

JOURNAL OF THE SENATE

Beginning the thirty-third 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 third day of April, A. D., 1951, 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 3, 1951

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The Senate convened at 12:00 o'clock, Noon, and was called to order by Senator Newman C. Brackin, President of the Senate.

By direction of the President, the Secretary of the Senate called the roll of the hold-over members of the Senate in numerical order of Senatorial Districts and the following answered to their names:

Senator Newman C. Brackin—1st District.
Senator Johnnie Wright—3rd District.
Senator Luther C. Tucker—5th District.
Senator Harry E. King—7th District.
Senator Joseph E. Johnston, Jr.—9th District.
Senator Henry S. Baynard—11th District.
Senator R. B. Gautier—13th District.
Senator Charley E. Johns—15th District.
Senator G. Warren Sanchez—17th District.
Senator J. B. Rodgers, Jr.—19th District.
Senator J. Min Ayers—21st District.
Senator J. Edwin Baker—23rd District.
Senator Olin G. Shivers—25th District.
Senator James W. Moore—27th District.
Senator J. Slater Smith, Jr.—29th District.
Senator Verle A. Pope—31st District.
Senator N. Ray Carroll—33rd District.
Senator Lloyd F. Boyle—37th District.

The Secretary of the Senate announced that the Honorable R. A. Gray, Secretary of State, had certified to the election of certain Senators at the General Election on the 7th day of November, A. D. 1950, and that the certificate of the Secretary of State had been received.

By direction of the President, the Secretary of the Senate called the roll of the newly-elected Senators in numerical order of Senatorial Districts as certified to the Senate by the Secretary of State and the following answered to their names:

Senator Philip D. Beall—2nd District.
Senator Amos Lewis—4th District.
Senator Dewey M. Johnson—6th District.
Senator LeRoy Collins—8th District.
Senator W. T. Davis—10th District.
Senator Evans Crary—12th District.
Senator J. Wofford Lindler—14th District.
Senator A. G. McArthur—16th District.
Senator Wayne E. Ripley—18th District.
Senator Wallace E. Sturgis—20th District.
Senator S. D. Clarke—22nd District.
Senator James A. Franklin—24th District.
Senator B. C. Pearce—26th District.
Senator E. William Gautier—28th District.
Senator George W. Leaird—30th District.
Senator W. A. Shands—32nd District.
Senator John Branch—34th District.
Senator Russell O. Morrow—35th District.
Senator F. Onell Rogells—36th District.
Senator George C. Dayton—38th District.

The oath of office was then administered to the newly elected Senators by the Honorable H. L. Sebring, Chief Justice of the Supreme Court of Florida.

The roll of the Senate, as constituted, was then called by the Secretary and the following members of the Senate answered to their names:

Mr. President	Crary	Leaird	Rogells
Ayers	Davis	Lewis	Sanchez
Baker	Dayton	Lindler	Shands
Baynard	Franklin	McArthur	Shivers
Beall	Gautier (28th)	Moore	Smith
Boyle	Gautier (13th)	Morrow	Sturgis
Branch	Johns	Pearce	Tucker
Carroll	Johnson	Pope	Wright
Clarke	Johnston	Ripley	
Collins	King	Rodgers	

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A quorum of the Senate was announced.

Prayer was offered by the Senate Chaplain, Reverend Walter R. Faust.

The Senate then proceeded to the organization of the Body for the 1951 Regular Session of the Legislature.

Senator Baker, of the 23rd Senatorial District, addressed the Senate as follows in nominating Senator Wallace E. Sturgis for the office of President of the Senate:

"MR. PRESIDENT, Members of the Senate, Guests and Visitors:

"A privilege and a distinct honor comes to me now, which I appreciate very, very much . . . that of nominating the President of the 1951 Florida Senate.

"Following the long established custom and the accepted procedure of this Senate, the caucus of the "Holdover" Senators has been held, likewise the caucus of all members elected to serve in this 1951 session, and the Senator whose name I shall formally place in nomination has been designated the choice of both of these groups.

