

JOURNAL OF THE SENATE

Tuesday, April 12, 1949

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 11, 1949.

The President in the Chair.

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

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. F. Dunkle.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, April 7, 1949, was further corrected as follows:

Page 3, column 1, line 43, between the word "than" and the letter "a" insert the word "by".

Also—

Page 4, column 2, line 4, strike the word "call" and insert in lieu thereof the word "called".

Also—

Page 7, column 1, line 5, counting from the bottom of the column, strike the name "Carroll".

Also—

Page 7, column 1, between lines 13 and 14, counting from the bottom of the column, insert the name "Carroll".

And as further corrected was approved.

The Senate daily Journal of Friday, April 8, 1949, was further corrected as follows:

Page 4, column 1, line 18, counting from the bottom of the column, strike the word "account" and insert in lieu thereof the word "accounts".

Also—

Page 4, column 2, line 13, strike the word "offices" and insert in lieu thereof the word "office".

Also—

Page 4, column 2, line 23, counting from the bottom of the column, between the word "exempting" and the word "coin" insert the word "automatic".

Also—

Page 9, column 1, between lines 13 and 14, insert the following "A RESOLUTION".

And as further corrected was approved.

The Senate daily Journal of Monday, April 11, 1949, was corrected as follows:

Page 1, column 1, line 29, strike out the word "or" and insert in lieu thereof the word "of".

Also—

Page 2, column 1, line 13, counting from the bottom of the column, between the word "provide" and the letter "a" insert the word "for".

Also—

Page 2, column 2, line 22, strike out the word "action" and insert in lieu thereof the word "actions".

Also—

Page 4, column 1, line 20, counting from the bottom of the column, strike out the word "pertaining" and insert in lieu thereof the word "permitting".

Also—

Page 4, column 1, lines 37, 38 and 39, strike out the words "Committee on Appropriations and the Committee on Welfare" and insert in lieu thereof "Committee on Welfare and the Committee on Appropriations".

Also—

Page 5, column 1, lines 11 and 12 counting from the bottom of the column, strike out the word "Appropriations" and insert in lieu thereof the words "Finance and Taxation".

Also—

Page 5, column 1, line 10, counting from the bottom of the column, strike out the word "Appropriations" and insert in lieu thereof the words "Finance and Taxation".

And as corrected was approved.

REPORTS OF COMMITTEES

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

S. B. No. 35—A bill to be entitled An Act amending Section 40.01, Florida Statutes, 1941, relating to the general qualifications and disqualifications of jurors and the duty of persons selecting jury lists, by providing for female jurors as well as male jurors except in eminent domain proceedings.

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

Very respectfully,
WALTER G. WALKER
Chairman of Committee.

And Senate Bill No. 35, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator John E. Mathews, Chairman of the Committee on Judiciary "C", reported that the Committee had carefully considered the following Bill:

S. B. No. 3—An Act requiring all persons on the payroll of the State of Florida, its departments, agencies and subdivisions, counties and city governments, the state school system, school districts, school boards, or connected with the free public schools or the state institutions of higher learning, to take a prescribed oath of loyalty as hereinafter defined, prescribing penalties and for the dismissal of those failing or refusing to take such oath, and the making of a false oath the crime of perjury and other matters in connection therewith.

—and the Committee recommends that the Committee Substitute therefor, as returned herewith, do pass.

And Senate Bill No. 3, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senators Beacham, Boyle and Baynard—

S. B. No. 85—A bill to be entitled An Act relating to taxation levying and imposing a fuel oil tax and an excise tax

on fuel oil; levying and imposing a license tax on every dealer and distributor of fuel oil; defining fuel oil; providing for the report of import, sale and use of fuel oil; providing for the collection and payment of such taxes; providing for the deposit of the proceeds derived from such taxes in the general revenue fund; providing for certain exemptions from said tax; providing for the refund of such tax under certain conditions; prescribing the powers and duties of certain officials with reference thereto; providing for the cost of the administration of this Act; providing for the enforcement of this Act and penalties for violation hereof.

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

By Senator Sheldon—

Senate Joint Resolution No. 86:

PROPOSING AN AMENDMENT TO ARTICLE XII, SECTION 10, OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO SPECIAL TAX SCHOOL DISTRICT TRUSTEES; AND FOR ELECTIONS FOR LEVYING AND COLLECTING A DISTRICT SCHOOL TAX.

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

That Section 10, Article XII of the Constitution of the State of Florida relating to county school districts and county school district trustees, is hereby amended, and as amended is agreed to and shall be submitted to the electors of the State of Florida at the general election to be held in 1950 for ratification or rejection.

Section 10. The Legislature may provide for the division of any county or counties into convenient school districts. The office of trustees of school districts is hereby abolished and all powers and duties of school district trustees is hereby vested in the County Boards of Public Instruction in all counties of the State, who shall have the supervision of all the schools in each district; and for the levying and collection of a district school tax for the public free schools within the districts of the county whenever a majority of the qualified electors thereof that pay a tax on real, or personal property shall vote in favor of such levy not to exceed ten mills on the dollar in any one year on the taxable property of the district; which said election shall be held at the time of voting for members of the Legislature.

