

**Monday, April 11, 1927**

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The Senate convened at 3:00 o'clock P. M. pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Wagg, Walker, Watson, Waybright, Whitaker—32.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of April 8 was corrected, and as corrected was approved.

#### INTRODUCTION OF BILLS.

By Senator Phillips—

Senate Joint Resolution No. 51:

A Joint Resolution proposing an amendment to Article Five of the Constitution of Florida, relating to the Judiciary Department, to be known as Section Forty-Five of said Article.

Which was read the first time by its title and referred to the Committee on Constitutional Amendments.

By Senator Swearingen—

Senate Bill No. 52:

A bill to be entitled An Act to further amend Section 5481 and Section 5485 of the Revised General Statutes of Florida relative to seizure of liquors, property and keeping records of same.

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

By Senator Gary—  
Senate Bill No. 53:

A bill to be entitled An Act assenting to and accepting the Provisions of an Act of Congress approved July 11, A. D. 1916, and all Amendments thereto, the same being entitled "An Act to Provide that the United States shall aid the States in the Construction of Rural Post Roads, and for other Purposes," and providing for funds to meet the same.

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

By Senator Wagg—  
Senate Bill No. 54:

A bill to be entitled An Act to amend an Act to Prescribe the Exercise of Trust Functions or the Right to Act as Trustee, Executor, Administrator, Registrar of Stocks and Bonds, Guardians of Estate, Assignee, Receiver or Committee of Estates, of Lunatics or any other Fiduciary Capacity by Corporations or Associations within the limits of the State of Florida, the same being Chapter 8531, of the Laws of Florida, approved June 14, 1921.

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

By Senator Malone—  
Senate Bill No. 55:

A bill to be entitled An Act to amend Section 1 of Chapter 8290, Special Acts of 1919, Laws of Florida, in relation to the boundaries and municipalities of Key West.

Which was read the first time by its title.

Mr. Malone moved that the rules be waived and that Senate Bill No. 55 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 55, with title above stated, was read the second time by its title only.

Mr. Malone moved that the rules be waived and that Senate Bill No. 55 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. 55, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turner, Wagg, Walker, Watson, Waybright, Whitaker—33.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Putnam—

Senate Bill No. 56:

A bill to be entitled An Act to protect and regulate the Salt Water Fishing Industry in Volusia County, Florida.

Which was read the first time by its title.

Mr. Putnam moved that the rules be waived and that Senate Bill No. 56 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 56, with title above stated, was read the second time by its title only.

Mr. Putnam moved that the rules be waived and that Senate Bill No. 56 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. 56, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Jennings, Malone, Mitchell, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Wagg, Walker, Watson, Waybright, Whitaker—24.

Nays—Messrs. Hinely, Hodges, Knight, Overstreet—4.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By Senator Whitaker—  
Senate Bill No. 57:

A bill to be entitled An Act to amend Section 2619 of the Revised General Statutes of Florida, relating to the entry of defaults by the Clerk of the Court upon rule day.

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

By Senator Whitaker—  
Senate Bill No. 58:

A bill to be entitled An Act repealing Chapter 10644, Laws of Florida, 1925, and Chapter 11540, Laws of Florida, enacted at the Extraordinary Session of the Legislature of Florida, 1925, and relating to the construction and operation of a Toll Bridge and Approaches and Tube, Tunnel or Subway over and under Hillsborough Bay from a point at or near Gadsden's Point in Hillsborough County, Florida, to the opposite shore of said Bay; Granting to and Vesting Tampa Subway Corporation, its Successors and Assigns, with the Right, Franchise, Power and Privilege to survey, locate, construct, maintain, operate and enjoy such Toll Bridge and/or Tube, Tunnel or Subway and Appurtenances, and granting to said Tampa Subway Corporation, its Successors and Assigns, the right of way for said bridge over and across the submerged lands of the State of Florida, with the right to fill in, occupy and use the same along said right of way and to construct thereon and thereunder such roads, trestles, arches, drawbridges, tubes, subways, wharves and other improvements as may be necessary, requisite or desirable in connection with the construction and operation of such bridge, and vesting the Fee Simple Title to any lands so filled in along the right of way hereby granted in said Tampa Subway Corporation; Providing that said Bridge and/or Tube, Tunnel or Subway shall be operated for public use, and vesting the owner or owners thereof with the power to adopt regulations for the use thereof; Providing for the exercise of the right of eminent domain by said Tampa Subway Corporation, its Successors and Assigns; authorizing the purchase of such Bridge, Tube, Tunnel or Subway by Hillsborough County or any municipal corporation, agency or department of the State of Florida thereunto authorized, and providing the method of determining such purchase price and the conditions of such sale; providing for the

