

JOURNAL OF THE SENATE

Monday, April 19, 1943

The Senate convened at 4:00 o'clock P. M., pursuant to adjournment on Friday, April 16, 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, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Friday, April 16, 1943, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Your Committee on Judiciary "B," to whom was referred—
House Memorial No. 6:

Relating to procedure for recovering damages inflicted upon land structures by watercraft.

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

Very respectfully,

JOHN R. BEACHAM,

Vice-Chairman of Committee.

And House Memorial No. 6, 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. 189:

A bill to be entitled An Act to amend Section 732.14, Florida Statutes of 1941.

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

Very respectfully,

JOHN R. BEACHAM,

Vice-Chairman of Committee.

And Senate Bill No. 189, contained in the above report, 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. 63:

A bill to be entitled An Act to authorize the Board of County Commissioners of each County of the State of Florida to close, vacate, and abandon any private or public street, road, alley, way, or other place used for travel, or any portion thereof, within their jurisdiction, and to prescribe the method therefor. And validating and confirming the closing, vacation and abandonment of such roads and streets, heretofore ordered by such boards.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 63, contained in the above report, was certified to the House of Representatives.

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

Senate Bill No. 166:

A bill to be entitled An Act to amend Sections 742.01, 742.02, 742.03 and 742.04 of Florida Statutes, 1941, relating to bastardy proceedings.

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

Very respectfully,

K. GRINER,

Chairman of Committee.

And Senate Bill No. 166, contained in the above report, was certified to the House of Representatives.

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

Senate Concurrent Resolution No. 4:

A Resolution that we go on record as commending the Officers and Members of the Civil Air Patrol for their patriotic activities, sacrifices, and accomplishments toward the end of winning the war; and that this Resolution be spread upon the Journal of the House and Senate.

Also—

Senate Bill No. 6:

A bill to be entitled An Act providing for the compensation of Members of the Board of Public Instruction in all counties of the State of Florida having a population of not more than ten thousand, five hundred (10,500) and not less than ten thousand, one hundred twenty five (10,125), according to the last preceding federal census.

Also—

Senate Bill No. 81:

A bill to be entitled An Act to fix and provide the compensation of the members of the Board of County Commissioners of Hernando County, Florida; to provide that said Act shall be effective and the additional compensation paid from October 1, 1941, and to further provide from what funds the additional compensation shall be paid, and to repeal all laws in conflict with said Act.

Also—

Senate Bill No. 44:

A bill to be entitled An Act providing for the disposition of excess funds created by ad valorem tax levies, tax redemptions or interest upon investments in the accounts of the several counties and special road and bridge districts or other special taxing districts of this state for road and bridge bonded indebtedness being administered by the State Board of Administration.

Also—

Senate Bill No. 50:

A bill to be entitled An Act authorizing the State Road Department of the State of Florida to make investments of first gas tax funds which may be uncommitted, unusable or unexpended for state road construction purposes because of the present war emergency, in gasoline or other fuel tax anticipation certificates of counties and special road and bridge districts issued by the State Board of Administration pursuant to Section 16 of Article IX of the State Constitution and prescribing the terms and limitations of such investments and the duties and powers of certain state officials in connection therewith.

Also—

Senate Bill No. 52:

A bill to be entitled An Act providing for the disposition of bonds, delinquent interest coupons, or other delinquent obligations of counties, districts and municipalities, deposited with the State Treasurer, as custodian thereof, under Chapter 15054, Laws of Florida, Acts of 1931.

Having 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.

The Resolution and 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. 2:

Memorializing Congress to pass Pharmacy Corps bill.

Also House Bill No. 54:

A bill to be entitled An Act to provide for the taking of a State Census of the County of Palm Beach and County of Broward; providing for appropriation therefor.

Also House Bill No. 4:

A bill to be entitled An Act to provide for a Circuit Judge for the Fifteenth Judicial Circuit of Florida for each fifty thousand inhabitants, or major fraction therefor.

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.

House Memorial No. 2 and House Bills Nos. 54 and 4 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.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Baker—

Senate Bill No. 169:

A bill to be entitled An Act appropriating certain unexpended funds to State Welfare Fund to be used for administrative purposes.

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

By Senator Baker—

Senate Bill No. 170:

A bill to be entitled An Act to amend Section 409.21, Florida Statutes 1941, relating to cooperation of the State Welfare Board and District Boards with the United States Government, by providing for the adoption of rules and regulations governing the custody, use and preservation of records, papers, files and communications of the State Welfare Board, and providing penalties for violations thereof.

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

By Senator Baker—

Senate Bill No. 171:

A bill to be entitled An Act to amend Section 409.15, Florida Statutes 1941, relating to establishment and operation of certain institutions by the State Welfare Board, by providing for the licensing of boarding homes for the care of aged and blind persons and imposing certain duties upon the State Board of Health and State Welfare Board in connection therewith.

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

By Senator Baker—

Senate Bill No. 172:

A bill to be entitled An Act to amend Section 409.17,

Florida Statutes 1941, as amended by Section 1 of Chapter 20714, Laws of Florida, Acts of 1941, relating to aid to the blind.

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

By Senator Baker—

Senate Bill No. 173:

A bill to be entitled An Act relating to public assistance warrants heretofore or hereafter issued, prescribing time within which such warrants may be paid, and imposing certain duties upon certain officers with respect thereto.

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

By Senator Johnson—

Senate Bill No. 174:

A bill to be entitled An Act providing for the relief of H. C. Mickler, as Clerk of Circuit Court of Hernando County, Florida; by cancelling certain claims for excess fees.