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

By Senator Sheldon—

S. B. No. 87—A bill to be entitled An Act amending Section 230.38, Florida Statutes, 1941, relating to education; providing for election of trustees at the time and places for electing members of House of Representatives.

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

By Senator Carroll—

S. B. No. 88—A bill to be entitled An Act naming and designating a certain county road in Osceola County, Florida.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 88 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 Carroll moved that the rules be waived and Senate Bill No. 88 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 88 was read the second time by title only.

Senator Carroll moved that the rules be further waived and Senate Bill No. 88 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. 88 was read the third time in full.

Upon the passage of Senate Bill No. 88 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 88 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Beacham, Franklin, Crary, Smith, Moore, Leaird, Gautier, Sturgis, Baker, and Rogers—

S. B. No. 89—A bill to be entitled An Act to amend Section 26.51, Florida Statutes, 1941, as amended by Chapter 22546, Laws of Florida, Acts of 1945, fixing the salaries of the Circuit Judges to be paid by the State of Florida.

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

By Senator Collins—

S. B. No. 90—A bill to be entitled An Act relating to the Supreme Court Library; authorizing the librarian thereof to requisition designated state publications for exchange; authorizing said librarian to make exchanges; and repealing inconsistent laws.

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

By Senator Baynard—

S. B. No. 91—A bill to be entitled An Act enlarging the number of Commissioners of the Florida Railroad and Public Utilities Commission; and providing additional duties, powers, and jurisdiction for said Commission as enlarged; dividing the State into Commissioners' Districts and providing for the election and term of office of the Commissioners; providing that the present Florida Railroad and Public Utilities Commissioners shall remain in office until the expiration of their respective terms and providing for the appointment of two additional Commissioners; defining the terms used in this Act; providing that all present and future franchises shall be indeterminate; providing for the acquisition by a municipality of any public utility operating in a municipality and the manner of determining the compensation to be paid therefor; providing for the regulation, supervision and control of mergers, consolidations and reorganizations of public utility companies and for the approval of certain securities issued by said companies; providing for fees for inspection and control of public utility companies in addition to other fees and taxes imposed by law; providing for penalties for the violation of this act and the procedure for its enforcement and for suits to recover such penalties; providing for the eligibility and oath of office for the members of said Commission and the manner in which vacancies shall be filled and fixing the salaries and expenses of the Commissioners; providing for the manner in which the compensation of the employees of said Commission shall be determined; providing for the location of the principal office of the Commission and the time of holding the meetings there and elsewhere in the State; providing for a seal; providing that said Act shall not apply to utilities owned and operated by municipalities or cooperatives and repealing all laws and parts of laws in conflict herewith and providing for the severability of this Act and its effective date.

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

By Senator McArthur—

S. B. No. 92—A bill to be entitled An Act to amend Sections 726.02, 726.03, 726.04, 726.05 and 726.06, Laws of Florida, 1941, by providing for the giving of adequate public notice to all creditors prior to completion of the sale of goods, wares or

merchandise and by adding the sale of business fixtures and/or equipment to those sales for which notice to creditors must be given.

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

By Senator Franklin—

S. B. No. 93—A bill to be entitled An Act to establish a Department of Insurance in the University of Florida, and to make an appropriation therefor.

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

By Senator Mathews—

S. B. No. 94—A bill to be entitled An Act designating certain roads or parts of roads or streets in Duval County as state roads, together with bridges in connection therewith, and authorizing Florida State Improvement Commission to fix and regulate tolls and uses of bridges constructed thereon and providing that such authority may be assignable to the State Road Department.

Which was read the first time by title only.

Senator Mathews moved that the rules be waived and Senate Bill No. 94 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 94 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 94 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. 94 was read the third time in full.

Upon the passage of Senate Bill No. 94 the roll was called and the vote was:

Yeas—38

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 94 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Franklin—

Senate Concurrent Resolution No. 95:

A CONCURRENT RESOLUTION CONCERNING STATE OWNERSHIP OF AND CONTROL OVER LANDS BENEATH ITS NAVIGABLE INLAND WATERS AND MARGINAL SEAS.

WHEREAS, the State of Florida owns and possesses approximately seven thousand three hundred forty (7,340) square miles of land beneath its marginal seas, and approximately four thousand two hundred ninety-eight (4,298) square miles of land beneath its inland waters, or a total of approximately eleven thousand six hundred thirty-eight (11,638) square miles of land beneath the navigable waters within its boundaries, subject only to the constitutional grant of authority, to the federal government, other navigation, commerce and national defense; and,

WHEREAS, State ownership of this property has been and will continue to be an important source of revenue for our State, the loss of which would be a great injury to the State and our people, for whom it is held in trust; and,

WHEREAS, after over one hundred (100) years of recogni-

nized State ownership without interference with the delegated federal powers, certain federal officials are now suing other states for similar property and advocating federal seizure of the lands:

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

That the State of Florida favors continued State ownership and control, subject only to the powers over navigation, commerce and national defense only granted to the federal government by the federal constitution, of lands and resources within and beneath the navigable waters within the boundaries of the respective states, including such lands and resources within and beneath the marginal seas, and requests that the Congress of the United States enact suitable legislation to that end.