"Even so, it seems fitting and proper that I take a few minutes in nominating this distinguished Senator, to briefly review his record of unusual training and experience, his service to our state and nation, and those attributes of character which have made him the unanimous choice of the members of this body to serve in this high position of trust and responsibility.

"The Honorable Wallace E. Sturgis was born in the small, rural community of Swiftwater, Mississippi. Perhaps it is only natural that he should attain political prominence for he first saw the Light of this World on General Election Day, in November of eighteen ninety-eight.

"His education in the public school at Swiftwater was augmented with private tutorship and at the early age of 13, he was admitted, by examination, to Mississippi State University.

"At Mississippi State he studied Agriculture for some two years, until he enlisted, as a private, in the First Mississippi Infantry at the time of the Mexican Border Campaign in 1916. He saw active duty on the Border and was mustered-

out of service as a Sergeant after Pancho Villa had been properly subdued.

"He was soon to resume military duty however, for in April 1917 when our nation declared war against Germany, he re-enlisted, although entitled to deferment by reason of being head of his family, following his father's death. He joined-up with his same old outfit and spent more than a year of his service in France, where he was commissioned a Second Lieutenant before he had reached the age of twenty one.

"Upon returning from France, he entered the Law School of the University of Virginia where he studied for two years and completed his legal training at George Washington University in Washington, D. C. It is most commendable that he attended classes at night, working during the day to maintain himself in school.

"Wallace Sturgis, the young attorney, came to Ocala, in Marion County in 1925 and established himself in the practice of his profession. Not long after he won, what I choose to term, his most important suit. Not one in Law, but in Love. He was married to Miss Catherine Henry, daughter of Dr. and Mrs. H. W. Henry, of Ocala. The Senator and Mrs. Sturgis have a most interesting family of four children. Three attractive daughters and one fine son, a Veteran of World War II.

"Senator Sturgis has served with prominence and distinction in many of the associations of the legal profession. He is a member of the Florida and American Bar Associations and the American Judicature Society. He is a member and past president of both the Marion County Bar Association and the Fifth Judicial Circuit Bar Association, which comprises five counties.

"The senator has served as attorney for the Board of County Commissioners of Marion County since 1932. In this capacity he has helped to solve many problems of government from the local county level, and naturally, over the period of eighteen years he has been close to both state and county administration. He played a prominent part in the drafting of considerable constructive legislation before even becoming a member of this body.

"Even with the fulfilling of the responsibilities which I have mentioned, Wallace Sturgis has found time to share his energies and abilities with veterans organizations and in the fields of civic, fraternal and religious endeavor.

"He is a member and past commander of the Marion County Post of the American Legion and a Past District Commander of the Florida Department, American Legion. He is also an active member of the Veterans of Foreign Wars.

"A valued member of Kiwanis International, he has served as President of his local club and as Lieutenant Governor of his Division of the Florida District of Kiwanis.

"He is a Past Exalted Ruler of the Elks Lodge of Ocala, a member of the Masonic bodies including Morocco Temple of the Shrine, the Order of Eastern Star and Woodmen of the World. His church affiliation is with the Episcopal Church of Ocala.

"Senator Sturgis was first elected to the Senate in 1942 and served in the sessions of 1943, 45, 47 and 49. He has served on every important committee of the Senate during these years and at each session during his tenure in office he has held the important Chairmanship of the Committee on Constitutional Amendments. Indeed, he is recognized as an outstanding student on Constitutional Law.

"For the past seventeen years, Senator Sturgis and I have been friends and neighbors. From adjoining counties, we came to the Senate together as "Freshmen" members in 1943. Over the years I have observed his service to his district and to our state, which stands out as sound and constructive.

"His demeanor on the floor of this Senate has always been courteous, fair, dignified and firm. We have seen him fight hard for his convictions but always with consideration for the convictions of those of opposite view. A man of high integrity, of lovable character and all the attributes of a staunch, patriotic citizen.

"On the basis of his training and experience, of his knowledge of government, his admirable traits of fairness and considera-

tion and his recognized and proven ability as a leader, it is my honor and privilege to place in nomination for the office of President of the 1951 Florida Senate, the Honorable Wallace E. Sturgis, Senator from the Twentieth District."

