

# JOURNAL OF THE SENATE

Thursday, May 5, 1949

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, May 4, 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 Wednesday, May 4, 1949, was corrected as follows:

Page 4, column 2, between lines 22 and 23 insert the following:

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

Also—

Page 26, column 2, at the end of line 35, strike out the colon, and add the following:

"by the required Constitutional two-thirds vote of all members elected to the House of Representatives for the 1949 Session of the Florida Legislature."

And as corrected was approved.

## REPORTS OF COMMITTEES

Senator Collins, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

S. B. No. 216—A bill to be entitled An Act to amend Section 231.50, Florida Statutes, 1941, as amended by Chapter 22841, Laws of Florida, Acts of 1945, by increasing the monthly allowance to Public School Teachers and/or County Superintendents of Public Instruction who have served an aggregate period of thirty or more years as Teacher and/or Superintendent of Public Instruction.

—and recommends that it do pass.

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

## ENGROSSING REPORTS

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

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.

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

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

And Senate Bill No. 185, contained in the above report was ordered certified to the House of Representatives.

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

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 \$7,500.00 and providing for suitable action by Budget Commission of Duval County in the premises.

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

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

And Senate Bill No. 258, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Senator Johns moved that a committee be appointed to escort Honorable A. J. Thomas, Clerk of the Circuit Court of Bradford County, Honorable J. R. Kelley, Tax Collector of Bradford County, and Honorable Guy Andrews, Tax Assessor of Bradford County, to seats on the rostrum of the Senate.

Which was agreed to.

The President appointed Senators Johns, Wright and Smith as the committee.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Sheldon—

S. B. No. 469—A bill to be entitled An Act to provide for the abatement and control of mosquitoes in Hillsborough County, Florida, and other necessary purposes, and for the levy of taxes for such work.

Which was read the first time by title only and placed on the Calendar of Locals Bills on Second Reading.

Proof of publication of Notice was attached to Senate Bill No. 469 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.

By Senators Beacham and Boyle—

S. B. No. 470—A bill to be entitled An Act granting pension to Kate B. Inman.

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

By Senator Walker—

S. B. No. 471—A bill to be entitled An Act to provide for the registration of persons convicted of felonies involving moral turpitude; to define felonies involving moral turpitude and residents of this State within the meaning of this Act; to require Boards of County Commissioners to provide sheriffs at county expense registration books and appropriate forms; to require registrants to notify sheriffs of change of address;

to fix the burden of proof as to certain affirmative defenses in prosecutions under this Act and to provide a penalty for the violation of this Act.

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

By Senator Wilson—

S. B. No. 472—A bill to be entitled An Act declaring, designating and establishing a State road in Gadsden County.

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

By Senator Gautier—

S. B. No. 473—A bill to be entitled An Act authorizing the City Commission to fix the compensation to be paid to the members of the Planning Board of the City of Miami, Florida; providing that said compensation shall be paid by the City of Miami and repealing all laws and parts of laws in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 473 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 Gautier moved that the rules be waived and Senate Bill No. 473 be read the second time by title only.

Which was agreed to by a two-thirds vote.

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

Senator Gautier moved that the rules be further waived and Senate Bill No. 473 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 473 was read the third time in full.

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

By Senator Gautier—

S. B. No. 474—A bill to be entitled An Act amending Section 64 of Chapter 10847, Special Laws of Florida, 1925, to provide that the Civil Service Board shall provide uniform rules for promotions in the Classified Service; to repeal all laws and parts of laws in so far as they are in conflict or inconsistent with the provisions of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 474 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 Gautier moved that the rules be waived and Senate Bill No. 474 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 474 was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 474 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. 474 was read the third time in full.

Upon the passage of Senate Bill No. 474 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. 474 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier—

S. B. No. 475—A bill to be entitled An Act to amend Chapter 10847, Special Laws of Florida, 1925, and all laws supplemental thereto and amendatory thereof, the same being the Charter of the City of Miami, by amending Section 94 thereof for the purpose of authorizing and empowering the City Commission of the City of Miami to determine and fix the days and hours during which public offices of the City of Miami shall be kept open for business to provide for the public inspection of official and departmental books and records; to repeal all laws and parts of laws inconsistent or in conflict herewith.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 475 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 Gautier moved that the rules be waived and Senate Bill No. 475 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 475 was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 475 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. 475 was read the third time in full.

