

JOURNAL OF THE SENATE

Tuesday, May 11, 1943

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, May 10, 1943.

The President in the Chair.

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

Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, May 10, 1943, was corrected as follows:

On page 6, column 1, between lines 30 and 31, from the top of the page, insert the following:

"Proof of publication of Notice was attached to Senate Bill No. 385 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida."

And as corrected was approved.

REPORTS OF COMMITTEES

Your Committee on Military Affairs and Civilian Defense, to whom was referred:

Senate Bill No. 347:

A bill to be entitled An Act to authorize the leasing by counties and municipalities of Florida to the United States of America of airports owned by such counties and municipalities upon such terms as may be mutually agreed upon between them.

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

Very respectfully,

HENRY S. MCKENZIE,

Chairman of Committee.

And Senate Bill No. 347, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Education to whom was referred:

House Bill No. 299:

A bill to be entitled An Act to amend Section 236.49 Florida Statutes 1941, the same being Section 1049 of Chapter 19355, Laws of Florida, Regular Session 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," by adding to said Section of said Statute an additional sub-paragraph to be numbered Sub-paragraph 3, and in and by which to provide for the investment in designated securities of Special Tax School District bond construction funds pending utilization of same for the purpose for which issued.

Have had the same under consideration and recommend that the same pass, with the following amendments:

Amendment No. 1:

In Section One (1), line 16 (typewritten bill), strike out the word "on."

Amendment No. 2:

In Section 1 (3), line 15 (typewritten bill), strike out the words: beginning with "all of such fund" and all of the remainder of the sub-section, and insert in lieu thereof the following: "all of such fund."

(a) In bonds of the United States Government or in any other bonds or obligations which shall then be fully and

unconditionally guaranteed as to principal by the United States Government, at the then current market price of such bonds or other obligations; provided, that any such bond or other obligation purchased under the authority hereof shall be surrenderable at par and accrued interest not later than one year next after the date of the purchase of same.

(b) In any bonds issued by the district to which the bond construction fund belongs provided such bonds are not in default and can be obtained at a price which will result in a net saving to the taxpayers of the district.

(c) In any obligations of the County Board approved by the State Board of Education in accordance with the provisions of Section 237.27 Florida Statutes, 1941, as amended by Section 12 of Chapter 20970, Laws of Florida, Acts of 1941.

(d) In any bonds or obligations of the County Board for the payment of which the taxing power of the County Board has been pledged, providing such bonds or obligations are not in default and mature within five years from the date of purchase or are callable bonds or obligations which the County Board has financial ability to retire within five years from the date of purchase, and

(e) In any bonds or other Special Tax School Districts of the county maturing within 5 years from the date of the purchase or in callable bonds of those districts which such districts have the financial ability to retire within 5 years from the date of purchase: Provided that such funds shall not be invested in any bonds which have been in default as to principal or interest at any time during the six months period preceding the date of purchase.

Very respectfully,

JAY A. SHULER,

Chairman of Committee.

And House Bill No. 299, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Labor and Industry, to whom was referred:

Senate Bill No. 376:

A bill to be entitled An Act to suspend the operation for the duration of the present war of that portion of Section 12, Chapter 20955, Laws of Florida of 1941 prohibiting the employment of minors under 18 years of age in the operation of a motor vehicle or as a helper thereon; and further providing for the revival of said provision upon the cessation of hostilities.

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

Very respectfully,

RAYMOND SHELDON,

Chairman of Committee.

And Senate Bill No. 376, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Bill No. 101:

"ESTABLISH LIMITED PARTNERSHIPS"

Have had the same under consideration and recommend THAT THE FOLLOWING COMMITTEE SUBSTITUTE THEREFOR PASS:

Committee Substitute for Senate Bill 101:

Defining and regulating and providing for the formation, operation and dissolution of limited partnerships, describing the rights, duties and liabilities of general and limited partners thereof, and providing for the service of process in actions with regard thereto; requiring such limited partnerships to make annual report to the Secretary of State; to obtain certificate of authority, annual renewals thereof; fixing the amount of filing fees prerequisite to obtaining

certificate of authority or renewal thereof and providing for the disposition of such filing fees.

Very respectfully,
JOHN E. MATHEWS,
 Chairman of Committee.

And Senate Bill No. 101, together with Committee Substitute therefor, contained in the above report, was placed on the Calendar of Bills on Third Reading, having been read the second time in full on April 26, 1943.

Your Committee on Constitutional Amendments, to whom was referred:

House Joint Resolution No. 178:

A Joint Resolution proposing the amendment of Section 9, Article IX, of the Constitution of the State of Florida, relating to the exemption of property of widows and persons disabled in war or by misfortune, by increasing the amount of such exemption from five hundred dollars to two thousand dollars.

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

Very respectfully,
WALLACE E. STURGIS,
 Chairman of Committee.

And House Joint Resolution No. 178, contained in the above report, was laid on the table.

Your Committee on Public Roads and Highways, to whom was referred:

House Bill No. 356:

A bill to be entitled An Act extending State Road 122 via White Springs in Hamilton County, Florida, to Benton Bridge over the Suwannee River to connect with State Road 82 in Columbia County.

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

Very respectfully,
N. RAY CARROLL,
 Chairman of Committee.

And House Bill No. 356, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Public Roads and Highways, to whom was referred:

House Bill No. 16:

A bill to be entitled An Act declaring the intention of the Legislature with respect to an assistance program for needy persons who have lost a limb or have been disabled by disease or misfortune to earn a livelihood; providing for monthly assistance payments not to exceed \$40.00 to such persons; naming other qualifications necessary to receive such assistance; providing for the manner, form and time of paying same; designating the State Welfare Board as the agency to handle such payments; making an appropriation therefor; repealing all laws or parts of laws in conflict therewith; and providing for the effective date hereof.

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

Very respectfully,
N. RAY CARROLL,
 Chairman of Committee.

And House Bill No. 16, contained in the above report, was laid on the table.

Your Committee on Miscellaneous Legislation, to whom was referred:

House Bill No. 17:

A bill to be entitled An Act to amend Section 12, Chapter 551, of the Florida Statutes of 1941, relating to frontons and exhibitions of Jai Alai or Pelota.

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

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

And House Bill No. 17, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "C," to whom was referred: House Bill No. 136:

A bill to be entitled An Act to prescribe a limitation of the time after which the record of a deed or the probate of a will within which an action may be brought concerning the lands described in such deed or will and validating certain conveyances and devises.

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

Very respectfully,
J. GRAHAM BLACK,
 Chairman of Committee.

And House Bill No. 136, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A," to whom was referred: Senate Bill No. 267:

A bill to be entitled An Act adopting a comparative negligence rule for negligence actions.

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

Very respectfully,
AMOS LEWIS,
 Chairman of Committee.

And Senate Bill No. 267, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A," to whom was referred: House Bill No. 50:

A bill to be entitled An Act to amend Chapter 1324, Laws of Florida, Acts of December 3, 1862, Section 69.02 of Florida Statutes, 1941, relating to changing of names of persons and the procedure therefor.

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

Very respectfully,
AMOS LEWIS,
 Chairman of Committee.

And House Bill No. 50, contained in the above report, was laid on the table.

Your Committee on Judiciary "A," to whom was referred: House Bill No. 272:

A bill to be entitled An Act authorizing grantees under tax deeds or purchasers of land title to which has been acquired by the State or any political sub-division thereof through any tax proceeding or foreclosure or their successors in interest to maintain suits to quiet title to the lands acquired in such tax proceedings against the former owners of record title thereto and any other persons claiming interests in said lands.

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

Very respectfully,
AMOS LEWIS,
 Chairman of Committee.

And House Bill No. 272, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "A," to whom was referred: House Bill No. 194:

A bill to be entitled An Act relating to the resignation and reinstatement of attorneys.

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

Very respectfully,
AMOS LEWIS,
 Chairman of Committee.

And House Bill No. 194, contained in the above report, was laid on the table.

Senator Lewis, Chairman of the Committee on Judiciary "A," reported that the Committee had carefully considered the following bill and recommends that the same pass, with Committee amendments:

House Bill No. 152:

A bill to be entitled An Act providing for a simplified form of acknowledgment by men and women in the armed forces of the United States, who are stationed beyond the territorial boundaries thereof; providing that instruments pertaining to

any interest in real estate in Florida, or any lien thereof, may be acknowledged before certain commissioned officers, whose signature to such acknowledgment, without a seal, shall entitle such instrument to record and make such instrument admissible in evidence, and shall bar the dower, homestead and other property interests of any married woman so acknowledging such instrument; fixing a period of time which said Act shall be effective; and validating certain prior acknowledgments.

Which amendments read as follows:

No. 1:

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

Section 1. That in addition to the manner, form and proof of acknowledgment of instruments as now provided by law, any person serving in or with the armed forces of the United States, including the Army, Navy, Marine Corps, Coast Guard, or any component or any arm or service of any thereof, including any female auxiliary of any thereof, and any person whose duties require his or her presence with the armed forces of the United States, as herein designated, or otherwise designated by law or military or naval command, may acknowledge any instrument, wherever located, either within or without the State of Florida, or without the United States, before any commissioned officer in active service of the armed forces of the United States, as here designated, or otherwise designated by law, or military or naval command, or order, with the rank of Second Lieutenant or higher in the Army or Marine Corps, or of any component or any arm or service of either thereof, including any female auxiliary of any thereof, or Ensign or higher in the Navy or United States Coast Guard, or of any component or any arm or service of either thereof, including any female auxiliary of any thereof.

Section 2. The instrument shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment or otherwise shall be required, and no seal shall be necessary, but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in the following form:

"On this day of, 19....., before me the under signed officer, personally appeared, known to me (or satisfactorily proven) to be serving in or with, or whose duties require his presence with the armed forces of the United States, and to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

.....
Signature of Commissioned Officer.

.....
Rank of Commissioned Officer and Command or Branch of Service to which Officer is attached."

Section 3. Such acknowledgments by a married woman, who is a member of the armed forces of the United States, shall be sufficient in all respects to bar the dower, homestead rights or separate property rights of such married woman in any real estate described in the instrument thus acknowledged by her, as fully and completely as though such married woman had acknowledged such instrument as now required by other Statutes of Florida.

Section 4. Any instrument or document acknowledged in the manner and form herein provided shall be entitled to be recorded and shall be recorded as in the case of other instruments or documents properly acknowledged.