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

By Senator Baker—

Senate Bill No. 175:

A bill to be entitled An Act for the relief of E. H. Bethea for personal injuries received while employed as a mechanic's helper by the State Road Department of the State of Florida; providing for the payment by the State Road Department of the State of Florida of compensation for such personal injuries to E. H. Bethea.

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

By Senator Upchurch—

Senate Bill No. 176:

A bill to be entitled An Act prohibiting the purchase by any State officer, board, commission, institution or agency of this State by whatever name known of any property of any kind or character except by the Secretary of State, who is herein constituted as the purchasing agent for all officers, boards, commissions, institutions or agencies of this State; requiring bids under certain circumstances; providing that this Act shall not affect any law with reference to where items purchased are manufactured or sold and authorizing the Secretary of State to make necessary rules and regulations to carry out this Act and providing that when same have been filed in his office that this is notice to the world of their contents.

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

By Senator Franklin—

Senate Bill No. 177:

A bill to be entitled An Act amending Section 117.01, Florida Statutes 1941, relating to Notaries Public, providing for their appointments, terms of office, powers, bond and oath.

Which was read the first time by title only.

Senator Franklin moved that the rules be waived and Senate Bill No. 177 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 177 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 177 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. 177 was read the third time in full.

Upon the passage of Senate Bill No. 177 the roll was called and the vote was:

Yeas—Mr. President; Senators Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Clett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So Senate Bill No. 177 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Franklin—
Senate Bill No. 178:

A bill to be entitled An Act to amend Section 59.14, Florida Statutes, 1941, relating to writs of error and appeals taken by Constitutional officers of the State of Florida, etc., operating as a supersedeas.

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

By Senators Sheldon and Beall—
Senate Bill No. 179:

A bill to be entitled An Act regulating the operation and management of Labor Unions; providing for the registration and payment of fee to the Secretary of State; prohibiting any alien, vagrant, irresponsible person or person convicted of a felony from holding office in any Labor Union; providing for identification cards to be carried by union representatives; making certain extortion or coercion unlawful; requiring records to be kept; citing certain further responsibilities for State's Attorneys and County Solicitors; providing that fees, dues, assessments and levies by unions shall be reasonable and that certain refunds in full shall be made; providing penalties for violation, a savings clause and the repealing of laws in conflict herewith.

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

By Senators Beall and Sheldon—
Senate Bill No. 180:

A bill to be entitled An Act declaring a public policy of the State; making it unlawful to strike, organize or encourage a strike on any work or service necessary to the national war program; providing that such actions may be restrained; defining certain words herein; providing for effective period of the Act; prescribing a penalty for violation, a Constitutional savings clause and repeal of laws in conflict herewith.

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

By Senator Beacham—
Senate Bill No. 181:

A bill to be entitled An Act relating to State and County taxes and tax certificates on lands owned by the Lake Worth Drainage District and cancelling all State and County Taxes against said lands, whether current or delinquent, and all tax certificates together with subsequent and omitted taxes thereon, and also cancelling the Lake Worth Drainage District's annual installments of total taxes and its maintenance and operation taxes for the years 1942 and 1943 on all land owned by certain political subdivisions.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 181 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. 181 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 181 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 181 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. 181 was read the third time in full.

Upon the passage of Senate Bill No. 181 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, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So Senate Bill No. 181 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Sheldon and Beall—
Senate Bill No. 182:

A bill to be entitled An Act to provide for the waiver or suspending or cancelling of all fees, payments, dues, licenses or other charges assessed against or owing by any person who is a citizen of the State of Florida and who is a member of the armed forces of the United States, Allied Nations or any of its branches, by any board, bureau, commission or regulatory body in the State of Florida and to continue said benefits to all members of the armed forces for their period of service and for a period of six months after the termination of said service and to retain all said persons as members properly qualified and in good standing during their term of service in the armed forces.

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

By Senator Beacham—
Senate Bill No. 183:

A bill to be entitled An Act relating to public performing rights in copyrighted musical compositions and dramatico-musical compositions; defining the same; regulating licensing of same; prescribing filing fees; making provisions for a resident agent in the State; levying a tax on the gross receipts from the licensing of such rights within the state of Florida; providing for the enforcement of this Act; the promulgation of rules and regulations governing the enforcement of this Act; appropriating the proceeds of the tax and fees levied herein, and repealing certain laws in conflict herewith.

Which was read the first time by title only.

Senator Beacham moved that the rules be waived and Senate Bill No. 183 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 183 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 183 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. 183 was read the third time in full.

Upon the passage of Senate Bill No. 183 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, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33

Nays—None.

So Senate Bill No. 183 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator King—
Senate Bill No. 184:

A bill to be entitled An Act to abolish Special Tax School District Number 31 and Special Tax School District Number 32 and Special Tax School District Number 40, as the same now exists, and eliminating Sections 25, 26, 27, 34 and 35 in township 27 south, range 24 east, from Consolidated Special Tax School District Number 16 and creating another Special Tax School District to be known as Consolidated Special Tax School District Number 8, of Polk County, Florida; providing for the continued existence of the said Special Tax School Districts, as the same now exist for the purpose only of paying and discharging the outstanding bonded or other indebtedness; providing that the Special Tax School Districts so consolidated shall not be liable for the present bonded or other indebtedness of the other districts and territory so being consolidated; providing for a referendum to determine whether the said districts and territory shall be consolidated and shall become a single school district and if the result of said election be in favor of consolidation, who shall be trustees of the proposed consolidated districts until the trustees elected in the regular biennial election to be held in November, 1943, are elected and qualified, and for the transfer of the powers and duties of the Boards of Trustees of the

districts so abolished to the new board so to be elected, and for the determination of the number of mills of district tax to be levied and collected annually for the next succeeding year within the proposed consolidated district for the exclusive use of the public free schools thereof, if the said election be in favor of consolidation.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 184 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 King moved that the rules be waived and Senate Bill No. 184 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 184 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 184 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. 184 was read the third time in full.

