

JOURNAL OF THE SENATE

EXTRAORDINARY SESSION

SATURDAY, JUNE 8, 1929

The Senate convened at 11 o'clock A. M., pursuant to adjournment on Friday, June 7, 1929.

The President in the chair.

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

Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—36.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of June 7, 1929, was corrected, and as corrected was approved.

REPORTS OF COMMITTEES

Senator Watson, Chairman of the Committee on Miscellaneous Legislation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., June 8th, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Miscellaneous Legislation, to whom was referred:

Senate Bill No. 66:

A bill to be entitled An Act relating to toll bridges on certain State roads, and providing that in any case where any toll bridge has been or shall hereafter be built by any county or road and bridge district, upon or is used as part of any road, named and designated by the Legislature as the first and second preferential system of State roads, that is to say, those roads named and designated in and by Chapter 9311 of the Laws of Florida, approved June 8th, 1923, and in and by Chapter 10269 of the Laws of Florida, approved June 1, 1925, and all subsequent Acts amending said Chapters 9311 and 10269, no toll or charge shall be collected or made for any passage or travel upon or across any such bridge after a sufficient amount in tolls or charges have been collected to pay the cost of the construction of said bridge, together with the cost of maintaining and operating the same and the interest on any bonds sold to provide funds to pay the cost of construction of said bridge up to the time the same shall be taken over and the maintenance thereof assumed by the State Road Department as herein provided, and that such bridge shall thereafter be free from any toll or charge for any travel or passage upon or over the same except as herein provided and providing that when any such bridge shall become a free bridge under the terms of this Act, the full control and management of the same shall pass to and be taken over by the State Road Department, and said department shall assume and thereafter pay the cost of the operation and maintenance of such bridge.

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

Very respectfully,

J. W. WATSON,
Chairman of Committee.

And Senate Bill No. 66, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Wagg, Chairman of the Committee on Finance and Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., June 8th, 1929.

Hon. J. J. Parrish,
President of the Senate.

Sir:

Your Committee on Finance and Taxation, to whom was referred:

Senate Bill No. 64:

A bill to be entitled An Act authorizing and requiring the taxation of leases and leasehold estate in lands.

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

Very respectfully,

ALFRED H. WAGG,
Chairman of Committee.

And Senate Bill No. 64, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Senator Malone moved that the rules be waived and at 11:10 o'clock the Senate take up the consideration of Senate Bill No. 5 out of its order.

Which was not agreed to.

Senator Waybright moved that the rules be waived and when the Senate do adjourn it adjourn until 3 o'clock P. M., Monday, June 10, 1929.

Which was not agreed to.

INTRODUCTION OF RESOLUTIONS

By Senator Futch—

Senate Resolution No. 2:

BE IT RESOLVED, by the Senate of the State of Florida, that the per diem of the several attaches of the Senate for the Extraordinary Session of the Legislature, convened June 1, 1929, be and the same is hereby fixed at the same rate or rates as that fixed for the Regular Session of 1929.

Which was read.

Senator Futch moved the adoption of the resolution.

Which was agreed to, and the resolution was adopted.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By a two-thirds vote permission was given to Senator Phillips of the 14th District to introduce and have considered the following bill:

Senate Bill No. 70:

A bill to be entitled An Act providing for teacher-training departments in high schools and making appropriations therefor.

Which was read the first time by its title only.

Senator Phillips moved that the rules be waived and Senate Bill No. 70 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 70 was read a second time in full.

Senator Phillips moved that the rules be further waived and Senate Bill No. 70 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 70 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Johns, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—33.

Nays—Senator Irby—1.

So the bill passed, title as stated.

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

By a two-thirds vote permission was given to Senator Phillips of the 14th District to introduce and have considered the following bill:

Senate Bill No. 71:

A bill to be entitled An Act providing for the compensation of persons who shall perform or who shall have performed the services and duties of any State or county office created by statute which may be or may have been judicially declared unconstitutional, or who may temporarily act as a de facto officer of the State or county pending appointment of a permanent officer.