Section 5. This Act is to be liberally construed in favor of the validity of any such acknowledgments by any such member of the armed forces of the United States and any acknowledgments heretofore taken, containing words of similar import, are hereby confirmed and declared to be valid and binding. This Act shall be construed as an enabling Act and as an exception to existing laws rather than, inferentially or otherwise, as a repeal of the same or any part of the same. In the event any part of this Act shall be declared unconstitutional for any reason, it shall not affect the validity of the remainder of this Act.

Section 6. This Act shall take effect immediately upon its becoming a law.

No. 2:

In Title Bill, strike out all of the title after the words: "a bill to be entitled," and insert in lieu thereof the following: An Act providing persons serving in the armed forces of the United States whose duties require his or her presence with the armed forces may acknowledge instruments before Commissioned Officers, providing for certificate by officer taking acknowledgment, providing instrument so acknowledged shall bar dower, homestead, and other property interests of married women and shall be recorded as other documents acknowledged under existing laws.

Very respectfully,
AMOS LEWIS,
Chairman of Committee.

And House Bill No. 152, contained in the above report, together with Committee Amendments thereto, was placed on the Calendar of Bills on Second Reading.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 54:

A bill to be entitled An Act to amend Sections 5, 6, 12, 17 and 24 of Chapter 20519, Laws of Florida, Acts of 1941, being "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 by the Parole Commission to the Board of Pardons for the extension of clemency to deserving persons; authorizing financial aid to indigent parolees at the time of their release; providing for the cooperation of certain public officers and agencies with the Parole Commission; authorizing and regulating the use by the courts of probation and suspension of imposition of sentence; permitting appeal from judgment adjudging guilt; excepting certain courts and correctional institutions from the operation of this Act, and authorizing the preservation of Probation Officers now serving under any previous law; and making an appropriation for carrying into effect the provisions of this Act; fixing an effective date thereof and repealing all laws and parts of laws in conflict herewith."

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

Very respectfully,
K. GRINER,
Chairman of Committee.

And Senate Bill No. 54, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Committee Substitute for Senate Bill No. 13:

A bill to be entitled An Act to amend Section 347.08 of the "Florida Statutes, 1941," authorizing the State Railroad Commission to regulate the operation of and fix tolls for certain toll bridges and causeways in the State of Florida.

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

Very respectfully,
K. GRINER,
Chairman of Committee.

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

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 19:

A bill to be entitled An Act to legalize the payment, con

tification or acceptance after banking hours or on any legal holiday of checks or other negotiable instruments by banks or trust companies in this State.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 19, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 7:

A bill to be entitled An Act relating to public education to prohibit the establishment or organization of fraternities, sororities or other secret organizations whose membership consists in whole or in part of pupils enrolled in public schools of the State of Florida; to prohibit pupils enrolled in the public schools of the State of Florida from belonging to fraternities, sororities or other secret organizations; to authorize County Boards of Public Instruction to prescribe any necessary regulations and to enforce the provisions of this Act; and to repeal all laws in conflict with this Act.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 7, contained in the above report, was referred to the Committee on Enrolled Bills.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 366:

A bill to be entitled An Act defining trade or occupation of opticians; providing for a license tax on persons, firms or corporations engaged in such trade or occupation; providing that persons, firms or corporations engaged in such trade or occupation shall not be subject to the jurisdiction of any Board, Agency or Commission regulating any other trade, occupation or profession; repealing all laws or parts of laws in conflict herewith and providing for the effective date of this Act.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 366, contained in the above report, was referred to the Committee on Enrolled Bills.

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

House Bill No. 510:

A bill to be entitled An Act to ratify, confirm, validate and legalize all Acts and proceedings of the Sheriff of Volusia County, Florida, and the Board of County Commissioners of Volusia County, Florida, and the Clerk of said board heretofore done and taken in connection with the improvement, repair, and painting of the county jail of Volusia County, Florida, and repealing all laws in conflict therewith.

House Bill No. 511:

A bill to be entitled An Act to ratify, confirm and validate all Acts and proceedings of the Board of Commissioners of the Halifax Hospital District, a Special Tax District in Volusia County, Florida, heretofore done and taken in connection with the leasing of the Halifax District Hospital and the premises thereof to the United States of America and to repeal all Acts in conflict therewith.

House Bill No. 512:

A bill to be entitled An Act to cancel Town of Daytona Tax Sale Certificate Number 56 of the sale of 1925 issued under date of September 7, 1925, to F. N. Conrad, City Treasurer, recorded among the public records of Volusia County, Florida, in City Tax Sale Book Two, and City of Daytona Beach Tax Sale Certificate Number 16 of the sale of 1927, issued under date of February 7, 1927, to A. W.

Brooks, recorded among the public records of Volusia County, Florida, in City Tax Sale Book Three, for Town of Daytona and City of Daytona Beach taxes due respectively for the years 1925 and 1926 covering that certain lot, tract, piece or parcel of land situate lying and being in the County of Volusia, State of Florida, more particularly known, distinguished and described as follows, to-wit: Beginning at a point where North Line of Volusia Avenue intersects the East Line of Canal Street; thence run N. 25° W. along E. Line of Canal Street, 110.15 feet to South Side Lot 2, Block 7; thence along S. Line Lot 2, aforesaid 70.23 feet in a course N. 62° 30' E; thence at right angles S. 27° 30' E. 110 feet to N. side Volusia Avenue; thence along same S. 60° 30' W. 75 feet to place of beginning. Being portion of Lot 1, Block 7, Hodgman's Daytona, also known as west 75 feet of Lot 1, Block 7, Daytona, owned by the County of Volusia, and used for county purposes and authorizing and directing the City of Daytona Beach, a municipal corporation under the laws of the State of Florida, and its proper officers to cancel the records of said certificates in the office of the Clerk of said city, and authorizing and directing said City of Daytona Beach, and its proper officers, to provide for and to refund to holders of said tax sale certificates the amounts paid by the holders thereof for the same, and to declare said property exempt from taxation for the years 1925 and 1926, and to repeal all laws in conflict therewith.

House Bill No. 513:

A bill to be entitled An Act to provide that it shall not be necessary for the Tax Collector of Volusia County, Florida, to advertise the delinquent tax statement or list of real and personal property in Volusia County, Florida, and to provide for the posting of the delinquent tax statement or list in three public places in the County of Volusia, one of which shall be at the Court House of Volusia County, Florida, and to repeal all laws in conflict therewith.

House Bill No. 514:

A bill to be entitled An Act to ratify, confirm and validate all Acts and proceedings of the Board of Commissioners of the Halifax Hospital District, a Special Tax District in Volusia County, Florida, heretofore done and taken in connection with the purchasing and contract to purchase those certain lots, tracts, pieces and parcels of land situate, lying and being in the County of Volusia, State of Florida, more particularly described as Lots One (1), Two (2), Three (3), Four (4) and Five (5), Block A, Schnee's Replat of Oliver's Sub-division according to map thereof recorded in Map Book 9, Page 25, Public Records of Volusia County, Florida, together with improvements and buildings thereon and appurtenances thereto belonging, and the location, maintenance, and operation of a hospital thereon known as the "Halifax District Hospital" and to exempt said property from all taxation, including State, County and City taxes so long as the same is used by the Halifax Hospital District for hospital purposes and repealing all laws in conflict therewith.

House Bill No. 518:

A bill to be entitled An Act to vacate and abandon as a park that certain area marked "Park" lying between Lakeside Drive on the North and Lake Lotela on the South, as disclosed by reference to the plat of Lotela Garden Sub-division as recorded in Plat Book 2, Page 51, of the Public Records of Highlands County, Florida, which said area was formerly within the city limits of the City of Avon Park, Florida.

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,

S. A. HINELY,

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

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.

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

House Memorial No. 3:

A Memorial to the Congress of the United States, requesting that provision be made for the establishment of a National

monument at the site of Fort Carolina at St. Johns Bluff, on the South Side of the St. Johns River, about five miles from the mouth of said river.

House Memorial No. 10:

A Memorial indorsing the Bill that has been introduced in the House of Representatives of the United States Congress providing for the relief of Floridians who suffered loss in the campaign to eradicate the Mediterranean Fruit Fly in 1929.

House Concurrent Resolution No. 1:

Commemorating the Twenty-Sixth Anniversary of the entry of the United States of America into World War One.

House Concurrent Resolution No. 11:

A Resolution pertaining to the activities of one John L. Lewis and recording condemnation of him and them.

House Bill No. 434:

A bill to be entitled An Act for relief of Frank W. Jay on account of personal injuries received by him while an employee of Duval County, a political sub-division of the State of Florida, and engaged upon the performance of his duties as such; Requiring the Board of County Commissioners of said County to investigate such claim and, upon certain findings to settle the same by payment out of Special Funds the amount of \$5,000.00.

House Bill No. 436:

A bill to be entitled An Act amending Sections 30 and 34 of Chapter 9825, Laws of Florida, Acts of 1923, Entitled, "An Act to abolish the present Municipal Government of the Town of Longwood, Florida, and to establish and constitute a Municipality in Seminole County, Florida, to be known and designated as the Town of Longwood, Florida, to define its territorial limits and to provide for its Jurisdiction, Powers, and Privileges." Said Sections relating to the collection of certain delinquent taxes due said Town of Longwood, Florida.

House Bill No. 441:

A bill to be entitled An Act to authorize the Board of County Commissioners of DeSoto County, Florida, to employ a secretary and accountant, who shall be in addition to the Clerk of Circuit Court of said County; prescribe the duties and powers of, and provide for the payment of salary of said secretary and accountant, and to provide that the clerk of Circuit Court shall continue to act as clerk of said Board, and provide for the duties and powers of the clerk of the Circuit Court, acting as Clerk of Board of County Commissioners of said County, and provide for payment of his or her compensation.