Upon the passage of Senate Bill No. 184 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, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So Senate Bill No. 184 passed title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By the Committees on Judiciary "A," "B" and "C," jointly—

Senate Bill No. 185:

A bill to be entitled An Act to authorize and provide for the appointment, within and under the purview of Chapter 20519, Laws of Florida, Acts of 1941, the Parole and Probation Act, of one or more Parole and Probation Supervisors in each Judicial Circuit of the State of Florida; providing the duties and compensation of such Supervisors; and making an appropriation for carrying into effect the provisions of this Act.

Which was read the first time by title only and placed on the Calendar of Bills on second reading, without reference.

By Senator Collins—

Senate Bill No. 186:

A bill to be entitled An Act to amend Section 17.13, Florida Statutes of 1941, relating to the duplication of lost or destroyed warrants.

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

By the Committees on Judiciary "A," "B" and "C," jointly—
Senate Bill No. 187:

A bill to be entitled An Act relating to common law marriages, declaring such marriages invalid unless and until a certificate thereof shall be filed in the office of the County Judge of the county where such marriages are entered into, prescribing a form of such certificate and the legal effect thereof, and to provide for the filing and recordation of such certificate by the County Judge in the records of his office and to fix his fees and charges therefor.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By the Committees on Judiciary "A," "B" and "C," jointly—
Senate Bill No. 188:

A bill to be entitled An Act relating to certain personal contracts, providing that no contract, promise or agreement to make a will, not to make a will, to make a codicil to a will, not to make a codicil to a will, to revoke or alter a will or codicil already made, not to revoke or alter a will or codicil already made, to leave money or property at death by will or

otherwise in a particular manner or to a particular person, or not to leave money or property at death by will or otherwise in a particular manner or to a particular person, shall be valid and binding upon a person or his estate, and prohibiting the bringing of any action thereon, unless such contract, promise or agreement, or some memorandum thereof in writing, be signed by the party to be charged thereon or by some other person by him thereunto lawfully authorized.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By Senator Sheldon—

Senate Bill No. 189:

A bill to be entitled An Act to amend Section 732.14, Florida Statutes of 1941.

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

By Senator Barringer—

Senate Bill No. 190:

A bill to be entitled An Act to amend Section 612.03 of Chapter 612, Florida Statutes, 1941, the same being An Act relating to corporations for profit.

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

By Senator McKenzie—

Senate Bill No. 191:

A bill to be entitled An Act creating a pension for Mrs. Louisa M. Benham of Putnam County, Florida.

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

By the Committees on Judiciary "A," "B" and "C," jointly—

Senate Bill No. 192:

A bill to be entitled An Act to provide for the investigation of crime by the sheriff upon the direction of the State Attorney, County Solicitor, or other prosecuting officer; providing fees of sheriff for such investigation; and repealing all laws in conflict therewith.

Which was read the first time by title only and placed on the Calendar of Bills on Second Reading, without reference.

By the Committees on Judiciary "A," "B" and "C," jointly—

Senate Bill No. 193:

A bill to be entitled An Act to repeal Section 784.04 of Florida Statutes 1941, a law defining the offense of aggravated assault and providing punishment therefor.

Which was read the first time by title only 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,
April 19, 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 Memorial No. 6:

A bill to be entitled An Act relating to procedure for recovering damages inflicted upon land structures by watercraft.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Memorial No. 6, contained in the above message, was read the first time in full and referred to the Committee on Judiciary "B."

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

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Tallahassee, Florida,
April 19, 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. Peters, Gautier and Wiseheart of Dade, Burwell of Broward Beck of Palm Beach and Stewart of Hendry—
House Bill No. 60:

A bill to be entitled An Act to appropriate \$25,000.00 for the further expenses of the work of the Everglades National Park Commission, created by Act of the Legislature Chapter 13887, May 25, 1929, as amended by Chapter 16966, Acts of 1935.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER.

Chief Clerk House of Representatives.

And House Bill No. 60, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

Senator Collins moved that the rules be waived and the Senate do now reconsider the vote by which the Senate passed House Bill No. 108 on April 16, 1943.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which House Bill No. 108 was passed.

Senator Collins moved that the rules be further waived and House Bill No. 108 be placed back on second reading for the purpose of amendment.

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

Senator Sheldon moved that Senate Bill No. 146 be recalled from the House of Representatives.

Which was agreed to and it was so ordered.

VETO MESSAGES

Senator Barringer moved that Senate Bill No. 53 (1941 Session) be re-referred to the Committee on Executive Communications.

Which was agreed to and it was so ordered.

SENATE BILLS ON SECOND READING

Senate Bill No. 58:

A bill to be entitled An Act providing for actions by and against unincorporated organizations or associations and regulating the procedure thereof.

Was taken up in its order.

Senator Barringer moved that the rules be waived and Senate Bill No. 58 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 58 was read the second time by title only.