That the members of our delegation in Congress are hereby requested to give their active opposition to all pending and proposed measures which would create federal ownership or control of lands, fish or other resources beneath navigable waters within State boundaries.

That the members of our delegation in Congress are hereby requested to give their active support to legislation which would recognize and confirm State ownership of such property.

That a copy of this resolution be mailed to each member of our delegation in Congress.

Which was read the first time in full.

Senator Franklin moved that the rules be waived and Senate Concurrent Resolution No. 95 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 95 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 95 was adopted, and ordered certified to the House of Representatives.

By Senators Gautier, Baynard, Beacham, Leaird, and Crary—

S. B. No. 96—A bill to be entitled An Act creating and establishing a Florida State Tax Commission and fixing its powers, authority, duties, and jurisdiction in connection with taxation under the laws of this State.

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

By Senator Clarke—

S. B. No. 97—A bill to be entitled An Act to amend Section 655.01, 1947 Supplement, Florida Statutes, 1941, relating to trust company organization, by providing the capital stock shall be divided into shares of one hundred dollars or into shares of lesser amount as may be provided in the articles of incorporation.

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

By Senator Clarke—

S. B. No. 98—A bill to be entitled An Act amending Section 726.09, Florida Statutes, 1941, relating to fraudulent loans void and extending the provisions thereof to the legal representatives, successors or assigns of the pretended lender or other person having the benefit of the reservation, limitation, condition, reversion or remainder set out in Section 726.09 by reason of assignment or otherwise.

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

By Senator Clarke—

S. B. 99—A bill to be entitled An Act providing for the permissive closing of banking institutions under certain circumstances.

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

By Senators Brackin and Shands—

Senate Joint Resolution No. 100:

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA, RELATING TO TAXATION AND FINANCE BY THE ADOPTION OF AN ADDITIONAL SECTION THERETO AUTHORIZING THE LEGISLATURE TO PROVIDE FOR LEVY AND COLLECTION OF TAXES FOR MUNICIPALITIES.

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

That the following amendment to Article IX of the Constitution of Florida, by adding a section to be known as Section 16 of said Article IX is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification, or rejection at the next general election to be held in November A. D. 1950.

Section 16. The legislature shall have plenary power to provide by law for the assessment and collection of a tax of any nature or kind, the proceeds of which are authorized to be allocated to the incorporated municipalities of Florida upon some reasonable and equitable ratio of distribution.

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

By Senator Sheldon—

S. B. No. 101—A bill to be entitled An Act providing for an allowance of two per cent of all taxes imposed by the State of Florida on motor fuel to retail dealers on motor fuel, kerosene and other taxed petroleum products sold by them, repealing all laws in conflict herewith and for other purposes.

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

By Senator Clarke—

S. B. No. 102—A bill to be entitled An Act amending Section 734.01, Florida Statutes, 1941, as amended by Chapter 24295, Laws of Florida, 1947, relating to the expenses and compensation to be allowed to personal representatives and attorneys in probate proceedings.

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

By Senator Sheldon—

S. B. No. 103—A bill to be entitled An Act to provide for the printing upon the general election ballot of the nominees of minority political parties, and to define such parties.

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

By Senator Sheldon—

S. B. No. 104—A bill to be entitled An Act amending Section 865.09, Florida Statutes, 1941, and adding additional Sections 865.10, 865.11, 865.12, 865.13 and 865.14, Florida Statutes, 1941, all relating to fictitious names and regulating the doing of business under such names in this state and fixing penalties for violations of said sections.

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

By Senator Sheldon—

S. B. No. 105—A bill to be entitled An Act reappropriating certain unexpended Florida Council for the Blind funds and providing for the carry-over of Florida Council for the Blind funds unexpended at the end of the first fiscal year of the biennium.

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

By Senators Mathews and Baynard—

S. B. No. 106—A bill to be entitled An Act amending Section 347.08, Florida Statutes, the same being Section 1 of Chapter

24.197, Laws of Florida, 1947, by more definitely defining the toll bridges and causeways the tolls of which may be fixed by the Florida Railroad and Public Utilities Commission.

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

By Senators Sheldon, Collins, and Baynard—

S. B. No. 107—A bill to be entitled An Act authorizing the establishment and operation of a hospital for the care and treatment of chronic alcoholics, providing the procedure for the commitment of chronic alcoholics to said hospital, the cost of such proceeding and treatment, duties of the County Judge, the discharge of said alcoholics, levying an additional tax on certain alcoholic beverages, and appropriating the proceeds of said tax to carry out the purposes of the Act.

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

By Senator Sheldon—

S. B. No. 108—A bill to be entitled An Act to amend Sections 409.18, 409.19, Florida Statutes, 1941, relating to assistance for dependent children; providing assistance for dependent children; amount of assistance; hearing on application within fifteen days; appeal; repealing all laws in conflict herewith.