House Bill No. 442:

A bill to be entitled An Act authorizing the Board of Supervisors of Slavia Drainage District of Seminole County, Florida, to re-assess benefits to lands in said District by the reclamation project of said District and to divide the lands in said District into not less than four classes for the purpose of re-assessing said benefits; authorizing and empowering the Board of Supervisors of said Drainage District to assess a total tax against said lands in accordance with said re-assessment of benefits, said re-assessment of benefits and assessment of total tax not to affect delinquent taxes now existing against lands in said District and to assess annual installments of said total tax against said lands for payment of the bonded indebtedness of said District according to the total taxes levied and assessed against the several classes of said lands; providing for Notice and Hearing of complaints against said re-assessment of benefits, re-classification of said lands and assessment of said total tax, and to authorize and empower the Board of Supervisors of said District to assess annually maintenance taxes against the lands in said District in proportion to the benefits conferred upon said lands by the maintenance of drains and operation of said District, as may be determined by said Board of Supervisors; authorizing the preparation of assessment rolls for said installments of said total tax and maintenance taxes and collection thereof and providing that said total tax, installments of total tax and "maintenance taxes" shall be liens on the lands against which assessed until paid, and enforceable in the manner now or hereafter provided by law.

House Bill No. 456:

A bill to be entitled An Act to fix and provide the compen-

sation of the Clerk of the Circuit Court in and for Counties in the State of Florida, whose population, according to the 1940 Federal census, is not less than 5,750 and not more than 5,950, for the collection and distribution of moneys for delinquent State and County taxes, and to provide how and from what moneys said compensation shall be payable, and to repeal all laws in conflict with said 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,

S. A. HINELY,

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

Bills, Memorials and Resolution 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.

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

House Bill No. 516:

A bill to be entitled An Act to cancel all current and delinquent State, County, and City taxes and tax sale certificates, including the 1942 and 1943 City of Deland and County of Volusia taxes assessed and levied against those certain lots, pieces or parcels of land situate, lying and being in the State of Florida, County of Volusia, and City of Deland more particularly described as the west thirty feet of the north one-half of lot 2, block 3, and the north ten feet of the west eighty-two feet of the south one-half of lot 2, block 3, Rogers' Deland, according to map thereof among the public records of Volusia County, Florida, owned by the County of Volusia and used for County Purposes, and to exempt said property from all taxation, including State, County, and City taxes, so long as the same is used by the County of Volusia for the housing of the County Health Unit for the control and eradication of preventable diseases and inculcate modern scientific methods of Hygiene, Sanitation and the Prevention of Communicable Diseases, or for other County purposes and to provide for the repealing of all laws in conflict therewith.

House Bill No. 520:

A bill to be entitled An Act amending Section 7 of Chapter 20,044, Laws of Florida, Acts of 1939, giving the Hospital Board additional power to create a sinking fund or funds for certain purposes; providing how funds may be invested or used; providing such powers shall be retroactive.

House Bill No. 521:

A bill to be entitled An Act amending Section 4 of Chapter 20,044, Laws of Florida, Acts of 1939, by authorizing the Hospital Board to employ or retain certain technical or professional men and fix their compensation.

House Bill No. 533:

A bill to be entitled An Act authorizing and empowering the City of Key West, Florida, to levy and impose license taxes on wholesalers and others using vehicles for the sale and delivery of tangible personal property, and construing same as being separate places of business, and each subject to license tax; and providing that the amount thereof shall not be dependent upon general State law.

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,

S. A. HINELY,

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

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.

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

House Bill No. 458:

A bill to be entitled An Act to fix and provide the time when oysters may be taken from the bars or other places of gathering and sold in counties in the State of Florida, whose population, according to the 1940 Federal census, is not less than 5,750 and not more than 5,950, and to repeal all laws in conflict with the same.

House Bill No. 460:

A bill to be entitled An Act to provide for an open and closed season, in which it shall be unlawful to hunt, take and kill certain wild game birds and wild game animals in counties in the State of Florida, whose population, according to the 1940 Federal census, is not less than 5,750 and not more than 5,950, and to provide for a penalty for the violation of this Act.

House Bill No. 461:

A bill to be entitled An Act providing for the payment and expenditure of 25% of all monies collected by the County Judge or Judges of the several counties of 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 19509, Laws of Florida, Acts of A. D. 1939, or, any laws amendatory or supplemental thereto, and providing further for the disbursement of said monies so paid as directed herein, provided there has been established and monies expended towards the establishment of a fish hatchery, fish rearing or breeding pond located in said county, and repealing all laws in conflict with said Act.

House Bill No. 463:

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 appropriated and spent, and giving authority for the expenditure of said monies for each of the fiscal years, A. D. 1943-1944, and A. D. 1944-1945, and repeal all laws in conflict with this Act, and dealing generally with said fund.

House Bill No. 476:

A bill to be entitled An Act to abolish the present municipal government of the Town of Pierson, in Volusia County, Florida, and for referendum, and for cancellation of Tax certificates, and protection of creditors.

House Bill No. 479:

A bill to be entitled An Act permitting the possession and sale of salt water fish and mullet in all of the counties of the State of Florida having a population of not less than 4,400 and not more than 4,450, according to the last preceding Federal census.

House Bill No. 496:

A bill to be entitled An Act cancelling Everglades Drainage District assessments or taxes on certain county owned airport property in Palm Beach County; authorizing and directing the Clerk of the Circuit Court and County Tax Collector of Palm Beach County and Everglades Drainage District to cancel such assessments; exempting such property from future assessments of Everglades Drainage District; repealing all laws in conflict herewith.

House Bill No. 497:

A bill to be entitled An Act for the appointment, compensation, expenses, duties and powers of a Probation Officer for Palm Beach County; repealing all laws in conflict herewith; providing for the effective date of this Act.

House Bill No. 498:

A bill to be entitled An Act to provide for an open and

closed season, in which it shall be unlawful to hunt, take and kill certain wild game birds and wild game animals in Citrus County, Florida, and to provide for a penalty for the violation of this Act.

House Bill No. 500:

A bill to be entitled An Act to fix and provide the time when oysters may be taken from the bars or other places of gathering and sold in Citrus County, State of Florida and to repeal all laws in conflict with the same.

House Bill No. 509:

A bill to be entitled An Act to ratify, confirm and validate all Acts and proceedings of the Board of County Commissioners of the County of Volusia, State of Florida, and the Clerk of said Board heretofore done and taken in connection with the affairs of said County and to provide for the repealing of all laws in conflict therewith.

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,

S. A. HINELY,

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

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.

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

House Memorial No. 3:

A Memorial to the Congress of the United States, requesting that provision be made for the establishment of a National monument at the site of Fort Carolina at St. Johns Bluff, on the South Side of the St. Johns River, about five miles from the mouth of said river.

House Memorial No. 10:

A Memorial indorsing the Bill that has been introduced in the House of Representatives of the United States Congress providing for the relief of Floridians who suffered loss in the campaign to eradicate the Mediterranean Fruit Fly in 1929.

House Concurrent Resolution No. 1:

Commemorating the Twenty-Sixth Anniversary of the entry of the United States of America into World War One.

House Concurrent Resolution No. 11:

A Resolution pertaining to the activities of one John L. Lewis and recording condemnation of him and them.

House Bill No. 434:

A bill to be entitled An Act for relief of Frank W. Jay on account of personal injuries received by him while an employee of Duval County, a political sub-division of the State of Florida, and engaged upon the performance of his duties as such; Requiring the Board of County Commissioners of said County to investigate such claim and, upon certain findings to settle the same by payment out of Special Funds the amount of \$5,000.00.

House Bill No. 436:

A bill to be entitled An Act amending Sections 30 and 34 of Chapter 9825, Laws of Florida, Acts of 1923, Entitled, "An Act to abolish the present Municipal Government of the Town of Longwood, Florida, and to establish and constitute a Municipality in Seminole County, Florida, to be known and designated as the Town of Longwood, Florida, to define its territorial limits and to provide for its Jurisdiction, Powers, and Privileges." Said Sections relating to the collection of certain delinquent taxes due said Town of Longwood, Florida.

House Bill No. 441:

A bill to be entitled An Act to authorize the Board of County Commissioners of DeSoto County, Florida, to employ a secretary and accountant, who shall be in addition to the Clerk of Circuit Court of said County; prescribe

the duties and powers of, and provide for the payment of salary of said secretary and accountant, and to provide that the clerk of Circuit Court shall continue to act as clerk of said Board, and provide for the duties and powers of the clerk of the Circuit Court, acting as Clerk of Board of County Commissioners of said County, and provide for payment of his or her compensation.

House Bill No. 442:

A bill to be entitled An Act authorizing the Board of Supervisors of Slavia Drainage District of Seminole County, Florida, to re-assess benefits to lands in said District by the reclamation project of said District and to divide the lands in said District into not less than four classes for the purpose of re-assessing said benefits; authorizing and empowering the Board of Supervisors of said Drainage District to assess a total tax against said lands in accordance with said re-assessment of benefits, said re-assessment of benefits and assessment of total tax not to affect delinquent taxes now existing against lands in said District and to assess annual installments of said total tax against said lands for payment of the bonded indebtedness of said District according to the total taxes levied and assessed against the several classes of said lands, providing for Notice and Hearing of complaints against said re-assessment of benefits, re-classification of said lands and assessment of said total tax, and to authorize and empower the Board of Supervisors of said District to assess annually maintenance taxes against the lands in said District in proportion to the benefits conferred upon said lands by the maintenance of drains and operation of said District, as may be determined by said Board of Supervisors; authorizing the preparation of assessment rolls for said installments of said total tax and maintenance taxes and collection thereof and providing that said total tax, installments of total tax and "maintenance taxes" shall be liens on the lands against which assessed until paid, and enforceable in the manner now or hereafter provided by law.

House Bill No. 456:

A bill to be entitled An Act to fix and provide the compensation of the Clerk of the Circuit Court in and for Counties in the State of Florida, whose population, according to the 1940 Federal census, is not less than 5,750 and not more than 5,950, for the collection and distribution of moneys for delinquent State and County taxes, and to provide how and from what moneys said compensation shall be payable, and to repeal all laws in conflict with said Act.

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

Very respectfully,

S. A. HINELY,

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

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

House Bill No. 458:

A bill to be entitled An Act to fix and provide the time when oysters may be taken from the bars or other places of gathering and sold in counties in the State of Florida, whose population, according to the 1940 Federal census, is not less than 5,750 and not more than 5,950, and to repeal all laws in conflict with the same.

House Bill No. 460:

A bill to be entitled An Act to provide for an open and closed season, in which it shall be unlawful to hunt, take and kill certain wild game birds and wild game animals in counties in the State of Florida, whose population, according to the 1940 Federal census, is not less than 5,750 and not more than 5,950, and to provide for a penalty for the violation of this Act.

