

JOURNAL OF THE SENATE

Wednesday, May 4, 1949

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Tuesday, May 3, 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 Tuesday, May 3, 1949, was corrected as follows:

Page 23, column 2, line 12, strike out the figure "7" and insert in lieu thereof the figure "1".

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Beall, Chairman of the Committee on Temperance, reported that the Committee had carefully considered the following Bills:

S. B. No. 425—A bill to be entitled An Act to amend Section 561.42, Florida Statutes, 1941, as amended by Chapter 23746, Laws of Florida, Acts of 1947, relating to the prohibition against manufacturers or distributors of alcoholic beverages having any financial interest in the business of vendors of such beverages, the prohibition of financial aid and assistance by manufacturers and distributors of such beverages to vendors thereof, the manner, method and terms of sale by such manufacturers and distributors to such vendors by prohibiting manufacturers and distributors of alcoholic beverages from furnishing certain advertising signs to any vendors and regulating the display of signs by vendors of such beverages; and repealing all laws or parts of laws in conflict with the provisions thereof.

S. B. No. 411—A bill to be entitled An Act relating to the printing or lithographing on the crown or lid of all taxable malt beverages packaged in bottles or cans for sale in Florida the word "Florida"; providing for confiscation of any such malt beverages not having the word "Florida" on the crown or lid thereof; and providing for penalties for any violation.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Getzen, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 419—A bill to be entitled An Act relating to racing and cancelling and annulling all permits to conduct race meetings and racing issued prior to January 1, 1943, under the Statutes of the State of Florida where the holder of such permit has not conducted a racing meet thereunder within a period of five years next preceding the passage of this Act and providing that this Act shall be applicable to all such

permits notwithstanding said permittee may be a corporation which has been dissolved or a person, corporation or association which is in bankruptcy or whose assets or affairs are in the hands of a trustee in bankruptcy or a receiver appointed by any Court.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Tucker, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

S. B. No. 301—A bill to be entitled An Act for the relief of Henry Opperman, and providing an appropriation for damages sustained by him by reason of the negligent operation of a bridge by the bridge tender employed by the State Road Department, and providing for the payment of same.

And recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Tucker, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bills:

H. B. No. 68—A bill to be entitled An Act for the relief of Mack Simmons and making an appropriation to compensate him for the losses sustained as a result of the actions of escaped inmates of the Florida Industrial School for Boys.

H. B. No. 72—A bill to be entitled An Act for the relief of Nina Skinner and making an appropriation to compensate her for the losses sustained as a result of the actions of escaped inmates of the Florida Industrial School for Boys.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Beacham, Chairman of the Committee on Drainage and Water Conservation, reported that the Committee had carefully considered the following Bill:

S. B. No. 234—A bill to be entitled An Act providing for Flood Control, Reclamation, Conservation and allied purposes in this State, in cooperation with the United States; defining the powers, duties, authority and jurisdiction of the State in this connection; providing for the creation of districts for such purposes, and defining their powers, duty, authority and jurisdiction in this connection; providing a governing board for such districts; providing for the payment of the costs and expenses of such projects and the issuance of bonds and other evidence of indebtedness in this connection; and providing for a liberal construction of this Act.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Moore, Chairman of the Committee on Public Utilities, reported that the Committee had carefully considered the following Bill:

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.

—and recommends that it do pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 379—A bill to be entitled An Act relating to certain coin operated machines; providing license taxes thereon; providing for affixing of decal stamps thereon; placing supervision of Act under Comptroller; providing for special inspectors and their compensation; making an appropriation; providing for disposition of license taxes collected; providing for confiscation of illegally operated machines.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Tallahassee, Florida,
May 4, 1949.

Your Enrolling Clerk, to whom was referred—

H. B. No. 145

—begs leave to report same has been signed in open session by the President and Secretary of the Senate and the Speaker and Chief Clerk of the House of Representatives, and this day presented to the Governor for his approval.

Very respectfully,
ROBT. W. DAVIS,
Enrolling Clerk Ex Officio as
Secretary of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Sheldon—

S. B. No. 436—A bill to be entitled An Act vacating, closing and discontinuing a certain 10 foot alley as platted between lots 1 to 11 inclusive and lots 12 to 20 inclusive, in block 7 of Bell's Addition to Tampa as recorded in Plat Book 1, page 96, Public Records of Hillsborough County, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 436 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Sheldon moved that the rules be waived and Senate Bill No. 436 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 436 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and the Senate Bill No. 436 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill 436 was read the third time in full.

Upon the passage of Senate Bill No. 436 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. 436 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Franklin—

S. B. No. 437—A bill to be entitled An Act relating to the admission in evidence of books of account, records or other writings made in the regular course of business, and to amend Chapter 90.21, Florida Statutes 1941.

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

By Senator Beall—

S. B. No. 438—A bill to be entitled An Act amending Section 550.16, Florida Statutes 1941, as amended by Chapter 21744, Laws of Florida, Acts of 1943, as amended by Chapter 22589, Laws of Florida, Acts of 1945, relating to the exemption, under certain conditions, of certain persons, associations, or corporations conducting dog racing track meets from the payment of the two per cent tax levied on pari-mutuel pools.

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

By Senator Moore—

S. B. No. 439—A bill to be entitled An Act fixing the monthly compensation for members of the Board of County Commissioners of Highlands County, Florida; designated the fund out of which said compensation shall be paid; authorizing additional compensation for expenses, including traveling, incurred in attending to business for the county beyond the limits of Highlands County, or, when authorized in advance, for travel expense for mileage actually traveled within Highlands County, but excluding mileage for travel to and from the Courthouse to attend meetings of the Board; and repealing all laws, whether General or Special, in conflict with this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 439 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 Moore moved that the rules be waived and Senate Bill No. 439 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 439 was read the second time by title only.

Senator Moore moved that the rules be further waived and Senate Bill No. 439 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. 439 was read the third time in full.

Upon the passage of Senate Bill No. 439 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. 439 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Alford—

S. B. No. 440—A bill to be entitled An Act to amend Chapter 15,483 of the Laws of Florida, 1931, being the charter of the Town of Sneads, so as to authorize the issuance of bonds by said town for water-works purposes, providing for the security and payment of such bonds, making certain provisions in that connection; providing for the holding of an election on the issuance of such bonds and providing that this Act shall not become effective until approved at an election to be held for such purpose in the manner herein provided.

Which was read the first time by title only.

Senator Alford moved that the rules be waived and Senate Bill No. 440 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 440 was read the second time by title only.

Senator Alford moved that the rules be further waived and Senate Bill No. 440 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. 440 was read the third time in full.

Upon the passage of Senate Bill No. 440 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. 440 passed, title as stated, and the action to Senate Concurrent Resolution No. 12 of the 1947 Session of the Legislature—

By Joint Senate-House Park Study Committee; pursuant to Senate Concurrent Resolution No. 12 of the 1947 Session of the Legislature—

S. B. No. 441—A bill to be entitled An Act creating a State agency to be known as Florida Board of Parks and Historic Memorials; prescribing its membership, powers and duties; declaring its policy; providing for the employment of a director and other necessary employees and for the fixing of their compensation; the promulgation of rules and regulations and fixing a penalty for the violation thereof; providing for the appointment of Advisory Councils in the several counties wherein parks or memorials are maintained.

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

By Senator Moore—

S. B. No. 442—A bill to be entitled An Act providing for liens upon the real and personal property of any person for work or services performed at the request of the owner thereof.

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

By Senator Sheldon—

S. B. No. 443—A bill to be entitled An Act to repeal Chapter 20162, being a special Act of the 1939 Session of the Florida State Legislature, which imposed certain restrictions with reference to the use and occupancy on the following described real estate, situate and being in the City of Tampa, County of Hillsborough, State of Florida; to-wit: beginning at a point on the west side of Parker Street, said point being one hundred feet south of the intersection of Lafayette Street and Parker Street, running north along the line of Parker Street to a point in said line one hundred feet north of Lafayette Street; thence east to the east bank of the Hillsborough River; thence south along said river to a point on the east bank thereof due east of the original point of beginning; thence west to the point of beginning.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 443 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

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

Which was agreed to by a two-thirds vote.

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

Senator Sheldon moved that the rules be further waived and Senate Bill No. 443 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 443 was read the third time in full.

Upon the passage of Senate Bill No. 443 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. 443 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sturgis—

S. B. No. 444—A bill to be entitled An Act relating to pleading and practice.

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

By Senator Sturgis—

S. B. No. 445—A bill to be entitled An Act to authorize the State Board of Medical Examiners to appoint an assistant secretary to said Board, who may perform the duties of the Secretary of said Board, and authorizing such Assistant Secretary to be a person who is not a licensed physician or a member of said Board.

Which was read the first time by title only.

Senator Sturgis moved that the rules be waived and Senate

Bill No. 445 be placed on the Calendar of Bills on Second Reading, without reference.

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

By Senator Sturgis—

S. B. No. 446—A bill to be entitled An Act to amend Section 320.08, Florida Statutes, 1941, as amended by Chapter 24272, Acts of 1947, relating to the license fees to be paid to and collected by the State Motor Vehicle Commissioner upon the registration or reregistration of certain vehicles.

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

By Senator Sturgis—

S. B. No. 447—A bill to be entitled An Act regulating the granting of supercedas in actions for the abatement or enjoining of public nuisances.

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

By Senator Boyle—

S. B. No. 448—A bill to be entitled An Act to require the election officials of any village, municipality, city, county or other governmental units wherein a referendum election is held under an Act of the Legislature of the State of Florida to certify the results thereof to the Secretary of State and to require the Secretary of State to enter the results thereof in the official records of the Acts of the Legislature.

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

By Senator Boyle—

S. B. No. 449—A bill to be entitled An Act relating to education; amending Section 242.02, Florida Statutes, 1941, as amended by Section 44 of Chapter 23726, Laws of Florida, Acts of 1947.

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

By Senator Moore—

S. B. No. 450—A bill to be entitled An Act creating a new section to Chapter 849, Florida Statutes, 1941, providing a penalty for the selling or possession of lottery, bolita, Cuba, bond or other ticket or token evidencing participation in the above described or similar forms of gambling; and providing that a conviction for the above offense shall constitute a felony; that a subsequent conviction for the same offense shall be punishable by a minimum two year sentence.

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

By Senator Franklin—

S. B. No. 451—A bill to be entitled An Act prescribing a uniform time limit within which applications may be made under the various Laws of the State of Florida that provide for settlement of accounts with and/or restitution by the State of Florida of money paid to but not legally due the State, and repealing all laws or parts of laws in conflict herewith.

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

By Senator Franklin—

S. B. No. 452—A Bill to be entitled An Act to amend Section 732.61, Florida Statutes; 1941, as amended by Section 2, Chapter 22783, Laws of Florida, Acts of 1945, by adding new Subsections designated (3), (4), (5), (6) and (7) providing for affidavits to be filed by personal sureties on bonds of personal representatives of estates; providing for approval of such bonds; providing for liens upon certain real property of such personal sureties and the recording of such liens; and providing for the release of such liens upon certain conditions, and the cancellation of record of liens so released.

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

By Senator Shivers—

S. B. No. 453—A bill to be entitled An Act cancelling and annulling at the expiration of ten years after the effective date of this Act, all provisions in deeds and other instruments reserving or conveying estates or rights in minerals, oil or gas in the State of Florida, unless minerals, oil or gas is being produced in commercial quantities on the lands affected by such reservation or conveyance at the expiration of such ten year period; providing that from and after the effective date of this Act any provision in any deed or other instrument reserving or conveying estates or rights in minerals, oil or gas shall become null, void and of no effect at the expiration of ten years from the date of such deed or other instrument unless minerals, oil or gas are being produced in commercial quantities on the lands affected by such reservation or conveyance at the expiration of such ten year period; providing that no court shall have jurisdiction to enforce any rights under any provision of any deed or other instrument conveying or reserving any estate or right in minerals, oil or gas contrary to the provisions of this Act, and providing further that this Act shall not affect mineral, oil or gas leases.

Which was read the first time by title only and referred to the Committee on Oil and Natural Resources.

By Senator Shivers—

S. B. No. 454—A bill to be entitled An Act amending Section 372.07, and 373.03, Florida Statutes, 1941, relating to game and fresh water fish; police powers of the Game and Fresh Water Fish Commission and its agents; State Board of Conservation; Conservation Agents and their powers; agents not to carry firearms or other weapons, concealed or otherwise.

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

By Senator Boyle—

S. B. No. 455—A bill to be entitled An Act to amend Sections 3 and 4 of Chapter 23934, Laws of Florida, 1947, eliminating the Apprenticeship Council and changing "Executive Secretary" to "Director."

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

By Senator Rodgers—

S. B. No. 456—A bill to be entitled An Act creating and incorporating a special tax district in Orange County, Florida, to be known as "the West Orange Memorial Hospital Tax District" fixing and prescribing the boundaries of said district; providing for the government and administration of the same; providing and defining the powers and purposes of said district and of the Board of Trustees and an executive committee thereof; authorizing and empowering such board to establish, construct, operate and maintain such hospital, or hospitals, as may be established and constructed by said board in said district; authorizing and empowering such board to issue bonds if the issuance thereof is approved at an election held in accordance with the laws of Florida; authorizing said board to borrow money on the note or notes of said district; authorizing and providing for the levy and collection of taxes for the payment of said bonds and the interest thereon, and authorizing and providing for the levy and collection of additional taxes for the repair and maintenance of said hospital, or hospitals; authorizing the Board of Trustees to accept contributions and donations for their use in carrying out the purposes of this Act; compelling said Board of Trustees to offer to purchase and authorizing said Board of Trustees to purchase any privately owned hospital, or hospital facilities which may be available; authorizing and providing generally for the operation of the district in granting powers to the Board of Trustees thereof, and prescribing the duties of the said board in carrying out the purposes of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 456 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 Rodgers moved that the rules be waived and Senate Bill No. 456 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 456 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and Senate Bill No. 456 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. 456 was read the third time in full.