Senator Pope seconded the nomination of Senator Sturgis to be President of the Senate.

Senator Baynard moved that the nominations be closed.

Which was agreed to and it was so ordered.

The question was put and upon call of the roll on the election of Senator Sturgis the vote was:

Yeas—37.

Mr. President	Crary	Leaird	Rogells
Ayers	Davis	Lewis	Sanchez
Baker	Dayton	Lindler	Shands
Baynard	Franklin	McArthur	Shivers
Beall	Gautier (28th)	Moore	Smith
Boyle	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	
Collins	King	Rodgers	

Nays—None.

(Senator Sturgis not voting).

So Senator Sturgis was elected President of the Senate for the ensuing two years.

Senator Gautier (13th District) moved that a committee of three be appointed to escort the newly elected President to the rostrum of the Senate.

Which was agreed to.

Senator Brackin, the retiring President, appointed Senators Gautier (13th District), Carroll, and King as the committee.

The newly elected President was escorted by the committee to the rostrum where he was received with due courtesy by the retiring President.

Senator Moore moved that a committee of three be appointed to escort Mrs. Wallace E. Sturgis, wife of the newly elected President of the Senate, and Mrs. E. L. Sturgis, his mother, to seats on the rostrum.

Which was agreed to.

The retiring President appointed Senators Moore, Boyle, and Rodgers as the committee.

The committee escorted the Mesdames Sturgis to the rostrum where they were received courteously by the retiring President and seated beside the newly elected President.

Senator Shands moved that a committee of three be appointed to escort Mr. Wallace E. Sturgis, Jr., son of the newly elected President of the Senate, to a seat on the rostrum.

Which was agreed to.

The retiring President appointed Senators Shands, Collins and Johnson as the committee.

The committee escorted Mr. Wallace E. Sturgis, Jr., to a seat on the rostrum.

The Honorable H. L. Sebring, Chief Justice of the Supreme Court of Florida, administered the oath of office to Senator Sturgis as President of the Senate.

Senator Brackin, the retiring President, presented the newly elected and sworn President of the Senate to the Body and surrendered to him the Senate Gavel.

President Wallace E. Sturgis addressed the Senate as follows:

"Mr. Chief Justice Sebring, Senator Brackin, Senators:

"I know that each of you have, on occasion, scorned the written word to express the emotions of a heart filled to overflowing with gratitude for the bestowal of an ardently sought compliment, such as you have conferred upon me at this present. And I assure you that the heavy task of set-

ting my appreciation to the printed page, for the purpose of the record, leaves me with a sense of futility in the realization that no matter how desperately I try, my pen is unable to transmit the thoughts my heart knows full well.

"With an humble spirit, I accept the responsibility and trust you have imposed upon me, and in so doing am convinced, because of my respect for your proven ability, sincerity of purpose, and devotion to your oath as my fellow Senators, that with your cooperation this Senate will fully meet its obligation to our State.

"Keeping before me the example of the illustrious past Presidents who have made their indelible marks upon the history of our State, it will be my earnest purpose, with the help of the Supreme Architect of the Universe, to merit the trust you have placed in me.

"In no less degree am I grateful for the warm and enduring friendships of my fellow-citizens of Marion County—those who honor me by their presence here and those at home who honor me with their good wishes on this occasion. Theirs was the primary confidence and trust that enables me to stand here today, and I will not permit memory to lapse the debt I owe them.

"Among the most pleasant incidents of this day is the appearance here of a number of my classmates and college fraternity brothers of yesteryears—how many years I hesitate to confess; companions of my youth, of a day before I glimpsed Florida's green and stood with awe before the painting of her sunsets. I am grateful for the ties that have bound us closer with passing days and nights, and for the fleeting hour of association we enjoy today. They have all come long distances, and I know I can with your full approval extend to them—even to my Republican brother from the capital of South Dakota—a most hearty welcome.