Upon the passage of Senate Bill No. 475 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. 475 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gautier—

S. B. No. 476—A bill to be entitled An Act amending Chapter 15824, Acts of 1931; prescribing requirements for authorization of municipal improvements at large; and manner and method of payment of special assessments therefore.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 476 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 Gautier moved that the rules be waived and Senate Bill No. 476 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 476 was read the second time by title only.

Senator Gautier moved that the rules be further waived and Senate Bill No. 476 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. 476 was read the third time in full.

Upon the passage of Senate Bill No. 476 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. 476 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beacham—

S. B. No. 477—A bill to be entitled An Act to fix the compensation and mileage of the members of the Board of County Commissioners of Palm Beach County, Florida; to authorize payment of same in monthly installments; repealing all laws in conflict.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 477 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Beacham moved that the rules be waived and Senate Bill No. 477 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 477 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 477 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 477 was read the third time in full.

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

Yeas—38

Mr. President	Ayers	Baynard	Beall
Alford	Baker	Beacham	Boyle

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

Nays—None

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

Senator Shands moved that a committee be appointed to escort Honorable Pat Whitaker, of Tampa, Florida, a former member of the Senate from the Thirty-Fourth Senatorial District, and a former President of the Senate, to a seat on the rostrum of the Senate.

Which was agreed to.

The President appointed Senators Shands, McArthur and Davis as the Committee.

By Senators Crary, Wilson, Sanchez and Shands—

S. B. No. 478—A bill to be entitled An Act in reference to reacquisition of Homesteads forfeited to the State under the provisions of Chapter 18296, Acts of 1937, known as the Murphy Act.

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

By Senator Gautier—

S. B. No. 479—A bill to be entitled: An Act providing for the financing by counties and municipalities in the State of Florida of certain self-liquidating projects without the incurring of indebtedness or the levy of taxes; providing for the purchase, construction, improvement, extension, betterment, repair, operation and maintenance of bridges, causeways and tunnels by counties and waterworks systems, bridges, causeways, tunnels, harbor and port facilities and parking facilities by municipalities; authorizing the issuance of revenue bonds, payable solely from revenues, to pay the cost of such projects; providing that no debt of any such county or municipality shall be incurred in the exercise of any of the powers granted by this Act, and that no county or municipality shall have the power to levy taxes for the payment of such revenue bonds; providing for the collection of rates, fees, rentals and tolls for the payment of such revenue bonds and for the cost of maintenance, repair and operation of such projects; providing for the execution of trust agreements to secure the payment of such revenue bonds without mortgaging or encumbering any such projects; authorizing the issuance of revenue refunding bonds; and prescribing the powers and duties of counties and municipalities, in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

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

By Senator Gautier—

Senate Bill No. 480—A bill to be entitled An Act to confer additional powers upon municipalities in the State of Florida in relation to the collection, treatment and disposal of sewage, including industrial wastes; to authorize and empower any such municipality to construct, improve, extend, enlarge, reconstruct, maintain, equip, repair and operate sanitary sewers and sewage disposal systems; to authorize the levy of special assessments upon property benefited by the construction or reconstruction of such sanitary sewers; to provide for paying the whole or a part of the cost of a sewage disposal system or systems, of extensions and additions thereto, and of sanitary sewers, by the issuance of either (1) General Obligation Bonds of such municipality payable from ad valorem taxes or from ad valorem taxes and the proceeds of sewer service charges or special assessments or both, or (2) Sewer Revenue Bonds of such municipality payable solely from sewer service charges or from sewer service charges and special assessments; to provide for the levy of a sufficient ad valorem tax for the payment of general obligation bonds; to provide for the imposition and collection of charges for making connections with the sewer system of such municipality, for

