to provide for the division of such department, for the employees thereof, and duties and compensation; to provide for the license of chauffeurs and other operators of motor vehicles as herein defined; to provide for the suspension, cancellation and revocation of such licenses; to provide for certain liabilities, penalties and punishment for violations of this Act; to provide for the selection and compensation of the personnel of the division of State Highway Patrol of said department and their duties; to provide for other matters in connection with public safety; and making certain funds available for the purpose of carrying out the provisions hereof; and repeal Chapter 19551, Laws of Florida, Acts of 1939, relating to the State Department of Public Safety; to provide for the examination of applicants.

Which amendments read as follows:

House Amendment No. 1:

In Section 4A, page 3, of the bill, strike out the word "employees" and insert the following in lieu thereof: "patrolmen."

House Amendment No. 2:

In Section 34, bottom of page 18 or top of page 19, insert the words Authority of Department to cancel License. (a) The Department is hereby authorized to cancel any operator's or chauffeur's.

House Amendment No. 3:

In Section 33 last two lines page 18, of the bill, strike out the words, None of the monies herein provided shall be used to pay for legal advice or legal services of any Attorney-At-Law.

House Amendment No. 4:

Strike out the title and insert the following in lieu thereof: A. Act to provide State Public Safety; to that end to create the State Department of Public Safety; to prescribe its membership, duties, powers and authority; to provide for the divisions of such Department, for the employees thereof, and duties and compensation; to provide for the license of chauffeurs and other operators of motor vehicles as herein defined; to provide for the suspension, cancellation and revocation of such licenses; to provide for certain liabilities, penalties and punishment for violations of this Act; to provide for the selection and compensation of the personnel of the division of State Highway Patrol of said Department and their duties; to provide for other matters in connection with public safety; and making certain funds available for the purpose of carrying out the provisions hereof; and repeal Chapter 19551, Laws of Florida, Acts of 1939, relating to the State Department of Public Safety; to provide for the examination of applicants.

House Amendment No. 5:

In Section 8, of the bill, strike out lines one (1) to ten (10) and insert the following in lieu thereof: Bonds required of Certain Employees. The following officers and employees of said department shall give bond with good and sufficient surety in the following amounts, the form of which shall together with the sufficiency of the surety be approved by the Comptroller, conditioned for the faithful performance of their respective duties and for the proper accounting and prompt payment over to the Department, or the person lawfully entitled thereto, of any and all monies received by them in the performance of their duties. Such bonds shall further be conditioned to save the Department and/or any person harmless from any and all damage, claim or liability which may occur as a result of any Act of such officer or employee done in the scope of his employment or under color of his authority or office.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And Senate Bill No. 236, contained in the above message, was read by title together with House Amendments thereto.

Senator Collins moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 236.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 236.

Senator Collins moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 236.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 236.

Senator Collins moved that the Senate do concur in House Amendment No. 3 to Senate Bill No. 236.

Upon which a roll call was demanded.

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

Yeas—Mr. President; Senators Beall, Butler, Clarke, Collins, Cooley, Dye, Folks, Graham, Hinely, Housholder, Kaner, Kelly, King, Lindler, McKenzie, Perdue, Rose, Shands, Shepherd, Shuler, Ward—22.

Nays—Senators Adams (25th), Adams (30th), Cliett, Drummond, Gideons, Horne, Johnson, Lewis, Maddox, Maines, Price, Smith, Taylor, Whitaker, Wilson—15.

So the Senate concurred in House Amendment No. 3 to Senate Bill No. 236.

Senator Collins moved that the Senate do concur in House Amendment No. 4 to Senate Bill No. 236.

Which was agreed to and the Senate concurred in House Amendment No. 4 to Senate Bill No. 236.

Senator Collins moved that the Senate do concur in House Amendment No. 5 to Senate Bill No. 236.

Which was agreed to and the Senate concurred in House Amendment No. 5 to Senate Bill No. 236.

Senator Drummond moved that the rules be waived and the Senate do now reconsider the vote by which it concurred in House Amendment No. 1 to Senate Bill No. 236, as contained in the foregoing message from the House of Representatives.

The question was put.

Which was not agreed to and the motion made by Senator Drummond failed of adoption.

Senator Hinely moved that the Senate reconsider the vote by which it concurred in House Amendment No. 3 to Senate Bill No. 236, as contained in the foregoing message from the House of Representatives.

