

# JOURNAL OF THE SENATE

Beginning of the twenty-fourth Biennial Session of the Legislature of the State of Florida, under the Constitution of the State, A. D. 1885, begun and held at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the fourth day of April, A. D. 1933, at 12:00 o'clock, noon, being the day fixed by the Constitution of the State of Florida for the convening of the Legislature.

TUESDAY, APRIL 4, 1933

The Senate convened at 12:00 o'clock, noon, and was called to order by Hon. Pat Whitaker, President of the Senate.

Secretary Robt. W. Davis, by direction of the President, called the roll of the hold-over members of the Senate and the following answered to their names:

## HOLD-OVERS:

Hon. Herbert P. Caro—2nd District.  
Hon. H. H. Lewis—4th District.  
Hon. S. W. Anderson—6th District.  
Hon. W. C. Hodges—8th District.  
Hon. J. Frank Andrews—10th District.  
Hon. F. P. Parker—12th District.  
Hon. Bernard H. English—14th District.  
Hon. J. B. Stewart—16th District.  
Hon. J. Turner Butler—18th District.  
Hon. W. T. Gary—20th District.  
Hon. S. D. Clarke—22nd District.  
Hon. Arthur Gomez—24th District.  
Hon. S. J. Hilburn—26th District.  
Hon. W. C. Chowning—28th District.  
Hon. J. Maxey Dell—32nd District.  
Hon. Pat Whitaker—34th District.  
Hon. M. O. Harrison—36th District.  
Hon. Samuel W. Getzen—38th District.

The Secretary of the Senate announced that the Secretary of State had certified to the election of the State Senators at the general election of November 8, 1932, and the same had been filed.

The Secretary, by direction of the President, called the roll of Senators elected at the general election on November 8th, 1932, and the following answered to their names:

Hon. E. H. Lundy—1st District.  
Hon. D. Stuart Gillis—3rd District.  
Hon. W. P. Shelley—5th District.  
Hon. S. L. Holland—7th District.  
Hon. Hugh Hale—9th District.  
Hon. James F. Sikes—11th District.  
Hon. John W. Watson—13th District.  
Hon. J. M. Mann—15th District.  
Hon. Clayton C. Bass—17th District.  
Hon. Walter W. Rose—19th District.  
Hon. J. W. Turner—21st District.  
Hon. T. G. Futch—23rd District.  
Hon. Olin G. Shivers—25th District.  
Hon. H. G. Murphy—27th District.  
Hon. J. Edwin Larson—29th District.  
Hon. J. G. Black—30th District.  
Hon. W. A. MacWilliams—31st District.  
Hon. C. F. Raulerson—33rd District.  
Hon. John R. Beacham—35th District.  
Hon. J. J. Parrish—37th District.

Prayer by the Rev. J. T. Fillingim, Chaplain.

The oath of office was administered to the foregoing recently elected Senators by the Hon. Glenn Terrell, Justice of the Supreme Court of Florida.

A Quorum of the Senate was announced.

The Senate proceeded to the organization of the body.

Senator Hodges presented the name of the Hon. T. G. Futch of the 23rd Senatorial District to be President of the Senate for the ensuing two years.

There being no other nominations, Hon. T. G. Futch was elected by acclamation and was declared the President of the Senate.

Senator Anderson moved that a committee of three be appointed to escort the newly-elected President to the rostrum. Which was agreed to.

And Senators Gomez, Butler and Hilburn were appointed. Hon. Pat Whitaker, former President of the Senate, received the newly chosen President and introduced him to the body.

The Hon. Glenn Terrell, Justice of the Supreme Court of Florida, administered the oath of office to Hon. T. G. Futch as President of the Senate.

Senator Hodges placed in nomination the name of Hon. Herbert P. Caro of the 2nd Senatorial District to be President pro tempore of the body.

There being no other nominations, Hon. Herbert P. Caro was elected to be President pro tempore of the Senate by acclamation, and was escorted to a seat by the President's side by a committee composed of Senators Parker, Bass and Shelley.

Senator Hodges presented the name of Robt. W. Davis to be Secretary of the Senate.

There being no other nominations, Robt. W. Davis was elected Secretary of the Senate by a rising vote.

Senator Hodges presented the name of Hon. Chas. A. Finley to be Emeritus and Advisory Secretary of the Senate.

There being no other nominations, Hon. Chas. A. Finley was elected Emeritus and Advisory Secretary of the Senate by acclamation.

Hon. Glenn Terrell administered the oath of office to Hon. Robt. W. Davis and Hon. Chas. A. Finley as Secretary of the Senate, and Emeritus and Advisory Secretary of the Senate, respectively.