the imposition and collection of rates, fees and charges for the use of the services and facilities of such sewage disposal system or systems, for the imposition and collection of rates, fees and charges for the use of the services and facilities of such sanitary sewers, and for the application of such revenues; to authorize and empower any such municipality to require connections with sanitary sewers served or which may be served by any sewage disposal system; to grant to any such municipality power to acquire necessary real and personal property and to exercise the right of eminent domain; to give the consent of the State of Florida to the use of all State lands lying under water which are necessary for the accomplishment of the purposes of this Act; to exempt from taxes and assessments the sewage disposal system of any such municipality; to authorize municipalities to accept grants and contributions in aid of the purposes of this Act; to authorize the pledge of surplus water revenues; to authorize the issuance of sewer revenue refunding bonds; to authorize the combination of the water and sewer systems of any such municipality for financing purposes and the issuance of water and sewer revenue bonds; and to prescribe the powers and duties of municipalities in connection with the foregoing and the rights and remedies of the holders of any bonds issued pursuant to the provisions of this Act.

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

By Senator Gautier—

S. B. No. 481—A bill to be entitled An Act to amend Chapter 16774, Acts of 1935 relating to the employment of minors by vendors selling alcoholic beverages providing for licensing of bartenders in any county having a population of 100,000 or more; providing for rules and regulations governing the licensing of bartenders in other political subdivisions of the State; providing for annual license fee of ten dollars credited to the General Fund; limiting licenses to male persons twenty-one years of age or over free of infectious or communicable disease; exemptions, grounds for revocations and suspensions, hearings thereon; providing for identification cards; definition.

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

By Senator Gautier—

S. B. No. 482—A bill to be entitled An Act to amend Section 231.16 of Chapter 231, Florida Statutes, 1941, as amended, and thereby give credit to vocational teachers for past experience; repealing all laws in conflict herewith and making this Act effective July 1, 1949.

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

By Senator Gautier—

S. B. No. 483—A bill to be entitled An Act relating to false and misleading advertising; defining certain terms; exempting publishers under certain conditions; and providing a penalty for violation thereof.

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

By Senator Walker—

S. B. No. 484—A bill to be entitled An Act for the relief of Mrs. L. C. Bender.

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

By Senator Walker—

S. B. No. 485—A bill to be entitled An Act for the relief of Mrs. Florence E. Daniel.

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

By Senator Franklin—

S. B. No. 486—A bill to be entitled An Act amending Section 470.10, Florida Statutes, 1941, relating to licenses of funeral directors and embalmers under the laws of Florida; providing for renewal of licenses, recording of licenses, that licenses shall not be assignable, conditions under which corporations

may engage in the profession or business of funeral directing or embalming.

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

By Senator Alford—

S. B. No. 487—A bill to be entitled An Act to amend Section Twenty-one (21), Chapter 9767—(649), Laws of Florida, 1943, entitled: "An Act to abolish the present charter and municipal government of the Town of Graceville, in Jackson County, and to create in lieu thereof a new charter and municipal government, to be known as the City of Graceville, and provide for its jurisdiction, powers, privileges and immunities; to validate all taxes, assessments and licenses heretofore made or imposed by the Town of Graceville, and preserve intact all debts and obligations of said town".

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 487 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 Alford moved that the rules be waived and Senate Bill No. 487 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 487 was read the second time by title only.

Senator Alford moved that the rules be further waived and Senate Bill No. 487 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. 487 was read the third time in full.

Upon the passage of Senate Bill No. 487 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. 487 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Tucker—

S. B. No. 488—A bill to be entitled An Act providing that teachers participating in the Teachers' Retirement System shall be given credit on their teachers retirement time for any previous state or county service; providing conditions therefor; and providing for the administration of this Act.

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

By Senator Brackin—

S. B. No. 489—A bill to be entitled An Act to abolish the present municipal corporation of the City of Crestview, Florida, and to create, establish and constitute a municipal corporation to be known as the City of Crestview, Florida, which city is in the County of Okaloosa, to provide the territorial limits thereof; to prescribe the form of government and to confer certain powers upon the municipality and officers thereof; to legalize and validate the ordinances of said City of Crestview, Okaloosa County, State of Florida; to provide for the number, the jurisdiction and powers of its officers and to provide for the carrying into effect of the provisions of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 489 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. 489 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 489 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 489 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. 489 was read the third time in full.