Upon the passage of Senate Bill No. 456 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. 456 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Moore—

S. B. No. 457—A bill to be entitled An Act requiring the State Board of Administration, when issuing any refunding bonds or fuel tax anticipation certificates in behalf of any county of the State or unit thereof, as provided under the provisions of Section 16 of Article 9 of the Constitution of the State of Florida, to employ only an attorney or attorneys designated by the Board of County Commissioners of the county affected, to validate such refunding bonds or fuel tax anticipation certificates for such county or unit thereof; and providing for the payment of such attorneys' fees; and repealing all laws in conflict therewith.

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

By Senator Brackin—

S. B. No. 458—A bill to be entitled An Act to amend Sections 465.02 and 465.07, Florida Statutes, 1941, relating to pharmacists; requiring examinations and qualifications for pharmacists; providing for the issuance of certificates; making certain exceptions; and providing that physicians and merchants are exempt from the provisions of this Act under certain conditions.

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

By Senator Brackin—

S. B. No. 459—A bill to be entitled An Act amending Section 458.14, Florida Statutes, 1941, relating to the practice of medicine and other branches of the healing arts; providing for certain signs to be displayed and type of lettering thereon.

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

By Senator Beacham—

Senate Concurrent Resolution No. 460:

A RESOLUTION INVITING THE HONORABLE CLAUDE PEPPER AND THE HONORABLE SPESARD L. HOLLAND, UNITED STATES SENATORS FROM FLORIDA, TO ADDRESS A JOINT SESSION OF THE FLORIDA LEGISLATURE.

WHEREAS, the Honorable Claude Pepper and the Honorable Spessard L. Holland have extensive knowledge of many of the major problems now confronting this Legislature, and their advice and counsel on these and other public matters would be of great value to the members of this Legislature:

NOW THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF

FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Honorable Claude Pepper and the Honorable Spessard L. Holland, United States Senators from Florida, are hereby invited to address a joint session of the Florida Legislature to be convened at 12:30 o'clock in the afternoon of Thursday, May 5, 1949, in the Hall of the House of Representatives.

Which was read the first time in full.

Senator Beacham moved that the rules be waived and Senate Concurrent Resolution No. 460 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 460 was read the second time in full.

The question was put on the adoption of the Resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 460 was adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senators Beacham and Beall—

S. B. No. 461—A bill to be entitled An Act to amend Section 909.18, Florida Statutes 1941, relating to discovery and production of documents and things for inspection, copying or photographing, to include confessions.

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

By Senator Shands—

S. B. No. 462—A bill to be entitled An Act fixing the salary, other than fees, of the Supervisor of Registration in all counties of this State having a population of not less than 37,000 and not more than 43,000 inhabitants according to the last or any future State census, and providing for payment thereof by the Board of County Commissioners in each such county.

Which was read the first time by title only.

Senator Shands moved that the rules be waived and Senate Bill No. 462 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 462 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 462 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. 462 was read the third time in full.

Upon the passage of Senate Bill No. 462 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. 462 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shivers—

S. B. No. 463—A bill to be entitled An Act to require the compulsory retirement of State employees, seventy years or more of age, who are eligible for retirement under any State

pension or retirement plan or law, and providing that failure of any employee to so retire shall result in loss of pension or retirement rights.

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

By Senator Sanchez—

S. B. No. 464—A bill to be entitled An Act making an appropriation to the Stephen Foster Memorial Commission to be used by the said Stephen Foster Memorial Commission for the purposes outlined in and in accordance with the provisions of Sections 265.13—265.15, Florida Statutes, 1941, said appropriation to be in lieu of that provided by Chapter 23940, Laws of Florida, Acts 1947.

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

By Senator McArthur—

S. B. No. 465—A bill to be entitled An Act relating to Nassau County Hospital; change of name.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 465 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 McArthur moved that the rules be waived and Senate Bill No. 465 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 465 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 465 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. 465 was read the third time in full.

Upon the passage of Senate Bill No. 465 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. 465 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 466—A bill to be entitled An Act relating to Board of County Commissioners of Nassau County; salary increase.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 466 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 McArthur moved that the rules be waived and Senate Bill No. 466 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 466 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 466 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. 466 was read the third time in full.

Upon the passage of Senate Bill No. 466 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. 466 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 467—A bill to be entitled An Act to fix the salary of the Supervisor of Registration for Nassau County at eighteen hundred (\$1,800) dollars per annum.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 467 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 McArthur moved that the rules be waived and Senate Bill No. 467 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 467 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 467 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. 467 was read the third time in full.

Upon the passage of Senate Bill No. 467 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. 467 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator McArthur—

S. B. No. 468—A bill to be entitled An Act ratifying, approving, validating and confirming all notices, things and matters done in connection with that special election held on the first Tuesday in August A. D. 1947, in Nassau County, Florida; election pertaining to town of Hilliard.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill

No. 468 when it was introduced in 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 McArthur moved that the rules be waived and Senate Bill No. 468 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 468 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 468 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. 468 was read the third time in full.

Upon the passage of Senate Bill No. 468 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. 468 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Baker moved that the rules be waived and Senate Bill No. 123 be made a Special and Continuing Order of Business for consideration by the Senate commencing at 11:45 o'clock, A. M., Tuesday, May 10, 1949.

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

Senator Walker moved that House Bill No. 144 be recommitted to the Committee on Judiciary "B".

Which was agreed to and it was so ordered.

Senator Crary asked unanimous consent of the Senate to take up and consider House Bill No. 43, out of its order, at this time.

Which was agreed to.

H. B. No. 43—A bill to be entitled An Act to amend Sections 106 and 107 of House Bill No. 965, which became effective without the approval of the Governor on June 16, 1947, entitled An Act to abolish the present municipal government of the City of Fort Pierce, in the County of Saint Lucie, Florida, and to establish, organize and constitute a municipality to be known as City of Fort Pierce, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

Was taken up.

Senator Crary moved that the rules be waived and House Bill No. 43 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 43 was read the second time by title only.

Senator Crary offered the following amendment to House Bill No. 43:

Strike out the title of the Act and insert in lieu thereof the following:

A bill to be entitled An Act to amend Sections 106 and 107 of Chapter 24528, Laws of Florida, Special Acts 1947, entitled "An Act to abolish the present municipal government of the City of Fort Pierce in the County of Saint Lucie, Florida, and

to establish, organize and constitute a municipality to be known as City of Fort Pierce, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges."

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary also offered the following amendment to House Bill No. 43:

In Section 1, line 1, (typewritten bill) after the words: "That Section 106 of" insert the following: "Chapter 24528, Laws of Florida, Special Acts 1947, being".

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary also offered the following amendment to House Bill No. 43:

In Section 2, line 1 on page 2 of the Bill after the words "That Section 107 of" insert the following: "Chapter 24528, Laws of Florida, Special Acts 1947, being".

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary also offered the following amendment to House Bill No. 43:

Add a new Section 4 to the Bill as follows: Section 4. This Act shall take effect upon becoming a law.

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary moved that the rules be further waived and House Bill No. 43, 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. 43, as amended, was read the third time in full.

Upon the passage of House Bill No. 43, as amended, 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. 43 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Crary asked unanimous consent of the Senate to take up and consider House Bill No. 44, out of its order, at this time.

Which was agreed to.

H. B. No. 44—A bill to be entitled An Act to amend Section 132 of House Bill No. 965 which became effective without the approval of the Governor on June 16, 1947, entitled An Act to abolish the present municipal government of the City of Fort Pierce, in the County of Saint Lucie, Florida, and to establish, organize and constitute a municipality to be known as City of Fort Pierce, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges, passed at the regular session of the Legislature, A. D. 1947.

Was taken up.

Senator Crary moved that the rules be waived and House Bill No. 44 be read the second time by title only

Which was agreed to by a two-thirds vote.

And House Bill No. 44 was read the second time by title only.

Senator Crary offered the following amendment to House Bill No. 44:

Strike out the title of the Act and insert in lieu thereof the following:

A bill to be entitled An Act to amend Section 132 of Chapter 24528, Laws of Florida, Special Acts 1947, entitled "An Act to abolish the present Municipal Government of the City of Fort Pierce, in the County of Saint Lucie, Florida, and to establish, organize and constitute a municipality to be known as City of Fort Pierce, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary also offered the following amendment to House Bill No. 44:

Strike out the first nine lines of Section 1, and insert in lieu thereof the following:

Section 1. That Section 132 of Chapter 24528, Laws of Florida, Special Acts of 1947, be and the same is hereby amended to read as follows:

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary also offered the following amendment to House Bill No. 44:

In Section 3, strike out the entire Section and insert in lieu thereof the following:

Section 3. All laws and parts of laws in conflict herewith are hereby repealed.

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary also offered the following amendment to House Bill No. 44:

Add a new Section 4 to the Bill as follows:

Section 4. This Act shall take effect upon becoming a law.

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary moved that the rules be further waived and House Bill No. 44, 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. 44, as amended, was read the third time in full.

Upon the passage of House Bill No. 44, as amended, 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. 44 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ray asked unanimous consent of the Senate to

take up and consider House Bill No. 270, out of its order, at this time.

Which was agreed to.

H. B. No. 270—A bill to be entitled An Act restoring full civil rights to Leonard S. Aylesworth.

Was taken up.

Senator Ray moved that the rules be waived and House Bill No. 270 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 270 was read the second time by title only.

Senator Ray moved that the rules be further waived and House Bill No. 270 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. 270 was read the third time in full.

Upon the passage of House Bill No. 270 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. 270 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ray asked unanimous consent of the Senate to take up and consider House Bill No. 271, out of its order, at this time.

Which was agreed to.

H. B. No. 271—A bill to be entitled An Act restoring full civil rights to George W. Smith.

Was taken up.

Senator Ray moved that the rules be waived and House Bill No. 271 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 271 was read the second time by title only.

Senator Ray moved that the rules be further waived and House Bill No. 271 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. 271 was read the third time in full.

Upon the passage of House Bill No. 271 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. 271 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 2, 1949

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

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

S. B. No. 53, relating to architects.

and

S. C. R. No. 95, relating to lands beneath inland waters and marginal seas.

Respectfully,
FULLER WARREN,
Governor.

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE
May 2, 1949

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

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

S. B. No. 124, relating to Fernandina Beach.

Respectfully,
FULLER WARREN,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 3, 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. McClure, Schuh and Clement of Pinellas—

H. B. No. 288—A bill to be entitled An Act relating to "seeing eye" dog, accompanying blind person into any hotel, restaurant or eating establishment.

Also—

By Mr. Cobb of Volusia—

H. B. No. 146—A bill to be entitled An Act authorizing the governing authority of any taxing or other unit of the state authorized to borrow money and secure the payment thereof by the issue of bonds or other evidence of indebtedness, to request a certificate of the Attorney General of Florida certifying as to the validity of such bonds.

Also—

By the Committee on Insurance—

Committee Substitute for H. B. No. 242—A bill to be en-

titled An Act relating to insurers not authorized to transact business in this State; providing for actions in this State against and for the service of process upon such insurers; prescribing how a defense may be made by such insurers; providing for the allowance of attorneys fees in actions against such insurers; and fixing the effective date of this Act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 288, contained in the above Message, was read the first time by title only and referred to the Committee on Public Health.

And House Bill No. 146, contained in the above Message, was read the first time by title only and referred to the Committee on Finance and Taxation.

And Committee Substitute for House Bill No. 242, contained in the above Message, was read the first time by title only and referred to the Committee on Insurance.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 3, 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. 394—A bill to be entitled An Act relating to business records as evidence.

Also—

By Mr. Luckie of Duval (by request)—

H. B. No. 182—A bill to be entitled An Act amending Section 66.06, Florida Statutes, 1941, relating to the appointment, removal, powers, duties, compensation and reports of commissioners appointed in partition proceedings.

Also—

By the Committee on Insurance—

Committee Substitute for H. B. No. 63—A bill to be entitled An Act to amend Section 631.11, Florida Statutes, 1941, prohibiting authorized fire insurers from reinsuring or agreeing to indemnify any unauthorized fire insurer against loss by fire under the latter's contract covering property in this state, and to amend Section 631.13, Florida Statutes, 1941, related to oath required of fire insurers as prerequisite to renewal of such insurers' license to transact business in this state, by making the provisions of such sections applicable to fire, casualty and surety insurers and risks covered by their contracts; and fixing the effective date of this Act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 394, contained in the above Message, was read the first time by title only.

Senator Beacham moved that the rules be waived and House Bill No. 394 be placed on the Calendar of Bills on Second Reading, without reference.

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

And House Bill No. 182, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

And Committee Substitute for House Bill No. 63, contained in the above Message, was read the first time by title only and referred to the Committee on Insurance.

divorce invalidates a will insofar as divorced spouse is concerned.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
 Chief Clerk, House of Representatives.