"And, you will surely understand the deep and inexpressible pride, as well as happiness, that engulfs me for the blessing of having by my side the two persons whose courage, devotion and unflinching faith have inspired me always onward. How fortunate is the man who can at such an hour in his life have at his side his wife and mother!

"Now; my fellow Senators, it is not my duty or prerogative to recommend specific legislation. That duty belongs to the Chief Executive. Moreover, you are as familiar as I am with the problems of this day in our State. But you will not think me presumptuous if in a spirit of helpfulness I should briefly bring to mind several problems which I feel to be among the most important confronting this session. Their existence is proof anew that Florida continues to grow and prosper.

"This critical year of 1951 poses extraordinary responsibilities. In discharging these responsibilities, this Senate must be a strong cog in the great machine of American democracy—democracy in the strong concept of unflinching personal responsibility and unblemished governmental morality as laid down by its Thomas Jefferson.

"We in this Senate along with men in public office at all levels, have it in our power to give strength to the democratic ideal of representative government by applying integrity of intellect to the courage of conviction—by unhesitatingly doing the right as we see it.

"At the outset, we are faced with a clear-cut test of our willingness to make democracy work: The problem of redistricting the state so as to promptly obtain all of the advantages of the two additional Congressional districts to which our great growth has entitled us. The sentiment of the people, the welfare of the nation and the potential strength of Florida in national affairs, overwhelmingly dictate that we must perform this duty at this session. I am satisfied that by diligent effort and proper application of the American principle of fair play, we will achieve this purpose at this session, and so demonstrate that democracy functions effectively in the most difficult situations.

"I hope, too, that we will promptly add the name of Florida to those states who have approved the amendment to the constitution of the United States prohibiting more than two terms to a president.

"De have the arduous task and responsibility of reconciling and expressing into law the proper answer to the several

schools of thought as to what shall be the course of public education in Florida. There are those who believe that the people have reached the limit of their taxpaying ability for the support of the public schools. Other equally sincere people feel that if we stop now we will jeopardize the great progress Florida schools have made since we enacted the Minimum Foundation Program in 1947.

"The Legislature must strike a balance—must find a solution that will be fair to the schools, fair to the taxpayers. We must approach this vital subject in a dispassionate manner, unswayed by hysteria or prejudice. And once again, I repeat that you, the members of this Senate, have the ability, the integrity, the energy and the intelligence to meet the challenge.

"Other than the schools, perhaps no field of State service tugs harder at the heartstrings of our generous people than the care of the needy senior citizen and the dependent child. Yet no State function today provokes greater public criticism; greater public distrust. More than one remedial step is indicated, yet the greatest of these must be the restoration of public confidence in the belief that only those who should get relief are in fact receiving this money. Among the remedial steps to be considered is the matter of opening the relief rolls to inspection under proper safeguards; another, is the imposition of strict liability and responsibility for support of illegitimate children upon their parents; another, is a similar imposition of liability and responsibility upon grown children of means for the support of their parents. These demands of the people will receive your careful deliberation and will be translated into intelligent and humanitarian legislation.

"This State owes much to its constantly expanding tourist industry. Our visitors help make our State prosperous by the money they spend. Many of them make the happy and very wise decision to become permanent residents, as I can personally testify. We will continue our efforts to attract more and more of the fine people of other states to visit our State, to settle down to the good life we know.

"Unfortunately, there is another type of person who is altogether undesirable. I refer to the thug, the racketeer, the hoodlum. These people add nothing, they only take away. These parasites prey upon our golden tourist crop, and by their efforts to corrupt public officials, they forever gnaw away at the very vitals of our government. I am convinced that this Legislature will pass laws curbing their activity as much as possible and clearly demonstrating that such leeches are not welcome in our State. For some months a capable Senate committee, composed of the distinguished Senators from the 32nd, the 11th and the 13th districts, has been studying this problem. I know you will give careful consideration to the program recommended by this committee.