Upon the passage of Senate Bill No. 489 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. 489 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Shands—

S. B. No. 490—A bill to be entitled An Act to amend Chapter 112.05, F. S. A., by providing a section to extend its provisions to any state official or state employee who has attained the age of seventy-five and has served the state as either an official or employee, or both, for as long as an aggregate time of twenty-two years or more.

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

By Senator Mathews—

S. B. No. 491—A bill to be entitled An Act to amend Section 192.06, Florida Statutes of 1941, relating to the exemption of property from taxation and matters in relation thereto.

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

By Senator Shivers—

S. B. No. 492—A bill to be entitled An Act making an appropriation to be used for the construction of a stadium at Florida State University, and to provide for further financing of the same.

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

By Senator Collins—

S. B. No. 493—A bill to be entitled An Act amending Section 102.35-1, Florida Statutes, 1941, relating to the qualifying for political party nominations in the Primary Elections of candidates for certain state administrative offices and the offices of United States Senator and Representatives to Congress and providing for the last date on which candidates for the office of Commissioner of the Florida Railroad and Public Utilities Commission shall qualify for political party nomination in said elections.

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

By Senator Mathews—

S. B. No. 494—A bill to be entitled An Act relating to the County Budget Commission of Duval County, Florida, requiring the Board of Public Instruction of Duval County, Florida, in making up a proposed budget to be submitted to the County Budget Commission of Duval County, Florida, to set forth in detail the particular improvements to be made and the location of such improvements, under the heading "Capital Outlay and Expenditures," and in adopting the said budget, to require the County Budget Commission of Duval County, Florida, to set forth in detail the proposed improvements and the location thereof under the heading "Capital Outlay and Expenditures," and prohibit any departure, change or modification of the items set forth under the heading "Capital Outlay and Expenditures," by the Board of Public Instruction of Duval County, Florida, without first obtaining the approval of the County Budget Commission of Duval County, Florida; repealing all conflicting laws.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 494 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 494 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 494 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 494 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. 494 was read the third time in full.

Upon the passage of Senate Bill No. 494 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. 494 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Beall—

S. B. No. 495—A bill to be entitled An Act to provide for the reimbursement of Ira C. Bush, Superintendent of Public Instruction of Holmes County, Florida, for loss of salary in consequence of his suspension from office by the Governor of the State of Florida, under Section 16 of Article IV of the Constitution of the State of Florida, and providing for an appropriation.

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

By Senator Collins—

S. B. No. 496—A bill to be entitled An Act to provide for the relief of Mrs. Clyde R. Sauls and Cecil R. Sauls, a minor, of Leon County, Florida, widow and son respectively of the late Clyde R. Sauls, a former resident of Leon County, Florida, the said Clyde R. Sauls having met his death accidentally while responding to the call and summons of a duly elected constable of Leon County, Florida, on February 18, 1940, under the provisions of Section 901.18 of the Florida Statutes annotated 1941.

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

By Senator Sanchez—

S. B. No. 497—A bill to be entitled An Act requiring the holding of a permit and the payment of an inspection fee by bakers and distributors of bakery products, covering the cost of inspection and enforcement of the Florida Food, Drug and Cosmetic Act with respect to bakeries.

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

Senator Sturgis asked unanimous consent of the Senate to take up and consider Senate Bill No. 375, out of its order, at this time.

Which was agreed to.

S. B. No. 375—A bill to be entitled An Act authorizing Marion County to convey without charge to the State of Florida, or to the Board of Commissioners of State Institutions or to any other branch, agency, or subordinate unit of said State, certain real property.

Was taken up.

Senator Sturgis moved that the rules be waived and Senate Bill No. 375 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 375 was read the second time by title only.

Senator Sturgis moved that the rules be further waived and Senate Bill No. 375 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. 375 was read the third time in full.

Upon the passage of Senate Bill No. 375 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. 375 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 4, 1949

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

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

S. B. NO. 14, RELATING TO A STATE ROAD

S. B. NO. 88, RELATING TO A STATE ROAD

Respectfully,  
FULLER WARREN,  
Governor.