And House Bill No. 383 contained in the above Message, was read the first time by title only.

Senator Sturgis moved that the rules be waived and House Bill No. 383 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. 396, contained in the above Message, was read the first time by title only.

Senator Mathews moved that the rules be waived and House Bill No. 396 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 396 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Bill No. 396 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. 396 was read the third time in full.

Upon the passage of House Bill No. 396 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. 396 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 349, 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. 349 be placed on the Calendar of Bills on Second Reading, without reference.

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

The following Message from the House of Representatives was read:

Tallahassee, Florida,
 May 3, 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. Bryant of Marion, Hough of Lee, Courtney of Bay, Saunders of St. Lucie, Heath of Holmes, Sellar of Lake, Bedenbaugh of Columbia, Mathis of Bay, Cobb and Sweeny of Volusia, MacWilliam of Indian River, Phillips of Hernando, Keith of Martin, Okell of Dade, Frank of Marion and Smith of Seminole—

H. B. No. 363—A bill to be entitled An Act creating a Board

of Trustees of the Florida State Fire College, establishing an institution to be known as the Florida State Fire College, providing for the organization, establishment, operation and management of the institution.

Also:

By Messrs. Carlton, Luckie and Morgan of Duval—

H. B. No. 404—A bill to be entitled An Act requiring that candidates for delegates to National Political Conventions shall be voted on in the Second Primary; and providing that one man and one woman shall be elected as delegate to National Political Party Conventions from each Congressional District; and providing that the remaining delegates shall be elected at large, divided equally, one man and one woman; and providing that the candidates for delegate may have printed after their name the candidate for President for whom she or he intends to vote in said convention, and further providing for the election of all party officers in the second primary.

Also:

By Mr. Hough of Lee—

H. B. No. 436—A bill to be entitled An Act to provide that group insurance policies may be issued in this State where they conform to provisions of this Act and contain in the contract forms the standard provisions as set out herein to provide that Sections 625.19, 625.20 and 635.02, Florida Statutes of 1941 as amended and Chapter 24202 Laws of Florida 1947 shall not prohibit policies from being issued under this Act at rates less than those for individual premiums; providing that nothing herein contained shall affect the provisions of Sections 112.08 to 112.14 inclusive or the provisions in Section 635.05 Florida Statutes of 1941 as amended; providing for the repeal of laws in conflict herewith.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
 Chief Clerk, House of Representatives.

And House Bill No. 363, contained in the above Message, was read the first time by title only.

Senator Sturgis moved that the rules be waived and House Bill No. 363 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. 404, contained in the above Message, was read the first time by title only and referred to the Committee on Privileges and Elections.

And House Bill No. 436, contained in the above Message, was read the first time by title only and referred to the Committee on Insurance.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
 May 3, 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. Lantaff, Stockdale and Okell of Dade, Shepperd of St. Johns and Bottis of Escambia—

H. B. No. 15—A bill to be entitled An Act revising and amending Chapter 250, Florida Statutes, 1941, the same being the military code of the State of Florida, and bringing the said code up to date and in keeping with the present Federal organization of the Department of Defense.

Also—

By Messrs. Carlton and Luckie of Duval—

H. B. No. 93—A bill to be entitled An Act to provide for creation of sanitary districts within the State of Florida, to

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 3, 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. Copeland of Collier—

H. B. No. 464—A bill to be entitled An Act to provide that all funds on deposit with the State Treasurer under the provisions of Chapter 24441, Laws of Florida, Acts 1947, shall be transferred to the General Revenue Fund to be expended for the purpose of restocking Collier County with tick free deer by the State Livestock Sanitary Board.

Also—

By the Committee on Judiciary (Criminal)—

Committee Substitute for H. B. No. 259—A bill to be entitled An Act to amend Section 817.36, Florida Statutes, 1941, relating to sale, or offer to sell, tickets of any common carrier, or tickets to any place of amusement, athletic contest or exhibition for which an admission price is charged, to be unlawful when the price demanded or received is more than the price charged by the original seller thereof, and providing the penalty for violation.

Also—

By Mr. Andrews of Orange and Mr. Luckie of Duval—

H. B. No. 338—A bill to be entitled An Act to amend Chapter 23802, Laws of Florida, Acts of 1947, being Section 770.04, Florida Statutes, 1941, as amended, relating to civil liability of radio or television broadcasting stations, by requiring compliance with Federal laws and regulations.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 464, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

And Committee Substitute for House Bill No. 259, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 338, contained in the above Message, was read the first time by title only and referred to the Committee on Aviation and Radio.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 3, 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. Bollinger of Palm Beach—

H. B. No. 399—A bill to be entitled An Act relating to judicial notice of the laws of other jurisdictions and for proof thereof.

Also—

By Mr. Hough of Lee—

H. B. No. 294—A bill to be entitled An Act to amend Sections 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 15, and 16, of Chapter 23966, Laws of Florida, Acts of 1947 (same being respectively Sections 636.01, 636.02, 636.03, 636.04, 636.05, 636.06, 636.10, 636.11, 636.12, 636.13, 636.15 and 636.16 Volume 1, 1947 Cumulative

Supplement, Florida Statutes, 1941), relating to the examination, licensing and regulation of insurance adjusters under the supervision of the Insurance Commissioner; fixing the annual license tax payable by adjusters; providing for the issuance, renewal, suspension or revocation of such licenses by the Insurance Commissioner under circumstances stated, and for court review of the orders of such official related thereto; providing that certain insurance agents, certain officers and employees of insurers, the designated attorney or representative of subscribers in inter-insurance or reciprocal agreements, attorneys at law licensed to practice in this State, and certain other designated persons in the event of a catastrophe or emergency are not required to be licensed hereunder to adjust insurance losses under the circumstances and to the extent stated herein; declaring unlawful certain practices in connection with adjusting claims, loss or damage under insurance contracts; prescribing penalties for violation of this Act; defining certain terms used herein; and fixing the effective date of this Act.

Also—

By Messrs. McClure, Schuh and Clement of Pinellas—

H. B. No. 290—A bill to be entitled An Act amending Chapter 84, Florida Statutes, 1941, by adding thereto an additional section, relating to allowance of attorneys' fees in foreclosure suit under mechanics lien law.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 399, contained in the above Message, was read the first time by title only.

Senator Beacham moved that the rules be waived and House Bill No. 399 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. 294, contained in the above Message, was read the first time by title only and referred to the Committee on Insurance.

And House Bill No. 290, 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,
May 3, 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. Schuh, McClure and Clement of Pinellas—

H. B. No. 383—A bill to be entitled An Act to amend Chapter 733, Florida Statutes of 1941, relating to the Florida probate law by adding thereto Section 733.54, authorizing any executor or administrator appointed by any County Judge in the State of Florida to waive the Statute of Limitations with respect to any federal tax or deficiency in any federal tax with the approval of the County Judge.

Also—

By Messrs. Luckie and Carlton of Duval, and Okell of Dade—

H. B. No. 396—A bill to be entitled An Act repealing Chapter 20309, Laws of Florida, 1941, entitled "An Act relating to and governing the exercise of appellate jurisdiction by Circuit Court having more than four circuit judges," same being Section 26.54, Florida Statutes of 1941.

Also—

By Messrs. McClure, Schuh and Clement of Pinellas—

H. B. No. 349—A bill to be entitled An Act providing that

incorporate same, and to provide for the government thereof; to provide for the construction, maintenance, operation, purchase or condemnation of water supply, sewerage, and refuse disposal systems, to provide for various methods of financing of such construction, maintenance, operation and control; and the operation, maintenance regulation and control of said systems; and for other purposes.

Also—

By Messrs. Parker of DeSoto, Wotitzky of Charlotte, Dayton of Pasco, Williams of Hardee, Bridges of Calhoun, Clement of Pinellas, Lancaster of Lafayette, Phillips of Hernando, Lancaster of Gilchrist, Smith of Seminole, Murray of Polk, Beasley of Walton, Collins of Sarasota, Fuqua of Manatee, Dunn of Dixie, and Summers of Liberty—

H. B. No. 346—A bill to be entitled An Act to name and designate the Dorr Field and Carlstrom Field branch of the Florida State Hospital, located in DeSoto County, Florida, as "The A. Pierce Wood Memorial Hospital"; and to provide for the suitable marking thereof by the Board of Commissioners of State Institutions.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 15, 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. 15 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. 93, contained in the above Message, was read the first time by title only and referred to the Committee on Finance and Taxation and the Committee on Public Health.

And House Bill No. 346, contained in the above Message, was read the first time by title only and referred to the Committee on State Institutions.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. McClure, Clement and Schuh of Pinellas—

H. M. No. 584—A Memorial to the Congress of the United States asking that they give earnest consideration to the claims filed by certain citizens of the State of Florida with a view of passing a special Act compensating said citizens for the destruction by the Army Air Force of numerous bird rookeries, the property of said citizens, which were located in the shallow, coastal waters of the Gulf of Mexico and designed and used for the purpose of gathering guano from sea birds, and which said rookeries were destroyed by the Army Air Force during World War II in gunnery and bombing practices.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Memorial No. 584, contained in the above Message, was read the first time in full and referred to the Committee on Game and Fisheries.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 the Committee on Education—

Committee Substitute for H. B. No. 13—A bill to be entitled An Act to amend Section 10 of Chapter 23726, Laws of Florida, Acts of 1947, being Section 230.25, Florida Statutes, 1947 Supplement, relating to qualifications of County Superintendents of Public Instruction.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Committee Substitute for House Bill No. 13, contained in the above Message, was read the first time by title only and referred to the Committee on Education.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. Cobb of Volusia—

H. B. No. 304—A bill to be entitled An Act relating to Florida Council for the Blind; amending Section 409.272, Florida Statutes, 1941; providing for the operation of automatic vending machines for the benefit of needy blind persons on public property when permitted by officials in charge of such property.

Also—

By Mr. Wotitzky of Charlotte—

H. B. No. 437—A bill to be entitled An Act relating to education; to amend Section 236.08, Florida Statutes, 1941, as amended by Section 32 of Chapter 23726, Laws of Florida, Acts of 1947, as to the duty of the State Superintendent to determine and certify allocation of funds.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 304, contained in the above Message, was read the first time by title only and referred to the Committee on Welfare.

And House Bill No. 437, contained in the above Message, was read the first time by title only and referred to the Committee on Education.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. Fuqua and Rood of Manatee, Moody of Hillsborough, Cook of Flagler, and Burnsed of Baker—

H. B. No. 202—A bill to be entitled An Act authorizing Boards of County Commissioners to procure and pay premiums on liability insurance, against tort actions; requiring insurer to waive defense of governmental immunity in any

suit brought against County; waiving Governmental immunity only to extent of insurance carried.

Also—

By Mr. McMullen of Hillsborough—

H. B. No. 253—A bill to be entitled An Act to provide for a period of six months after the entry of a judgment of nonsuit, whether taken voluntarily or suffered involuntarily, in which to bring a new suit upon the same cause of action.

Also—

By Mr. Hough of Lee—

H. B. No. 419—A bill to be entitled An Act to amend Section 635.21 Florida Statutes of 1941 as amended relating to the writing and delivery of life insurance policies and the power of the Insurance Commissioner to make appropriate rules and regulations governing the same by providing that policies of life, group life and annuity contracts shall be applied for and delivered by a licensed Florida life insurance agent who shall receive the usual commission; and providing that insurers shall maintain an agent for the servicing of all policies or contracts so issued or delivered and repealing all laws in conflict herewith.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 202, contained in the above Message, was read the first time by title only and referred to the Committee on Insurance.

And House Bill No. 253, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

And House Bill No. 419, contained in the above Message, was read the first time by title only and referred to the Committee on Insurance.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. Branch of Hillsborough—

H. B. No. 485—A bill to be entitled An Act amending Section 22.15, Florida Statutes 1941, by permitting an employer to pay any wages or traveling expenses due to a deceased employee to the natural or legal guardian of minor children in case there is no wife or husband surviving.

Also—

By Messrs. Yeomans of Citrus, Patton of Franklin and Stockdale, Okell and Lantaff of Dade—

H. B. No. 557—A bill to be entitled An Act making an additional appropriation to the State Board of Conservation to be used for scientific research.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 485, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A".

And House Bill No. 557, contained in the above Message, was read the first time by title only and referred to the Committee on Appropriations.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. Bryant of Marion—

H. B. No. 441—A bill to be entitled An Act to amend Section 85.16 and Section 86.08, Florida Statutes, 1941, relating to liens for care and maintenance of animals, and providing for the enforcement of such liens.

Also—

By Messrs. Fuqua of Manatee and Andrews of Orange—

H. B. No. 454—A bill to be entitled An Act prohibiting the holding of special State, County or District elections, including bond elections, on and after October 1, 1949, during periods prior and subsequent to the dates regular primary and general elections are held; and fixing the effective date of this Act.

Also—

By Messrs. Fuqua of Manatee and Andrews of Orange—

H. B. No. 455—A bill to be entitled An Act to require each County Judge to make written monthly report to the Supervisor of Registration setting forth names of persons adjudged mentally ill or incompetent; and fixing the effective date of this Act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 441, contained in the above Message, was read the first time by title only.

Senator Sturgis moved that the rules be waived and House Bill No. 441 be placed on the Calendar of Bills on Second Reading, without reference.