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

By a two-thirds vote permission was given to Senator Turnbull of the 22nd District, to introduce and have considered the following bill:

Senate Bill No. 72:

A bill to be entitled An Act relating to and concerning taxation; amending Section 1 of Chapter 10040, Laws of Florida, Acts of 1925, being Section 894 of the Compiled General Laws of Florida and relating to and concerning taxation, amending Sec-

tions 741, 756, 757, 759, 761, 762, 766, 770, 775 and 779 of the Revised General Statutes of Florida, being, respectively, Sections 950, 969, 970, 972, 974, 975, 981, 985, 992 and 1003, of the Compiled General Laws of Florida; and all of which relate to and concern taxation; amending Section 2 of Chapter 7806, Laws of Florida, Acts of 1919, being Section 994 of the Compiled General Laws of Florida, relating to and concerning taxation; providing for the foreclosure in equity of tax sale certificates and deeds and for the procedure in such cases; providing who shall bring suit upon behalf of the State; providing for the creation for each county of a delinquent tax adjustment board; prescribing the powers and duties of such board and for appeals from orders entered by such board; providing for the creation of a delinquent tax adjustment board of appeals and prescribing the powers and duties of such board; providing for the compromise and adjustment of tax sales certificates held by the State upon certain conditions.

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

Senator Wagg moved that 250 copies of Senate Bill No. 72 be printed.

Which was agreed to, and so ordered.

By a two-thirds vote permission was given to Senator Swearingen of the 7th District to introduce and have considered the following bill:

Senate Bill No. 73:

A bill to be entitled An Act to amend Section 21 and Section 24 of Chapter 9683, Laws of Florida, as passed at the 1923 regular session of the Legislature of Florida, entitled: "An Act to validate and legalize an election held in and for the City of Bartow on the 13th day of December, A. D. 1921; to validate and legalize the Charter of the City of Bartow, which was adopted by the electors of said city at said election held on the 13th day of December, A. D. 1921; and to validate and legalize all contracts, municipal assessments, ordinances and resolutions, appointments and election of officers and all other acts which have been done under and by virtue of said charter, and providing a form and method of government for said City of Bartow", and providing for a referendum thereof.

Which was read the first time by its title only.

Senator Swearingen moved that the rules be waived and Senate Bill No. 73 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 73 was read a second time in full.

Senator Swearingen moved that the rules be further waived and Senate Bill No. 73 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 73 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Bell, Caro, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Johns, King, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Waybright, Welsh, Whitaker, Young—36

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 a two-thirds vote permission was given to Senator Welsh of the 11th District to introduce and have considered the following bill:

Senate Bill No. 74:

A bill to be entitled An Act to amend Section 1 of Chapter 12236, Acts of 1927, Laws of Florida, entitled: "An Act defining naturopathy, providing for and regulating the practice of naturopathy in the State of Florida; creating the Florida State Board of Naturopathic Examiners, fixing their terms of office; providing for the appointment of members of said board; defining the powers and duties of said board; to establish rules and regulations governing said board; providing for the licensing and examination of naturopaths in the State of Florida; providing for the charging of fees for the same; regulating the use of professional terms and abbreviations; providing for prosecution and penalties for violation of the provisions of this Act, and repealing all laws and parts of laws in conflict herewith."

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

By a two-thirds vote permission was given to Senator Waybright of the 18th District to introduce and have considered the following bill:

Senate Bill No. 75:

A bill to be entitled An Act amending Section 19 of Chapter 7659 of the Laws of Florida, approved May 30th, 1917, as amended by Chapter 11559 of the Laws of Florida, approved November 23, 1925, entitled "An Act affecting the government of the City of Jacksonville; abolishing certain offices and boards; creating a City Commission, and prescribing its powers and duties; providing for and prescribing the powers and duties of the Trustees of the Jacksonville Free Public Library; creating a Board of Charities and prescribing its powers and duties, and its relation to the Board of County Commissioners; providing other officers and prescribing their powers and duties; and conferring additional jurisdiction, powers and duties on said city."

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

By a two-thirds vote permission was given to Senator McCall of the 30th District to introduce and have considered the following bill:

Senate Bill No. 76:

A bill to be entitled An Act to amend Section One of Chapter 9150, Laws of Florida, Acts of 1923, relating to insurance on State properties and making appropriation to carry out the purposes of this Act.

Which was read the first time by its title only.

Senator McCall moved that the rules be waived and Senate Bill No. 76 be read a second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 76 was read a second time in full.