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE

May 4, 1949

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

I have the honor to inform you that on May 3, 1949, I 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. 54, RELATING TO STATE BOARD OF ARCHITECTURE

S. B. NO. 61, RELATING TO FLORIDA STATE IMPROVEMENT COMMISSION

Respectfully yours,  
FULLER WARREN,  
Governor.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
May 5, 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. 479—A bill to be entitled An Act to amend portions of Section 3 of Chapter 11678, Laws of Florida, 1925, (Extraordinary Session), the same being entitled "An Act to abolish the present municipal government of the City of Panama City, the Town of Millville, and City of St. Andrews, in the County of Bay, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Panama City, Bay County, and State of Florida. To define its territorial boundaries and to provide for its jurisdiction, power and privileges," by re-defining the territorial boundaries of Wards Nos. 2 and 3; requiring a re-registration of electors residing in that portion of Ward No. 2 which under this act reside in Ward No. 3.

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. 479 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. 479, contained in the above Message, was read the first time by title only.

Senator Shivers moved that the rules be waived and House Bill No. 479 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 479 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 479 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. 479 was read the third time in full.

Upon the passage of House Bill No. 479 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. 479 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 5, 1949.

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

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

By Mr. Wotitzky of Charlotte—

H. B. No. 71—A bill to be entitled An Act creating a board to be known as the State Board of Dispensing Opticians; providing a method for the appointment of the members of said board; defining the trade or occupation of dispensing opticians; providing for the examination and regulation of dispensing opticians and placing all dispensing opticians under the jurisdiction of the State Board of Dispensing Opticians; providing for license tax on persons, partnerships or corporations engaging in such trade or occupation; prohibiting the sale of eye-glasses, spectacles, artificial eyes, lenses, contact lenses and optical devices, except as provided for by this Act; providing for the licensing of dispensing opticians having a license to practice at the time this Act becomes a law; providing the manner of enforcing the provisions of this Act; fixing the penalties for the violation of the terms and provisions thereof, defining the jurisdiction of said Board of Dispensing Opticians; repealing Chapter 21769, Laws of Florida, Acts of 1943, and all laws or parts of laws in conflict herewith and providing for 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. 71, contained in the above Message, was read the first time by title only and referred to the Committee on Public Health.

**UNFINISHED BUSINESS**

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, 102 and 202 were taken up in their order and the consideration thereof was informally passed.

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

Was taken up in its order.

Senator Collins moved that the rules be waived and Senate Bill No. 90 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 90 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 90 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. 90 was read the third time in full.

Upon the passage of Senate Bill No. 90 the roll was called and the vote was:

Yeas—32

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

Nays—None

So Senate Bill No. 90 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 221—A bill to be entitled An Act authorizing the Board of Control to act as trustee in certain cases, prescribing the manner of conveying trust property by the Board of Control, requiring State Board of Education approval for certain conveyances and contracts, validating certain conveyances heretofore made by the Board of Control, prohibiting the incurring of a debt on behalf of, or which would obligate, the state, and repealing all laws in conflict therewith.

Was taken up in its order.

Senator Collins moved that the rules be waived and Senate Bill No. 221 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 221 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 221 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. 221 was read the third time in full.

Upon the passage of Senate Bill No. 221 the roll was called and the vote was:

Yeas—32

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

Nays—None

So Senate Bill No. 221 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 222—A bill to be entitled An Act authorizing the investment of certain trust funds held by state officers, boards or agencies.

Was taken up in its order.

Senator Collins moved that the rules be waived and Senate Bill No. 222 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 222 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 222 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. 222 was read the third time in full.

Upon the passage of Senate Bill No. 222 the roll was called and the vote was:

Yeas—33

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

Nays—None

So Senate Bill No. 222 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Crary moved that a committee be appointed to escort Honorable Dan McCarty, a former member of the House of Representatives and a former Speaker of that Body, and Major John McCarty, his brother, both of Fort Pierce, Florida, to seats on the rostrum of the Senate.

Which was agreed to.

The President appointed Senators Crary, Collins and Carroll as the committee.

S. B. No. 26—A bill to be entitled An Act exempting automatic coin operated vending machines which vend only unadulterated Florida produced citrus juice from the payment of all state, county, and municipal excise or license taxes.