Senator Hodges moved that the remaining attaches nominated and named by the Hold-over Senators be presented and voted on en bloc.

Which was agreed to.

And the Secretary presented the following list of attaches:  
Sergeant-at-Arms—J. W. Kelly, Live Oak.  
Reading Secretary—Miss Kate Inman, Tallahassee.  
Bill Secretary—B. H. Simmons, Graceville.  
Assistant Reading Secretary—Rev. Ray. Y. Walden, Oxford.  
Assistant Secretary—T. G. Futch Jr., Leesburg.  
Head Stenographer—Mrs. Ruth Roberts.  
Doorkeeper—M. Wall.  
Page—Chatman Hicks.  
Messenger to Senators—Jim Black, Jr.  
Page—Frank Caro.  
Chaplain—Rev. J. T. Fillingim.  
Engrossing Secretary—L. G. Brannon.  
Postmaster and Messenger—Frances Gary.  
Assist. Sergeant-at-Arms—William Murphy.  
Ass't. Bill Secretary—Miss Henrietta Padgett.  
Stenographer—Miss Agnes Zetrouer.  
Page—John Sharp Chowning.  
Page—P. R. Whitaker, Jr.  
Enrolling Secretary—Miss Etta Means.  
Journal Secretary—Josephine B. Getzen.  
Stenographer—Miss Agnes Walker.  
Stenographer—Miss Grace Carswell.  
Stenographer—Bill Milton Wynn.  
Stenographer—Mrs. Lillian Demoville.  
Ass't. Head Stenographer—Miss Ruth Morse.  
Stenographer—Miss Virginia Wilson.  
Senate Index Secretary—Mrs. Lillie Male Wilson.  
Janitor—J. J. Bloomquist.  
Ass't. Janitor—L. W. Lowrie.  
Senator Hilburn moved that the Secretary be instructed to cast the vote of the Senate for the above named attaches. Which was agreed to and it was so ordered.

Senator Hodges moved that the Secretary of the Senate have the selection and direction, except such places as were designated and drawn at the hold-over caucus or provided by under the Rules, of the desk force of the Secretary of the Senate working under his supervision; and that this desk force be reduced from ten verifiers as used at the last Session of the Legislature to four verifiers and be reduced from seven desk stenographers as used at the last Session to four desk stenographers.

Which was agreed to.

Senator Getzen moved that a committee of three be appointed to wait upon the Governor and inform him that the Senate is organized and ready to proceed to the business of the Session, awaiting any message he may wish to convey to the body.

Which was agreed to.

The President appointed Senators Getzen, MacWilliams and Butler as said committee.

The committee withdrew.

Senator Hodges moved that a committee of three be appointed to notify the House of Representatives that the Senate is organized and ready to proceed to the business of the Session, awaiting any communication they may wish to convey.

Which was agreed to.

The President appointed Senators Hodges, Larson and Sikes as said committee.

The committee withdrew.

Senator Anderson moved that the Rules of the 1931 Session be adopted to govern the body until such time as the Committee on Rules may report.

Which was agreed to and it was so ordered.

The committee appointed to notify the House of Representatives of the organization of the Senate appeared at the bar of the Senate and reported to the President that the duty had been performed.

The committee was discharged.

A committee from the House of Representatives appeared at the bar of the Senate and notified the Senate that the House of Representatives was duly organized and ready to proceed to business of the Session.

The committee appointed to wait upon the Governor and notify him of the organization of the Senate appeared at the bar of the Senate and reported that the duty had been performed and that the Governor welcomes the readiness of the body for business.

The committee was discharged.

#### MESSAGE FROM ATTORNEY GENERAL

The following communication from the Attorney General was received and ordered spread upon the Journal:

Office of the  
ATTORNEY GENERAL  
Tallahassee

April 4, 1933.

Hon. T. G. Futch,  
President of the Senate,  
Tallahassee, Florida.

Dear Sir:

In compliance with the provisions of Section 128, Compiled General Laws, I hereby recommend Mrs. Mary M. Meginniss, as a person experienced in indexing, to supervise and assist the respective clerks of each branch of the Legislature having such work in hand in making the index for both the Senate and House Journals during the Regular Session of the Legislature of 1933.

Very respectfully,

CARY D. LANDIS,  
Attorney-General.

#### INTRODUCTION OF SENATE CONCURRENT RESOLUTIONS

By Senator Getzen—

Senate Concurrent Resolution No. 1:

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

That the Senate respectfully advises and concurs with the House of Representatives in advising the Governor that the Legislature by his request assemble in the hall of the House of Representatives at 2 o'clock P. M., on April 4th A. D. 1933, for the purpose of receiving his Excellency's Message.