And the motion went over under the rule.

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

Tallahassee, Fla.
May 12, 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 with amendment:

By Senator Cliett—
Senate Bill No. 217:

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

Which amendment reads as follows:

Insert new paragraph at end of section one (1):—“(m) Begin at a point on State Road Number 32 east of Wachula at intersection of County Road Number 12, and follow the route of said County Road Number 12 in a southeasterly direction to intersect State Road Number 63 near the Popash School.

And respectfully requests the concurrence of the Senate therein.

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

And Senate Bill No. 217, contained in the above message, was read by title together with the House Amendment thereto.

Senator Cliett moved that the Senate do concur in the House Amendment to Senate Bill No. 217.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 217.

And Senate Bill No. 217, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

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

Tallahassee, Fla.
May 9, 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 Messrs. McLane of Escambia and Morrow of Palm Beach—

House Concurrent Resolution No. 2:

A Resolution to provide in the curriculum of all grades of the Elementary Schools of Florida a comprehensive course of study embodying as subject matter the basic elements and principles of Democracy, appreciation of Democracy and our American way of life.

WHEREAS, American democracy is threatened today both from without and within and attacked by enemies both real and intangible in its struggle to maintain the democratic way of life against the competition of other philosophies of life and government; and

WHEREAS, in this national emergency, it becomes apparent that in order to build for the future, the fires of patriotism should be kindled in our children and they should be taught to appreciate and understand and respect the underlying principles of American democracy; and

WHEREAS, our teachers constitute the greatest single force for instilling in our American youth a love and a respect for the rights which our fathers have won and for developing in the youth of today, who are the citizens of tomorrow, an active determination to protect and continue to perfect the expression of our democratic ideals; therefore, be it

RESOLVED, that the State Superintendent of Public Instruction and his duly appointed Courses of Study Committee be requested to provide in the curriculum of all grades of the elementary schools of Florida a comprehensive course of study embodying as subject matter the following minimum essentials as general objectives:

1. Developing in young Americans a knowledge of the basic elements and principles of the fundamental institutions of our American democracy;
2. Developing an understanding and appreciation of the advantages of living in a democracy;
3. Awakening of respect for our fathers, who, through sacrifice and struggle, have devoted their lives to the building of our democracy;
4. Providing a knowledge of the origins and development of the democratic ideal and to arouse and strengthen an appreciation of, and a positive love for, that ideal;
5. Developing those character traits which are desirable in a good American citizen;
6. Developing a thorough understanding of the meaning of democracy to the end that American youth shall be able to resist the false claims of propagandists who seek to undermine our American institutions;
7. Awakening a desire to invest one's best thought and work in improving our American way of life.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,
Chief Clerk House of Representatives.

And House Concurrent Resolution No. 2, contained in the above message, was read the first time in full and referred to the Committee on Education.

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

Tallahassee, Florida,
May 12, 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. Dowda of Putnam—

House Bill No. 323:

A bill to be entitled An Act relating to misdemeanors and providing that conviction before any town or city court of

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justice of the peace or other State court shall be a bar to further prosecution, or for any misdemeanor in the act committed.

By Messrs. Commander of Holmes, Riddles of Walton, Harris of Alachua, Hendry of Okeechobee, Clements of Columbia, Peoples of Glades, Allen of Levy, Wotitzky of Charlotte, Perry of Sarasota, Middleton of Putnam, Driggers of Union, Lambe of Jackson, Hosford of Liberty, Dixon of Jackson, Williams of Hernando, Boyd of Manatee, Acosta of Duval, Leonardy of Seminole, Versaggi of St. Johns, Turner of St. Johns, Howell of Orange, Ayers of Gilchrist, and Bailey of Bay—

House Bill No. 660:

A bill to be entitled An Act to amend Section 524 of Chapter 19355, Laws of Florida, Acts of 1939, entitled: "An Act relating to public education, providing for the organization, establishment, operation, maintenance, and support of the State system of public education and prescribing penalties for violating any provision of the Act, and any rule and regulation made pursuant to the Act;" 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. 323, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C."

And House Bill No. 660, contained in the above message, was read the first time by title only and referred to the Committee on Education.

