

Friday, April 8th, 1927

The Senate convened at 11 o'clock A. 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, Etheredge, Gary, Gillis, Glynn, Hale, Hinely, Hodges, Jennings, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Swearingen, Taylor (11th Dist), Turnbull, Turner, Wagg, Walker, Watson, Whitaker—27.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of April 7th was corrected, and as corrected was approved.

INTRODUCTION OF AND CONSIDERATION OF SENATE RESOLUTIONS.

By Mr. Whitaker—

Senate Concurrent Resolution No. 4:

WHEREAS, The bound volumes of the Statutes of 1920 are exhausted and it will probably be necessary to reprint these statutes unless other provision is made concerning a revision of the laws, and

WHEREAS, It has been suggested to the Legislature that some action in the matter should be taken at this session; therefore, be it

RESOLVED, by the Senate, the House of Representatives concurring, That a special Joint Committee to consist of three lawyers from the Senate and three lawyers from the House to be appointed by the President of the Senate and the Speaker of the House respectively, to examine into the advisability and the necessity of a revised compilation of the general laws of the State under such plan as may be proposed and adopted at this session.

Which was read the first time.

Mr. Whitaker moved that the rules be waived and Senate Resolution No. 4 be read a second time.

Which was agreed to by a two-thirds vote.

Senate Resolution No. 4 was read a second time.

The question was put upon the adoption of the Resolution, the Resolution was adopted.

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

By Mr. Watson—

Senate Concurrent Resolution No. 5:

WHEREAS, The Honorable Albert Waller Gilchrist, a former Governor of Florida, died in New York City May 15, 1926, in the sixty-eighth year of his age; and

WHEREAS, It is appropriate that the legislative department should take official notice of the death of those who have been Chief Executives of the State, and have made an impress for good upon the laws, the Government, and the development of the State, thereby showing its appreciation of their noble work while living, and the deep grief which is felt when they pass away. Albert Waller Gilchrist was born at Columbia, South Carolina, January 15, 1858, while his mother was visiting her parents. His father, General W. E. Gilchrist, lived at Quincy, Florida, where Albert was reared. At the age of twenty he entered West Point Military Academy, resigning three years thereafter and coming back to Florida, and was appointed Inspector General of the State Militia by Governor Perry.

At the outbreak of the Spanish-American war he was Brigadier General in the Florida Militia, and resigned to enter the regular army as a private and was sent to Santiago, Cuba, where he was honorably discharged as a captain.

His political career began with his election to the Florida House of Representatives, in which body he served four sessions, those of 1893, 1895, 1903 and 1905. He was elected Speaker of the House of Representatives of the 1905 session and served with great credit to himself and honor to the State. In 1909 he was elected Governor of Florida, and rendered distinguished service as one of Florida's most careful, hard-working and economical Governors. He was no orator, but kept well up with all State affairs, and always was ready to express his opinion, and did so fearlessly and to the point.

He never married, but in many ways demonstrated his love for little children, and it was due to him that a hospital for crippled children was established in this State.

He provided in his will for a fund whereby all children in his home city of Punta Gorda might be annually treated to ice cream and cake, testifying in this and many other ways that he had learned the great lesson of the Master—"of such is the Kingdom of Heaven."

He was Grand Master of Masons in Florida from 1911 to 1913. In appreciation of his services to this State, the Legislature, session 1925, named one of the newly-made counties "Gilchrist" in his honor. His private life was marked by brotherly love and sympathy, and by the charm of his big heart he made friends of all who came in contact with him; and

WHEREAS, This body, in common with all departments of the State government, is sensible of the great loss the State has sustained in the death of this former Governor and record with pride this expression appreciative of his long service to the State; therefore, be it

RESOLVED, by the Senate, the House of Representatives concurring, That in the death of Albert Waller Gilchrist the State of Florida has lost one of its foremost citizens, a true friend and a wise counsellor.

RESOLVED FURTHER, That these Resolutions be spread upon the Senate and House Journals, and that the Secretary of State be directed to prepare a copy of these Resolutions, and forward same under the great seal of State to the surviving relatives of the deceased.

Which was read the first time.

Mr. Watson moved that the rules be waived and Senate Resolution No. 5 be read a second time.

Which was agreed to by a two-thirds vote.

Senate Resolution No. 5 was read a second time.

Mr. Watson moved the adoption of the Resolution.

Which was agreed to.

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

By Senator Gary—

Senate Bill No. 36:

A bill to be entitled An Act to prevent the introduction into and dissemination within this State of insect pests and diseases injurious to plants and plant products of this State; to provide for the inspection and control of nurseries and the regulation of the sale and distribution of

plants and plant products; to create a State Plant Board and Plant Commissioner, and to prescribe their powers and duties, and making an appropriation for the purpose of carrying out the provisions of said Act.