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

By Senators Beall and Sturgis—

S. B. No. 109—A bill to be entitled An Act relating to naturopathy, repealing Sections 462.02, 462.03, 462.04, 462.06, 462.07, 462.09, 462.10, 462.11, 462.12, 462.13, 462.14, 462.15, 462.16, 462.17, Florida Statutes 1941, and 462.05, 462.08, 462.18, 462.19, 462.20 and 462.21, Florida Statutes 1941, as amended by Chapter 21707, Laws of Florida, Acts of 1943; same being portions of An Act defining naturopathy, providing for and regulating the practice of naturopathy in the State of Florida; creating the Florida State Board of Naturopathic Examiners, fixing their terms of office; providing for the appointment of members of said board; defining the powers and duties of said board; to establish rules and regulations governing said board; providing for the licensing and examination of naturopaths in the State of Florida; providing for the charging of fees for the same; regulating the use of professional terms and abbreviations; providing for prosecution and penalties for violation of the provisions of this Act, and repealing all laws and parts of laws in conflict therewith; and adding a section making it unlawful to practice naturopathy in the State of Florida declaring that the regulation and prohibition of the practice of naturopathy is within the police power of this state.

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

By Senator Mathews—

S. B. No. 110—A bill to be entitled An Act declaring the organization of any chain letter club, pyramid club or other group organized or brought together under any plan or device whereby fees, dues or anything of material value to be paid or given by members are to be paid or given to any other member, to be a lottery; providing that participation in any such lottery shall be a felony; prescribing penalties and punishments for participating in any such lottery; repealing laws in conflict herewith, and providing for the effective date of this Act.

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

The following message from the Honorable R. A. Gray, Secretary of State, having been previously received, was taken up and read:

Tallahassee, Florida
April 6, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Tallahassee, Florida
Dear Senator Brackin:

In conformity with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for considera-

tion of the Senate, the following vetoed bills, with the Governor's objections attached thereto, viz:

Senate Bill No. 186:

"An Act Defining the Trade or Practice of Watchmaking and Persons engaged in such trade or practice, requiring a certificate of Registration as a condition precedent to engaging in such trade or practice either as an employing watchmaker or apprentice watchmaker and prescribing the terms and conditions upon which such certificates or registration may be issued and revoked; Creating the Florida State Board of Watchmaker Examiners, Providing for the Appointment of the Members of said Board and Prescribing its Powers and Duties; Providing penalties for the violation of the provisions of this Act and providing when said Act shall take effect."

Committee Substitute for

Senate Bill No. 192:

"An Act to amend Section 201.02, Florida Statutes 1941, Relating to Excise Taxes on Documents which convey or contract to convey, real estate and certain interests therein and excepting certain transactions from the operation of Chapter 201, Florida Statutes 1941."

Senate Bill No. 617:

"An Act to amend Sections 323.15 and 323.16, Florida Statutes, 1941, as amended by Chapter 22834, Laws of Florida, Acts of 1945, relating to the collection and distribution of mileage taxes; Providing for the collection of said taxes by the Comptroller of the State from every auto transportation company whether the holder of a certificate or permit or not, whose transportation operations are not exempt from the provisions of Chapter 323, Florida Statutes, 1941; Creating a lien for said taxes and providing for the enforcement thereof; Appropriating certain portions of said tax to the State Comptroller and the Florida Railroad Commission to be used in administering Chapter 323, Florida Statutes, 1941; Providing for the distribution of said mileage taxes among various cities and counties of the State on the basis of the 1944 distribution; and providing for payment of said tax into the General Revenue Fund in case distribution aforesaid is held unconstitutional."

Senate Bill No. 761:

"An Act enlarging the powers of the Bureau of Vital Statistics, Providing for the registration with said bureau of births occurring outside of the State of Florida, or outside of the United States, of native born citizens or foreign born now naturalized, and previously not registered, and providing the procedure for obtaining such certificate."

Senate Bill No. 1022:

"An Act providing for one stenographer for the office of State Attorney in each judicial circuit of the State of Florida comprised of a single county fixing the compensation to be paid said stenographer and the manner of payment thereof; Providing for one stenographer for the Assistant State Attorney in such judicial circuit and fixing the compensation to be paid said stenographer and the manner of payment thereof and to provide that this act shall be cumulative in effect."

Yours very truly,

R. A. Gray
Secretary of State.

Senator Baynard moved that the rules be waived and the Senate take up and consider Senate Bill No. 186 (1947 Session).

Which was agreed to by a two-thirds vote and Senate Bill No. 186 (1947 Session):

"An Act defining the trade or practice of watchmaking and persons engaging in such trade or practice, requiring a certificate of registration as a condition precedent to engaging in such trade or practice either as an employing watchmaker or apprentice watchmaker and prescribing the terms and conditions upon which such certificates of registration may be issued and revoked; creating the Florida State Board of Watchmaker Examiners, providing for the appointment of the members of said board and prescribing its powers and duties; providing penalties for the violation of the provisions of this Act and providing when said Act shall take effect."