Senator Barringer moved that the rules be further waived and Senate Bill No. 58 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. 58 was read the third time in full.

Upon the passage of Senate Bill No. 58 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Collins, Davis, Franklin, Graham, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So Senate Bill No. 58 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Black moved that Senate Bill No. 115 be referred to the Committee on Judiciary "C."

Which was agreed to and it was so ordered.

HOUSE BILLS ON SECOND READING

House Bill No. 132 was taken up in its order and the consideration thereof was informally passed.

MEMORIAL AND PETITIONS

House Memorial No. 4:

A Memorial to the Congress of the United States requesting the establishment in Palestine of a National Home for the Jewish people.

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

The question was put on the adoption of the Memorial.

Which was agreed to and House Memorial No. 4 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

Senator Taylor moved that the Senate do now proceed to the consideration of Executive Communications.

Which was agreed to.

And the Senate went into Executive Session at 4:54 o'clock P. M.

And the Senate emerged from Executive Session at 5:13 o'clock P. M., and resumed its Session.

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, McKenzie, Perdue, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

A quorum present.

Senator Black moved that a committee be appointed to make appropriate arrangements to memorialize the late Senator R. Stanley Adams of the 30th Senatorial District.

Which was agreed to.

The President appointed Senators Black, Clarke and Hinely as the committee.

Senator Cliett moved that a committee be appointed to memorialize the late Honorable Henry G. Murphy, former Senator from the 27th Senatorial District.

Which was agreed to.

The President appointed Senators Cliett, Lewis and King as the committee.

Senator Sturgis moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 5:16 o'clock P. M. until 11:00 o'clock A. M., Tuesday, April 20, 1943.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate, in Executive Session on April 19, 1943, advised and consented to the appointment by the Governor of:

Henry S. Baynard, member of the State Racing Commission, First Congressional District of the State of Florida, for the term expiring the first Monday in January, 1945.

Louis J. Day, member of the State Racing Commission, Second Congressional District of the State of Florida, for the term expiring the first Monday in January, 1945.

Joe L. Sharit, member of the State Racing Commission, Third Congressional District of the State of Florida, for the term expiring the first Monday in January, 1945.

A. M. Balfe, member of the State Racing Commission, Fourth Congressional District of the State of Florida, for the term expiring the first Monday in January, 1945.

S. J. Hilburn, member of the State Racing Commission, Fifth Congressional District of the State of Florida, for the term expiring the first Monday in January, 1945.

The Senate, in Executive Session on April 19, 1943, consented to the suspension and removal from office by the Governor of M. M. Mashburn, County Superintendent of Public Instruction of Bay County, Florida.

JOURNAL OF THE SENATE

Tuesday, April 20, 1943

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 19, 1943.

The President in the Chair.

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

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

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Monday, April 19, 1943, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Your Committee on Education, to whom was referred:

Senate Bill No. 27:

A bill to be entitled An Act amending Sections 1 and 5 of Chapter 19014, Laws of Florida, Acts of 1939, as amended by Chapter 20749, Laws of Florida, Acts of 1941, entitled "An Act to Amend Sections 1, 5, 6 and 10, of Chapter 19014, Laws of Florida, Acts of 1939, entitled "An Act to provide for a statewide Retirement System for teachers: to provide for its management and regulation: to define its membership and benefits payable thereunder: to provide for contributions by the members of the Retirement System and by the State of Florida: to appropriate money from the general revenue fund of the State for the payment of part of the cost of maintenance and all of the costs of administering the system and to regulate the use of these monies: to provide that all benefits payable under the system shall be exempt from all taxes and from execution and attachment and other legal process and shall be non-assignable except as provided therein: and to provide penalties for the violation of this Act;" said Sections so amended being the same as Sections 238.01 and 238.05 of Chapter 238, Florida Statutes 1941; and to repeal all laws in conflict with this Act.

Senate Bill No. 99:

A bill to be entitled An Act to amend Section 295.01 of the Florida Statutes, of 1941, the same relating to educational benefits for the Orphans of deceased veterans so that the same when amended shall include the Orphans of deceased veterans of world war number two.

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

Very respectfully,

JAY A. SHULER,

Chairman of Committee.

And Senate Bills Nos. 27 and 99, contained in the above report, were placed on the Calendar of Bills on Second Reading.

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

Senate Bill No. 105:

A bill to be entitled An Act designating and establishing a State Road to extend from Harrisburg in Glades County, Florida, southwesterly to La Belle, Florida.

Senate Bill No. 131:

A bill to be entitled An Act redesignating and reestablishing State Road 77A in Levy County and declaring said road as redesignated shall be a part of the Third Preferential System of State Roads of this State.

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

Very respectfully,

N. RAY CARROLL,

Chairman of Committee.

And Senate Bills Nos. 105 and 131, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred—

Senate Memorial No. 1:

A Resolution to memorialize Congress to enact House Resolution No. 1649 now pending before Congress and the same being An Act to establish a uniform system of old age pensions and aid to widows and dependent children.

Have had the same under consideration and recommend that the following Committee Substitute therefor be adopted:

A Resolution to memorialize Congress to enact a national annuity, pension or assistance plan to be uniform throughout the United States for the benefit of the aged, widows and dependent children.

Very respectfully,

J. EDWIN BAKER,

Chairman of Committee.