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

And House Bill No. 454, contained in the above Message, was read the first time by title only and referred to the committee on Privileges and Elections.

And House Bill No. 455, contained in the above Message, was read the first time by title only and referred to the Committee on Privileges and Elections.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 concurred in Senate Amendments Nos. 1 and 3, and refuses to concur in Senate Amendment No. 2 to—

By the Committee on Governmental Reorganization—

H. B. No. 167—A bill to be entitled An Act repealing all continuing appropriations and all unobligated lump sum appropriations which extend beyond June 30, 1949, and making certain exceptions thereto, appropriating and transferring all funds on hand in same to the General Revenue Fund.

Which amendments read as follows:

Amendment No. 1

In Section 2 (typewritten bill), at the end of the Section

add the following: "(28) All funds received by the State Tuberculosis Board from: The several counties of Florida; pay patients; any agency of the Federal Government; and the Legislature of Florida for acquiring sites, constructing, equipping, enlarging, remodeling and improving tuberculosis sanatoria and all funds in the Sanatoria Maintenance Account and in the State Tuberculosis Sanatoria Interest and Sinking Fund Account."

Amendment No. 2

In Section 2 (typewritten bill), after Paragraph (28), add the following sub-section: "(29) All funds collected by institutions under the control and supervision of the Board of Control which are now classified as auxiliary funds and incidental funds."

Amendment No. 3

At the beginning of Section 4 (typewritten bill), insert the following words: "Except as otherwise provided by this Act."

—and respectfully requests the Senate to recede from Senate Amendment No. 2.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Senator Sturgis moved that the Senate do not recede from Senate Amendment No. 2 to House Bill No. 167.

Which was agreed to and the Senate refused to recede from Senate Amendment No. 2 to House Bill No. 167.

Senator Sturgis moved that the Speaker of the House of Representatives be requested to appoint a conference committee on the part of the House of Representatives to confer with a like committee on the part of the Senate, to be appointed by the President, to adjust the differences between the Houses on Senate Amendment No. 2 to House Bill No. 167.

Which was agreed to and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Senators Beacham and Gautier—

Senate Concurrent Resolution No. 231:

A CONCURRENT RESOLUTION PROPOSING A WELCOME FROM THE 1949 FLORIDA LEGISLATURE TO THE VETERANS OF FOREIGN WARS HOLDING THEIR CONVENTION IN MIAMI, FLORIDA, ON AUGUST 21, THROUGH AUGUST 26, 1949.

WHEREAS, the Veterans of Foreign Wars was organized, established, and chartered on September 23, 1899, at Columbus, Ohio; and

WHEREAS, the national organization of Veterans of Foreign Wars has chosen to commemorate its Golden Jubilee, Fiftieth Anniversary, in Florida, the land of eternal sunshine and the world's playground; and

WHEREAS, a convention of the Veterans of Foreign Wars is an event of world-wide interest, and the choice of Miami, Florida, for a convention site highly honors this state; and

WHEREAS, this convention will call to the attention of many high governmental officials the beauty and value of this golden state of ours, and will bring into its hospitable boundaries thousands of visitors who will delight in its scenic wonders and glorious climate; and

WHEREAS, the eyes of the nation will be focussed on Miami, Florida, from August 21, 1949, through August 26, 1949;

NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF

FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

Section 1. That the 1949 Legislature of the State of Florida extends a most hearty welcome to the visitors to the National Convention at Miami, Florida, and does extend to the Veterans of Foreign Wars its most sincere congratulations and best wishes on its Golden Jubilee, and hope that their visit will be a pleasant one.

Section 2. The 1949 Legislature extends to the Veterans of Foreign Wars its most sincere congratulations and best wishes on its Golden Jubilee, and feels singularly honored that Florida was chosen as the site for its celebration.

Section 3. That a copy of this resolution be sent to the President of the United States, to the Governor of Florida, the Commander in Chief of the Veterans of Foreign Wars, and other officials of the states and the nation.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 231, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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, with amendments—

By Senators Baynard, Mathews, Sheldon, Gautier, Leaird, Rodgers, Crary, Walker, Johnston, Shands, Boyle, Beacham, Pearce, Wilson and Ray—

S. B. No. 34—A bill to be entitled An Act relating to livestock, providing for the fencing thereof, liability of the owner of livestock running at large or straying, impounding and sale of such livestock, duty of county commissioners and sheriffs hereunder, punishment for violation of the provisions hereof, holding elections to reject the provisions hereof and repealing all laws and parts of laws in conflict herewith.

Which amendments read as follows:

Amendment No. 1—

Strike out all of Section 5 and insert the following in lieu thereof:

SECTION 5. Authority to impound live stock running at large or strays. It shall be the duty of the sheriff or any other law enforcement officer of the County or State where livestock is found to be running at large or straying, to take up, confine and hold any such livestock to be disposed of as hereinafter provided.

Amendment No. 2—

Strike out Section 7 and renumber the remaining Sections.

Amendment No. 3—

Strike out all of Section 6 and insert the following in lieu thereof:

SECTION 6. Disposition of impounded or straying livestock. Upon the impounding of any livestock by the sheriff or his deputies, or other law enforcement officers of the County or State, the sheriff shall forthwith serve written notice upon the owner, advising such owner of the location or place where the livestock is being held and impounded, and that unless such livestock be redeemed within three days from date thereof that the same be offered for sale. In the event the owner of such livestock is unknown or cannot be found, the service upon the owner shall be obtained by once publishing a notice in a newspaper of general circulation where the livestock is impounded (Sundays and holidays excluded). If there be no such newspaper then by posting of the notice at the court house door

and at two other conspicuous places within said county. Such notice shall be in substantially the following form:

"To Whom It May Concern:

You are hereby notified that the following described livestock (giving full and accurate description of same, including marks and brands) is now impounded at (giving location where livestock is impounded) by _____ (giving name and address of impounder) and the amount of damages claimed by said impounder is _____ dollars, plus fees and expenses for the feeding and care thereof and costs incurred herewith. The above described livestock will, unless redeemed within three days from date hereof, be offered for sale at public auction to the highest and best bidder for cash.

 Sheriff of _____ County, Florida.

Unless the impounded livestock is redeemed within the specified time, the sheriff shall forthwith give notice of sale thereof which shall be held not less than five days nor more than ten days (excluding Sundays and holidays) from the first publication of the notice of sale. Said notice of sale shall be published in a newspaper of general circulation in the said county (excluding Sundays and holidays) and by posting a copy of such notice at the court house door. If there be no such newspaper then by posting such copy at the court house door and at two other conspicuous places in said county.

Such notice of sale shall be in substantially the following form: "(Name of owner, if known, otherwise 'To Whom It May Concern') you are hereby notified that I will offer for sale and sell at public sale to the highest and best bidder for cash the following described livestock (giving full and accurate description of each head of livestock) at _____ o'clock, ____ M. (the hour of sale to be between 11 o'clock and 2:00 o'clock P. M. Eastern Standard Time) on the _____ day of _____ at the following place _____ (which place shall be where the livestock is impounded or at the place provided by the County Commissioners for the taking up and keeping of such livestock) to satisfy a claim in the sum of _____ dollars claimed by _____ (the name and address of the impounder), plus fees, expenses for feeding and care and costs hereof.

 Sheriff of _____ County, Florida.

Amendment No. 4—

In Renumbered Section 7, line ____, of the bill, strike out lines 1 and 2 and insert the following in lieu thereof:

Fees of Sheriff or other law enforcement officer of the County or State. The fees of the Sheriff or other law enforcement officer of the County or State shall be as follows:

Amendment No. 5—

In Title, line 6, of the bill, After the word "Sheriffs" add the words "and other law enforcement officers of the County and State."

Amendment No. 6—

Strike out all of Section 3 and insert the following in lieu thereof:

Section 3—Duty of owner. No owner shall permit livestock to run at large on or stray upon the public roads of this state.

Amendment No. 7:

Strike out all of Section Four and insert the following in lieu thereof:

Section 4. Liability of owner. Every owner of livestock who intentionally, wilfully, carelessly or negligently suffers or permits such livestock to run at large upon or stray upon the public roads of this state shall be liable in damages for all injury and property damage sustained by any person by reason thereof.

Amendment No. 8:

Strike out Section eight being Section ____, as amended, and insert the following in lieu thereof:

Section ____ Fees. The fees of the sheriff or other law enforcement officer of the County or State shall be as follows:

For impounding each animal, the sum of \$2.50 and mileage as provided by law for the arrest and commitment of prisoners.

For serving notice and making return thereon, the sum of \$1.50 and mileage provided by law for executing writs in actions at law and making return upon the same.

For feed and care of impounded animals the sum of \$0.50 per day per animal.

For advertising or posting notices of sale of impounded animals, the same as provided by law for advertising property for sale under process.

For sale or other dispositions of impounded animals, the sum of \$1.00.

For report of sale of impounded animals the sum of \$0.50.

Amendment No. 9:

In Section 18, line ____, of the bill, being Section ____, as amended, strike out all of said section and insert the following in lieu thereof:

Section ____ All laws or parts of laws in conflict herewith are hereby repealed, provided, however, the provisions of this Act shall not apply to counties having special laws requiring the confinement and/or restraint of livestock, except insofar as this Act pertains to public roads and liability of owners of livestock for damages and injuries caused by the same.

Amendment No. 10—

In Section 15, line ____, of the bill, strike out Section 15.

Amendment No. 11—

In amended Section 5, line 3, of the bill, after the word state, insert the following in lieu thereof:

Highway Patrolmen.

Amendment No. 12—

In the title of the bill, after the word "Sheriffs" insert the following, other law enforcement officers and State Highway Patrolmen.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 34, contained in the above Message, was read by title, together with House Amendments thereto.

Senator Alford moved that the Senate do concur in House Amendments Nos. 1 to 12, both inclusive, to Senate Bill No. 34.

Pending consideration of the motion made by Senator Alford, Senator Baynard moved as a substitute motion that the Senate do not concur in House Amendments Nos. 1 to 12, both inclusive, to Senate Bill No. 34.

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

A roll call was demanded.

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

Yeas—27

Mr. President	Crary	McArthur	Sheldon
Baker	Gautier	Moore	Smith
Baynard	Getzen	Pearce	Sturgis
Beacham	Johnston	Pope	Walker
Beall	King	Ray	Wilson
Clarke	Leaird	Rodgers	Wright
Collins	Mathews	Shands	

Nays—10

Alford	Davis	Lindler	Tucker
Ayers	Franklin	Sanchez	
Carroll	Johns	Shivers	

Which was agreed to and the Senate refused to concur in House Amendments Nos. 1 to 12, both inclusive, to Senate Bill No. 34.

Senator Baynard moved that the House of Representatives be requested to recede from House Amendments Nos. 1 to 12, both inclusive, to Senate Bill No. 34.

Which was agreed to 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,
May 4, 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 Senator Beacham—

Senate Concurrent Resolution No. 460:

A RESOLUTION INVITING THE HONORABLE CLAUDE PEPPER AND THE HONORABLE SPESSARD L. HOLLAND, UNITED STATES SENATORS FROM FLORIDA, TO ADDRESS A JOINT SESSION OF THE FLORIDA LEGISLATURE.

WHEREAS, the Honorable Claude Pepper and the Honorable Spessard L. Holland have extensive knowledge of many of the major problems now confronting this Legislature, and their advice and counsel on these and other public matters would be of great value to the members of this Legislature; NOW THEREFORE,

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

That the Honorable Claude Pepper and the Honorable Spessard L. Holland, United States Senators from Florida, are hereby invited to address a joint session of the Florida Legislature to be convened at 12:30 o'clock in the afternoon of Thursday, May 5, 1949, in the Hall of the House of Representatives.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 460, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

UNFINISHED BUSINESS

Senate Bill No. 394, was taken up in its order pending roll call, and the consideration thereof was informally passed.

Senate Bill No. 43, was taken up in its order pending roll call, and the consideration thereof was informally passed.

SENATE BILLS ON SECOND READING

Senate Bills Nos. 23 and 102 were taken up in their order and the consideration thereof was informally passed.

Senator Beall moved that House Bill No. 188 be recalled from the Committee on Banking and Building and Loans, having been in said Committee more than ten (10) days, and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

S. B. No. 114—A bill to be entitled An Act authorizing the State Welfare Board and District Welfare Boards to destroy certain correspondence, documents and records; to reproduce by photographic or microphotographic process and then destroy certain documents and records; and making such photographs, microphotographs and reproductions therefrom admissible in evidence.

Was taken up in its order.

Senator Ray moved that the rules be waived and Senate Bill No. 114 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 114 was read the second time by title only.

Senator Ray moved that the rules be further waived and Senate Bill No. 114 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. 114 was read the third time in full.

Upon the passage of Senate Bill No. 114 the roll was called and the vote was:

Yeas—34

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

Nays—None

So Senate Bill No. 114 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ray asked unanimous consent of the Senate to take up and consider House Bill No. 111, out of its order, at this time.

Which was agreed to.

H. B. No. 111—A bill to be entitled An Act amending Section 409.17, Florida Statutes, 1941, as amended by Section 1, Chapter 20714, Laws of Florida, Acts of 1941, Section 1, Chapter 21879, Laws of Florida, Acts of 1943, and Section 1, Chapter 23895, Laws of Florida, Acts of 1947. Relating to aid to the blind.

Was taken up.