House Bill No. 461:

A bill to be entitled An Act providing for the payment and expenditures of 25% of all monies collected by the County Judge or Judges of the several counties of 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 19509, Laws of Florida, Acts of A. D. 1939, or, any laws amendatory or supplemental thereto,

and providing further for the disbursement of said monies so paid as directed herein, provided there has been established and monies expended towards the establishment of a fish hatchery, fish rearing or breeding pond located in said county, and repealing all laws in conflict with said Act.

House Bill No. 463:

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 appropriated and spent, and giving authority for the expenditure of said monies for each of the fiscal years, A. D. 1943-1944, and A. D. 1944-1945, and repeal all laws in conflict with this Act, and dealing generally with said fund.

House Bill No. 476:

A bill to be entitled An Act to abolish the present municipal government of the Town of Pierson, in Volusia County, Florida, and for referendum, and for cancellation of Tax certificates, and protection of creditors.

House Bill No. 479:

A bill to be entitled An Act permitting the possession and sale of salt water fish and mullet in all of the counties of the State of Florida having a population of not less than 4,400 and not more than 4,450, according to the last preceding Federal census.

House Bill No. 496:

A bill to be entitled An Act cancelling Everglades Drainage District assessments or taxes on certain county owned airport property in Palm Beach County; authorizing and directing the Clerk of the Circuit Court and County Tax Collector of Palm Beach County and Everglades Drainage District to cancel such assessments; exempting such property from future assessments of Everglades Drainage District; repealing all laws in conflict herewith.

House Bill No. 497:

A bill to be entitled An Act for the appointment, compensation, expenses, duties and powers of a Probation Officer for Palm Beach County; repealing all laws in conflict herewith; providing for the effective date of this Act.

House Bill No. 498:

A bill to be entitled An Act to provide for an open and closed season, in which it shall be unlawful to hunt, take and kill certain wild game birds and wild game animals in Citrus County, Florida, and to provide for a penalty for the violation of this Act.

House Bill No. 500:

A bill to be entitled An Act to fix and provide the time when oysters may be taken from the bars or other places of gathering and sold in Citrus County, State of Florida, and to repeal all laws in conflict with the same.

House Bill No. 509:

A bill to be entitled An Act to ratify, confirm and validate all Acts and proceedings of the Board of County Commissioners of the County of Volusia, State of Florida, and the Clerk of said Board heretofore done and taken in connection with the affairs of said County and to provide for the repealing of all laws in conflict therewith.

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

Very respectfully,

S. A. HINELY,

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

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

House Bill No. 510:

A bill to be entitled An Act to ratify, confirm, validate and legalize all Acts and proceedings of the Sheriff of Volusia

County, Florida, and the Board of County Commissioners of Volusia County, Florida, and the Clerk of said board heretofore done and taken in connection with the improvement, repair, and painting of the county jail of Volusia County, Florida, and repealing all laws in conflict therewith.

House Bill No. 511:

A bill to be entitled An Act to ratify, confirm and validate all Acts and proceedings of the Board of Commissioners of the Halifax Hospital District, a Special Tax District in Volusia County, Florida, heretofore done and taken in connection with the leasing of the Halifax District Hospital and the premises thereof to the United States of America and to repeal all Acts in conflict therewith.

House Bill No. 512:

A bill to be entitled An Act to cancel Town of Daytona Tax Sale Certificate Number 56 of the sale of 1925 issued under date of September 7, 1925, to F. N. Conrad, City Treasurer, recorded among the public records of Volusia County, Florida, in City Tax Sale Book Two, and City of Daytona Beach Tax Sale Certificate Number 16 of the sale of 1927, issued under date of February 7, 1927, to A. W. Brooks, recorded among the public records of Volusia County, Florida, in City Tax Sale Book Three, for Town of Daytona and City of Daytona Beach taxes due respectively for the years 1925 and 1926 covering that certain lot, tract, piece or parcel of land situate, lying and being in the County of Volusia, State of Florida, more particularly known, distinguished and described as follows, to-wit: Beginning at a point where North Line of Volusia Avenue intersects the East Line of Canal Street; thence run N. 25° W. along E. Line of Canal Street, 110.15 feet to South Side Lot 2, Block 7; thence along S. Line Lot 2, aforesaid 70.23 feet in a course N. 62° 30' E; thence at right angles S. 27° 30' E. 110 feet to N. side Volusia Avenue; thence along same S. 60° 30' W. 75 feet to place of beginning. Being portion of Lot 1, Block 7, Hodgman's Daytona, also known as west 75 feet of Lot 1, Block 7, Daytona, owned by the County of Volusia, and used for county purposes, and authorizing and directing the City of Daytona Beach, a municipal corporation under the laws of the State of Florida, and its proper officers to cancel the records of said certificates in the office of the Clerk of said city, and authorizing and directing said City of Daytona Beach, and its proper officers, to provide for and to refund to holders of said tax sale certificates the amounts paid by the holders thereof for the same, and to declare said property exempt from taxation for the years 1925 and 1926, and to repeal all laws in conflict therewith.

House Bill No. 513:

A bill to be entitled An Act to provide that it shall not be necessary for the Tax Collector of Volusia County, Florida, to advertise the delinquent tax statement or list of real and personal property in Volusia County, Florida, and to provide for the posting of the delinquent tax statement or list in three public places in the County of Volusia, one of which shall be at the Court House of Volusia County, Florida, and to repeal all laws in conflict therewith.

House Bill No. 514:

A bill to be entitled An Act to ratify, confirm and validate all Acts and proceedings of the Board of Commissioners of the Halifax Hospital District, a Special Tax District in Volusia County, Florida, heretofore done and taken in connection with the purchasing and contract to purchase those certain lots, tracts, pieces and parcels of land situate, lying and being in the County of Volusia, State of Florida, more particularly described as Lots One (1), Two (2), Three (3), Four (4) and Five (5), Block A, Schnee's Replat of Oliver's Sub-division according to map thereof recorded in Map Book 9, Page 25, Public Records of Volusia County, Florida, together with improvements and buildings thereon and appurtenances thereto belonging, and the location, maintenance, and operation of a hospital thereon known as the "Halifax District Hospital" and to exempt said property from all taxation, including State, County and City taxes so long as the same is used by the Halifax Hospital District for hospital purposes and repealing all laws in conflict therewith.

House Bill No. 518:

A bill to be entitled An Act to vacate and abandon as a park that certain area marked "Park" lying between Lakeside Drive on the North and Lake Lotela on the South, as disclosed by reference to the plat of Lotela Garden Sub-division as recorded in Plat Book 2, Page 51, of the Public Records of

Highlands County, Florida, which said area was formerly within the city limits of the City of Avon Park, Florida.

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

Very respectfully,

S. A. HINELY,

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

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

House Bill No. 516:

A bill to be entitled An Act to cancel all current and delinquent State, County, and City taxes and tax sale certificates, including the 1942 and 1943 City of Deland and County of Volusia taxes assessed and levied against those certain lots, pieces or parcels of land situate, lying and being in the State of Florida, County of Volusia, and City of Deland more particularly described as the west thirty feet of the north one-half of lot 2, block 3, and the north ten feet of the west eighty-two feet of the south one-half of lot 2, block 3, Rogers' Deland, according to map thereof among the public records of Volusia County, Florida, owned by the County of Volusia and used for County Purposes, and to exempt said property from all taxation, including State, County, and City taxes, so long as the same is used by the County of Volusia for the housing of the County Health Unit for the control and eradication of preventable diseases and inculcate modern scientific methods of Hygiene, Sanitation and the Prevention of Communicable Diseases, or for other County purposes and to provide for the repealing of all laws in conflict therewith.

House Bill No. 520:

A bill to be entitled An Act amending Section 7 of Chapter 20,044, Laws of Florida, Acts of 1939, giving the Hospital Board additional power to create a sinking fund or funds for certain purposes; providing how funds may be invested or used; providing such powers shall be retroactive.

House Bill No. 521:

A bill to be entitled An Act amending Section 4 of Chapter 20,044, Laws of Florida, Acts of 1939 by authorizing the Hospital Board to employ or retain certain technical or professional men and fix their compensation.

House Bill No. 533:

A bill to be entitled An Act authorizing and empowering the City of Key West, Florida, to levy and impose license taxes on wholesalers and others using vehicles for the sale and delivery of tangible personal property, and construing same as being separate places of business, and each subject to license tax; and providing that the amount thereof shall not be dependent upon general State law.

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

Very respectfully,

S. A. HINELY,

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Beall—

Senate Bill No. 412:

A bill to be entitled An Act to amend Chapter 20061, Laws of Florida, entitled: An Act providing a pension system for certain officers and employees of the City of Pensacola, Florida; creating a Pension Board of said city; providing pensions for retired and disabled officers and employees of said city; creating a retirement fund and making provision for contributions into same by officers and employees of said city and for payments to pensioners from same; providing for the investment of funds held in such retirement fund; providing that the provisions of this Act shall not affect present pensioners, and repealing all laws in conflict with the provisions of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 412 when it was introduced in the Senate, and evidence that such Notice has been published was established by the

Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Shuler moved that the rules be waived and Senate Bill No. 412 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 412 was read the second time by title only.

Senator Shuler moved that the rules be further waived and Senate Bill No. 412 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. 412 was read the third time in full.

Upon the passage of Senate Bill No. 412 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So Senate Bill No. 412 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

Senate Bill No. 413:

A bill to be entitled An Act to amend Section 1 of Chapter 15244, Laws of Florida, 1931, entitled "An Act prohibiting the owner or person having the custody and control of cattle, hogs, horses, mules, goats, sheep or other live stock from permitting the running at large of such cattle, hogs, horses, mules, goats, sheep, or other live stock within the following described boundaries in Hillsborough County, Florida, to-wit: Beginning at the intersection of the center line of the Alafia River with the west boundary of Section 19, Township 30 South, of Range 20 East, and run thence south along the said west boundary of Section 19 and along the west boundary of Section 30, Township 30 South, of Range 20 East to the center of Bullfrog Creek; thence westerly along center of Bullfrog Creek to the east right-of-way of the Tampa Southern Railway; thence southerly along the said east right-of-way line of the Tampa Southern Railway to the east boundary of Section 28, Township 31 South, of Range 19 East; thence south along section line which is the east boundary of Sections 28 and 33 of Township 31 South, of Range 19 East and the east boundary of Sections 4, 9, 16, 21, 28 and 33 of Township 32 South, Range 19 East to the southeast corner of Section 33, Township 32 South of Range 19 East; thence west along the south boundary of Hillsborough County to the waters of Tampa Bay; thence northerly along the shore line of Tampa Bay to the Alafia River; thence easterly along the center of the Alafia River to its intersection with the west boundary of Section 19, Township 30 South, of Range 20 East, which is the point of beginning, and to provide for the enforcement of this Act by the impounding and sale of such cattle, hogs, horses, mules, goats, sheep or other live stock which may be found running at large in said territory."