"In exercising the power of confirmation or rejection of the action of the Governor in his suspension of public officials, you will remember, I am sure, that the eyes of an aroused citizenry are upon this body. You will remember, too, that justice is owed to the people as a whole as well as to the suspended officials. This Senate will not be disposed to pre-judge any of the cases that will be brought before it. I strongly feel that the consideration of each case must assuredly be by the Senate sitting as a statewide jury, free from any and all partisanship and free of local pressures. Corruption recognizes no boundaries; neither must justice.

"Of grave concern to each of us is the tragic toll of life and property which is being taken every year by accidents on our highways. During 1950, for example, 872 of our citizens met death in traffic accidents. It seems no added proof is required to demonstrate that while many communities are doing all they can to promote safety, the problem has reached such appalling proportions that it must be attacked on a continuing basis at the state level. There probably is no panacea for highway safety, but I am confident this Senate will address itself studiously to the problem.

"Aside from the ever-recurring problems of finance and taxation, budgets and appropriations, we find it necessary to approach from scratch the question of providing capital outlay and operating expenses for the proper expansion and development of our schools, hospitals and custodial institutions. An enlightened citizenry should approve the contributions they are asked to make for the sake of a finer future for themselves, their children, and their children's children. In coming

to grips with this emergency, your task will be the more difficult because of the steadily mounting burden of taxes, in large part due to the international crisis.

"It is not difficult for me to entertain an extraordinary sense of confidence in the ability of this Senate to cope with and satisfactorily dispose of these and other tasks that will be imposed upon it. Indeed, in the selection of the Senate committees—which are to be announced tomorrow—my embarrassment stemmed from the abundance rather than lack of earnest, capable and conscientious men from whom to choose. Any one of you could serve with competence on any committee of this body. So far as possible and consistent with the discretion given me, I have assigned you to the committees of your choice. Each of you know, of course, that every expression of choice could not be gratified. I know, with what I feel to be an unerring certainty in my estimate of your several characters, personalities and desire to serve our State, that you will fulfill your committee assignments and duties as State Senators with credit to yourself and advantage to Florida.

"On my part, I pledge you fair and impartial service as your presiding officer and beg of you to indulge my shortcomings.

"We hold in our charge and keeping, my fellow Senators, a sacred duty to our people, our State and nation. God willing, we will perform that duty to the utmost. I think of Florida in the spirit of those proud citizens of ancient Athens, who greeted one another with the salutation, "Hail, I am a citizen of no mean city!" Let us by our endeavors here make the people of our State more proud than ever to say: "Hail, I am a citizen of no mean State! I am a citizen of Florida!"

Senator Pearce placed in nomination the name of Senator Olin G. Shivers of the 25th Senatorial District to be President Pro Tempore of the Senate for the ensuing two years.

The question was put and Senator Shivers was unanimously elected President Pro Tempore of the Senate by a rising vote of the members.

Senator Shands moved that a committee of three be appointed to escort the newly elected President Pro Tempore to a seat on the rostrum.

Which was agreed to.

The President appointed Senator Shands, McArthur, and Leaird as the committee.

And Senator Shivers, the President Pro Tempore, was escorted to the rostrum.

Senator Collins moved that a committee of three be appointed to escort Mrs. Olin G. Shivers, wife of the newly elected President Pro Tempore of the Senate, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Collins, Davis and Lewis as the committee.

The committee escorted Mrs. Shivers to the rostrum where she was received courteously by the President and seated beside the newly elected President Pro Tempore of the Senate.

Senator Brackin placed in nomination the name of Robt. W. Davis to be Secretary of the Senate for the ensuing two years.

The question was put and upon call of the roll on the election of Robt. W. Davis the vote was:

Yeas—38

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None

So Robt. W. Davis was elected Secretary of the Senate for the ensuing two years.

The Honorable H. L. Sebring, Chief Justice of the Supreme Court of Florida, administered the oath of office to Robt. W. Davis as Secretary of the Senate.

Senator Davis placed in nomination the name of Leroy Arkison to be Sergeant-At-Arms of the Senate for the ensuing two years.

The question was put and upon call of the roll on the election of Leroy Adkison the vote was:

Yeas—38

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None

So Leroy Adkison was elected Sergeant-At-Arms of the Senate for the ensuing two years.