Was taken up and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 13, 1947.

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

Dear Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 186, enacted by the Legislature of 1947 and entitled:

"An Act defining the trade or practice of watchmaking and persons engaging in such trade or practice, requiring a certificate of registration as a condition precedent to engaging in such trade or practice either as an employing watchmaker or apprentice watchmaker and prescribing the terms and conditions upon which such certificates of registration may be issued and revoked; creating the Florida State Board of Watchmaker Examiners, providing for the appointment of the members of said board and prescribing its powers and duties; providing penalties for the violation of the provisions of this Act and providing when said Act shall take effect."

This Act purports to require the registration or professional licensing and regulation of persons engaged in the business of repairing, rebuilding and adjusting watches and clocks.

It is not believed that regulation in this field which traditionally has been open to all persons without statutory restrictions, would be advantageous to the public or to the profession. The restrictive regulations would in all probability be more harmful and expensive to the public than they would be productive of any reform. The business of watchmaking is not affected with a public interest to the extent of the regulation proposed by this Act. Actually, its effect might be to further monopolistic and non-competitive tendencies.

From the governmental standpoint the Act would merely add another regulatory board to the long list of boards and would give the citizenry another opportunity to proclaim that democratic principles are being frittered away by further regimentation.

The standards prescribed for the qualifications of applicants appear too broad and place in the examining board arbitrary powers for determining qualification fitness of applicants. Section 7 of the Act provides that the Board "shall prescribe the standards of workmanship and skill required of watchmakers receiving certificates issued by the Board."

The fee of \$15.00 for the original watchmakers' certificate, plus a renewal fee of \$5.00 each year, appear to be out of line with the actual administrative costs of regulating the business.

For the reasons stated above, I, therefore, withhold my approval of Senate Bill 186, Legislative Session 1947, and do hereby veto the same.

Respectfully,
MILLARD F. CALDWELL,
Governor.

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

Upon the passage of Senate Bill No. 186 (1947 Session) the roll was called and the vote was:

Yeas—19

Mr. President	Beall	King	Pearce
Alford	Boyle	Leaird	Pope
Baker	Collins	Lindler	Sanchez
Baynard	Gautier	McArthur	Shands
Beacham	Johns	Moore	

Nays—17

Ayers	Franklin	Rodgers	Wilson
Carroll	Getzen	Sheldon	Wright
Clarke	Johnston	Shivers	
Crary	Mathews	Sturgis	
Davis	Ray	Walker	

So Senate Bill No. 186 (1947 Session) failed to pass by the required two-thirds vote of all members present.

Senator Sturgis moved that the rules be waived and the Senate take up and consider Committee Substitute for Senate Bill No. 192 (1947 Session).

Which was agreed to by a two-thirds vote and Committee Substitute for Senate Bill No. 192 (1947 Session):

"An Act to amend Section 201.02, Florida Statutes 1941, relating to excise taxes on documents which convey or contract to convey, real estate and certain interests therein and excepting certain transactions from the operations of Chapter 201, Florida Statutes 1941."

Was taken up and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 14, 1947

Honorable R. A. Gray
Secretary of State
Capitol
Sir

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Committee Substitute for Senate Bill 192, enacted by the Legislature of 1947 and entitled:

"An Act to amend Section 201.02, Florida Statutes 1941, relating to excise taxes on documents which convey or contract to convey, real estate and certain interests therein and excepting certain transactions from the operations of Chapter 201, Florida Statutes 1941."

This Act amends Section 201.02, Florida Statutes 1941, imposing a documentary stamp tax on deeds, notes, mortgages, contracts and other like instruments which provides that for each \$100.00 of the consideration for any such instruments, the tax shall be ten cents. Through inadvertent error or oversight, Committee Substitute for Senate Bill 192 failed to specify the amount of tax to be levied. In line 5, Section 1, following the words "On each \$100.00 of consideration therefor" the language "the tax shall be ten cents" was omitted. Because of the omission referred to, the above entitled Act in effect repeals the documentary tax and defeats the purpose of the Act itself.

For the foregoing reasons, I, therefore, withhold my approval from Committee Substitute for Senate Bill 192, Legislative Session 1947, and do hereby veto the same.

Respectfully,
MILLARD F. CALDWELL
Governor

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

Upon the passage of Committee Substitute for Senate Bill No. 192 (1947 Session) the roll was called and the vote was:

Yeas—None.

Mr. President	Collins	Leaird	Shands
Alford	Crary	Lindler	Sheldon
Ayers	Davis	Mathews	Shivers
Baker	Franklin	McArthur	Smith
Baynard	Gautier	Moore	Sturgis
Beacham	Getzen	Pearce	Tucker
Boyle	Johns	Ray	Wilson
Carroll	Johnston	Rodgers	Wright
Clarke	King	Sanchez	

Nays—35.

So Committee Substitute for Senate Bill No. 192 (1947 Session) failed to pass.