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

By Senator Overstreet—
Senate Bill No. 37:

A bill to be entitled An Act to amend Sections 3629, 3803, and to repeal Section 3802 of the Revised General Statutes of the State of Florida relating to rights of widow in her husband's estate and release of dower.

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

By Senator Overstreet—
Senate Bill No. 38:

A bill to be entitled An Act to amend Section 2 of Chapter 10119 of the Acts of 1925 of the Laws of the State of Florida, relating to the time within which claims against the estate of a decedent shall be presented for payment.

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

By Senator Wagg—
Senate Bill No. 39:

A bill to be entitled An Act to amend Chapter 11000, Laws of Florida, being An Act entitled: "An Act creating and constituting a Special Road and Bridge District in Palm Beach County, Florida, known and designated as Cross-State Highway Bridge District; providing for a Board of Supervisors of said district; authorizing the construction of roads and bridges in said district and providing for a Board of Supervisors to enter into contract therefor; authorizing and making provision for levy and collection of a tax for maintenance of such roads and bridges and to pay any bond issue of such roads and bridge district; authorizing the issuance of bonds; and relating to the powers and duties of said Road and Bridge District and said Supervisors of said Road and Bridge District."

Which was read the first time by its title.

Mr. Wagg moved that the rules be waived and that Senate Bill No. 39 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 39, with title above stated, was read the second time by its title only.

Mr. Wagg moved that the rules be further waived and that Senate Bill No. 39 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. 39, 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, Etheredge, Gary, Gillis, Glynn, Hale, Hinely, Hodges, Jennings, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Swearingen, Taylor (11th Dist.), Turnbull, Turner, Wagg, Walker, Watson, Whitaker—27.

Nays—None.

So the bill passed, title as stated.

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

By Senator Whitaker—

Senate Bill No. 40:

A bill to be entitled An Act providing for and authorizing the sale and conveyance of property owned or held by any Special Tax School District, or Trustee thereof.

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

By Senator Whitaker—

Senate Bill No. 41:

A bill to be entitled An Act to license and regulate the business of making loans in certain counties in sums of Five Hundred (\$500.00) Dollars or less, secured by the pledge of gold, silver, platinum, diamonds and other precious metals, stones, and jewelry at a greater rate of interest than ten per centum per annum; prescribing the rate of interest and charge therefor, and penalties for the 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. 42:

A bill to be entitled An Act to permit and provide for the recording of certified copies of deeds, mortgages and other instruments in the public records of other counties and to prescribe the effect thereof.

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

By Senator Harrison—

Senate Bill No. 43:

A bill to be entitled An Act providing for the protection of woodlands and forests in the State of Florida, and matters relating thereto; creating a State Board of Forestry, prescribing its membership, powers and duties, fixing the compensation for the services of its members and vesting in said Board the authority to purchase or lease, to adopt and enforce rules and regulations regarding any and all lands acquired by the Board; providing for the employment of a State Forester and such other assistants and employees with such powers and on such terms as said Board may deem advisable; and appropriating moneys out of the State Treasury for carrying out the provisions of this Act.

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

By Senator Swearingen—

Senate Bill No. 44:

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

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

By Senator Swearingen—

Senate Bill No. 45:

A bill to be entitled An Act to require all officers of the law engaged in policing traffic on the public highways outside of the limits of incorporated cities and towns in this State, whether appointed by the Sheriff of the respective counties, or by the Governor of the State of Florida, including the Deputies of the Governor's appointees, to be paid a salary by the respective commissioners of the several counties of the State of Florida, and forbidding

the employment or appointment of said officers on a fee or commission basis.

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

By Senator Swearingen—

Senate Joint Resolution No. 46:

A Joint Resolution proposing an amendment to Section 10, Article 12 of the Constitution of Florida, relating to Education; authorizing the division of Counties into Special Tax Districts; providing for the election of School Trustees, their term of office and duties; and for levying and collection of a District School Tax for School purposes.

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

By Senator Swearingen—

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.

Which was read the first time by its title.

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

By Senator Swearingen—

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.

Which was read the first time by its title.

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

By Senator Jennings—

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.

Which was read the first time by its title.

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

By Senator Jennings—
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.

Which was read the first time by its title.

Mr. Jennings moved that the rules be waived and that Senate Bill No. 50 be placed on the Calendar of Bills on the Second Reading without reference.

Which was agreed to by a two-thirds vote.

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

CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 4:

Relating to the printing of the House and Senate Journal was read the second time and referred to the Committee of Miscellaneous Legislation.

Mr. Cobb moved that the rules be waived and that the Senate do now take up and consider local bills.

Which was agreed to by a two-thirds vote.