giving of bond by said Tampa Subway Corporation, its successors and assigns, for the prosecution and execution of the powers, privileges and rights hereby granted; and repealing all laws or parts of laws in conflict herewith.

Which was read the first time by its title.

Mr. Whitaker moved that the rules be waived and that Senate Bill No. 58 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 58, with title above stated, was read the second time by its title only.

Mr. Whitaker moved that the rules be waived and that Senate Bill No. 58 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 58, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—32.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

By Senator Whitaker—

Senate Bill No. 59:

A bill to be entitled An Act to amend Section 2771 of the Revised General Statutes of Florida, relating to the qualifications and disqualifications of Grand and Petit Jurors.

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

By Senator Whitaker—

Senate Bill No. 60:

A bill to be entitled An Act to prohibit the vending, selling or offering for sale of any fruits, vegetables, products,

goods, wares or personal property of any kind upon any of the State or County Highways within the State of Florida; and provided penalties for violation thereof.

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

By Senator Whitaker—  
Senate Bill No. 61:

A bill to be entitled An Act to amend the City Charter of the City of Tampa, Florida, by making the Judge of the Municipal Court of said City and the City Clerk elected by the people, providing for the method of election and the tenure of said offices.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Senator Whitaker—  
Senate Bill No. 62:

A bill to be entitled An Act providing for the creation and establishment of a State Licensing Board for General Contractors, granting certain powers to and prescribing the duties of said Board; providing for the examination, licensing and regulation of persons engaging in the practice of general contractors in the State of Florida; providing for the maintenance of said Board and the expenses of conducting its business from fees to be collected for licenses issued by said Board; and providing penalties for the violation of the provisions of this Act.

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

By Senator Whitaker—  
Senate Bill No. 63:

A bill to be entitled An Act to authorize the appointment of an Educational Survey Commission of the State of Florida; to define its powers and duties; to provide for the employment of a staff of experts; to make an appropriation to defray the expense of such Commission, its staff, servants, and employees, and to prohibit interference with the work of said Commission.

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

By Senators Smith and Taylor (31st Dist.)—

Senate Bill No. 64:

A bill to be entitled An Act giving and granting to and conferring upon all persons, associations and corporations possessing or holding the right, franchise, power or privilege under the Laws of the State of Florida to survey, locate, construct, maintain and operate a toll bridge or toll bridges over and across the St. Johns River between Clay and St. Johns Counties, Florida, the power and authority to exercise the right of eminent domain to acquire approaches and rights of way, and providing for the manner of its exercise.

Which was read the first time by its title.

Mr. Smith moved that the rules be waived and that Senate Bill No. 64 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 64, with title above stated, was read the second time by its title only.

Mr. Smith moved that the rules be waived and that Senate Bill No. 64 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. 64, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—32.

Nays—None.

So the Bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives immediately, the rule having been waived.

## BILLS OF A LOCAL NATURE.

Senate Bills Nos. 24, 21, and 26 were taken up in their respective orders and the consideration of same was temporarily passed over.

## House Bill No. 36 :

A bill to be entitled An Act to authorize the county judge of Sumter County, Florida, to appoint a clerk of his court, to provide the duties thereof, and fixing the compensation of such clerk.