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 413 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Sheldon moved that the rules be waived and Senate Bill No. 413 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 413 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 413 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. 413 was read the third time in full.

Upon the passage of Senate Bill No. 413 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman,

Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So Senate Bill No. 413 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

Senate Bill No. 414:

A bill to be entitled An Act empowering the City of Tampa to appoint a Harbor Master for the harbor within its corporate limits; prescribing his powers and duties; providing for the method of appointing and for fixing salary; providing for the charging and allocation of fees; providing that no other person shall exercise the powers and duties or Harbor Master within its corporate limits; repealing all laws, general or special, in conflict therewith; and providing for a referendum by the voters of the city for the adoption or rejection of said Act.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 414 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 414 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 414 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. 414 was read the third time in full.

Upon the passage of Senate Bill No. 414 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So Senate Bill No. 414 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sheldon—

Senate Bill No. 415:

A bill to be entitled An Act empowering each municipality bordering on a navigable body of water in the State of Florida and having a population of not less than 75,000 nor more than 110,000 according to the last State or Federal census to appoint a Harbor Master for the harbor within its corporate limits; prescribing his powers and duties; providing for the method of appointing and for fixing salary; providing for the charging and allocation of fees; providing that no other person shall exercise the powers and duties of Harbor Master within its corporate limits; and repealing all laws, general or special, in conflict therewith.

Which was read the first time by title only.

Senator Sheldon moved that the rules be waived and Senate Bill No. 415 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 415 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 415 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. 415 was read the third time in full.

Upon the passage of Senate Bill No. 415 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews,

McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So Senate Bill No. 415 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Rose moved that a committee be appointed to escort Honorable M. O. Overstreet, former member of the Senate from the 19th Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Rose, Hinely and McKenzie as the committee.

By Senator Mathews—

Senate Bill No. 416:

A bill to be entitled An Act to amend Section 5 of Chapter 18610, Special Laws of Florida, Acts of 1937, as amended by Section 4 of Chapter 19902, Special Laws of Florida, Acts of 1939, as amended by Section 1 of Chapter 21310, Special Laws of Florida, Acts of 1941, entitled "An Act providing for pensions for employees of the City of Jacksonville."

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 416 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 416 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 416 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 416 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. 416 was read the third time in full.

Upon the passage of Senate Bill No. 416 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So Senate Bill No. 416 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Johnson—

Senate Bill No. 417:

A bill to be entitled An Act to amend Chapter 11914, Laws of Florida, 1927, the same being Section 125.16 of Florida Statutes, relating to compensation of County Commissioners.

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

By Senator Beall—

Senate Bill No. 418:

A bill to be entitled An Act to amend Section 47.12 Florida Statutes 1941, to provide for the service of criminal process by Constables.

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

By the Committee on Constitutional Amendments—

Senate Joint Resolution No. 419:

A JOINT RESOLUTION PROPOSING TO AMEND SECTION 21 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO JUSTICE DISTRICTS AND JUSTICES OF THE PEACE.

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

That the following amendment to Section 21 of Article V of the Constitution of the State of Florida be and the same is hereby agreed to, and the same shall be submitted to the qualified electors at the general election in 1944 for ratification or rejection:

"Section 21. There shall be not more than five Justice Districts in each county, and there shall be elected one Justice of the Peace for each Justice District, who shall hold office for four years. Existing Justice Districts are hereby recognized, but the Legislature may, by general or special Acts, from time to time change the boundaries of any such District now or hereafter established, and may establish now or abolish any such District now or hereafter existing."

Which was read the first time in full.

Senator Sturgis moved that the rules be waived and Senate Joint Resolution No. 419 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 419 was read the second time in full.

Senator Sturgis moved that the rules be further waived and Senate Joint Resolution No. 419 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 419 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 419 the roll was called and the vote was:

Yeas—Senators Baker, Barringer, Beacham, Black, Carroll, Clarke, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, Lewis, Lindler, Maines, McArthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—28.

Nays—Mr. President; Senators Adams, Brewton, Cliett, King, Maddox, Mathews—7.

So Senate Joint Resolution No. 419 passed, title as stated, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1943 Session of the Florida Legislature and the action of the Senate was ordered certified to the House of Representatives.

Senator Mathews moved that a committee be appointed to escort Honorable Frank Jennings, a prominent citizen of Jacksonville, Florida, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Mathews, Upchurch and McKenzie as the committee.

By Senator Mathews—

Senate Bill No. 420:

A bill to be entitled An Act to amend Section 732.47 Florida Statutes, 1941, relating to and providing the conditions under which individuals not residing in the State of Florida may act as personal representatives of the estates of decedents.

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

By Senator Mathews—

Senate Bill No. 421:

A bill to be entitled An Act to amend Section 731.34 Florida Statutes, 1941, relating to dower and the rights of widows in the estates of their deceased husbands.

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

By Senator Mathews—

Senate Bill No. 422:

A bill to be entitled An Act to provide for the delegation of fiduciary powers by executors, administrators, guardians, curators, and trustees who are engaged in war service.

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

By Senator Mathews—

Senate Bill No. 423:

A bill to be entitled An Act to amend Section 733.28, Florida Statutes, 1941, relating to orders of sale of property of estates of decedents.

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

By Senator Mathews—

Senate Bill No. 424:

A bill to be entitled An Act to amend Section 733.22, Florida Statutes, 1941, relating to sales of property by personal representatives of estates of decedents pursuant to powers of wills.

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

By Senator Mathews—
Senate Bill No. 425:

A bill to be entitled An Act to amend Section 734.29 Florida Statutes 1941, relating to limitations upon claims against estates of decedents.

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

By Senator Mathews—
Senate Bill No. 426:

A bill to be entitled An Act to amend Section 733.43, Florida Statutes, 1941, relating to annual returns of personal representatives of estates of decedents.

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

By Senator Rose—
Senate Bill No. 427:

A bill to be entitled An Act for the relief of Albert S. Brown of Orlando, Orange County, Florida, to compensate him for the loss of his right hand in the operation of a certain hand fed job printing press owned and operated by the Florida Industrial School for Boys, an agency of the State of Florida.

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

By Senator Beacham—
Senate Bill No. 428:

A bill to be entitled An Act relating to the Broward County Port District of Broward County, Florida, to amend Chapter 17506, Laws of Florida, Acts of 1935, entitled 'An Act to abolish the Broward County Port District, situated in Broward County, Florida, created and established by Chapter 15107, of the Acts of the Legislature of the State of Florida, approved June 3rd, A. D. 1931; to repeal said Chapter 15107, and to create, establish and organize a Port District in the County of Broward, State of Florida, to be known and designated as the Broward County Port District; to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges'; to amend Section 3 of Article X of said Chapter 17506 to provide that the salary of each Port Commissioner shall not exceed fifty dollars per month as determined by resolution of the Broward County Port Authority; to repeal Article XXIV of said Chapter 17506 relating to the administration fund; to amend Article XXIX of said Chapter 17506, to provide for the deposit of cash or certified check not to exceed ten percent of a bid as evidence of good faith of the bidder; to amend Chapter 18442, Laws of Florida, Acts of 1935, entitled 'An Act relating to the Broward County Port District of Broward County, Florida, to amend Chapter 17506, Laws of Florida, Acts of 1935, entitled 'An Act to abolish the Broward County Port District, situated in Broward County, Florida, created and established by Chapter 15107, of the Acts of the Legislature of the State of Florida, approved June 3rd, A. D. 1931; to repeal said Chapter 15107, and to create, establish and organize a Port District in the County of Broward, State of Florida, to be known and designated as the Broward County Port District; to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges'; to define the meaning of words in said Act; to provide for the sale, lease and granting of easements of lands owned by the Broward County Port District in its proprietary capacities and designating land held in its proprietary capacity; to authorize the Broward County Port Authority to borrow money not to exceed one million dollars for Port District purposes and providing for securing payment of same; validating certain deeds made to Standard Oil Company, Inc. in Kentucky and William Hatt; providing for the governing authority of the District and for the nomination and elections to fill vacancies; providing for special elections for bonds and for the approval of sales and leases of property; levying a tax on the property in the Port District and defining the purposes for which such tax is to be levied; providing for the delivery of tax resolution to the Board of County Commissioners; repealing Article XIII of said Chapter 17506;

amending Article XIV of said Chapter 17506 to provide for the use of money paid into the administration fund; providing for exemption of lands held or acquired by the Port District from taxes and for the cancellation of taxes on lands acquired by the Port Authority; amending Article XXI of said Chapter 17506 relating to the removal of Port Commissioners; defining the purposes for which moneys in the administration fund are to be used; repealing Article XXV of said Chapter 17506 relating to the budget; making provision for part of the Act being declared unconstitutional; repealing laws and parts of laws in conflict with this Act; and providing when this Act shall take effect;" to amend Article IX of said Chapter 18442 to eliminate therefrom the provision requiring the unexpended portion of the administration fund to be transferred to the reserve fund; making provision for part of the Act being declared unconstitutional; repealing laws and parts of laws in conflict with this Act; and providing when this Act shall take effect."

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 428 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beacham moved that the rules be waived and Senate Bill No. 428 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 428 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 428 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. 428 was read the third time in full.

Upon the passage of Senate Bill No. 428 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Clett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So Senate Bill No. 428 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committee on Constitutional Amendments—
Senate Joint Resolution No. 429:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 12, OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO EXEMPTING INDUSTRIAL PLANTS ENGAGED IN THE MANUFACTURE OF CERTAIN COMMODITIES FROM ALL AD VALOREM TAXATION FOR A PERIOD OF FIFTEEN (15) YEARS FROM THE BEGINNING OF OPERATION OF SUCH PLANTS.