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

Tallahassee, Florida,
May 12, 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. Dowda of Putnam—

House Bill No. 318:

A bill to be entitled An Act to prescribe rules of evidence in trials for violation of Chapter 16774, Laws of Florida, 1935, Chapter 18015, Laws of Florida, 1937, and Chapter 18301, Laws of Florida, 1939, taken together and known as the "Beverage Act."

By Mr. Strayhorn of Lee—

House Bill No. 434:

A bill to be entitled An Act to amend Sections Three and Four, Chapter 17060, Laws of 1935, the same being "An Act regulating the allowance of the exemption of homesteads from taxation and prescribing the duties of County and City Officials and Taxpayers with reference thereto."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 318, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C."

And House Bill No. 434, contained in the above message, was read the first time by title only and referred to the Committee on Finance and Taxation.

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

Tallahassee, Florida,
May 12, 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. McLane of Escambia—

House Bill No. 197:

A bill to be entitled An Act to amend Chapter 18285, Laws

of Florida, 1937, as amended, by adding thereto a section defining the terms used in said Act and amending Section 2 of said Act by deleting therefrom the definition of the term "Social Welfare"; repealing all laws in conflict therewith; and providing for the effective date hereof.

By Mr. Beck of Palm Beach—

House Bill No. 212:

A bill to be entitled An Act amending Section 3484 Revised General Statutes of 1920, also known as Section 5337, Compiled General Statutes of Florida, 1927, providing for proceeding in replevin when defendant cannot be personally served.

By Mr. Dowda of Putnam—

House Bill No. 311:

A bill to be entitled An Act providing for the disposition of property, including policies of life or accident insurance where there is no sufficient evidence that persons have died otherwise than simultaneously.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 197, contained in the above message, was read the first time by title only and referred to the Committee on Welfare.

And House Bill No. 212, 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. 311, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A."

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

Tallahassee, Fla.,
May 12, 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. Clement of Pinellas—

House Bill No. 335:

A bill to be entitled An Act to amend Section 3224 of the Revised General Statutes of Florida of 1920, the same being Section 5030 of the Compiled General Laws of 1927, relating to temporary injunction or an abatement of nuisances.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bill No. 335, contained in the above message, was read the first time by title only.

Senator Smith moved that the rules be waived and House Bill No. 335 be placed on the Calendar of Bills on second reading without reference.

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

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

Tallahassee, Fla.,
May 12, 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. Getzen of Sumter—

House Bill No. 8:

A bill to be entitled An Act designating, declaring and establishing as a State road that certain highway beginning at a point on State Road No. 2 in Coleman, Florida, thence North and East over the present paved road to its intersection with State Road No. 2, between Coleman and Wildwood, Florida.

By Mr. Getzen of Sumter—

House Bill No. 10:

A bill to be entitled An Act designating, declaring and

establishing as a State road that certain highway running West from a point on State Road No. 2, at or near Lady Lake, in Lake County, Florida, thence West via Oxford, Florida, over the present paved road in Sumter County, Florida, and State Road No. 225, in Marion County, Florida, to Pedro, Marion County, Florida, through Long Hammock Settlement.

By Mr. Getzen of Sumter—
House Bill No. 91:

A bill to be entitled An Act designating, declaring and establishing as a State Road that certain highway beginning at a point on State Road No. 2, between Coleman and Wildwood, Florida, where said road intersects with the south city limits of the City of Wildwood, Florida, thence north over the present paved road to its intersection with State Road No. 2, between Wildwood and Oxford, Florida, where said road intersects with the north city limits of Wildwood, Florida.

By Mr. Acosta of Duval—
House Bill No. 548:

A bill to be entitled An Act to change designation of State Road No. 78 in Duval and St. Johns Counties, Florida, as State Road No. 140.

By Messrs. Yaeger and Cawthon of Leon—
House Bill No. 592:

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

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

And House Bills Nos. 8, 10 and 91, contained in the above message, were read the first time by titles only and referred to the Committee on Public Roads and Highways.

And House Bill No. 548, contained in the above message, was read the first time by title only.

Senator Butler moved that the rules be waived and House Bill No. 548 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 548 was read the second time by title only.

Senator Butler moved that the rules be further waived and House Bill No. 548 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 548 was read the third time in full.