Senator Ray moved that the rules be waived and House Bill No. 111 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 111 was read the second time by title only.

Senator Ray moved that the rules be further waived and House Bill No. 111 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. 111 was read the third time in full.

Upon the passage of House Bill No. 111 the roll was called and the vote was:

Yeas—35

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

Nays—None

So House Bill No. 111 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Ray withdrew Senate Bill No. 113.

Senator Ray asked unanimous consent of the Senate to take up and consider House Bill No. 96, out of its order, at this time.

Which was agreed to.

H. B. No. 96—A bill to be entitled An Act amending Section 409.30, Florida Statutes of 1941, the same being Section 1, Chapter 21954, Laws of Florida, Acts of 1943, relating to the payment of accrued public assistance on death of person entitled thereto and repealing all laws in conflict herewith.

Was taken up.

Senator Ray moved that the rules be waived and House Bill No. 96 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 96 was read the second time by title only.

Senator Ray moved that the rules be further waived and House Bill No. 96 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. 96 was read the third time in full.

Upon the passage of House Bill No. 96 the roll was called and the vote was:

Yeas—33

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

Nays—None

So House Bill No. 96 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Ray withdrew Senate Bill No. 116.

Senator Ray moved that Senate Bill No. 151 be indefinitely postponed.

Which was agreed to and Senate Bill No. 151 was indefinitely postponed.

S. B. No. 122—A bill to be entitled An Act amending Section 409.28, Florida Statutes of 1941, relating to County Welfare Advisory Committees, their qualifications and duties; and making their appointment mandatory.

Was taken up in its order.

Senator Sheldon moved that the rules be waived and Senate Bill No. 122 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 122 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 122 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. 122 was read the third time in full.

Upon the passage of Senate Bill No. 122 the roll was called and the vote was:

Yeas—37

Mr. President	Baker	Beall	Clarke
Alford	Baynard	Boyle	Collins
Ayers	Beacham	Carroll	Crary

Davis	Lindler	Rodgers	Tucker
Franklin	Mathews	Sanchez	Walker
Getzen	McArthur	Shands	Wilson
Johns	Moore	Sheldon	Wright
Johnston	Pearce	Shivers	
King	Pope	Smith	
Leaird	Ray	Sturgis	

Nays—None

So Senate Bill No. 122 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Johns moved that Senate Bill No. 117 be re-committed to the Committee on Welfare.

Which was agreed to and it was so ordered.

Senator Beall asked unanimous consent of the Senate to take up and consider House Bill No. 188, out of its order, at this time.

Which was agreed to.

H. B. No. 188—A bill to be entitled An Act to authorize one of whom a bond, undertaking or other obligation is required, to enter into agreements with his surety or sureties for the deposit of moneys and assets for which they are responsible with a bank, savings bank, safe-deposit or trust company or with other depository approved by the Court for safe-keeping, and in such manner as to prevent withdrawal of such money or assets without the written consent of such surety or sureties or an order of Court; and providing that such agreement shall not release the liability of the principal of sureties under the terms of said bond.

Was taken up.

Senator Beall moved that the rules be waived and House Bill No. 188 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 188 was read the second time by title only.

Senator Beall moved that the rules be further waived and House Bill No. 188 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. 188 was read the third time in full.

Upon the passage of House Bill No. 188 the roll was called and the vote was:

Yeas—37

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

Nays—None

So House Bill No. 188 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Beall withdrew Senate Bill No. 157.

Senator Beachman moved that the rules be waived and the hour of adjournment be extended five (5) minutes.

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

S. B. No. 185—A bill to be entitled An Act to provide for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs.

Was taken up in its order.

Senator Collins moved that the rules be waived and Senate Bill No. 185 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 185 was read the second time by title only.

Senator Collins offered the following amendment to Senate Bill No. 185:

At the end of Section 1, substitute a semicolon for the period and add the following: "Provided, however, no owner of any dog shall be liable for any damages to any person or his property when such person shall mischievously or carelessly provoke or aggravate the dog inflicting such damage; nor shall any such owner be so liable if at the time of any such injury he had displayed in a prominent place on his premises a sign easily readable including the words 'Bad Dog'."

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 Senate Bill No. 185, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 185, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 185, as amended, the roll was called and the vote was:

Yeas—22

Mr. President	Crary	Leaird	Shivers
Baynard	Gautier	Mathews	Sturgis
Beacham	Getzen	Moore	Walker
Beall	Johns	Pope	Wright
Carroll	Johnston	Ray	
Collins	King	Sheldon	

Nays—15

Alford	Clarke	McArthur	Shands
Ayers	Davis	Pearce	Tucker
Baker	Franklin	Rodgers	Wilson
Boyle	Lindler	Sanchez	

So Senate Bill No. 185 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

The hour of adjournment having arrived a point of order was called and the Senate recessed at 1:05 o'clock P. M., until 3:00 o'clock P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock, P. M. pursuant to recess order.

The President in the Chair.

The roll was called and 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.

By permission the following Reports of Committees were received:

REPORTS OF COMMITTEES

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

House Committee Substitute for Senate Committee Substitute for S. B. No. 3—A bill to be entitled 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 Institutions of Higher Learning and all candidates for public office, 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 recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Sanchez, Chairman of the Committee on Public Health, reported that the Committee had carefully considered the following Bill:

S. B. No. 186—A bill to be entitled An Act amending Sections 2, 6, 8, 9, 10, 11, and 13, of Chapter 24364, Laws of Florida, 1947, An Act providing for the licensing and regulation of all persons engaged in professional work or service for the prevention, control, or eradication of insects, vermin, rodents, and other pests in household structures, commercial buildings, other structures or products therein, and commercial fumigation: providing for the formulation of rules and regulations by the State Board of Health for the regulation and licensing of such business: providing for the appointment of a structural pest control board: providing for the certification of structural pest control operators: providing for exception of certain types of pest control: providing a penalty for any violation of the provisions of the Act or the Rules and Regulations appertaining thereto, known by the title of "Structural Pest Control Act of 1947," by providing for the issuance of limited certificates by the Structural Pest Control Board to individuals desiring to engage in limited types of structural pest controls; permitting the State Board of Health to approve the use of certain substance or substances used in structural pest control and exempting their users from certain provisions of the Act; permitting the issuance of limited certificates to structural pest control operators using fogging machines; defining limited pest control operators, limited certificate, fogging machine, and fogging; repealing conflicting laws.

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

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

ENGROSSING REPORT

Your Engrossing Clerk to whom was referred, with amendments, for engrossing—

S. B. No. 183—A bill to be entitled An Act to amend Chapter 576, Florida Statutes, 1941, relating to the manufacture and sale of commercial fertilizer and repealing certain provisions of law.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,
ROBT. W. DAVIS,
 Secretary of the Senate
 As Ex Officio Engrossing Clerk.

And Senate Bill No. 183, contained in the above report was ordered certified to the House of Representatives.

Senator McArthur moved that the rules be waived and the Senate take up and consider House Bills on Second Reading.

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

HOUSE BILLS ON SECOND READING

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.

Was taken up in its order.

Senator Baynard moved that the rules be waived and House Bill No. 11 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 11 was read the second time by title only.

Senator Baynard offered the following amendment to House Bill No. 11:

In Section 1, line 8 (typewritten bill), insert after the words "contained in said conveyance" the following: "except as hereinafter stated".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to House Bill No. 11:

In Section 1, line 17 (typewritten bill), add after the sentence ending with the words "land so conveyed" the following sentence: "Before said conveyance is prepared, said application shall be submitted to the State Road Department for review and, if requested by the State Road Department, such conveyance shall contain a reservation unto the State of Florida for the use of the State Road Department of Florida of an easement for right of way purposes over and through so much of said lands as is within 100 feet of the center line of any existing state road."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to House Bill No. 11:

In sub-section 1 of Section 1, line 16, (typewritten bill) strike out the words: "one dollar" and insert in lieu thereof the following: "twenty-five cents".

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard moved that the rules be further waived and House Bill No. 11, 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. 11, as amended, was read the third time in full.

Upon the passage of House Bill No. 11, as amended, the roll was called and the vote was:

Yeas—30

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

Nays—4

Ayers	Beall	Johns	Leaird
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So House Bill No. 11 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 157—A bill to be entitled An Act relating to Farm

Colony for Feebleminded, adding Section 393.051, Florida Statutes, 1941; providing for furloughing of inmates.

Was taken up in its order.

Senator Shands moved that the rules be waived and House Bill No. 157 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 157 was read the second time by title only.

Senator Shands moved that the rules be further waived and House Bill No. 157 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. 157 was read the third time in full.

Upon the passage of House Bill No. 157 the roll was called and the vote was:

Yeas—35

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

Nays—None

So House Bill No. 157 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Wilson withdrew Senate Bill No. 51.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 234 out of its order, at this time.

Which was agreed to.

H. B. No. 234—A bill to be entitled An Act relating to the compensation of the Tax Collector, Tax Assessor and the Supervisor of Registration in all counties having a population of not less than 8200 and not more than 8250 according to the 1940 Federal Census; authorizing the County Commissioners of said counties to pay salaries to said officials and make certain deductions thereof from their fees and commissions.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 234 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 234 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill 234 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. 234 was read the third time in full.

Upon the passage of House Bill No. 234 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. 234 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Shivers asked unanimous consent of the Senate to take up and consider House Bill No. 235, out of its order, at this time.

Which was agreed to.

H. B. No. 235—A bill to be entitled An Act fixing the compensation of County Judges in counties of the State of Florida having a population of not less than 8000 or more than 8,500 according to the United States Census of 1940, in criminal cases, and providing that fees collected in criminal cases shall be turned into the county fine and forfeiture fund.

Was taken up.

Senator Shivers moved that the rules be waived and House Bill No. 235 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 235 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 235 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. 235 was read the third time in full.

Upon the passage of House Bill No. 235 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	Wright
Boyle	Johnston	Rodgers	
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So House Bill No. 235 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Mathews moved that House Bill No. 7 be recommended to the Committee on Appropriations.

Which was agreed to and it was so ordered.

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.

Was taken up in its order.

Senator Mathews moved that the rules be waived and House Bill No. 8 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 8 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Bill No. 8 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. 8 was read the third time in full.

Upon the passage of House Bill No. 8 the roll was called and the vote was:

Yeas—30

Mr. President	Baker	Beall	Clarke
Alford	Baynard	Boyle	Crary
Ayers	Beacham	Carroll	Davis

Franklin	Leaird	Rodgers	Sturgis
Gautier	Mathews	Sanchez	Walker
Johns	Pearce	Shands	Wright
Johnston	Pope	Shivers	
King	Ray	Smith	

Nays—None

So House Bill No. 8 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Leaird withdrew Senate Bill No. 129.

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.

Was taken up in its order.

Senator Mathews moved that the rules be waived and House Bill No. 20 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 20 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Bill No. 20 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. 20 was read the third time in full.

Upon the passage of House Bill No. 20 the roll was called and the vote was:

Yeas—33

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

Nays—None

So House Bill No. 20 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 126—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.

Was taken up in its order.

Senator Clarke moved that the rules be waived and House Bill No. 126 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 126 was read the second time by title only.

Senator Clarke moved that the rules be further waived and House Bill No. 126 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. 126 was read the third time in full.

Upon the passage of House Bill No. 126 the roll was called and the vote was:

Yeas—29

Mr. President	Beacham	Clarke	Franklin
Alford	Beall	Collins	Gautier
Baker	Boyle	Crary	Getzen
Baynard	Carroll	Davis	Johnston

King	Rodgers	Shivers
Leaird	Sanchez	Sturgis
Pearce	Shands	Tucker
Pope	Sheldon	Walker

Wright

Sturgis	Walker
Tucker	Wilson

Wright

Nays—None

So House Bill No. 126 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 143—A bill to be entitled An Act providing for the permissive closing of banking institutions under certain circumstances.

Was taken up in its order.

Senator Clarke moved that the rules be waived and House Bill No. 143 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 143 was read the second time by title only.

Senator Clarke moved that the rules be further waived and House Bill No. 143 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. 143 was read the third time in full.

Upon the passage of House Bill No. 143 the roll was called and the vote was:

Yeas—30

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

Nays—None

So House Bill No. 143 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 166—A bill to be entitled An Act to amend Sections 611.24 and 611.25, Florida Statutes, 1941, and to prescribe an optional and alternative method whereby a corporation for profit, of the class and character specified in Section 611.01, Florida Statutes, 1941, may increase or reduce its capital stock or reduce the par value of the shares thereof.

Was taken up in its order.

Senator Clarke moved that the rules be waived and House Bill No. 166 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 166 was read the second time by title only.

Senator Clarke moved that the rules be further waived and House Bill No. 166 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. 166 was read the third time in full.

Upon the passage of House Bill No. 166 the roll was called and the vote was:

Yeas—33

Mr. President	Boyle	Getzen	Pearce
Alford	Carroll	Johnston	Pope
Ayers	Clarke	King	Rodgers
Baker	Crary	Leaird	Sanchez
Baynard	Davis	Mathews	Shands
Beacham	Franklin	McArthur	Sheldon
Beall	Gautier	Moore	Shivers

Nays—None

So House Bill No. 166 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Clarke moved that the rules be waived and the Senate then reconsider the vote by which Senate Bill No. 97 passed the Senate on May 3, 1949.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 97 passed the Senate on May 3, 1949.