Senator Sturgis moved that the rules be waived and the Senate take up and consider Senate Bill No. 617 (1947 Session).

Which was agreed to by a two-thirds vote and Senate Bill No. 617 (1947 Session):

An Act to amend Sections 323.15 and 323.16, Florida Statutes, 1941, as amended by Chapter 22834, Laws of Florida, Acts of 1945, relating to the collection and distribution of mileage taxes; providing for the collection of said taxes by the comptroller of the State from every auto transportation company whether the holder of a certificate or permit or not, whose transportation operations are not exempt from the provisions of Chapter 323, Florida Statutes, 1941; creating a lien for said taxes and providing for the enforcement thereof; appropriating certain portions of said tax to the State Comptroller and the Florida Railroad Commission to be used in administering Chapter 323, Florida Statutes, 1941; providing for the distribution of said mileage taxes among various cities and counties of the State on the basis of the 1944 distribution; and providing for payment of said tax into the General Revenue Fund in case distribution aforesaid is held unconstitutional.

Was taken up and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 14, 1947.

Honorable R. A. Gray
Secretary of State
Capitol
Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 617, enacted by the Legislature of 1947 and entitled:

"An Act to amend Sections 323.15 and 323.16, Florida Statutes, 1941, as amended by Chapter 22834, Laws of Florida, Acts of 1945, relating to the collection and distribution of mileage taxes; providing for the collection of said taxes by the Comptroller of the State from every auto transportation company whether the holder of a certificate or permit or not, whose transportation operations are not exempt from the provisions of Chapter 323, Florida Statutes, 1941; creating a lien for said taxes and providing for the enforcement thereof; appropriating certain portions of said tax to the State Comptroller and the Florida Railroad Commission to be used in administering Chapter 323, Florida Statutes, 1941; providing for the distribution of said mileage taxes among various cities and counties of the State on the basis of the 1944 distribution; and providing for payment of said tax into the general revenue fund in case distribution aforesaid is held unconstitutional."

Section 323.15, Florida Statutes 1941, as now worded provides a three-fourths cent per mile mileage tax affecting trucks, which shall be in effect for a period of two years from June 11, 1945, and at the expiration of said two year period said mileage tax affecting trucks shall revert to the present rate of said tax.

This Act proposes to reduce the above rate to one-half cent per mile, and make the reduction permanent.

This Act further increases the distribution of mileage tax collections to the Railroad Commission for administrative expenses from 15% to 25%.

The effect of both of these provisions is to reduce the amount of mileage tax collections to be paid over to the State Board of Administration by an amount substantially over \$100,000.00.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill 617, Legislative Session 1947, and do hereby veto the same.

Respectfully,
MILLARD F. CALDWELL,
Governor.

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

Upon the passage of Senate Bill No. 617 (1947 Session) the roll was called and the vote was:

Yeas—28

Mr. President	Crary	Leaird	Shands
Alford	Franklin	Mathews	Sheldon
Baker	Gautier	Moore	Shivers
Baynard	Getzen	Pearce	Smith
Beacham	Johns	Pope	Sturgis
Beall	Johnston	Ray	Tucker
Boyle	King	Rodgers	Wilson

Nays 8

Ayers	Clarke	Lindler	Sanchez
Carroll	Davis	McArthur	Wright

So Senate Bill No. 617 (1947 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

Senator Sturgis moved that the rules be waived and the Senate take up and consider Senate Bill No. 761 (1947 Session).

Which was agreed to by a two-thirds vote and Senate Bill No. 761 (1947 Session):

"An Act enlarging the powers of the Bureau of Vital Statistics, providing for the registration with said bureau of births occurring outside of the State of Florida, or outside of the United States, of native born citizens or foreign born now naturalized, and previously not registered, and providing the procedure for obtaining such certificate."

Was taken up and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 14, 1947.

Honorable R. A. Gray
Secretary of State
Capitol
Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 761, enacted by the Legislature of 1947 and entitled:

"An Act enlarging the powers of the Bureau of Vital Statistics, providing for the registration with said Bureau of births occurring outside of the State of Florida, or outside of the United States, of native born citizens or foreign born now naturalized, and previously not registered, and providing the procedure for obtaining such certificate."

This Act provides for an additional method to obtain the registration and recordation of a birth certificate by certain persons.

We already have a comprehensive and satisfactory method of accomplishing this through the Bureau of Vital Statistics. This Act would require the person seeking registration to publish a notice and appear before a Circuit Judge who, after hearing the evidence of the date and place of birth, enters an order establishing and adjudicating such fact. The method provided in this Act appears to be cumbersome, expensive and unnecessary. In my opinion the existing facilities will better accomplish the same purposes sought to be accomplished under the provisions of this Act.

For the foregoing reasons I therefore withhold my approval from Senate Bill 761 and do hereby veto the same.

Respectfully,
MILLARD F. CALDWELL,
Governor.