Senator McCall moved that the rules be further waived and Senate Bill No. 76 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 76 was read a third time in full.

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

Yeas—Mr. President, Senators Anderson, Bell, Council, Dell, Futch, Gary, Glynn, Harrison, Hinely, Hodges, Howell, Irby, Malone, McCall, Mitchell, Neel, Phillips, Putnam, Rowe, Scales, Singletary, Stewart, Swearingen, Taylor, Turnbull, Turner, Wagg, Watson, Welsh, Whitaker, Young—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 a two-thirds vote permission was given to Senators Futch and Stewart of the 23rd and 16th Districts respectively, to introduce and have considered the following bill:

Senate Bill No. 77:

A bill to be entitled An Act to authorize the judgments and decrees of the United States Courts held in the State of Florida to be registered, recorded, docketed, indexed and otherwise conformed to the rules and requirements relating to the judgments and decrees of the Circuit Court of this State, and requiring the Clerk of the Circuit Court of each county in this State to perform certain Acts with respect thereto, and to repeal Chapter 10166 of the Acts of 1925.

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

By a two-thirds vote permission was given to Senators Futch and Stewart of the 23rd and 16th Districts respectively, to introduce and have considered the following bill:

Senate Bill No. 78:

A bill to be entitled An Act empowering the Supreme Court of Florida, to prescribe, by general rules, for the several classes of courts in this State, the forms of process, writs, pleadings, motions, and the practice and procedure in actions at law in suits in equity and providing that all laws in conflict with such rules shall be of no further force or effect.

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

By a two-thirds vote permission was given to Senators Futch and Stewart of the 23rd and 16th Districts respectively, to introduce and have considered the following bill:

Senate Bill No. 79:

A bill to be entitled An Act making judgments and decrees of the United States District Courts of this State and certified copies thereof admissible as prima facie evidence of the entry and validity of such judgments and decrees.

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

By a two-thirds vote permission was given to Senators Futch and Stewart of the 23rd and 16th Districts respectively, to introduce and have considered the following bill:

Senate Bill No. 80:

A bill to be entitled An Act authorizing and providing, in accordance with the statutes of the United States, for the filing of notices of liens for taxes payable to the United States of America and authorizing and providing for the filing of certificates discharging and releasing such liens.

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

By a two-thirds vote permission was given to Senator Gary of the 20th District to introduce and have considered the following bill:

Senate Bill No. 81:

A bill to be entitled An Act granting to the Florida Toll Road Corporation, a corporation created and existing under the laws of Florida, a franchise to construct, own and operate a system of toll roads in the State of Florida; extending to said corporation the right to exercise the power of eminent domain; regulating the construction, operation and use of such roads, and prescribing the method of taxation of the property of said corporation.

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

By a two-thirds vote permission was given to Senator King of the 19th District to introduce and have considered the following bill:

Senate Bill No. 82:

A bill to be entitled An Act prescribing the terms upon which licenses or certificates of registration may be issued to prac-

tioners of barbering; defining the profession of barbering and who are eligible to practice barbering, as defined herein; prescribing age and qualifications of those entering this profession; providing for examination of barbers and apprentices before entering the profession; forbidding any person to practice the art of barbering who has any infectious or contagious disease; creating the State Board of Barber Examiners; providing for its appointment; declaring its powers and duties and providing for its maintenance; prescribing penalties for violation of the provisions of this Act; and repealing all laws or portions of laws inconsistent herewith, which said Act shall be effective and applicable only to those counties having a population in excess of nineteen thousand according to the last preceding State census.

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

Senator Phillips moved that the Senate do now adjourn.

Upon which a "yea" and "nay" vote was demanded.

Upon call of the roll on the motion of Senator Phillips the vote was:

Yeas—Mr. President, Senators Anderson, Caro, Council, Dell, Hinely, Irby, McCall, Mitchell, Neel, Phillips, Rowe, Scales, Singletary, Swearingen, Watson, Waybright, Whitaker—18.

Nays—Senators Bell, Futch, Gary, Glynn, Hodges, King, Malone, Putnam, Taylor, Turnbull, Turner, Wagg, Young—13.

So the motion prevailed.

Whereupon, the Senate stood adjourned at 12:03 o'clock P. M., until 11:00 o'clock A. M., Monday, June 10, 1929.