The question recurred on the passage of Senate Bill No. 97.

Pending roll call on the passage of Senate Bill No. 97, by unanimous consent Senator Clarke withdrew Senate Bill No. 97.

Senator Clarke moved that the rules be waived and the Senate then reconsider the vote by which Senate Bill No. 99 passed the Senate on May 3, 1949.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 99 passed the Senate on May 3, 1949.

The question recurred on the passage of Senate Bill No. 99.

Pending roll call on the passage of Senate Bill No. 99, by unanimous consent Senator Clarke withdrew Senate Bill No. 99.

H. B. No. 69—A bill to be entitled An Act exempting hotels, apartment houses, rooming houses and restaurants from the provisions of Chapter 24096, Laws of Florida, Acts of 1947, relating to design, installation, alteration, maintenance and inspection of elevators; and repealing all laws in conflict herewith.

Was taken up in its order.

Senator Sturgis moved that the rules be waived and House Bill No. 69 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 69 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and House Bill No. 69 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. 69 was read the third time in full.

Upon the passage of House Bill No. 69 the roll was called and the vote was:

Yeas—32

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

Nays—1

Sheldon

So House Bill No. 69 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 117 was taken up in its order and the consideration thereof was informally passed.

H. B. No. 22—A bill to be entitled An Act fixing the per diem and traveling expenses of State officers and employees when traveling on State business.

Was taken up in its order.

Senator Collins moved that the rules be waived and House Bill No. 22 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 22 was read the second time by title only.

Senator Collins moved that the rules be further waived and House Bill No. 22 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. 22 was read the third time in full.

Upon the passage of House Bill No. 22 the roll was called and the vote was:

Yeas—32

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

Nays—1

Davis

So House Bill No. 22 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Johns moved that Senate Bill No. 299 be recalled from the Committee on Pensions and Claims and placed on the Calendar of Senate Local Bills.

Which was agreed to and it was so ordered.

Senator Johns asked unanimous consent of the Senate to take up and consider Senate Bill No. 299, out of its order, at this time.

Which was agreed to.

S. B. No. 299—A bill to be entitled An Act for the relief of C. A. Knight, former Tax Collector of Bradford County, Florida.

Was taken up.

Senator Johns moved that the rules be waived and Senate Bill No. 299 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 299 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 299 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. 299 was read the third time in full.

Upon the passage of Senate Bill No. 299 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	Tucker	Walker
Beacham	Getzen	Pope	Wilson
Beall	Johns	Ray	Wright
Boyle	Johnston	Rodgers	
Carroll	King	Sanchez	
Clarke	Leaird	Shands	

Nays—None

So Senate Bill No. 299 passed, title as stated, by the required Constitutional two-thirds vote of all members elected to the Senate for the 1949 Session of the Florida Legislature; and the action of the Senate was ordered certified to the House of Representatives.

H. B. No. 37—A bill to be entitled An Act to amend Section 167.09 of the Florida Statutes, 1941, of the State of Florida,

relating to the laying off, improving, altering, discontinuing, diverting or abandoning parks, public squares, streets, avenues, lanes, highways and canals.

Was taken up in its order.

Senator Johnston moved that the rules be waived and House Bill No. 37 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 37 was read the second time by title only.

Senator Johnston offered the following amendment to House Bill No. 37:

In Section 1, line 14 (typewritten bill), after the word "discontinue" strike out the word "or".

Senator Johnston moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnston also offered the following amendment to House Bill No. 37:

In Section 1, line 15 (typewritten bill), strike out the word "abandon".

Senator Johnston moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Johnston moved that the rules be further waived and House Bill No. 37, 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. 37, as amended, was read the third time in full.

Upon the passage of House Bill No. 37, as amended, the roll was called and the vote was:

Yeas—35

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	Rodgers	Wilson
Carroll	Johnston	Sanchez	Wright
Clarke	King	Shands	

Nays—None

So House Bill No. 37 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Johnston withdrew Senate Bill No. 15.

Senator Moore moved that the rules be waived and the Senate then reconsider the vote by which Senate Bill No. 439 passed the Senate on May 4, 1949.

Which was agreed to by a two-thirds vote, and the Senate reconsidered the vote by which Senate Bill No. 439 passed the Senate on May 4, 1949.

The question recurred on the passage of Senate Bill No. 439.

Pending roll call on the passage of Senate Bill No. 439, Senator Moore moved that Senate Bill No. 439 be placed on the Calendar of Senate Local Bills.

Which was agreed to and it was so ordered.

H. B. No. 114—A bill to be entitled An Act relating to and providing for suit money, including a reasonable attorney's fee, in proceedings to enforce decrees or orders of the court for alimony and support of children.

Was taken up in its order.

Senator Mathews moved that the rules be waived and House Bill No. 114 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 114 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Bill No. 114 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. 114 was read the third time in full.

Upon the passage of House Bill No. 114 the roll was called and the vote was:

Yeas—33

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

Nays—1

Moore

So House Bill No. 114 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Leaird withdrew Senate Bill No. 133.

Senator Alford moved that Senate Bill No. 164 be recalled from the Committee on Judiciary "B", having been in said Committee more than ten (10) days, and placed on the Calendar of Bills on Second Reading.

Which was agreed to and it was so ordered.

H. B. No. 116—A bill to be entitled An Act amending Section 40.34, Florida Statutes, 1941, relating to the pay roll for jurors in the several courts of this State and of witnesses before grand juries.

Was taken up in its order.

Senator Mathews moved that the rules be waived and House Bill No. 116 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 116 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Bill No. 116 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. 116 was read the third time in full.

Upon the passage of House Bill No. 116 the roll was called and the vote was:

Yeas—34

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

Nays—1

Johnston

So House Bill No. 116 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pearce asked unanimous consent of the Senate

to take up and consider House Bill No. 15, out of its order, at this time.

Which was agreed to.

H. B. No. 15—A bill to be entitled An Act revising and amending Chapter 250, Florida Statutes, 1941, the same being the Military Code of the State of Florida, and bringing the said code up to date and in keeping with the present federal organization of the Department of Defense.

Was taken up.

Senator Pearce moved that the rules be waived and House Bill No. 15 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 15 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 15 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. 15 was read the third time in full.

Upon the passage of House Bill No. 15 the roll was called and the vote was:

Yeas—31

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

Nays—None

So House Bill No. 15 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur moved that the rules be waived and the Senate revert to the consideration of Messages from the House of Representatives.

Which was agreed to by a two-thirds vote.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Walker—

S. B. No. 323—A bill to be entitled An Act authorizing the Governor to direct the State Auditing Department to audit the office books and records of the Board of Commissioners of the Halifax Hospital District, a special taxing district in Volusia County, Florida.

Proof of publication attached.

By Senator Moore—

S. B. No. 324—A bill to be entitled An Act to amend Sections 9 and 14 of Chapter 14371, Laws of Florida, 1929, as amended, relating to the municipal government of the City of Sebring, Florida.

Proof of publication attached.

By Senator Johns—

S. B. No. 352—A bill to be entitled An Act relating to the disbursement of race track taxes received under the provisions

of Chapter 14832, Laws of Florida, Acts of 1931, as amended, and to provide for the apportionment and distribution of all monies paid to Union County, Florida, for the years 1950 and 1951 under said Act as amended.

Proof of publication attached.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 323, 324, 352, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Walker—

S. B. No. 320—A bill to be entitled An Act providing that all materials, supplies, equipment and work for the purpose of making and installing capital improvements, repairs or replacements for the operation of the Halifax District Hospital amounting to more than \$500.00 shall be let by the Board of Commissioners of the Halifax Hospital District, a special taxing district in Volusia County, Florida, by contract to the lowest bidder according to written specifications previously prescribed therefor and after publication in a newspaper of general circulation in said District once a week for two consecutive weeks, two publications being sufficient, of a notice calling for such bids, and providing that any contract made in violation thereof shall be invalid and unenforceable, and providing that said Board may reject any and all bids.

Proof of publication attached.

Also—

By Senator Walker—

S. B. No. 321—A bill to be entitled An Act authorizing, empowering and directing the County Judge of Volusia County, Florida, and the Supervisor of Registration of Volusia County, Florida, to destroy all election returns, identification slips, ballots and other election records, documents, papers and paraphernalia that have been or may be in their respective custody and control for more than two years provided that a record shall be kept by such officers of the years, election returns, ballots, identification slips, documents, papers, and paraphernalia destroyed.

Proof of publication attached.

Also—

By Senator Walker—

S. B. No. 322—A bill to be entitled An Act to authorize the County Commissioners of Volusia County, Florida, to use county automobiles in performing their official duties in said county.

Proof of publication attached.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 320, 321 and 322, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Leaird—

S. B. No. 313—A bill to be entitled An Act to provide for the taking of a State census in the County of Broward in the State of Florida.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 313, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Mathews—

S. B. No. 257—A bill to be entitled An Act fixing and prescribing the qualifications of freeholder electors who shall be eligible to participate in any bond election called and held by any taxing authority of Duval County, Florida, including the Board of County Commissioners, the Board of Public Instruction of said county, or any special tax school district thereof, and providing for the registration of such electors.

Proof of publication attached.

Also—

By Senator Beall—

S. B. No. 295—A bill to be entitled An Act to provide payment to Concrete Supply Company for materials and supplies furnished Escambia County, Florida, and which account is past due and which account has been investigated and found to be due and proper.

Proof of publication attached.

Also—

By Senator Tucker—

S. B. No. 296—A bill to be entitled An Act relating to the compensation of members of the Board of County Commissioners of Liberty County, Florida.

Proof of publication attached.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 257, 295 and 296, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Beall—

S. B. No. 297—A bill to be entitled An Act to authorize the Board of County Commissioners of Escambia County, Florida, to immediately pay from the Outstanding Indebtedness Fund of said County the sum of \$2,500.00 to The Citizens Welfare Committee, for the purpose of employing one or more persons to serve in Washington, D. C., and Escambia County,

Florida, in behalf of Escambia County, Florida, under the supervision and direction of said The Citizens Welfare Committee: notwithstanding any budgetary restrictions to the contrary, and confirming, ratifying and validating all Acts heretofore done relative to employment of a Washington representative by the Board of County Commissioners and/or The Citizens Welfare Committee.

Proof of publication attached.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 297, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Sheldon—

S. B. No. 315—A bill to be entitled An Act providing for the declaring and filling of vacancies on the City Council of the City of Port Tampa, resulting from a member's death, resignation, ceasing to be a resident of the city, failure without reasonable cause to attend four successive regular Council meetings, and upon the assumption and discharge of the Mayor's duties by the President of the City Council on the death of the Mayor or vacancy in the Mayor's office: providing for the filling of such vacancies on the City Council by the election by the City Council of the candidate who received the highest number of votes at either the immediately preceding general election or municipal primary and who was not elected thereat, and who is qualified and agrees to serve: providing if said vacancy cannot be filled from selection among the candidates aforesaid, that the City Council shall elect such member from among the qualified city electors eligible for such office: providing for the taking of the oath and term of office of the member filling said vacancy: declaring this Act required in the public interest.

Proof of publication attached.

Also—

By Senator Walker—

S. B. No. 319—A bill to be entitled An Act authorizing and providing for the Halifax Drainage District of Volusia County, Florida, to accept from the landowners of said district a cash deposit equal to fifty per cent of the amount of their respective delinquent sinking fund and maintenance Halifax Drainage District taxes, the same to be held by said District until July 1, 1949, after which the same shall be applied in payment of the bonded indebtedness of the said Halifax Drainage District of Volusia County, Florida, after deducting therefrom the expenses of collecting and disbursing said deposits, and authorizing and providing for the acceptance of bonds of said Halifax Drainage District of Volusia County, Florida, in lieu of cash deposits, and authorizing and providing for the issuance after July 1, 1949, of tax receipts of said District for the payment in full of all of the delinquent Halifax Drainage District taxes of said landowners depositing fifty per cent thereof with said District as aforesaid, and authorizing and providing, after July 1, 1949, for the immediate foreclosure by the Halifax Drainage District of Volusia County, Florida, for the full amount of all delinquent Halifax Drainage District taxes on properties belonging to landowners of said District who have failed to deposit with said District an amount equal to fifty per cent of the delinquent Halifax Drainage District taxes outstanding against their respective properties and ratifying, confirming and validating all past acts of the Board of County Commissioners of Volusia County, Florida, ex officio Board of Supervisors of the Halifax Drainage District, and the Clerk of the Circuit Court ex officio Clerk of said Board with reference thereto, and providing for the repealing of all laws in conflict herewith.

Proof of publication attached.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 315 and 319, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Gautier—

S. B. No. 361—A bill to be entitled An Act providing for the disposition by the City of Miami, Florida, of unexpended funds collected by such city under and by virtue of the provisions of Chapter 22390, Special Laws of Florida, 1943, which provided for the levy of an annual tax, not exceeding four mills on the dollar, upon real and personal property within such city, for the purpose of maintaining and operating a hospital, and authorizing and empowering the said city to transfer such unexpended funds to the general fund of such city.

Proof of publication attached.

Also—

By Senator Gautier—

S. B. No. 362—A bill to be entitled An Act repealing Chapter 22390, Special Laws of Florida, 1943, being An Act to amend the charter of the City of Miami, Florida, by authorizing said city to levy an annual tax, not exceeding four mills on the dollar, upon real and personal property therein, for the purpose of maintaining and operating a hospital in the City of Miami, Florida.