And Senate Memorial No. 1, together with Committee Substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 163:

A Joint Resolution proposing to amend Article IX of the Constitution of the State of Florida relating to taxation and finance by adding thereto a new section to be known as Section 16 of said Article IX, providing for exemption from taxation of certain personal property.

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

Very respectfully,

WALLACE E. STURGIS,

Chairman of Committee.

And Senate Joint Resolution No. 163, contained in the above report, was placed on the Calendar of Bills on second reading.

Your Committee on Constitutional Amendments, to whom was referred:

Senate Joint Resolution No. 68:

A Joint Resolution proposing an amendment to Section 24 of Article III of the Constitution of the State of Florida, relating to uniform county and municipal government and the classification of cities and towns.

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

Very respectfully,

WALLACE E. STURGIS,

Chairman of Committee.

And Senate Joint Resolution No. 68, contained in the above report, was placed on the Calendar of Bills on second reading.

Your Committee on State Institutions, to whom was referred:

Senate Bill No. 5:

A bill to be entitled An Act to establish at or near Avon Park, Florida, a unit of the Florida State Hospital for the care, treatment, etc., of insane persons and for the construction of the necessary buildings, equipment, etc., of such unit, and to provide for the management of such institution.

Have had the same under consideration, and recommend that the following Committee Substitute therefor pass:

A bill to be entitled An Act to establish at or near Avon

Park, Florida, a State Hospital for the care and treatment of persons afflicted with venereal disease and for the construction of the necessary buildings and equipment of such State Venereal Hospital, and to provide for the staffing, supervision, management and control of such institution, and making appropriation therefor.

Very respectfully,

WILLIAM CLIETT,
Chairman of Committee.

And Senate Bill No. 5, together with Committee Substitute therefor, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Concurrent Resolution No. 5:

A Resolution looking toward the establishment of Peace on Earth and Good Will Toward Men in the world following the war in which we are now engaged.

Also—

Senate Bill No. 1:

A bill to be entitled An Act to amend Section 585.32, Florida Statutes 1941, relating to the purchase and distribution of anti-hog cholera serum and virus and the appropriation therefor.

Also—

Senate Bill No. 4:

A bill to be entitled An Act authorizing Board of County Commissioners in all counties in the State of Florida having populations of not less than ten thousand, one hundred twenty-five (10,125), and not more than ten thousand, five hundred (10,500), according to the last Federal census to transfer and use for county purposes, all moneys paid to, or received by said Boards of County Commissioners, or said counties, as proceeds of special earmarked tax levies made for the payment of bonds, and/or interest coupons, and/or any judgment entered thereon, where such bonds, and/or interest coupons, or any judgment thereon have been exchanged for refunding bonds issued to refund such bonds, coupons, or judgments, or the issue of bonds of which said bonds, coupons, or judgments are a part, or otherwise accruing to the said Board of County Commissioners, or counties as the result of any tax levies, where the proceeds of such levies cannot be applied to the original purposes for which the same was levied and to empower said Boards of County Commissioners to transfer said funds into any fund, or account of said board, and/or county, and use and expend the same for county purposes.

Also—

Senate Bill No. 9:

A bill to be entitled An Act imposing an additional tax upon gasoline or other like products of petroleum; providing for reports of sales of such commodities to the Comptroller of the State of Florida; providing for the disposition of the moneys derived from such taxes, and the apportionment thereof to the General Revenue Fund of the State, and to the County School Fund; providing that the gasoline inspection laws of the State of Florida shall apply to this Act; prohibiting the levy and collection by municipalities and other political subdivisions of gasoline taxes; providing for the enforcement of this Act, and penalties for violation hereof and providing that this Act is an emergency revenue measure and shall be of no force and effect from and after July 1, 1945.

Also—

Senate Bill No. 12:

A bill to be entitled An Act permitting certain persons, who have heretofore or may hereafter pay or cause to be paid certain fees or amounts into the proper account or fund, to elect to come under the provisions of Statutes and Laws providing for the retirement of State officers and employees, upon the performance of certain conditions and things by such persons.

Also—

Senate Bill No. 20:

A bill to be entitled An Act repealing Chapter 18129 from the Laws of Florida, Acts of 1937, relating to re-registration and the registration of voters for primary and general elec-

tions in counties of the State of Florida having a population of not less than thirty thousand seven hundred and not more than thirty thousand eight hundred inhabitants according to the 1935 State census.

Also—

Senate Bill No. 21:

A bill to be entitled An Act to provide for re-registration of all voters for primary and general elections to be held in the year A. D. 1946 and every six years thereafter in counties of the State of Florida having a population of not less than thirty-one thousand and not more than thirty-one thousand four hundred inhabitants according to the 1940 Federal census, fixing the time when registration books in each of said counties shall be kept open for the purpose of such re-registration and prescribing the duties and compensation of registration officers in connection therewith.

Also—

Senate Bill No. 23:

A bill to be entitled An Act to ratify, confirm, validate and legalize all acts and proceedings of Franklin County, Florida, its County Commissioners, officers and agents relative to the purchase of land for the construction of a Federal Gunnery School and air field, within Franklin County, Florida, and the issuance of \$12,000.00 of promissory notes therefor dated April 15, 1942, authorizing the same; and ratifying, confirming, validating and legalizing said proceedings.

Also—

Senate Bill No. 26:

A bill to be entitled An Act providing for the application of gasoline and other fuel tax funds accruing to Flagler County under Section 16 of Article IX of the Constitution of this State, to Flagler County's proportionate share of the cost of construction of the brick road originally constructed by St. Johns County.