Was taken up in its order.

Senator King moved that the rules be waived and Senate Bill No. 26 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 26 was read the second time by title only.

Senator King moved that the rules be further waived and Senate Bill No. 26 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. 26 was read the third time in full.

Upon the passage of Senate Bill No. 26 the roll was called and the vote was:

Yeas—35

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

Nays—None

So Senate Bill No. 26 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 226—A bill to be entitled An Act relating to the county school system; amending Section 12, Chapter 23726, Laws of Florida, Acts of 1947, providing for election of trustees by qualified electors of county; withdrawing requirement that such electors must pay tax on real or personal property within the district; and repealing so much of Section 236.32, Florida Statutes, 1941, and all other laws or parts of laws as conflict herewith.

Was taken up in its order.

Senator Sheldon moved that the rules be waived and Senate Bill No. 226 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 226 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 226 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. 226 was read the third time in full.

Upon the passage of Senate Bill No. 226 the roll was called, and the vote was:

Yeas—23

Mr. President	Clarke	Leaird	Shivers
Alford	Collins	McArthur	Sturgis
Ayers	Crary	Pearce	Walker
Baker	Davis	Pope	Wilson
Baynard	Franklin	Shands	Wright
Boyle	Getzen	Sheldon	

Nays—9

Carroll	King	Rodgers
Johns	Lindler	Smith
Johnston	Moore	Tucker

So Senate Bill No. 226 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 130—A bill to be entitled An Act to define larceny; to define and describe personal property which may be the subject of larceny; to define, prescribe, establish and describe the method, manner and means whereby and by which a person shall be deemed guilty of larceny; to prescribe the sufficiency and essentials of a warrant, indictment, and information charging larceny; to provide for a bill of particulars; to provide for and prescribe the punishment which may be imposed for the commission of the offense of larceny; to provide that nothing in this Act shall be construed as repealing certain specifically enumerated existing laws; to repeal all laws and parts of laws inconsistent or in conflict herewith and to provide for a date upon which this Act shall be in force and effect.

Was taken up in its order.

Senator Leaird moved that the rules be waived and Senate Bill No. 130 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 130 was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 130 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. 130 was read the third time in full.

Upon the passage of Senate Bill No. 130 the roll was called and the vote was:

Yeas—33

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

Nays—None

So Senate Bill No. 130 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 132—A bill to be entitled An Act amending Section 62.07, Florida Statutes, 1941, relating to the compensation of Masters in Chancery, so as to provide that such reasonable compensation be fixed by the Court or Judge.

Was taken up in its order.

Senator Leaird moved that the rules be waived and Senate Bill No. 132 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 132 was read the second time by title only.

Senator Leaird moved that the rules be further waived and Senate Bill No. 132 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. 132 was read the third time in full.

Upon the passage of Senate Bill No. 132 the roll was called and the vote was:

Yeas—14

Mr. President	Crary	McArthur	Sheldon
Beacham	Gautier	Moore	Tucker
Beall	Leaird	Rodgers	
Boyle	Mathews	Sanchez	

Nays—18

Alford	Clarke	Lindler	Sturgis
Ayers	Collins	Pearce	Walker
Baker	Franklin	Pope	Wilson
Baynard	Johns	Ray	
Carroll	Johnston	Shivers	

So Senate Bill No. 132 failed to pass.

Senate Bill No. 135 was taken up in its order and the consideration thereof was informally passed.

By unanimous consent Senator Leaird withdrew Senate Bill No. 136.

Senator Mathews moved that Senate Bill No. 137 be recommended to the Committee on Welfare.

Which was agreed to and it was so ordered.

S. B. No. 19—A bill to be entitled An Act relating to hotels, apartment houses, rooming houses, trailer courts and motor courts adding Sections 511.141 and 511.142, Florida Statutes: providing for the posting of rates and checking out hours.

Was taken up in its order.

Senator Sheldon moved that the rules be waived and Senate Bill No. 19 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 19 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 19 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. 19 was read the third time in full.