Proof of publication attached.

Also—

By Senator Walker—

S. B. No. 363—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Volusia County, Florida, to acquire by purchase or gift a site or sites for the location thereon of auxiliary offices of the county officials of Volusia County, Florida, in the City of Daytona Beach, Florida, and to establish and maintain the same thereon, and validating, ratifying and confirming all past acts of the Board of County Commissioners of Volusia County, Florida, with reference thereto.

Proof of publication attached.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 361, 362 and 363, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Baker—

S. B. No. 376—A bill to be entitled An Act providing for the distribution and use of one-third of race track funds allocated

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Bill No. 258.

And Senate Bill No. 258, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, 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,
May 4, 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. Wotitzky of Charlotte—

H. B. No. 682—A bill to be entitled An Act to authorize the Board of Public Instruction of Charlotte County, Florida, to grant to the Superintendent of Public Instruction of said county a specific allowance for traveling expenses within said county while performing the duties of the office.

Proof of publication attached.

Also—

By Messrs. Sweeny and Cobb of Volusia—

H. B. No. 699—A bill to be entitled An Act changing the name of the City of Ormond, a municipal corporation in the County of Volusia and State of Florida, and designating said municipality as the City of Ormond Beach, and providing for a referendum election.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 682 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 682, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 699, contained in the above Message, was read the first time by title only.

Senator Walker moved that the rules be waived and House Bill No. 699 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 699 was read the second time by title only.

Senator Walker moved that the rules be further waived and House Bill No. 699 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. 699 was read the third time in full.

Upon the passage of House Bill No. 699 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. 699 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,
May 4, 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. Courtney and Mathis of Bay—

H. B. No. 319—A bill to be entitled An Act authorizing and permitting the City of Panama City to levy, assess and collect a tax upon the sale of cigarettes not to exceed two cents (2c) per package, and which tax shall be in addition to all other taxes levied on the sale of cigarettes; exempting the City of Panama City from any and all provisions of law prohibiting the taxing of cigarettes by municipalities; and repealing conflicting laws.

Proof of publication attached.

Also—

By Messrs. Schuh, Clement and McClure of Pinellas—

H. B. No. 542—A bill to be entitled An Act to authorize the City of St. Petersburg, Florida, to impose, levy and collect license and excise taxes; providing that this Act shall not become effective until ratified at a referendum election; and repealing all laws or parts of laws in conflict herewith.

Also—

By Mr. Burton of Brevard—

H. B. No. 569—A bill to be entitled An Act to create and constitute as an agency and instrumentality of the City of Melbourne, Florida, a special non-salaried board to be named "The Melbourne Civic Improvement Board"; to establish the membership and qualifications thereof of such Board; to provide for the reimbursement of Board members for travel expenses; to establish certain rules of procedure for the Board; to provide for Board members to execute a bond and for the payment of premium thereon; to provide for payment to the Board of all monies payable to the city under Electric Franchise Ordinance No. 260 except certain monies appropriated for payment under Section VII of Ordinance No. 261 of the city; to provide for the Board receiving, disbursing and accounting for monies received by it as revenue from properties or projects operated by it; to prescribe the powers and duties of the Board; to provide for the segregation of all monies accruing to the Board and for the records and auditing thereof; to empower the Board to issue revenue bonds or certificates of indebtedness under certain circumstances; to prohibit such monies being expended to retire or purchase obligations of the city except under certain circumstances; to empower the Board to loan its funds to the city; to provide for the employment of legal counsel; to provide that the provisions of this Act are severable; to repeal all laws or parts of laws in conflict herewith; and to provide when this Act shall become effective.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 319 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.

Proof of publication of Notice was attached to House Bill No. 569 when it was introduced in the Senate, and evidence that such Notice has been published was established by the

to Lake County, Florida, under Chapter 14832, Laws of Florida, 1931, and Section 550.13, Florida Statutes, 1941, and Acts amendatory thereto and providing that said moneys shall be paid by the State Treasurer on separate warrants drawn by the Comptroller to County Board of Public Instruction of Lake County, Florida.

Proof of publication attached.

Also—

By Senator Baker—

S. B. No. 377—A bill to be entitled An Act to authorize the County Commissioners to pay for the work done under the authority of Chapter 24643, relating to eradication and control of water hyacinths, out of a special fund to be set up in its budget.

Proof of publication attached.

Also—

By Senator Baker—

S. B. No. 378—A bill to be entitled An Act providing for additional powers and duties of the Supervisor of Registration of Lake County, Florida.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 376, 377 and 378, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Beacham—

S. B. No. 382—A bill to be entitled An Act to validate the registration of electors in Palm Beach County, Florida, under the provisions of Chapter 23741, Laws of Florida, Acts of 1947, or other applicable provisions of law regardless of irregularities in the appointment and approval of registration officials.

Proof of publication attached.

Also—

By Senator Beacham—

S. B. No. 383—A bill to be entitled An Act to amend Section 13 of Chapter 23741, Laws of Florida, Acts of 1947, relating to change of party affiliation by registered voters of Palm Beach County, Florida, and the time such change may be made.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 382 and 383, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 Leaird—

S. B. No. 386—A bill to be entitled An Act providing for

further and additional salary to be paid by Broward County, Florida, to each Circuit Judge who is a resident of such county; making the same a county purpose; and repealing all laws in conflict herewith.

Proof of publication attached.

Also—

By Senator Beall—

S. B. No. 401—A bill to be entitled An Act to provide for creation of sanitary districts within Escambia County, Florida, to incorporate same, and to provide for the government thereof; to exempt a certain stream, classified as an industrial stream, from the provisions of this Act; to provide for the construction, maintenance, operation, purchase or condemnation of water supply, sewerage, and refuse disposal systems; to provide for various optional methods of financing of such construction, maintenance, operation and control; and the operation, maintenance, regulation and control of said systems; and for other purposes.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bills Nos. 386 and 401, contained in the above Message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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 with amendments by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1949 Session of the Florida Legislature:

By Senator Mathews—

S. B. No. 258—A bill to be entitled An Act to compensate and for the relief of Leamon Toliver on account of injuries received by him in an automobile collision wherein an automobile owned by the County of Duval, State of Florida, was involved; requiring the Board of County Commissioners of Duval County to investigate such claim and, upon certain findings, to settle the same by payment out of designated funds in such an amount as it may determine, not to exceed \$15,000.00; and providing for suitable action by Budget Commission of Duval County in the premises.

Proof of publication attached.

Which amendments read as follows:

Amendment No. 1:

In Section 1 of the enactment clause of the bill, strike out the figures: "\$15,000.00" in the last line thereof, and insert the following in lieu thereof: "\$7500.00".

Amendment No. 2:

In the title, line 8, of the bill, strike out the figures: "\$15,000.00" and insert the following in lieu thereof: "\$7500.00".

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 258, contained in the above Message, was read by title, together with the House Amendments thereto.

Senator Mathews moved that the Senate do concur in House Amendment No. 1 to Senate Bill No. 258.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Bill No. 258.

Senator Mathews moved that the Senate do concur in House Amendment No. 2 to Senate Bill No. 258.

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

And House Bills Nos. 319, 542 and 569, contained in the above Message, were read the first time by titles only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. Elliott of Palm Beach—

H. B. No. 616—A bill to be entitled An Act to amend Article III, Section 3 (b) of Chapter 21538, Laws of Florida, 1941, relating to the Town of South Bay, Florida, so as to change the date of the holding of the regular municipal election for the election of all elective officers of said town from the first Tuesday after the first Monday in December in each year to the first Tuesday after the first Monday in October of each year, and provide for a referendum.

Also—

By Mr. Elliott of Palm Beach—

H. B. No. 617—A bill to be entitled An Act to amend Chapter 21538, Laws of Florida, 1941, relating to the Town of South Bay, Florida, so as to incorporate a new section under Article I thereof authorizing said town to impose, levy and collect license and excise taxes, and repealing all laws in conflict herewith, and provide for a referendum.

Also—

By Mr. Dowda of Putnam—

H. B. No. 631—A bill to be entitled An Act to authorize the City of Palatka to extend, construct its sewer mains, facilities and system; to issue revenue certificates to finance such extensions and construction, to levy charges for the use of such sewer facilities, and to pledge the same, or the surplus portion thereof, to the payment of the principal and interest of said certificates, and to impose fees and rates for the use or services of any other utility now or hereafter owned or operated by the City of Palatka; to levy a tax on such fees or rentals; and to levy a tax on bills for telephone, electric lights and power, gas, bottled gas, or other public utility supplying services to its citizens or others within said city, and to use the proceeds of such tax for general purposes or to pledge the same, or any part thereof, to the payment of the principal and interest of such revenue certificates, or other revenue certificates issued hereafter by the city.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 631 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bills Nos. 616, 617 and 631, contained in the above Message, were read the first time by titles only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. 647—A bill to be entitled An Act ratifying, confirming and validating all proceedings taken by the Board of Commissioners of the City of Tarpon Springs, Florida, and the election in consummating the sale of Lot 11, Block 76, according to the official map of Tarpon Springs, Florida, to Peter Saclarides.

Proof of publication attached.

Also—

By Mr. Wotitzky of Charlotte—

H. B. No. 657—A bill to be entitled An Act to fix the compensation of members and chairman of the Board of County Commissioners of Charlotte County, Florida, and providing for payment of expenses incurred in performance of official duties.

Proof of publication attached.

Also—

By Mr. Parker of DeSoto—

H. B. No. 674—A bill to be entitled An Act to amend Section 1 Chapter 6323, Special Acts of the Legislature of the State of Florida of 1911 entitled "An Act to provide for the assessment and collection of the taxes for the City of Arcadia, and for the collection of back taxes and tax sale certificates of said city"; and to amend Section 1 Chapter 16308, Special Acts of the Legislature of the State of Florida of 1933 entitled "An Act providing for an annual budget, for assessment, and collection of the taxes of the City of Arcadia, and for collection of the delinquent taxes of said city", and repealing all laws and parts of laws in conflict herewith.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 647 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 647, 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. 647 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 647 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 647 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. 647 was read the third time in full.

Upon the passage of House Bill No. 647 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. 647 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 657 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.

Proof of publication of Notice was attached to House Bill No. 674 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bills Nos. 657 and 674, contained in the above Message, were read the first time by titles only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. Bollinger and Elliott of Palm Beach—

H. B. No. 677—A bill to be entitled An Act authorizing the Board of County Commissioners of Palm Beach County, Florida, to buy, own, lease and acquire by gift or eminent domain, parking areas, lots and facilities; to improve, maintain, develop and operate the same, making charges therefor; to lease the same to others or contract with others for the operation thereof; to purchase and install parking meters; authorizing said Board of County Commissioners by resolution to promulgate rules and regulations governing the use of such parking areas, lots and facilities and providing penalty for violation of such rules and regulations; declaring the same to be a county purpose.

Proof of publication attached.

Also—

By Messrs. Bollinger and Elliott of Palm Beach—

H. B. No. 679—A bill to be entitled An Act authorizing the Board of County Commissioners of Palm Beach County, Florida, to enter into agreements for group insurance for employees of the Board of County Commissioners of said county; to provide for contributions by said Board to the premiums therefor; to do any and all things necessary to provide and carry out such group insurance; to deduct periodically from the wages of any employee upon written request of such employee any premium or portion of premium for such insurance; declaring purpose of Act to be a county purpose.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 677 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 677, contained in the above Message, was read the first time by title only.

Senator Beacham moved that the rules be waived and House Bill No. 677 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 677 was read the second time by title only.

Senator Beacham moved that the rules be further waived and House Bill No. 677 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. 677 was read the third time in full.

Upon the passage of House Bill No. 677 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. 677 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 679 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 679, contained in the above Message, was read the first time by title only.

Senator Beacham moved that the rules be waived and House Bill No. 679 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 679 was read the second time by title only.

Senator Beacham moved that the rules be further waived and House Bill No. 679 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. 679 was read the third time in full.

Upon the passage of House Bill No. 679 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. 679 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,
May 4, 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. Haley and Collins of Sarasota—

H. B. No. 580—A bill to be entitled An Act to amend the existing charter of the City of Venice, Florida, a municipality in the County of Sarasota (being Chapter 11776, extraordinary session, Acts of 1925 and Acts amendatory thereof) by providing for the giving of notice as a condition precedent to bringing suits against said city for negligence or any other tortious act.

Proof of publication attached.

Also—

By Messrs. Strayhorn and Hough of Lee—

H. B. No. 599—A bill to be entitled An Act to abolish Justice District Number Three (3) in Lee County, Florida, and providing for a referendum.

Also—

By Mr. Elliott of Palm Beach—

H. B. No. 603—A bill to be entitled An Act to repeal Chapter 20044, Laws of Florida, Acts of 1939, and Acts amendatory thereof, relating to creation and powers of Western Palm Beach County Public Hospital Board; providing for disposition of assets of said board and payment of obligations thereof.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 580 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 580, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 599, 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. 599 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 599 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 599 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. 599 was read the third time in full.

Upon the passage of House Bill No. 599 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. 599 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 603 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 603, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. 644—A bill to be entitled An Act authorizing and empowering the Board of Commissioners of the City of Tarpon Springs, Florida, to levy whatever millage is necessary against the real and personal property located in the City of Tarpon Springs, Florida, for the purpose of carrying on the government of said city.