Also—

Senate Bill No. 49:

A bill to be entitled An Act authorizing and empowering the State Board of Administration, created by Section 16 of Article IX of the Constitution of this State, to refund and pay certain judgments rendered against taxing units based upon road and bridge bonds outstanding on July 1, 1931, or any refunding issues thereof, and providing for the application of any ad valorem taxes levied to pay such judgments or the bonds upon which the same were based.

Also—

Senate Bill No. 51:

A bill to be entitled An Act authorizing the State Road Department of the State of Florida to invest any second gas tax funds heretofore or hereafter accruing to said department for use pursuant to any Statute of the State of Florida, and any 80 per cent. surplus funds heretofore or hereafter accruing to said department for use pursuant to Section 16 of Article IX of the State Constitution, which funds are uncommitted, unusable or unexpendable for the purposes for which they were heretofore allocated or appropriated because of the present war emergency, in gasoline or other fuel tax anticipation certificates or counties and special road and bridge districts issued by the State Board of Administration pursuant to Section 16 of Article IX of the State Constitution and prescribing the terms and limitations of such investments and the duties and powers of certain State officials in connection therewith.

Also—

Senate Bill No. 92:

A bill to be entitled An Act requiring the publication and filing by the Chairman and Treasurer of the Executive Committee of each political party represented by candidates for nomination to any county or municipal office in Hillsborough County, Florida, of an itemized statement of its receipts and disbursements; and providing a penalty for the violation of the provisions hereof.

Also—

Senate Bill No. 98:

A bill to be entitled An Act providing for service raises for employees of the City of Jacksonville, Florida.

Also—

Senate Bill No. 136:

A bill to be entitled An Act to amend Section 5 of, and to add an additional section to, Chapter 18615 Laws of Florida, Special Acts of 1937, entitled "An Act providing for pensions for certain members of the Police and Fire Departments of the City of Jacksonville."

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.

The Bills 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 Memorial No. 2:

Memorializing Congress to Pass Pharmacy Corps Bill.

Also House Bill No. 54:

A bill to be entitled An Act to provide for the taking of a State Census of the County of Palm Beach and County of Broward; providing for appropriation therefor.

Also House Bill No. 4:

A bill to be entitled An Act to provide for a Circuit Judge for the Fifteenth Judicial Circuit of Florida for each fifty thousand inhabitants, or major fraction thereof.

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.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Shuler—

Senate Bill No. 194:

A bill to be entitled An Act providing that the State of Florida may enter into a compact with any one or more of the States of Maine, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and with such other states as may join, to promote the better utilization of the Fisheries, Marine, Shell and Anadromous of the Atlantic Seaboard and to create the Atlantic States Marine Fisheries Commission; providing for the members of such commission from the State of Florida; providing for the carrying out of said compact; and making an appropriation therefor by the Legislature of the State of Florida.

Which was read the first time by title only and referred to the Committees on Game and Fisheries and Constitutional Amendments, jointly.

By Senator Baker—

Senate Bill No. 195:

A bill to be entitled An Act to amend Section 409.04, Florida Statutes 1941, relating to institutional and foster care for children, by authorizing the State Welfare Board to match county and municipal funds for the purpose of developing foster home care for children under supervision of District Welfare Boards, and repealing all laws in conflict herewith.

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

By Senator Baker—

Senate Bill No. 196:

A bill to be entitled An Act to amend Section 617.01, Florida Statutes 1941, relating to the authority and manner of

incorporating corporations not for profit, by prescribing additional procedure for incorporating child care or placement agencies.

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

By Senator Baker—

Senate Bill No. 197:

A bill to be entitled An Act to amend Section 744.01, Florida Statutes, 1941, relating to guardianship of infants.

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

By Senator Baker—

Senate Bill No. 198:

A bill to be entitled An Act to repeal Sections 446.01 to 446.05, inclusive, Florida Statutes 1941, the same being Chapter 446, Florida, Statutes, 1941, relating to apprentices.

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

By Senator Baker—

Senate Bill No. 199:

A bill to be entitled An Act regulating the importation and exportation of children for the purpose of placing them out or procuring their adoption, prescribing penalties for the violations of this Act, and repealing all laws or parts of laws in conflict with this Act.

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

By Senator Baker—

Senate Bill No. 200

A bill to be entitled An Act to amend Section 409.02, Florida Statutes 1941, relating to duties of State Welfare Board, by imposing additional duties upon said Board.

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

By Senator Collins—

Senate Bill No. 201:

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 purpose 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.

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

By Senator Franklin—

Senate Bill No. 202:

A bill to be entitled An Act amending Section 27.22, Florida Statutes 1941, providing for Assistant State Attorneys, appointment, terms and compensation in circuits of more than one hundred ninety thousand population.

Which was read the first time by title only.

Senator Franklin moved that the rules be waived and Senate Bill No. 202 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 202 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 202 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. 202 was read the third time in full.

Upon the passage of Senate Bill No. 202 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, 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—34.

Nays—None.

So Senate Bill No. 202 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. 203:

A JOINT RESOLUTION PROPOSING TO AMEND SECTION SIX AND SECTION SEVEN OF ARTICLE XVIII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO THE TERM OF OFFICE OF PERSONS APPOINTED OR ELECTED TO FILL VACANCIES IN ELECTIVE OFFICES UNDER SAID CONSTITUTION.