Was taken up.

Mr. Mitchell moved that the bill be indefinitely postponed.

Which was agreed to, and the action of the Senate was ordered to be certified to the House of Representatives.

## House Bill No. 37 :

A bill to be entitled An Act to legalize and validate the creation of Special Road and Bridge District Number One of Pasco County, Florida, and the issuance of negotiable time warrants styled road debentures of said district, and all proceedings heretofore had with respect thereto.

Was taken up.

Mr. Mitchell moved that the rules be waived and that House Bill No. 37 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 37, with title above stated, was read the second time by its title only.

Mr. Mitchell moved that the rules be waived and that House Bill No. 37 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, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was :

Yeas—Mr. President; Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen,

Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—32.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Senate Bill No. 50:

A bill to be entitled An Act amending Section 3 of Chapter 10079 of the Laws of Florida, Acts of 1925, entitled "An Act Defining and Fixing the Territory and Boundaries of the Fifteenth Judicial Circuit; Creating the Twenty-first Judicial Circuit; Providing for a Circuit Judge and State's Attorney in the Twenty-first Judicial Circuit; and Providing and Fixing the Time for the Holding of Terms of the Circuit Court in said Twenty-first Circuit; and Effect on Pending Litigation; and Making Appropriation for Payment of Salaries of Judge and State's Attorney"; changing the time of the terms of court in Okeechobee County.

And was taken up and read the second time in full.

Senator Jennings offered the following amendment to Senate Bill No. 50.

In Section 3, line 1, strike out Section three of the Bill.

Mr. Jennings moved the adoption of the amendment.

The amendment was agreed to.

And the Bill, together with the Amendment, was referred to the Committee on Engrossed Bills.

Senate Bill No. 44:

A bill to be entitled An Act to provide for the collection of delinquent taxes due the City of Auburndale.

Was taken up.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 44 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 44, with title above stated, was read the second time in full, by its title only.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 44 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. 44, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—32.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

#### Senate Bill No. 47:

A bill to be entitled An Act to change the name of the Town of East Winter Haven, Polk County, Florida, to Dundee.

Was taken up.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 47 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 47, with title above stated, was read the second time in full, by its title only.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 47 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. 47, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—32.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

## Senate Bill No. 48:

A bill to be entitled An Act to further amend Section 88 of the Charter of the City of Winter Haven, Florida, as the same was amended by Section 2 of Chapter 11303, Acts of the Legislature of the State of Florida, regular session of 1925.

Was taken up.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 48 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 48, with title above stated, was read the second time by its title only.

Mr. Swearingen moved that the rules be waived and that Senate Bill No. 48 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. 48, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—32.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

## Senate Bill No. 49:

A bill to be entitled An Act authorizing and empowering the City of Okeechobee, Florida, to borrow money and to give the note of said city in evidence of said indebtedness.

Was taken up.

Mr. Jennings moved that the rules be waived and that Senate Bill No. 49 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 49, with title above stated, was read the second time by its title only.

Mr. Jennings moved that the rules be waived and that

Senate Bill No. 49 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. 49, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—32.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By unanimous consent of the Senate—

Senator Gary was permitted to withdraw Senate Bill No. 32 from the Committee on Roads and Highways, and from the Calendar.

On motion of Senator Swearingen the Sergeant of the Senate was authorized to appoint a Second Assistant Sergeant-at-Arms, whose duty shall be the attending to all triplicate Bills in possession of the Sergeant-at-Arms.

Mr. Hodges moved that the Committee on Appropriations be authorized to appoint a Secretary for said Committee.

Which was agreed to.

Mr. Smith moved to waive the rules and that the House of Representatives be requested to return to the Senate, Senate Bill No. 29 for the purpose of reconsideration.

Which was agreed to by a two-thirds vote.

Mr. Gillis moved that the Senate do now adjourn. Which was agreed to.

Whereupon, the Senate stood adjourned to 11:00 A. M., Tuesday, April 12, 1927.