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

That the following amendment to the Constitution of the State of Florida, Article IX, Section 12, of said Constitution, be and the same is hereby agreed to, and the same shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the next ensuing General Election, that is to say, that Article IX, Section 12, of the Constitution of the State of Florida, be amended so as to read as follows:

"Article IX, Section 12. For a period of fifteen years, from the beginning of operations, all industrial plants heretofore established on or after July 1, 1929 or, which may be hereafter established, engaged primarily during such period in the manufacture of steel vessels, automobile tires, fabrics and textiles, wood pulp, paper, paper bags, fiber board, automobiles, automobile parts, aircraft, aircraft parts, glass and crockery manufacturers, plastics, synthetic rubber, dehydration of food products, chemical products, and the refining of sugar and oil, shall be exempt from all ad valorem taxation, except that no exemption which shall become effective by virtue of this amendment shall extend beyond a period of fifteen years from the beginning of operation of any such industrial plant. Until the Legislature shall provide a method

for determination of the date upon which any industrial plant began operations, the Tax Assessors of the several counties shall have authority to determine such date.

"The exemption herein authorized shall not apply to real estate owned and used by such industrial plants, except the real estate occupied as a location required to house such industrial plants and the buildings and property situated thereon, together with such lands as may be required for warehouses, storage, trackage and shipping facilities and being used for such purpose."

Which was read the first time in full and placed on the Calendar of Bills on Second Reading, without reference.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,
May 10, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

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

By Messrs. Johnson and Thomas of Lake—
House Bill No. 443:

A bill to be entitled An Act to amend Section 696.06 of Florida Statutes, 1941, authorizing photographic recording of instruments by the County Judges in counties of a certain population, by authorizing such photographic recording of instruments by County Judges in all of the counties of the State of Florida, and validating any action heretofore taken.

And respectfully requests the concurrence of the Senate therein.

Respectfully,
WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Bill No. 443, contained in the above Message, was read the first time by title only.

Senator Baker moved that the rules be waived and House Bill No. 443 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 443 was read the second time by title only.

Senator Baker moved that the rules be further waived and House Bill No. 443 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. 443 was read the third time in full.

Upon the passage of House Bill No. 443 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So House Bill No. 443 passed, title as stated, 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 10, 1943.

Hon. Philip D. Beall,
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 Collins—
Committee Substitute for Senate Bill No. 13:

A bill to be entitled An Act to amend Section 347.08 of the "Florida Statutes, 1941," authorizing the State Railroad Commission to regulate the operation of and fix tolls for certain toll bridges, and causeways in the State of Florida.

Which amendment reads as follows:

In Section 1 add the following at the end of the first paragraph on page 2:

"Provided further that in regulating tolls and charges for the use of such toll bridge or causeway, not exceeding, including the approaches thereto, four and a half miles in length, the Railroad Commission shall also fix reasonable rates to be charged: (1) Buses for the use of such toll bridge or causeway, and (2) for annual passes, emblems or permits for passenger automobiles and for trucks over such toll bridge or causeway for persons, firms or corporations desiring the right to the unlimited annual use of such toll bridge or causeway. Nothing in this Act shall be construed to interfere with the rights of any person entitled to free passage over any bridge or causeway by virtue of any covenant running with the land."

And respectfully requests the concurrence of the Senate therein.

Respectfully,
WALTER P. FULLER,
Chief Clerk House of Representatives.

And Committee Substitute for Senate Bill No. 13, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Collins moved that the Senate do concur in the House Amendment to Senate Bill No. 13.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 13.

And Senate Bill No. 13, 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 11, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted the Conference Committee report on:

House Bill No. 108:

A bill to be entitled An Act to provide for exemption of dealers in gasoline or other like products of petroleum from payment of excise taxes on gas or other like products of petroleum sold to the United States of America, its departments, agencies and instrumentalities, in bulk lots for exclusive use by the United States of America, its departments, agencies and instrumentalities; providing for promulgation of rules and regulations by the Comptroller for enforcement of the Act; and providing for the construction and effect of the Act in the event of its invalidity.

Which report reads as follows:

CONFERENCE COMMITTEE REPORT ON
HOUSE BILL NO. 108
May 5, 1943

Honorable Philip D. Beall,
President of the Senate.
Honorable Richard H. Simpson,
Speaker of the House of Representatives.

Your Conference Committee appointed to adjust the differences between the Senate and the House of Representatives with reference to House Bill No. 108, begs leave to submit the following report:

It is respectfully recommended:

First: That the Senate recede from its amendments 1 and 2 to the bill.

Second: That said bill be amended as follows:

1. In the preamble, 7th Whereas clause (typewritten bill), strike out the words "five thousand," and insert in lieu thereof the following: "five hundred."

2. In Section 1, line 8 (typewritten bill), strike out the figure "5000," and insert in lieu thereof the following: "500."

Respectfully submitted,
(Signed) LeROY COLLINS,
(Signed) K. GRINER,
(Signed) WALTER W. ROSE,
Conferees on the part of
the Senate.
(Signed) L. C. LEEDY,
(Signed) B. C. PAPPY,
(Signed) JERRY COLLINS,
Conferees on the part of the
House of Representatives.

And pursuant to the recommendations of the Conference Committee, the House of Representatives has adopted Conference Committee Amendments Nos. 1 and 2 to House Bill No. 108, as set forth in the foregoing Conference Committee report.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

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

Tallahassee, Florida,
May 11, 1943.

Hon. Philip D. Beall,
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 McKenzie—

Senate Bill No. 86:

A bill to be entitled An Act relating to the war-time mobilization of fire departments of cities, towns and villages; authorizing the appointment of temporary substitute firemen; authorizing outside service by said fire departments; and providing the powers, duties, rights, privileges, immunities, compensation, and liability for loss, damage, expense or acts or omissions in connection therewith.

By Senator Beacham—

Senate Bill No. 326:

A bill to be entitled An Act to make it unlawful for any person on a public street, roadway, highway or sidewalk, in the State of Florida to throw in, or attempt to throw in, or offer to, or attempt to offer to any occupant of any motor vehicle, whether standing or moving, or to place in or throw in, any motor vehicle, any advertising matter relating to hotels, restaurants, apartments houses, tourist homes, tourist camps, motor courts, trailer parks or other lodging facilities, or accommodations, or the rates in connection therewith, or solicit patronage for any of such places from any occupant of any motor vehicle, excepting from automobiles and vehicles parked within one hundred feet of his place of business, or to procure any person to do such acts, declaring such act or acts to be a public nuisance, or traffic hazard, and providing penalties for the violation hereof.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bills Nos. 86 and 326, 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 11, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

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

By the Committee on Judiciary "B"—

Committee Substitute for House Bill No. 46:

A bill to be entitled An Act providing that any person in any branch of service of the Government of the United States, including military and naval service, and the husband or the wife of any such person, if he or she be living within the borders of the State of Florida, shall be deemed prima facie to be a resident of the State of Florida for the purpose of maintaining any suit in chancery or action at law.

By Messrs. Parker and Yaeger of Leon—

House Bill No. 282:

A bill to be entitled An Act to confer certain powers upon the State Board of Control including the powers to purchase, lease, construct, better and equip buildings for, and to make other improvements to institutions under its jurisdiction, and for such purposes and upon certain conditions to borrow money and accept grants from any Federal agency, private agency, corporation or individual; to provide for the re-payment of

such loans from the proceeds of the projects constructed with the money borrowed, and to provide for the issuance of revenue certificates for the re-payment of the money borrowed, and protecting the State of Florida against the incurring of indebtedness in such manner inconsistent with the Constitution of Florida and conferring upon said Board of Control and members thereof the powers to carry out the provisions of this Act; and to provide for the repeal of all laws inconsistent herewith.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Committee Substitute for House Bill No. 46, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A."

And House Bill No. 282, contained in the above Message, was read the first time by title only.

Senator Shands moved that the rules be waived and House Bill No. 282 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 282 was read the second time by title only.

Senator Shands moved that the rules be further waived and House Bill No. 282 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. 282 was read the third time in full.

Upon the passage of House Bill No. 282 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—32.

Nays—None.

So House Bill No. 282 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sheldon now Presiding.

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

Tallahassee, Florida,
May 11, 1943.

Hon. Philip D. Beall,
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. Lewis of Gulf—

House Bill No. 365:

A bill to be entitled An Act to amend Section 440.44 Florida Statutes, 1941, as amended by Chapter 20299, Acts of 1941, creating the Florida Industrial Commission; providing for the establishment of the merit system principle of personnel administration in the Workmen's Compensation Division of the Florida Industrial Commission; authorizing said Commission to adopt and promulgate such rules and regulations as may be necessary to carry said merit system into effect; providing for the appointment and fixing the salary of a director for this division of the commission.

By Mr. Wiseheart of Dade—

House Bill No. 372:

A bill to be entitled An Act to amend Section 440.12 Florida Statutes, 1941, and Section 440.13 Florida Statutes, 1941, as amended by Section 2, Chapter 20672, Acts of 1941, relating to the Workmen's Compensation Law; by providing for an increase in the employer's liability for the weekly payments of compensation to injured employees and authorizing the Industrial Commission within a certain time to order the employer and/or insurance carrier to furnish medical treatment to injured employees in excess of one thousand dollars if the

nature of the injury or the process of recovery requires such action.

By Messrs. Scofield of Citrus, West of Santa Rosa, Beasley of Walton, Shivers of Washington, Brackin of Okaloosa, Beck and Bollinger of Palm Beach, Carter and Jenkins of Alachua, Inman of Bradford, Dugger of Baker, Murray and Smith of Polk, Papy of Monroe, Thomas and Bizzell of Escambia, Martin, McMullen and McDonald of Hillsborough. Davis of Gadsden, Byrd of Duval, Graves of Indian River, Curtis and Troxler of Marion, Clement of Pinellas, Middleton and Dowda of Putnam, Livingston of Highlands, Carlton of St. Lucie, Bronson of Osceola, Andrews of Union, Baughman of Dixie, Tucker of Hernando, Rivers of Clay, Croft of Lafayette, Smith of Seminole, Lewis of Gulf, Bailey and Holland of Bay, Ayers of Gilchrist, McKendree of Nassau, Stewart of Hendry, Dunham of DeSoto, Bryant of Pasco, Sanchez of Suwannee, Hodges of Columbia and Nilsson of Volusia—

House Bill No. 590:

A bill to be entitled An Act providing for nominations for election to the offices of State Senator and Representative by a political party in a primary election and providing for the qualifying of candidates therefor.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 365, contained in the above Message, was read the first time by title only and referred to the Committee on Labor and Industry.