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

That the following amendment to Section 6 and Section 7 of Article XVIII 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 of the State of Florida for ratification or rejection at the next ensuing general election, that is to say: That Sections 6 and 7 of Article XVIII of the Constitution of the State of Florida, be amended to read as follows:

"Section 6. The term of office for all appointees to fill vacancies in any of the elective offices under this Constitution shall extend only to the first Tuesday after the first Monday in January next after the election and qualification of a successor.

"Section 7. In all cases of election to fill vacancies in office, such election shall be for that part of the unexpired term commencing on the first Tuesday after the first Monday in January next after such election."

Which was read the first time in full.

Senator Sturgis moved that the rules be waived and Senate Joint Resolution No. 203 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Joint Resolution No. 203 was read the second time in full.

Senator Sturgis moved that the rules be further waived and Senate Joint Resolution No. 203 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. 203 was read the third time in full.

Upon the passage of Senate Joint Resolution No. 203 the roll was called and the vote was:

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

Nays—Senator Housholder—1.

So Senate Joint Resolution No. 203 passed 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.

By Senator Baker—

Senate Bill No. 204:

A bill to be entitled An Act to amend Section 409.05, Florida Statutes 1941, relating to the licensing of child caring institutions by the State Welfare Board, by regulating the placement of children, requiring a license therefor, imposing certain duties upon the State Welfare Board with reference thereto, prescribing penalties for violations of this Act, and repealing all laws in conflict herewith.

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

By Senator Graham—

Senate Bill No. 205:

A bill to be entitled An Act to amend Chapter 11516, Acts of 1925, of the Laws of the State of Florida, being entitled "An Act to abolish the present municipal government of the City of Hialeah, Dade County, Florida, and to create, establish and organize a municipality to be known and designated as the City of Hialeah, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises, and privileges, and to authorize the issuance of municipal bonds, and for other purposes," by adding thereto a new section, to be known as Section 102, and to authorize therein for the levying of a special tax upon admission tickets sold by any licensee of the State Racing Commission of any race track located within the boundaries of said City of Hialeah; fixing the amount of said special tax, and imposing upon said licensee the burden of adding said special tax to the amount of each and every admission ticket sold, and of collecting the same, and providing a penalty for the failure so to do; providing that said money derived from said special tax shall be used for the sole purpose of paying the principal and interest on municipal bonds now outstanding against the City of Hialeah, Florida, and providing further, that this special tax shall be in addition to the taxes authorized in Section 10, of Chapter 14832, Acts of the Legislature, Laws of 1931, and for other purposes.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 205 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 Graham moved that the rules be waived and Senate Bill No. 205 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 205 was read the second time by title only.

Senator Graham moved that the rules be further waived and Senate Bill No. 205 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. 205 was read the third time in full.

Upon the passage of Senate Bill No. 205 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, 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—34.

Nays—None.

So Senate Bill No. 205 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Graham and Franklin—

Senate Bill No. 206:

A bill to be entitled An Act authorizing the Trustees of the Internal Improvement Fund of the State of Florida, in their discretion to convey, on behalf of the State of Florida, to the United States, without cost, lands held by them under Chapter 18296, Laws of Florida, Acts of 1937, to become a part of the Everglades National Park, pursuant to the enabling Act of Congress passed May 30, 1934.

Which was read the first time by title only.

Senator Franklin moved that the rules be waived and Senate Bill No. 206 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 206 was read the second time by title only.

Senator Franklin moved that the rules be further waived and Senate Bill No. 206 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill 206 was read the third time in full.

Upon the passage of Senate Bill No. 206 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer,

Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, Johnson, King, Lewis, Linder, Maddox, Maines, McArthur, McKenzie, Rose, Shands, Sheldon, Shuler, Sturgis, Upchurch, Wilson—31.

Nays—Senators Hinely, Perdue—2.

So Senate Bill No. 206 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Lewis moved that Senate Bills Nos. 185, 187, 188, 192 and 193 be withdrawn from the Calendar and referred to the Committee on Judiciary "A."

Which was agreed to and it was so ordered.

Senator Sturgis moved that Senate Joint Resolution No. 53 be recalled from the Committee on Constitutional Amendments.

Which was agreed to and it was so ordered.

By unanimous consent Senator Sturgis withdrew Senate Joint Resolution No. 53.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

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

Tallahassee, Florida,
April 20, 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. Avriett of Hamilton—
House Bill No. 24:

A bill to be entitled An Act to amend Section 924.15, Florida Statutes, 1941, relating to appeal bonds in criminal cases and qualifications of sureties upon such bonds.

By Messrs. Livingston of Highlands and Dowda of Putnam—
House Bill No. 29:

A bill to be entitled An Act to amend Section 192.38 Florida Statutes, 1941, providing for vesting of title to land covered by tax sale certificates in the State of Florida and charging the Trustees of the Internal Improvement fund with the supervision, management, administration and control therewith, to provide authority to dispose of said lands and to make rules and regulations for disposal of said lands.

By Mr. Livingston of Highlands—
House Bill No. 32:

A bill to be entitled An Act providing limitation of time within which the former owner and others claiming by, through or under him shall be permitted to bring suit for purpose of questioning in any way, litigating or contesting title to lands conveyed or to be conveyed by the Trustees of the Internal Improvement Fund by virtue of Chapter 18296, Laws of Florida, 1937, or Section 192.38, Florida Statutes, 1941, and Acts amendatory thereof, and validating deeds, leases and easements executed or granted by said trustees under and by virtue of said laws.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 24, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B."

And House Bills Nos. 29 and 32, contained in the above Message, were read the first time by titles only and referred to the Committee on Finance and Taxation.