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

Upon the passage of Senate Bill No. 761 (1947 Session) the roll was called and the vote was:

Yeas—None

Mr. President	Crary	McArthur	Shivers
Alford	Davis	Moore	Smith
Ayers	Franklin	Pearce	Sturgis
Baynard	Getzen	Pope	Tucker
Beacham	Johns	Ray	Wilson
Beall	Johnston	Rodgers	Wright
Boyle	Leaird	Sanchez	
Carroll	Lindler	Shands	
Clarke	Mathews	Sheldon	

Nays—33

So Senate Bill No. 761 (1947 Session) failed to pass.

Senator Sturgis moved that the rules be waived and the Senate take up and consider Senate Bill No. 1022 (1947 Session).

Which was agreed to by a two-thirds vote and Senate Bill No. 1022 (1947 Session):

"An act providing for one stenographer for the office of State Attorney in each Judicial Circuit of the State of Florida comprised of a single county fixing the compensation to be paid said stenographer and the manner of payment thereof; providing for one stenographer for the Assistant State Attorney in such Judicial Circuit and fixing the compensation to be paid said stenographer and the manner of payment thereof and to provide that this Act shall be cumulative in effect."

Was taken up and read by title, together with the following objections thereto of the Honorable Millard F. Caldwell, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 13, 1947.

Honorable R. A. Gray
Secretary of State
Capitol
Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 1022, enacted by the Legislature of 1947 and entitled:

"An act providing for one stenographer for the office of State Attorney in each Judicial Circuit of the State of Florida comprised of a single county fixing the compensation to be paid said stenographer and the manner of payment thereof; providing for one stenographer for the Assistant State Attorney in such Judicial Circuit and fixing the compensation to be paid said stenographer and the manner of payment thereof and to provide that this Act shall be cumulative in effect."

This Act authorizes the State Attorney in each judicial circuit of the State comprised of a single county to employ a stenographer at a salary to be paid by the State Treasurer. Senate Bill 56, which became a law during the 1947 Session of Legislature, authorized the employment of stenographers for all State Attorneys at a salary to be paid by the State Treasurer.

For the foregoing reasons I, therefore, withhold my approval from Senate Bill 1022, Legislative Session 1947, and do hereby veto the same.

Sincerely,
MILLARD F. CALDWELL,
Governor.

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

Upon the passage of Senate Bill No. 1022 (1947 Session) the roll was called and the vote was:

Yeas—None

Mr. President	Boyle	Crary	Getzen
Ayers	Carroll	Davis	Johns
Beall	Clarke	Franklin	Johnston

Leaird	Pearce	Shands	Tucker
Lindler	Pope	Sheldon	Wilson
Mathews	Ray	Shivers	Wright
McArthur	Rodgers	Smith	
Moore	Sanchez	Sturgis	

Nays—30

So Senate Bill No. 1022 (1947 Session) failed to pass.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 11, 1949.

Hon. Newman C. Brackin,
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 Davis—

S. B. No. 13—A bill to be entitled An Act to amend Section 11.12, 1947 Supplement, Florida Statutes, 1941, relative to the salary, subsistence and mileage of members of the Legislature, and making an appropriation therefor.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And Senate Bill No. 13, contained in the above Message, was referred to the Secretary as Ex-Officio Enrolling Clerk for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 11, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

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

By Messrs. Beasley of Walton, Collins of Sarasota, and Mac-William of Indian River—

House Memorial No. 104:

A Memorial to the Congress of the United States requesting that the provisions of Senate Bill 614 of the 81st Congress be enacted into law with the amendments dated March 1 proposed jointly by the two United States Senators from Florida.—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Memorial No. 104, contained in the above Message, was read the first time in full.

Senator Sanchez moved that the rules be waived and House Memorial No. 104 be read the second time in full.

Which was agreed to by a two-thirds vote.

And House Memorial No. 104 was read the second time in full.

The question was put upon the adoption of the Memorial.

Which was agreed to.

And House Memorial No. 104 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 11, 1949.

Hon. Newman C. Brackin,
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. Yeomans of Citrus—

H. B. No. 36—A bill to be entitled An Act authorizing the Supervisor of Conservation to destroy certain records and documents pertaining to the issuance of licenses and records thereof and such other files, papers and documents which are obsolete.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Bill No. 36, 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. 36 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 36 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 36 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. 36 was read the third time in full.

Upon the passage of House Bill No. 36 the roll was called and the vote was:

Yeas—33

Mr. President	Clarke	Mathews	Smith
Alford	Collins	McArthur	Sturgis
Ayers	Crary	Moore	Tucker
Baker	Davis	Pearce	Walker
Baynard	Franklin	Ray	Wilson
Beacham	Johnston	Rodgers	Wright
Beall	King	Shands	
Boyle	Leaird	Sheldon	
Carroll	Lindler	Shivers	

Nays—None

So House Bill No. 36 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 read:

Tallahassee, Florida,
April 12, 1949.