Which was read the first time in full.

Senator Getzen moved that the rules be waived and Senate Concurrent Resolution No. 1 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 1 was read the second time in full.

Senator Getzen moved the adoption of the Resolution.

Which was agreed to and Senate Concurrent Resolution No. 1 was adopted.

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

By Senator MacWilliams—

Senate Concurrent Resolution No. 2:

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING.

That a joint committee, consisting of ten members of the Senate, to be appointed by the President of the Senate, and ten members of the House of Representatives, to be appointed by the Speaker thereof, constitute a joint committee for the purpose of considering all measures having for their purpose the abolishing, creation, or re-circuiting of the Circuit Courts of the State of Florida, and to which committee all such bills be referred.

Which was read the first time in full and went over under the rule.

A committee from the House of Representatives appeared at the bar of the Senate and notified the Senate that the House of Representatives was ready to receive the Senate in joint assembly for the purpose of receiving the message of the Governor.

Senator Hodges moved that the Senate do now repair to the hall of the House of Representatives to unite with that body for the purpose of receiving the Governor of the State.

Which was agreed to.

The Senate formed in processional order and marched to the hall of the House of Representatives as a body.

The House of Representatives received the Senate with due courtesy, and the President of the Senate took his seat as presiding officer of the joint assembly.

The President of the Senate in the Chair.

By direction, the Secretary called the roll of the Senate and the following Senators answered to their names:

Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Clarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy, Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker.—38.

A quorum of the Senate present.

The Chief Clerk of the House was directed to call the roll of the House of Representatives and the following members answered to their names:

Mr. Speaker; Messrs. Albury, Anderson, Andrews, Auvil, Baskin, Bass, Bell, Bishop, Bonifay, Booth, Boyd, Boynton, Brannon, Brown, Burchard, Butler (Bradford), Butler (Charlotte), Butt, Byington, Byrd, Carey, Christie, Collier, Crocker, Denison, Dickey, Dickinson, Dixon, Driver, Dugger, Early, Edney, Endsley, Ezell, Folks, Frost, Gaston, Geiger, Goff, Hancock, Harrell, Hatch, Hendry, Herrin, Holly, Hosford, Hubbell, Ives, Kanner, Kelly, Kennedy, Kilgore, Knight, Laney, Lanier, Lewis, MacWilliams, Martin, Middleton, Murphree, O'Bryan, Pearce, Peebles, Price, Rawls, Register, Rehwinkel, Rivers, Roberts, Robineau, Rogers, Sandler, Sapp, Scofield, Simmons, Sims, Smith, Stewart, Stone, Strickland, Teague, Trammell, Untreiner, Victor, Waller, Wand, Ward, Westbrook, Willis, Wood, Worth, Wynn, Zim.—94.

A quorum of the House of Representatives present.

The President declared a quorum of the joint assembly present.

Senator Beacham moved that a committee of three be appointed to wait upon the Governor and notify him that the joint assembly was organized and awaited his pleasure, and to escort the Governor to the rostrum of the House of Representatives.

Which was agreed to.

The President appointed Senator Beacham and Messrs. Kennedy and Rogers as the committee.

The committee withdrew.

The committee appointed to wait upon the Governor appeared escorting the Governor who was received by the joint assembly standing; and Governor Dave Sholtz was duly escorted to the platform.

April 4, 1933

JOURNAL OF THE SENATE

3

The President introduced the Governor to the joint assembly, and the Governor delivered his biennial message to the Legislature.

The Senate then withdrew and returned to the Senate Chamber to resume its Session.

The Senate resumed its Session at 2:55 o'clock P. M.

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

Mr. President; Senators Anderson, Andrews, Bass, Beacham, Black, Butler, Caro, Chowning, Ciarke, Dell, English, Gary, Getzen, Gillis, Gomez, Hale, Harrison, Hilburn, Hodges, Holland, Larson, Lewis, Lundy, MacWilliams, Mann, Murphy,

Parker, Parrish, Raulerson, Rose, Shelley, Shivers, Sikes, Stewart, Turner, Watson, Whitaker.—38.

A quorum present.

The President announced the appointment of the following committee:

COMMITTEE ON RULES AND PROCEEDINGS—D. Stuart Gillis, Chairman; S. W. Anderson, J. J. Parrish, Pat Whitaker, W. A. MacWilliams.

Senator Hodges moved that the Senate do now adjourn.

Which was agreed to.

And the Senate stood adjourned at 2:57 o'clock P. M. until 11:00 o'clock A. M., Wednesday, April 5th, 1933.