Upon the passage of House Bill No. 548 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. 548 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

And House Bill No. 592, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

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

Tallahassee, Fla.,
May 12, 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:

By Mr. Papy of Monroe—
House Bill No. 359:

A bill to be entitled An Act providing for the payment of Twenty-five Hundred Dollars per annum to the Tax Assessor for Monroe County, State of Florida, for the expenses of said office; requiring the Board of County Commissioners for said county to make such payment, and prescribing the method of payment of such expenses and the fund from which same

shall be paid; further that the provisions of such bill shall be cumulative and shall not repeal any existing laws on the subject.

Which amendment reads as follows:

Amendment No. 1:

In Section 1, line 3, strike out the words "Per Annum" and insert the following:
"For the fiscal year beginning July 1st, 1941 and ending June 30th, 1943."

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

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

Tallahassee, Florida,
May 12, 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 Amendments to:

By Mr. Lanier of Highlands:

House Bill No. 378:

A bill to be entitled An Act to provide that Lake Istokpoga located in Highlands County, Florida, be declared to be a fresh water lake To make it unlawful for any person, persons, firm or corporation to take or attempt to take by any means whatsoever from said Lake Istokpoga any large or small mouthed bass fish during the period each year beginning March 15th and ending May 20th: Providing that a violation of said Act shall be deemed misdemeanor and that any person, persons, firm or corporation upon the conviction or violating said Act shall be punished as provided by the General Laws of the State of Florida and providing that all laws or parts of laws in conflict herewith shall be repealed.

Which amendments read as follows:

Amendment No. 1:

In Section Six. (typewritten bill) strike out all of Section Six and insert in lieu thereof the following: Section 6. This Act shall take effect upon its becoming a law and upon being approved by a majority vote of the qualified electors of the County of Highlands at the first general or special election to be held subsequent to the passage of this Act. The Board of County Commissioners of Highlands County may, within thirty days after this Act becomes a law, cause the clerk of said board to give at least thirty days notice by publishing the same in one newspaper in the County that a special election will be held to determine whether or not this Act shall be adopted: such election to be held within sixty days from the date of publication of such notice. The said special election, if held shall be held and conducted and the returns thereof canvassed in the manner prescribed by law for holding general elections

Amendment No 2:

In Title, line fifteen. (typewritten bill) strike out the period and insert in lieu thereof the following: a comma and providing for a referendum.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

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

Tallahassee, Florida,
May 12, 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 refused to concur, reconsidered the vote by which it refused to concur and concurred in Senate Amendment to:

By Mr. Holt of Dade—

House Bill No. 427:

A bill to be entitled An Act fixing the terms of office of successors to the incumbent members of the State Road Department, the State Racing Commission, the Florida Industrial Commission, the Director of the State Beverage Department, the Hotel Commissioner, the State Auditor

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the State Motor Vehicle Commissioner; providing that such terms of office shall hereafter expire concurrently with the regular terms of the successive Governors of Florida.

Together with the following Senate Amendment:

Strike out the words, "State Auditor" wherever they appear in the bill.

Very respectfully,

BEN H. FUQUA,

Chief Clerk House of Representatives.

SPECIAL AND CONTINUING ORDER

Pursuant to the motion made by Senator Butler on May 9, 1941, and the hour having arrived, the Senate took up for consideration House Bill No. 296, as a Special and Continuing order.

House Bill No. 296:

A bill to be entitled An Act transferring and making available to the general revenue fund of the State the proceeds derived from sales of lands by the State of Florida, through the Trustees of the Internal Improvement Fund pursuant to Section 9 of the Murphy Act, being Chapter 18296, Laws of Florida, Acts of 1937.

Was taken up.

Senator Butler moved that the rules be waived and House Bill No. 296 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 296 was read the second time by title only.

Senators Smith and Horne offered the following amendment to House Bill No. 296:

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

Section 1. On July 1, 1941 and on the same date of each succeeding year thereafter any funds held by or coming to the State of Florida or to the Trustees of the Internal Improvement Fund of the State of Florida under the provisions of Section 9, Chapter 18296, Laws of Florida, Acts of 1937, known as the Murphy Act, shall be transferred to an old age assistance fund and to a dependent childrens fund, after due allowance for the expenses of administration of said statute, as follows: Sixty-six and two-thirds per centum to an old age assistance fund and thirty-three and one-third per centum to a dependent childrens fund, which shall be administered by the State Welfare Board, and such balances of such funds are hereby appropriated for such purposes.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall take effect upon becoming a law.

Senator Smith moved the adoption of the amendment.