Upon the passage of Senate Bill No. 19 the roll was called and the vote was:

Yeas—12

Mr. President	Boyle	Ray	Tucker
Alford	Johns	Sanchez	Wilson
Ayers	Mathews	Sheldon	Wright

Nays—25

Baker	Davis	Lindler	Shivers
Baynard	Franklin	McArthur	Smith
Beacham	Gautier	Moore	Sturgis
Carroll	Getzen	Pearce	Walker
Clarke	Johnston	Pope	
Collins	King	Rodgers	
Crary	Leaird	Shands	

So Senate Bill No. 19 failed to pass.

S. B. No. 71—A bill to be entitled An Act relating to the recording of proofs of publication in actions at law and suits in equity in the several courts of the State of Florida.

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

Pursuant to Senate Concurrent Resolution No. 460, the Senate formed in processional order and marched in a Body to the Hall of the House of Representatives in the order of their service as Senators, preceded by the President and the President Pro Tempore of the Senate, who were preceded by the Secretary of the Senate, the way being opened to the Hall of the House of Representatives for the Senators by the Sergeant-At-Arms of the Senate.

The House of Representatives received the Senate in due form.

Honorable Perry E. Murray, Speaker of the House of Representatives, received the President of the Senate and the President Pro Tempore of the Senate on the rostrum and requested the President to preside over the Joint Assembly.

The President in the Chair.

By direction of the President, the Chief Clerk of the House of Representatives called the roll of the House of Representatives and the following members answered to their names:

Mr. Speaker	Dayton	McClure	Schuh
Allen	Dekle	McKendree	Sellar
Andrews	Dowda	McMullen	Shepperd
Beasley	Dunn	Melvin	Simpson
Black	Elliott	Merchant	Slaughter
Bollinger	Frank	Merritt	Smith, L. W.
Botts	Fuqua	Monahan	Smith, M. B.
Branch	Griggs	Moody	Smith, W. A.
Bridges	Haley	Morgan	Stewart
Bronson	Heath	Nesmith	Stockdale
Bryant	Henderson	Odham	Strayhorn
Burnsed	Hendry	Okell	Summers
Burton	Hethcox	Papy	Surles
Burwell	Hough	Parker	Sweeny
Carlton	Hudson	Patton	Tapper
Carraway	Johnson	Pearce	Thornal
Clement	Keith	Peeples	Usina
Cobb	Lancaster, H.	Phillips	Whitlock
Collins	Lantaff	Roberts	Williams
Cook	Luckie	Rood	Wise
Copeland	MacWilliam	Saunders, D. H.	Wotitzky
Courtney	Mathis	Saunders, S. D.	Yeomans
David	McAlpin	Scarborough	

—91.

A quorum of the House of Representatives was declared present.

By direction of the President, the Secretary of the Senate called the roll of the Senate 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 of the Senate was declared present.

The President announced a quorum of the joint assembly present.

Senator Beacham moved that a committee be appointed to notify Senator Claude Pepper and Senator Spessard L. Holland, United States Senators from Florida, and His Excellency, Fuller Warren, Governor of Florida, that the Senate and the House of Representatives were now in joint session assembled and ready to receive their messages.

Which was agreed to.

The President appointed Senators Beacham, McArthur and Collins on the part of the Senate, and Messrs. Elliott of Palm Beach, Tapper of Gulf and Smith of Polk, on the part of the House of Representatives, as the committee.

The committee withdrew.

The committee appointed to wait upon Senator Pepper, Senator Holland, and Governor Warren, appeared in the Hall of the House of Representatives escorting Senator Claude Pepper. Senator Spessard L. Holland and His Excellency, Fuller Warren, Governor of Florida.

They were received by the joint assembly standing.

The President presented Senator Spessard L. Holland who addressed the joint assembly.

Upon the completion of the address by Senator Spessard L. Holland, the President presented Senator Claude Pepper, who also addressed the Body.

Following the address by Senator Claude Pepper, Senator McArthur moved that the Senate withdraw from the joint assembly and resume its session in the Senate Chamber.

Which was agreed to.

The Senate returned to the Senate Chamber in processional order and resumed its session.

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.

Senator McArthur moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 1:53 o'clock P. M. until 11:00 o'clock A. M., Friday, May 6, 1949.