And House Bill No. 372, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 372 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 372 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 372 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. 372 was read the third time in full.

Upon the passage of House Bill No. 372 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Collins, Franklin, Graham, Griner, Johnson, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—29.

Nays—None.

So House Bill No. 372 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The President now presiding.

Senator King moved that the rules be waived and the Senate do now reconsider the vote by which Senate Bill No. 265 passed the Senate on May 10, 1943.

Which was agreed to by a two-thirds vote.

And the Senate reconsidered the vote by which Senate Bill No. 265 passed the Senate on May 10, 1943.

Pending roll call on the passage of Senate Bill No. 265, by unanimous consent, Senator King withdrew Senate Bill No. 265.

And House Bill No. 590, contained in the above Message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 590 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Bill No. 590 was read the second time in full.

Senator Franklin moved that the rules be further waived and House Bill No. 590 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. 590 was read the third time in full.

Upon the passage of House Bill No. 590 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Black, Carroll, Cliett, Coleman, Graham, Griner, Johnson, King, Lindler, Maddox, Shands, Sheldon, Taylor, Upchurch—17.

Nays—Senators Baker, Barringer, Brewton, Clarke, Collins, Davis, Franklin, Lewis, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shuler, Sturgis, Wilson—17.

So House Bill No. 590 failed to pass.

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

Tallahassee, Florida,
May 11, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

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

By Messrs. Clement, Harris and Miss Baker of Pinellas, Usina and Turner of St. Johns, Leedy of Orange, Floyd of Franklin, Nesmith of Wakulla, Branch of Liberty, Carlton of St. Lucie, Scales of Taylor, Bailey and Holland of Bay, Commander of Holmes, Hendry of Okeechobee, West of Santa Rosa, Inman of Bradford, Thomas of Lake, Beasley of Walton, Lane and Fuqua of Manatee, Wotitzky of Charlotte, Burwell of Broward and Turner of Levy—

House Bill No. 315:

A bill to be entitled An Act to re-enact An Act 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 purposes 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," the same being Chapter 20510, Laws of Florida, Acts of 1941, which expires May 28, 1943; and providing that the law, as re-enacted, shall remain in force for a period of two years after the date it becomes a law."

By Committee on Public Health—

House Bill No. 477:

A bill to be entitled An Act to amend Sections 463.01, 463.05, 463.08, 463.09, 463.10, 463.16, 463.17 and 463.18, Florida Statutes of 1941, relating to the practice of optometry.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 315, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 315 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.

And House Bill No. 477, contained in the above Message, was read the first time by title only.

Senator Sheldon moved that the rules be waived and House Bill No. 477 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Bill No. 477 was read the second time in full.

Senator Sheldon moved that the rules be further waived and House Bill No. 477 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. 477 was read the third time in full.

Upon the passage of House Bill No. 477 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Davis, Griner, Hinely, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—Senators Collins, Franklin—2.

So House Bill No. 477 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators McKenzie and Upchurch—
Senate Memorial No. 2:

WHEREAS, because of unfavorable weather conditions, a late freeze necessitating replanting in many cases and because of increased costs of fertilizer and seed, as well as of labor, and of every other movement incidental to planting, growing and harvesting this season's crop of Irish potatoes, and,

WHEREAS, the so-called "ceiling price" of the incoming crop of Florida potatoes, set by the Office of Price Administration, is not sufficient to meet the added costs, as above enumerated, and is certainly not in line with the prices allowed and named on other essential foods products; now,

THEREFORE BE IT RESOLVED, that the members of the Senate and of the House of Representatives of the Legislature of the State of Florida, do respectfully memorialize and petition the Office of Price Administration in the recommendation that a substantial increase be ordered in the "ceiling price" of new Florida potatoes comparable with prices fixed on other vegetable food products, and to make possible a reasonable financial return to the growers to compensate them for their work, time and labor in food production as a valuable contribution to sustain our citizens, our workers and soldiers in the all-out effort towards winning the war; and,

BE IT FURTHER RESOLVED, that copies of this Memorial be transmitted to the Office of Price Administration, the Federal Department of Agriculture, and to each Senator and Representative in Congress from the State of Florida.

Which was read the first time in full.

Senator McKenzie moved that the rules be waived and Senate Memorial No. 2 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Memorial No. 2 was read the second time in full.

The question was put on the adoption of the Memorial.

Which was agreed to and Senate Memorial No. 2 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

The hour having arrived for the consideration of Senate Bill No. 381, the General Appropriation Bill, as a Special and Continuing Order of Business pursuant to the motion made by Senator Housholder on May 7, 1943, Senator Lewis moved that Senate Bill No. 381 be referred to the Committee on Appropriations with instructions to the Committee to report a bill cut in accordance with the recommendations of the Budget Commission.

Senator Maines moved as a substitute motion that further consideration of Senate Bill No. 381, as a Special and Continuing Order of Business be postponed until the Senate convenes on Thursday, May 13, 1943.

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

Which was agreed to and it was so ordered.

SENATE BILLS ON THIRD READING

Senate Bill No. 31 was taken up in its order and the consideration thereof was informally passed.

SENATE BILLS ON SECOND READING

Senate Bill No. 232:

A bill to be entitled An Act providing for the relief of R. Lee Montague for damages to his automobile caused by a State Road Department truck.

Was taken up in its order and read the second time in full.

Senator Lindler moved that the rules be waived and Senate Bill No. 232 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. 232 was read the third time in full.

Upon the passage of Senate Bill No. 232 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—34.

Nays—Senators Clarke, Perdue—2.

So Senate Bill No. 232 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1943 Session of the Florida Legislature and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 384:

A bill to be entitled An Act to provide for payment of accrued public assistance on death of person entitled thereto; imposing certain powers and duties upon State Welfare Board, County Judge, and State Comptroller, with reference thereto; and repealing all laws in conflict herewith.

Was taken up in its order and read the second time in full.

Senator Baker moved that the rules be waived and Senate Bill No. 384 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. 384 was read the third time in full.

Upon the passage of Senate Bill No. 384 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—35.

Nays—None.

So Senate Bill No. 384 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 385:

A bill to be entitled An Act creating and establishing a Fire Control District on that part of Gasparilla Island that is located in Lee County, Florida, providing for the creation and appointment of a Fire Control Board, defining its duties, powers and authority, providing for the raising of funds within such district by taxation on all the property within such district, and the method of levying, collecting and disbursing such funds.

Was taken up in its order.

Senator Franklin moved that the rules be waived and Senate Bill No. 385 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 385 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 385 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. 385 was read the third time in full.

Upon the passage of Senate Bill No. 385 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So Senate Bill No. 385 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

Senate Bill No. 14:

A bill to be entitled An Act amending Chapter 18285, Section 10, Laws of Florida, 1937, entitled: "An Act creating

a State Welfare Board and District Welfare Boards and providing for their appointment, qualifications, powers and duties; providing that said State Board shall be the agent for the United States, State, county and municipal governments in the administration of funds for the relief of unfortunates; and authorizing the said boards to act as agent for the United States, State, county and municipal governments in the administration of any funds for investigations, social welfare work, or any work incident to the public welfare of the United States, State, county and municipal governments; authorizing the State Welfare Board to promulgate rules and regulations necessary to carry out the intent and purposes of this Act; providing for the supervision of State and local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children; authorizing the State Welfare Board to establish minimum standards of care for all local public and private, institutions or agencies; creating the Office of State Welfare Commissioner and providing for his appointment, providing that this Act shall not affect the enforcement of Chapter 9274 Acts of 1923 of Chapter 11834, and 13384, Acts of 1927, of Chapter 13620, Acts of 1929, and Acts amendatory thereof; repealing all other laws or parts of laws in conflict herewith; and making appropriations to carry out the purposes of said Act; and fixing the qualifications of persons entitled to monetary benefits or assistance under this Act."

Was taken up in its order and read the second time in full.

The Committee on Welfare offered the following amendment to Senate Bill No. 14:

In Section 1, page 2, strike out the words: "sixty years of age," and insert the following: "forty-five years of age and a reasonable time shall be allowed for persons to qualify under this Section, and shall be applicable only to persons employed after the date of passage of this Act."

Senator Sheldon moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sheldon moved that the rules be waived and Senate Bill No. 14, as amended, 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. 14, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 14, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Clett, Coleman, Collins, Graham, Griner, Johnson, King, Maddox, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Wilson—24.

Nays—Senators Black, Carroll, Clarke, Davis, Franklin, Hinely, Lewis, Lindler, Maines, McArthur, Upchurch—11.

So Senate Bill No. 14 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bill No. 15:

A bill to be entitled An Act amending Chapter 18285, Section 17, Laws of Florida, 1937, entitled, "An Act creating a State Welfare Board and District Welfare Boards and providing for their appointment, qualifications, powers and duties; providing that said State Board shall be the agent for the United States, State, county and municipal governments in the administration of funds for the relief of unfortunates; and authorizing the said boards to act as agent for the United States, State, county and municipal governments in the administration of any funds for investigations, social welfare work, or any other work incident to the public welfare of the United States, State, county and municipal governments authorizing the State Welfare Board to promulgate rules and regulations necessary to carry out the intent and purposes of this Act; providing for the supervision of State and local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children; authorizing the State Welfare Board to establish minimum standards of care for all local public and private institutions or agencies; creating the Office of State Welfare Commissioner and providing for his appointment, providing that this Act shall not affect the enforcement of Chapter 9274, Acts of 1923, of Chapter 11834, and 13384, Acts of 1927, of Chapter 13620, Acts of 1929 and Acts amendatory thereof;

repealing all other laws or parts of laws in conflict herewith; and making appropriations to carry out the purposes of said Act; and fixing the qualifications of persons entitled to monetary benefits or assistance under this Act."

Was taken up in its order and read the second time in full.

Senator Graham offered the following amendment to Senate Bill No. 15:

In Section 1, line 3 (typewritten bill), strike out the figures "\$25.00." and insert in lieu thereof the following: "\$10.00."

Senator Graham moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sheldon moved that the rules be waived and Senate Bill No. 15, as amended, 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. 15, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 15, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Brewton, Clett, Davis, Graham, Griner, Housholder, Johnson, King, Maddox, Maines, McKenzie, Perdue, Sheldon, Taylor—16.