Pending consideration of the amendment offered by Senators Smith and Horne, Senator Kanner moved that the rules be waived and the hour of adjournment be extended forty-five (45) minutes.

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

Pending consideration of the amendment offered by Senators Smith and Horne, Senators Price and Whitaker offered the following substitute amendment for the amendment offered by Senators Smith and Horne to House Bill No. 296:

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

Section 1. That there is hereby appropriated and apportioned, and the Trustees of the Internal Improvement Fund of the State of Florida are hereby authorized, empowered and directed, after deducting all operating and administrative costs and expenses, to pay and distribute from the net amount of proceeds received from each sale of land heretofore or hereafter made pursuant to Section 9 of Chapter 18296, Laws of Florida, Acts of 1937, as follows:

(a) Ten (10%) per cent of the net proceeds of each sale to the general fund of the State of Florida,

(b) Ninety (90%) per cent of the net proceeds of each sale to the County in which the land is located and sale held. Payment of said ninety (90%) per cent shall be made to the board of County Commissioners of the county, who in turn shall equally divide said ninety (90%) per cent, and pay one half

thereof into the general operating fund of the county to be used and disbursed for general uses, operating and maintenance expenses of the county, and one-half thereof to the general county school fund to be used and disbursed by the county Board of Public Instruction in the general operation and maintenance of the public schools of the county.

Section 2. That said Trustees of the Internal Improvement Fund shall begin the distribution and disbursement of said funds as hereinabove provided immediately on this Act becoming a law, and hereafter shall continue to disburse the net proceeds of any sales made hereafter in the same manner and in the same proportion as hereinabove provided in quarterly payments as of the first day of January, April, July and October thereafter; and all funds so received hereafter by the State of Florida and the counties shall be used for the purposes hereinabove set forth.

Section 3. If any section, sub-section, sentence, clause, or phrase of the Act is for any reason held to be unconstitutional such unconstitutionality shall not effect the validity of the remaining portions of this Act, including the remaining portions of any section, sub-section, sentence, clause or phrase.

Section 4. All laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Section 5. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval.

Senator Whitaker moved the adoption of the substitute amendment.

Upon which a roll call was demanded.

Upon call of the roll on the adoption of the substitute amendment offered by Senators Price and Whitaker to House Bill No. 296, the roll was called and the vote was:

Yeas—Senators Cliett, Price, Whitaker—3.

Nays—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, Rose, Shands, Shepherd, Shuler, Smith, Taylor, Ward, Wilson—33.

So the substitute amendment failed of adoption.

The question recurred on the adoption of the amendment offered by Senators Smith and Horne to House Bill No. 296.

Upon which a roll call was demanded.

Upon call of the roll on the adoption of the amendment offered by Senators Smith and Horne to House Bill No. 296, the roll was called and the vote was:

Yeas—Senators Cliett, Drummond, Gideons, Horne, Housholder, Johnson, McKenzie, Price, Smith, Whitaker—10.

Nays—Adams (25th), Adams (30th), Beall, Butler, Clarke, Collins, Cooley, Dye, Folks, Graham, Hinely, Kanner, Kelly, King, Lewis, Lindler, Maddox, Maines, Perdue, Rose, Shands, Shepherd, Shuler, Taylor, Ward, Wilson—26.

So the amendment failed of adoption.

Senator Kanner moved that the rules be further waived and House Bill No. 296 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. 296 was read the third time in full.

Upon the passage of House Bill No. 296 the roll was called and the vote was:

Yeas—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—36.

Nays—None.

So House Bill No. 296 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 unanimous consent Senator Smith withdrew Senate Bill No. 1.

Senator Beall moved that the Senate reconsider the vote

by which Amendment No. 1 to Senate Bill No. 109 was adopted by the Senate on May 9, 1941, which amendment reads as follows:

In Section 5, line 1, (typewritten bill) strike out the word "Broward" and insert the following: "Collier."

And the motion went over under the rule.

Senator Beall moved that the Senate reconsider the vote by which Amendment No. 2 to Senate Bill No. 109 was adopted

by the Senate on May 9, 1941, which amendment reads as follows:

In Section 2, line 1, (typewritten bill) strike out the word "Collier" and insert "Broward."

And the motion went over under the rule.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:49 o'clock P. M. until 10:00 o'clock A. M., Tuesday, May 13, 1941.

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