Hon. Newman C. Brackin,
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. Luckie of Duval—

H. B. No. 8—A bill to be entitled An Act amending Section 54.11, Florida Statutes of 1941 relating to the number of peremptory challenges of jurors in civil causes.—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Bill No. 8, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

The following message from the House of Representatives was read:

Tallahassee, Florida
April 12, 1949

Hon. Newman C. Brackin,
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. Dowda of Putnam, Cook of Flagler, Usina and Shepperd of St. Johns—

H. B. No. 59—A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court for services performed in actions, suits or proceedings before the Court in each Circuit of the State of Florida, composed of four Counties and having no Court of Record with jurisdiction concurrent with the Circuit Court in any County of such Circuit; providing that Chapter 22649, Laws of Florida 1945, is not repealed; and providing the effective date hereof.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Bill No. 59, contained in the above Message, was read the first time by title only.

Senator Pearce moved that the rules be waived and House Bill No. 59 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 59 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 59 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. 59 was read the third time in full.

Upon the passage of House Bill No. 59 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	Lindler	Sheldon
Alford	Crary	Mathews	Shivers
Ayers	Davis	McArthur	Smith
Baker	Franklin	Moore	Sturgis
Baynard	Gautier	Pearce	Tucker
Beacham	Getzen	Pope	Walker
Beall	Johns	Ray	Wilson
Boyle	Johnston	Rodgers	Wright
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None.

So House Bill No. 59 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 read:

Tallahassee, Florida,
April 12, 1949

Hon. Newman C. Brackin,
President of the Senate.
Sir:

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

By Mr. Luckie of Duval—

H. B. No. 7—A bill to be entitled An Act amending Section 40.24, Florida Statutes, 1941, relating to the compensation of jurors in this State and increasing the same in certain courts. —and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Bill No. 7, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 12, 1949

Hon. Newman C. Brackin,
President of the Senate.
Sir:

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

By Mr. Luckie of Duval—

H. B. No. 20—A bill to be entitled An Act to amend Section 47.26, Florida Statutes 1941, relating to the service of process upon state prisoners.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Bill No. 20, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 12, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

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

By Mr. Clement of Pinellas—

H. B. No. 11—A bill to be entitled An Act to amend Section 192.45 of Florida Statutes, 1941, to provide that trustees of Internal Improvement Fund, shall be authorized and directed to convey to any municipality, all lands vested in the State pursuant to Chapter 18296, Acts of 1937, situated in a municipality of the State without any reservation or restrictions being contained in such conveyance; providing for application to the trustees of Internal Improvement Fund by the municipality for such lands; providing for exemption of such lands from county ad valorem taxes; and authorizing municipality to sell, lease, rent or otherwise dispose of such lands and use the proceeds for any municipal purposes.

Also:

By Mr. Patton of Franklin—

H. B. No. 39—A bill to be entitled An Act relating to and regulating the taking of oysters, by making it unlawful to take oysters during the closed season, from the public state owned oyster grounds, private, leased or granted oyster grounds or artificial beds of oysters of riparian owners, same being all oyster grounds, beds, or reefs of the State of Florida; to prescribe the size of oysters to be taken at any time, and to regulate the unloading, disposition and sale of oysters; providing for leasing of lands on recommendation of director of oyster culture; providing that title to oyster shells remain in State; providing for penalties for violations, making provisions for the enforcement hereof and repealing conflicting laws.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Bill No. 11, contained in the above Message, was read the first time by title only.

Senator Baynard moved that the rules be waived and House Bill No. 11 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. 39, contained in the above Message, was read the first time by title only and referred to the Committee on Game and Fisheries.

**ORDER OF THE DAY
UNFINISHED BUSINESS**

The Motion made by Senator Leaird on April 7, 1949, which read as follows:

That no general bill of local application, or local bill providing compensation for County School Board members be passed by the Senate as a local bill, except as hereinafter provided. That all such bills be referred to the Committee on Education in the same manner as general bills; that the Committee on Education report the first of any such bills favorably or unfavorably for consideration by the Senate as early as practicable under the rules of the Senate; that upon consideration of any such bill by the Senate, if the same shall pass then all similar bills pending or thereafter introduced shall be considered as local bills. But, if the same shall fail to pass, the Chairman of the Education Committee shall move for the indefinite postponement of all similar bills before that Committee and all other such bills which may be later introduced.

Was taken up.

The question was put on the adoption of the motion made by Senator Leaird.

Upon which a roll call was demanded.

Pending consideration of the motion made by Senator Leaird, Senator McArthur moved that the rules be waived and the time of adjournment be extended until such time as consideration of the motion made by Senator Leaird on April 7, 1949, is completed.

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

Upon the adoption of the motion made by Senator Leaird the roll was called and the vote was:

Yeas—27

Mr. President	Carroll	Clarke	Shands
Ayers	Collins	Lindler	Shivers
Baker	Crary	McArthur	Sturgis
Baynard	Franklin	Pearce	Walker
Beacham	Johnston	Pope	Wilson
Beall	King	Ray	Wright
Boyle	Leaird	Rodgers	

Nays—10

Alford	Johns	Sanchez	Tucker
Davis	Mathews	Sheldon	
Getzen	Moore	Smith	

So the motion made by Senator Leaird was adopted.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:18 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 13, 1949.