Nays—Senators Baker, Barringer, Beacham, Black, Carroll, Clarke, Coleman, Collins, Franklin, Hinely, Lewis, Lindler, McArthur, Rose, Shands, Shuler, Sturgis, Upchurch, Wilson—19.

So Senate Bill No. 15, as amended, failed to pass.

Senate Bill No. 230:

A bill to be entitled An Act to provide a method for a person now serving in any of the armed forces of the United States of America who had prior to such service been elected or appointed to a state or county office for a term to expire subsequent to the primary election in 1944 to become a candidate in the primary election in 1944 for renomination to such office without the necessity of filing any oath, declaration, report, receipt, or to pay any assessment or fee to the state or county or to any executive committee of any political party; and providing for the duties of the Secretary of State of the State of Florida and of the County Commissioners of any county of this state in relation thereto, and repealing all Laws in conflict herewith.

Was taken up in its order and read the second time in full.

The Committee on Judiciary "B" offered the following amendment to Senate Bill No. 230:

In Section 1, line 1 of the bill, after the word "person" and before the word "elected" insert the following: "except members of the Florida State House of Representatives and the Florida State Senate."

Senator Mathews moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Judiciary "B" also offered the following amendment to Senate Bill No. 230:

Strike out Sections 5 and 6, and insert the following in lieu thereof:

Section 5. This Act shall apply only to the first person securing a leave of absence or resigning as aforesaid in Section 1 of this Act or under Chapter 115, Florida Statutes of 1941, and not to any person subsequently appointed or elected to fill the unexpired term of any person in the armed forces of the United States of America.

Section 6. All laws or parts of laws in conflict herewith be and the same are hereby repealed.

Section 7. This Act shall take effect upon becoming a law.

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Mathews moved that the rules be waived and Senate Bill No. 230, as amended, 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. 230, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 230, as amended, the roll was called and the vote was:

Yeas—Senators Black, Franklin, King, Lindler, Maddox, Mathews, Sheldon, Upchurch—8.

Nays—Mr. President; Senators Adams, Baker, Barringer, Beacham, Brewton, Carroll, Clarke, Clett, Coleman, Collins,

Davis, Graham, Hinely, Housholder, Johnson, Maines, McArthur, Perdue, Rose, Shands, Shuler, Sturgis, Taylor, Wilson—25.

So Senate Bill No. 230 failed to pass.

Senator Beacham moved that the rules be waived and the hour of adjournment be extended fifty (50) minutes.

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

HOUSE BILLS ON SECOND READING

Committee Substitute for House Bill No. 177:

A bill to be entitled An Act to provide for the control and operation of school lunchrooms in the several counties of Florida.

Was taken up in its order.

Senator Shuler moved that the rules be waived and Committee Substitute for House Bill No. 177 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 177 was read the second time by title only.

Senator Shuler offered the following amendment to Committee Substitute for House Bill No. 177:

In Section 1, line 7 (typewritten bill), following the words "of the respective schools," strike out the comma and all of the remainder of the Section beginning "... and providing that no teacher . . ." and insert in lieu thereof the following: a period after the word "schools" in line 7 of said Section 1.

Senator Shuler moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rose offered the following amendment to Committee Substitute for House Bill No. 177:

In Section 1, line 2 (typewritten bill), at the end of the line, after the word "Florida," add the following: "having a population of not more than thirty-one thousand according to the last State or Federal census."

Senator Rose moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Rose also offered the following amendment to Committee Substitute for House Bill No. 177:

At the end of the title add the following: "having a certain population according to the last State or Federal census."

Senator Rose moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Shuler moved that the rules be further waived and Committee Substitute for House Bill No. 177, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 177, as amended, was read the third time in full.

Upon the passage of Committee Substitute for House Bill No. 177, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So Committee Substitute for House Bill No. 177 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 107:

A bill to be entitled An Act to amend Section 48.14 Florida Statutes of 1941 by requiring the clerk to enter a decree pro confesso on the day after the return day named in process served by publication, whether such return day be a rule day or not, and repealing all laws and parts of laws in conflict herewith.

Was taken up in its order.

Senator Collins moved that the rules be waived and House Bill No. 107 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 107 was read the second time by title only.

Senator Collins offered the following amendment to House Bill No. 107:

In Section 1, line 16, (typewritten bill) strike out the words: "without praecipe therefor."

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins also offered the following amendment to House Bill No. 107:

In Section 1, line 21 (typewritten bill), after the word "publication," insert the following: "and such return day is not a rule day."

Senator Collins moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Collins moved that the rules be further waived and House Bill No. 107, as amended, 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. 107, as amended, was read the third time in full.

Upon the passage of House Bill No. 107, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So House Bill No. 107 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 411 was taken up in its order and the consideration thereof was informally passed.

House Bill No. 103:

A bill to be entitled An Act granting a pension to Hardy Tadlock of Holmes County, Florida.

Was taken up in its order and read the second time in full.

Senator Maddox moved that the rules be waived and House Bill No. 103 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. 103 was read the third time in full.

Upon the passage of House Bill No. 103 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Beacham, Brewton, Cliett, Graham, Hinely, Maddox, Mathews, McKenzie, Sheldon, —11.

Nays—Senators Baker, Barringer, Black, Carroll, Clarke, Coleman, Collins, Davis, Franklin, Griner, Housholder, Johnson, King, Lewis, Lindler, Maines, McArthur, Perdue, Rose, Shands, Shuler, Sturgis, Taylor, Upchurch, Wilson—25.

So House Bill No. 103 failed to pass.

House Bill No. 312:

A bill to be entitled An Act relating to bond issues for road and bridge purposes issued in any county of the State of Florida having a population of not less than 15,000 and not more than 16,000 according to the 1940 Federal census being retired, in which event the clerk of the Circuit Court shall distribute money that he now has on hand or may hereafter receive from the collection of delinquent taxes levied for the purpose of paying said bonds to road and bridge maintenance fund of the county if money received by clerk from the collection of delinquent taxes was levied for payment of bonds for road and bridge purposes in the county and to road and bridge maintenance fund of district of such county if money received by clerk from collection of delinquent taxes was levied for payment of bonds for road and bridge purposes in such district.

Was taken up in its order.

Senator Maddox moved that the rules be waived and House Bill No. 312 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 312 was read the second time by title only.

Senator Maddox moved that the rules be further waived and House Bill No. 312 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. 312 was read the third time in full.

Upon the passage of House Bill No. 312 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So House Bill No. 312 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

HOUSE LOCAL BILLS ON SECOND READING

House Bill No. 193:

A bill to be entitled An Act authorizing the compromise settlement of certain taxes duly levied and assessed for the year 1940 and all prior years by all counties having a population according to the last preceding Federal census of not less than 20,100 and not more than 22,100, against any and all lands lying in such counties, and authorizing the Clerks of the Circuit Courts in and for such counties to make such compromise settlement of said taxes and to accept in settlement and payment therefor any bonds, coupons, or other evidences of indebtedness against said counties, at their face value, in payment of any such taxes, and providing for the compensation of such Clerks of the Circuit Courts in making such compromise settlements.

Was taken up in its order.

Senator Adams moved that the rules be waived and House Bill No. 193 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 193 was read the second time by title only.

Senator Adams moved that the rules be further waived and House Bill No. 193 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. 193 was read the third time in full.

Upon the passage of House Bill No. 193 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—36.

Nays—None.

So House Bill No. 193 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Mathews moved that the rules be waived and the Senate take up and consider Senate Bill No. 376, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 376:

A bill to be entitled An Act to suspend the operation for the duration of the present war of that portion of Section 12, Chapter 20955, Laws of Florida of 1941, prohibiting the employment of minors under 18 years of age in the operation of a motor vehicle or as a helper thereon; and further providing for the revival of said provision upon the cessation of hostilities.

Was taken up and read the second time in full and placed on the Calendar of Bills on Third Reading.

Senator Lewis moved that House Bill No. 194 be recommitted to the Committee on Judiciary "A."

Which was agreed to and it was so ordered.

Senator Barringer moved that the rules be waived and the Senate take up and consider Senate Bill No. 347, out of its order, at this time.

Which was agreed to by a two-thirds vote.

Senate Bill No. 347:

A bill to be entitled An Act to authorize the leasing by counties and municipalities of Florida to the United States of America of airports owned by such counties and municipalities upon such terms as may be mutually agreed upon between them.

Was taken up and read the second time in full.

Senator Barringer moved that the rules be further waived and Senate Bill No. 347 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. 347 was read the third time in full.

Upon the passage of Senate Bill No. 347 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So Senate Bill No. 347 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Black moved that the rules be waived and the Senate take up and consider House Bill No. 356, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 356:

A bill to be entitled An Act extending State Road 122 via White Springs in Hamilton County, Florida, to Benton Bridge over the Suwannee River to connect with State Road 82 in Columbia County.

Was taken up and read the second time in full.

Senator Black moved that the rules be further waived and House Bill No. 356 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. 356 was read the third time in full.

Upon the passage of House Bill No. 356 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Johnson, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—32.

Nays—None.

So House Bill No. 356 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Black moved that the rules be waived and the Senate take up and consider House Bill No. 136, out of its order, at this time.

Which was agreed to by a two-thirds vote.

House Bill No. 136:

A bill to be entitled An Act prescribing a limitation of time after the record of a deed or the probate of a will within which an action may be brought concerning the lands described in such deed or will and validating certain conveyances and devises.

Was taken up and read the second time in full.

Senator Black moved that the rules be further waived and House Bill No. 136 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 136 was read the third time in full.

Upon the passage of House Bill No. 136 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Davis, Franklin, Graham, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—32.

Nays—Senator Collins—1.

So House Bill No. 136 passed, title as stated, and the action of the Senate was ordered certified to the house of Representatives.

Senator King moved that a committee be appointed to escort Lieutenant George L. Trawick of Escambia County, United States Army Air Corps, and Lieutenant David H. Godbold, Jr., of Indian River County, United States Army Air Corps, to seats on the rostrum.

Which was agreed to.

The President appointed Senators King, Rose and McKenzie as the committee.

Senator Beacham moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 1:52 o'clock P. M., until 11:00 o'clock A. M., Wednesday, May 12, 1943.