Proof of publication attached.

Also—

By Mr. Clement of Pinellas—

H. B. No. 645—A bill to be entitled An Act validating all proceedings taken by the Board of Commissioners of Tarpon Springs, Florida, and validating the election in connection with the sale and transfer of certain city owned property to E. L. Young and wife, Dolly Young.

Proof of publication attached.

Also—

By Mr. Clement of Pinellas—

H. B. No. 646—A bill to be entitled An Act authorizing the Board of Commissioners of Tarpon Springs, Florida, to establish polling places in the city for the purpose of holding elections and the establishing of a polling place in the City Hall.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 644 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 644, 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. 644 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 644 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 644 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. 644 was read the third time in full.

Upon the passage of House Bill No. 644 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. 644 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 645 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 645, 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. 645 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 645 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 645 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. 645 was read the third time in full.

Upon the passage of House Bill No. 645 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. 645 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 646 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 646, 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. 646 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 646 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 646 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. 646 was read the third time in full.

Upon the passage of House Bill No. 646 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. 646 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,
May 4, 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. Elliott of Palm Beach—

H. B. No. 604—A bill to be entitled An Act establishing Northwestern Palm Beach County Public Hospital Board as a body corporate with jurisdiction extending over certain lands in the western and northwestern parts of Palm Beach County, Florida; providing for the qualifications and method of appointment of the members of such Hospital Board; providing for the term of office and for the compensation to be paid the members of such Hospital Board, its duties and powers, and for the adoption of a seal for said Hospital Board; giving said Hospital Board power to purchase property, construct hospital building or buildings, to lease or rent hospital facilities or to operate, equip, maintain and supervise such hospitals; authorizing said Hospital Board to borrow money and issue bonds to purchase property, to construct hospital buildings and equip and maintain the same; providing for the calling of special tax elections for the issuance of evidences of indebtedness and bonds; providing maximum interest rate to be charged; providing for bond elections; providing for the issuance of bonds including revenue bonds and the cost, charges, technical and professional fees in connection therewith; authorizing said Hospital Board to employ or retain certain technical or professional men and fixing their compensation; providing for the condemnation of property under the right of eminent domain; providing rules and regulations for the use and operation of such hospitals or hospital, providing for the levy of a millage not to exceed ten mills on all the property included in said portion of Palm Beach County, Florida, the manner of the collection of the same; providing for the right to accept gifts and donations and declaring said Act to be for public purposes; providing for the issuance of benefit certificates and the terms and conditions upon which same may be issued; giving said Hospital Board power to create a sinking fund or funds for certain purposes; providing how funds may be invested or used; and providing for other matters incidental to the main purposes of this Act.

Proof of publication attached.

Also—

By Messrs. Burwell and David of Broward—

H. B. No. 610—A bill to be entitled An Act to amend Section 8, entitled "Boundaries," of Article I, entitled "General Provisions," of Chapter 24562, Laws of Florida, Special Acts of 1947, entitled, "An Act to abolish the present municipal government of the Town of Hillsboro Beach, in the County of Broward, State of Florida, and to establish, organize, constitute and create a municipality to be known and designated as 'Town of Hillsboro Beach'; to provide a charter for said town; fix its territorial limits and boundaries; provide for its government, and prescribe its jurisdiction powers, privileges and franchises."

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 604 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.

Proof of publication of Notice was attached to House Bill No. 610 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bills Nos. 604 and 610, contained in the above Message, were read the first time by titles only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
May 4, 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. Elliott of Palm Beach—

H. B. No. 605—A bill to be entitled An Act establishing Southwestern Palm Beach County Public Hospital Board as a body corporate with jurisdiction extending over certain lands in the western and southwestern parts of Palm Beach County, Florida; providing for the qualifications and method of appointment of the members of such Hospital Board; providing for the term of office and for the compensation to be paid the members of such Hospital Board, its duties and powers, and for the adoption of a seal for said Hospital Board; giving said Hospital Board power to purchase property, construct hospital building or buildings, to lease or rent, hospital facilities or to operate, equip, maintain and supervise such hospitals; authorizing said Hospital Board to borrow money and issue bonds to purchase property, to construct hospital buildings and equip and maintain the same; providing for the calling of special tax elections for the issuance of evidences of indebtedness and bonds; providing maximum interest rate to be charged; providing for bond elections; providing for the issuance of bonds including revenue bonds and the cost, charges, technical and professional fees in connection therewith; authorizing said Hospital Board to employ or retain certain technical or professional men and fixing their compensation; providing for the condemnation of property under the right of eminent domain; providing rules and regulations for the use and operation of such hospitals or hospital; providing for the levy of a millage not to exceed ten mills on all of the property included in said portion of Palm Beach County, Florida, the manner of the collection of the same; providing for the right to accept gifts and donations and declaring said Act to be for public purposes; providing for the issuance of benefit certificates and the terms and conditions upon which same may be issued; giving said Hospital Board power to create a sinking fund or funds for certain purposes; providing how funds may be invested or used; and providing for other matters incidental to the main purposes of this Act.

Proof of publication attached.

Also—

By Mr. Clement of Pinellas—

H. B. No. 643—A bill to be entitled An Act authorizing and empowering the Board of Commissioners of the City of Tarpon Springs, Florida, to enter into a lease with Rotary Youth Center, Inc., a non profit corporation, leasing to the said Rotary Youth Center, Inc., certain city owned property and limiting the time of same.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 605 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 605, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 643 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 643, 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. 643 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 643 was read the second time by title only.

Senator Baynard moved that the rules be further waived and House Bill No. 643 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. 643 was read the third time in full.

Upon the passage of House Bill No. 643 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. 643 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,
May 4, 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. Bridges of Calhoun—

H. B. No. 481—A bill to be entitled An Act to fix and provide for the compensation of members of the Board of County Commissioners in the counties in the State of Florida having a population of not less than 8,100 and not more than 8,400 according to the 1945 State census.

Also—

By Messrs. Clement, Schuh and McClure of Pinellas—

H. B. No. 656—A bill to be entitled An Act authorizing the several Boards of County Commissioners of each county of

the State of Florida having a population of not less than 115,000 and not more than 200,000, according to the last State census, to convey to the Board of Public Instruction of such counties certain real property acquired under and by virtue of Chapter 22079, Laws of Florida, Acts of 1943, and prescribing a procedure therefor.

Also—

By Messrs. Okell and Lantaff of Dade—

H. B. No. 698—A bill to be entitled An Act relating to and providing for a County Judge in addition to the County Judge provided for by the Constitution, in all counties having a population of more than 300,000 inhabitants, his election to office, jurisdiction, term of office, and compensation.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bills Nos. 481, 656 and 698, contained in the above Message, were read the first time by titles only and placed on the Calendar of Local Bills on Second Reading.

By permission, the following communication from the Chief Justice of the Florida Supreme Court was received and read:

SUPREME COURT OF FLORIDA
Alto Adams, Chief Justice

TALLAHASSEE

May 4, 1949

Honorable Newman C. Brackin
President of the Senate
Tallahassee, Florida
Dear Mr. President:

The Legislature of 1943 enacted Chapter 21995 authorizing the Supreme Court to prescribe rules, forms of process, writs, pleadings, motions and the practice and procedure in the Circuit Courts, Civil Courts of Record and County Courts of Florida; the following limitations being attached to the Act: (1) "Such rules shall not abridge, enlarge or modify the substantive rights of any litigant." (2) They shall not "affect or alter any statutes of this state relating to venue or the jurisdiction of any of the courts of this state." (3) They shall be "reported by the court to the Legislature at its next ensuing session and shall not take effect until after the close of such session." (4) The Supreme Court shall "expressly designate any statute which should be repealed or superseded and in event the Legislature does not by its action provide otherwise at its next session, such statutes or parts of statutes shall stand repealed." (5) The Supreme Court is authorized to "modify or amend any rule adopted by it subject to the power of the Legislature to amend, alter or repeal them."

On consideration of a petition of the State Bar Association to revise the rules of procedure as authorized by this act, the Supreme Court agreed that such a revision should be made and appointed a committee to study the question and make report of its findings. The President of the State Bar Association also appointed a committee and clothed it with similar instructions. Both committees conducted a very thorough study and on February 11, 1949, made a joint report of their observations. This report is in two volumes; volume one being a revision of Common Law Procedure and volume two being a revision of Equity Procedure. We have thoroughly considered and approved this report subject to such corrections as may be deemed proper at the conclusion of the Legislature when it is promulgated and a date fixed for it to become effective. It is herewith transmitted to you for your consideration.

This Court is committed to the doctrine that the Constitution vests the rule-making power in both the Legislature and the Supreme Court. In Re: Petition of the State Bar Association, 155 Fla. 710, 21 So. (2d) 685. We do not construe Chapter 21995 to give the Legislature power to veto any rule or rules the Court may prescribe. We construe it to delegate the rule-making power vested in the Legislature to the Supreme Court, subject to modification or withdrawal at any subsequent session of the Legislature. The Court adopts this interpretation because there are some phases of procedure that the Legisla-

ture may modify at pleasure, but there are other phases that are outside the scope of legislative authority and it has no more right to tinker with them than the Court has to prescribe rules to govern the Legislature.

Some provisions of Chapter 21995 are ambiguous and the Court has not had occasion to construe them. Section 5, for instance, provides that the Supreme Court may "modify or amend any rule adopted by it subject to the power of the legislature to amend, alter or repeal them." It is doubtful if this provision adds one iota to the law because there has never been any doubt of the power of this Court to amend its rules at pleasure and when they relate to the internal administration of the Court's duties, the Legislature is powerless to modify them. Section 3 merely provides that rules adopted under this act shall take effect "after the close of such session." This is indefinite as to effective date, but unquestionably this Court has power to promulgate and fix the date for any rules it adopts to take effect. If a rule in effect repeals a statute the Legislature may repeal it.

You are advised that as to the Common Law Rules the primary changes proposed are embraced in Rule 5 relating to the abolition of Rule Days; Rule 6 relating to the service of pleadings and Rule 13 relating to the time and manner of presenting defenses. I also direct your attention to Rule 16 relating to pretrial procedure; Rules 20 to 30 inclusive, relating to depositions and discovery; and Rule 41 relating to summary judgments. All of these rules were adopted largely from the Federal Rules of Civil Procedure and some of them add new substance to our procedure.

As to Equity practice, no changes are made except to implement the provisions of Common Law Rules 5, 6 and 13, at the appropriate place in the Equity Rules. The overall result is an effort to modernize our system of procedure to expedite and reduce the cost of litigation and to harmonize Common Law, Equity and Federal Procedure, a very desirable end to be accomplished. In making up its joint report, the Committees have had available the procedure from every state in the Union and I think have done a very thorough job.

Respectfully submitted,
ALTO ADAMS,
Chief Justice of the Supreme Court of Florida.

The report accompanying the foregoing communication from the Chief Justice of the Supreme Court, and therein referred to, was filed.

Senator Mathews asked unanimous consent of the Senate to take up and consider House Committee Substitute for Senate Committee Substitute for Senate Bill No. 3, out of its order, at this time.

Which was agreed to.

House Committee Substitute for Senate Committee Substitute for Senate Bill No. 3:

A bill to be entitled 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 and all candidates for public office, to take a prescribed oath of loyalty as hereinafter defined, prescribing penalties and for 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.

Was taken up.

Senator Mathews moved that the rules be waived and House Committee Substitute for Senate Committee Substitute for Senate Bill No. 3 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Committee Substitute for Senate Committee Substitute for Senate Bill No. 3 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Committee Substitute for Senate Committee Substitute for Senate Bill No. 3 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Committee Substitute for Senate Committee Substitute for Senate Bill No. 3 was read the third time in full.

Upon the passage of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 3 the roll was called and the vote was:

Yeas—32

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

Nays—None

So House Committee Substitute for Senate Committee Substitute for Senate Bill No. 3 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Sheldon withdrew Senate Bill No. 394.

Senator Ayers asked unanimous consent of the Senate to take up and consider House Bill No. 355, out of its order, at this time.

Which was agreed to.

H. B. No. 355—A bill to be entitled An Act to amend paragraph (b) of Section 1 and Section 4 of Chapter 24128, Laws of Florida, Acts of 1947, An Act providing additional compensation for the County Tax Assessor and the County Tax Collector in counties of the State of Florida having a population of not less than forty-nine hundred (4900) and not more than forty-nine hundred forty (4940) inhabitants according to the last State Census, so that in the event the fees and commissions earned by the County Tax Assessor do not amount to the sum of twenty-two hundred dollars (\$2200.00) that he shall receive said amount for his annual compensation, and providing that if the fees and commissions earned by the County Tax Collector in collecting taxes exclusively do not amount to the sum of twenty-two hundred dollars (\$2200.00) that he shall receive said amount as his annual compensation. In addition the County Tax Collector shall

be entitled to all other fees or commissions earned by him for duties other than collecting taxes and providing for the payment of such compensation by the Board of County Commissioners and providing further that this act shall apply to the compensation of said officers for the years 1947 and 1948.

Was taken up.

Senator Ayers moved that the rules be waived and House Bill No. 355 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 355 was read the second time by title only.

Senator Ayers moved that the rules be further waived and House Bill No. 355 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. 355 was read the third time in full.

Upon the passage of House Bill No. 355 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. 355 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 4:54 o'clock P. M. until 11:00 o'clock A. M. Thursday, May 5, 1949.