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

Tallahassee, Florida,
April 20, 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:

Committee Substitute for House Bill No. 42—

A bill to be entitled An Act relating to the acknowledgement of deeds, conveyances, mortgages, relinquishments of dower, contracts for the sale of lands, powers of attorney and other instruments; amending Section 693.03 of the Florida Statutes, 1941, relating to the acknowledgement of such instruments by married women; providing a form of certificate of acknowledgement of any individual; validating certain acknowledgements by married women.

By Mr. Wiseheart of Dade—
House Bill No. 61:

A bill to be entitled An Act relating to and regulating the duties of attorneys at law and the judges and justices of the courts concerning suits and actions when the attorney and the judge or justice be related.

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. 42 and House Bill No. 61, contained in the above Message, were read the first time by titles only and referred to the Committee on Judiciary "B."

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

Tallahassee, Florida,
April 20, 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. Hodges of Columbia, Jenkins and Carter of Alachua, Bailey of Bay, Crofton of Brevard, Leaird of Broward, Scofield of Citrus, Rivers of Clay, Wiseheart and Peters of Dade, Crews, Carlton and Byrd of Duval, Floyd of Franklin, Lewis of Gulf, (Miss) Baker, Clement of Pinellas, Murray of Polk, Dowda of Putnam, Carlton of St. Lucie, Avriett of Hamilton, Livingston of Highlands, Martin, McMullen and McDonald of Hillsborough, Croft of Lafayette, Johnson of Lake, Parker of Leon, Hancock of Madison, Troxler of Marion, Crary of Martin, Bollinger and Beck of Palm Beach, West of Santa Rosa, Sanchez of Suwanee, Andrews of Union, Nesmith of Wakulla, and Beasley of Watson.

House Bill No. 117:

A bill to be entitled An Act prohibiting and making unlawful the practice of law in the State of Florida by anyone except licensed, practicing attorneys; defining the practice of law for the purpose of this Act; providing for the issuance of injunctions to restrain violations of the provisions thereof; providing that any violation of the provisions of this Act shall be a misdemeanor and punishment therefor; and repealing all laws in conflict therewith.

And respectfully requests the concurrence of the Senate therein.

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

And House Bill No. 117, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A."

SENATE BILLS ON SECOND READING

Senate Bill No. 189

A bill to be entitled An Act to amend Section 732.14, Florida Statutes of 1941.

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

Senator Sheldon moved that the rules be waived and Senate Bill No. 189 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. 189 was read the third time in full.

Pending roll call on the passage of Senate Bill No. 189, Senator Sheldon moved that the further consideration thereof be informally passed.

Which was agreed to and it was so ordered.

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.

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

Senator Collins offered the following amendment to House Bill No. 108:

In (typewritten bill) strike out the words: In the preamble, 7th Whereas Clause strike out the word "five" preceding the word "thousand" and insert in lieu thereof the following: "three."

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. 108:

In Section 1, line 8. (typewritten bill) strike out the figures "5000" and insert in lieu thereof the following: "3000."

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. 108, 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. 108, as amended, was read the third time in full.

Upon the passage of House Bill No. 108, as amended, the roll was called and the vote was:

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

Nays—None.

So House Bill No. 108 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 132:

A bill to be entitled An Act regulating the compensation to be paid to the Financial Committee known as the Bond Trustees of Highlands County, Florida.

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

Senator Cliett offered the following amendment to House Bill No. 132:

In Section 2, strike out all of Section 2, and insert the following: "Section 2. Before this Act shall take effect, it must first be submitted to the qualified voters of Highlands County, Florida, and receive a majority of the votes cast at such election in favor of ratifying the same, and the Board of County Commissioners of Highlands County, Florida, is hereby directed to hold an election for the purpose of submitting this Act to the qualified voters of Highlands County,

Florida, on the first Tuesday after the first Monday in May, 1944."

Senator Cliett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett also offered the following amendment to House Bill No. 132:

In Section 3, (printed bill), strike out all of Section 3, and insert the following: "Section 3. Notice of such election shall be published for four consecutive weeks in some newspaper of general circulation in Highlands County, such publication to be made beginning not more than sixty days prior to such election; and the said Board shall prepare the ballots for the said election and cause to be printed upon the said ballots the title of this Act, and cause the ballots to be so arranged that a voter can vote for the ratification of this Act or against the ratification of this Act, and in case a majority of the qualified voters at the said election vote for the ratification of this Act, the same shall become effective. The said Board shall appoint the inspectors and clerks to hold the said election, and the said election shall be held in all respects, so far as practicable, in accordance with the general election laws of the State of Florida."

Senator Cliett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett also offered the following amendment to House Bill No. 132:

Following Section 3 insert the following:

"Section 4. For the purpose of calling the aforementioned election, this Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval.

Section 5. All laws or parts of laws in conflict herewith are hereby repealed."

Senator Cliett moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Cliett moved that the rules be further waived and House Bill No. 132, 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. 132, as amended, was read the third time in full.

Upon the passage of House Bill No. 132, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, 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—34.

Nays—None.

So House Bill No. 132 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

House Memorial No. 6:

A Memorial relating to procedure for recovering damages inflicted upon land structures by watercraft.

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

The question was put on the adoption of the Memorial.

Which was agreed to and House Memorial No. 6 was adopted and the action of the Senate was ordered certified to the House of Representatives.

Senator Shands moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 12:03 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 21, 1943.