Senate Bill No. 16:

A bill to be entitled An Act validating and confirming the ordinance passed by the Town Council of the Town of Milton, Florida, at its meeting held March 22, 1927, entitled, "An Ordinance authorizing and directing the Mayor and the Town Clerk to enter into a contract with Gulf Power Company, a corporation, providing for the sale of the electric lighting plant and system belonging to the town, to Gulf Power Company, a corporation, its successors and assigns," the contract made in pursuance thereof by the Mayor and Town Clerk with said Gulf Power Company and all acts and proceedings of the Town Council

and officers had with reference thereto, and authorizing said Town to sell its electric lighting plant and system to said Gulf Power Company and to pass the Ordinances, grant the franchises, adopt rates and make the contracts, all as provided by said ordinance and contract.

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

Mr. Cobb moved that the rules be waived and that Senate Bill No. 16 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. 16, 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, Etheredge, Gary, Gillis, Glynn, Hale, Hinely, Hodges, Jennings, McCall, Malone, Mitchell, Overstreet, Philips, Putnam, Rowe, Scales, Singletary, Swearingen, Taylor (11th Dist.), Turnbull, Turner, Wagg, Walker, Watson, Whitaker—27.

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 Senator Gillis—

Senate Bill No. 20:

A bill to be entitled An Act vesting the duties of Supervisors of Registration in certain counties of this State in the several Tax Collectors of such counties and providing for a re-registration of electors in such counties.

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

Mr. Gillis moved that the rules be waived and that Senate 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 Senate Bill No. 20, 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, Etheredge,

Gary, Gillis, Glynn, Hale, Hinely, Hodges, Jennings, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Swearingen, Taylor (11th Dist.), Turnbull, Turner, Wagg, Walker, Watson, Whitaker—27.

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. 21:

A bill to be entitled An Act authorizing the Board of County Commissioners of Walton County, Florida, to issue Coupon Bonds or Interest-bearing Time Warrants for the purpose of demolishing, removing, reconstructing and equipping the County Jail of said county; for paying the county's proportion of paving the streets surrounding the Court House grounds and of making other improvements in and to the Court House and Jail and grounds of said county.

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

Mr. Gillis moved that the rules be waived and that Senate Bill No. 21 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. 21, 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, Etheredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Hodges, Jennings, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Swearingen, Taylor (11th Dist.), Turnbull, Wagg, Walker, Waybright, Whitaker—27.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 22:

A bill to be entitled An Act validating, legalizing and confirming the acts of the Town Council of the Town of DeFuniak Springs, Florida, a municipal corporation, and of its officers in the matter of street pavements and improvements heretofore made in said municipality; provid-

ing that the costs of such improvements shall constitute liens upon property specially benefited and providing for the enforcement of such liens upon such property.

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

Mr. Gillis moved that the rules be waived and that Senate 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 Senate Bill No. 22, 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, Etheredge, Gary, Gillis, Glynn, Hale, Hinely, Hodges, Jennings, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam, Rowe, Scales, Swearingen, Taylor (11th Dist.), Turnbull, Turner, Wagg, Walker, Watson, Whitaker—27.

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. 23:

A bill to be entitled An Act authorizing the Town of De Funiak Springs, Florida, a municipal corporation, by appropriate ordinance, to vest in the Town Clerk the duties and powers heretofore vested in the Town Marshal as Tax Collector in and for said town.

Which was read the first time by its title.

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

Mr. Gillis moved that the rules be waived and that Senate Bill No. 23 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. 23, 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, Etheredge, Gary, Gillis, Glynn, Hale, Hinely, Hodges, Jennings, McCall, Malone, Mitchell, Overstreet, Phillips, Putnam,

Rowe, Scales, Swearingen, Taylor (11th Dist.), Turnbull, Turner, Wagg, Walker, Watson, Whitaker—27.

Nays—None.

So the bill passed, title as stated.

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

Senate Bills Nos. 24 and 25 were taken up in their respective order and consideration of same was informally passed over.

Senate Bill No. 33:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners for Marion County, Florida, to issue Time Warrants of said County in the amount of \$55,000 for the purpose of aiding the City of Ocala in the construction, equipment and furnishing of a hospital in said County.

Was taken up.

Mr. Gary moved that the rules be waived and that Senate Bill No. 33 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 33, with title above stated, was read the second time by its title only.

Mr. Gary offered the following amendment to Senate Bill No. 33:

In Section 1, line 1, add the word FLORIDA after the words MARION COUNTY.

Mr. Gary moved the adoption of the amendment.

The amendment was agreed to.

And Senate Bill No. 33 as amended was referred to the Committee on Engrossed Bills.

House Bills Nos. 36 and 37 were taken up in their respective order and the consideration of the same was informally passed over.

Messrs. Stewart and Harrison were excused from further attendance upon the body until Monday afternoon, April 11, 1927.

Mr. Gillis moved the Senate do now adjourn to 3 o'clock Monday next.

Which was agreed to.

Whereupon the Senate stood adjourned to 3 o'clock P.M. Monday, April 11, 1927.