The Honorable H. L. Sebring, Chief Justice of the Supreme Court of Florida, administered the oath of office to Leroy Adkison as Sergeant-At-Arms of the Senate.

Senator Sanchez moved that Miss Kate Inman be named Reading Secretary of the Senate.

Which was agreed to and Miss Kate Inman was named Reading Secretary of the Senate.

Senator Johns moved that George H. Inman be named Assistant Reading Secretary of the Senate.

Which was agreed to and George H. Inman was named Assistant Reading Secretary of the Senate.

Senator McArthur moved that Mrs. Faye Jones be named Head Stenographer of the Senate.

Which was agreed to and Mrs. Faye Jones was named Head Stenographer of the Senate.

Senator Smith moved that a committee of three be appointed to wait upon the Governor and inform his Excellency that the Senate was 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 Smith, Lewis and Shands as the committee.

The committee withdrew.

Senator Franklin moved that a committee of three be appointed to notify the House of Representatives that the Senate was organized and ready to proceed with the business of the Session.

Which was agreed to.

The President appointed Senators Franklin, Crary, and Lindler as the committee.

The committee withdrew.

Senator Gautier (13th District) moved that the Rules of the 1949 Regular Session be adopted to govern the Senate until such time as the Committee on Rules and Calendar may report Rules for the 1951 Session and the same may be adopted by the Senate.

Which was agreed to and it was so ordered.

Senator Johnston moved that the flowers and floral arrangements which have been so thoughtfully and generously contributed to the members of the Senate for the beautification of the Chamber on the opening day be given to the patients

of Tallahassee Memorial and Forsyth Hospitals, Tallahassee, with the permission of the respective Senators.

Which was agreed to and it was so ordered.

A committee from the House of Representatives composed of Messrs. Beasley of Walton, Murray of Polk, and Simpson of Jefferson, appeared at the Bar of the Senate and notified the Body that the House of Representatives was duly organized and ready to proceed with the business of the session.

The committee withdrew.

The committee appointed to wait upon the Governor appeared at the Bar of the Senate and reported to the President that its duty had been performed and that the Governor requested the committee to convey the following message to the Senate:

STATE OF FLORIDA
EXECUTIVE OFFICE
TALLAHASSEE

April 3, 1951.

Honorable Wallace E. Sturgis
President
State Senate
State Capitol

Dear Mr. President:

I desire to address your Honorable Body, in joint session with the House of Representatives, this afternoon, April 3d, at three o'clock.

Cordially and sincerely,
FULLER WARREN,
Governor.

Whereupon the committee was discharged.

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

Whereupon the committee was discharged.

INTRODUCTION OF RESOLUTIONS

By Senator Gautier (13th District)—

Senate Concurrent Resolution No. 1:

WHEREAS, HIS EXCELLENCY, FULLER WARREN, GOVERNOR OF FLORIDA, has expressed a desire to address the Legislature of Florida in Joint Session on this day, Tuesday, April 3, 1951, at 3:00 o'clock, P. M.

THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Senate and House of Representatives convene in Joint Session in the Chamber of the House of Representatives at 3:00 o'clock, P. M., this day, Tuesday, April 3, 1951, for the purpose of receiving His Excellency's message.

Which was read the first time in full.

Senator Gautier (13th District) 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.

The question was put on the adoption of Senate Concurrent Resolution No. 1.

Which was agreed to and Senate Concurrent Resolution No. 1 was adopted and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rules.

Senator Shivers, President Pro Tempore, now presiding

Senator Leaird moved that a committee be appointed to escort the Honorable William F. Lane, Washington, D. C.; Honorable Clarence W. Gosnell, Washington, D. C.; Honorable Walter Bauman, Annapolis, Maryland; Honorable Ernest W. Stephens, Pierre, South Dakota; and Honorable Henry

B. Pease, Columbus, Georgia, to seats on the rostrum of the Senate.

Which was agreed to.

The presiding officer appointed Senators Leaird, Davis, Gautier (13th), Collins and Rogells, and Secretary of the Senate Robt. W. Davis, all members of the Sigma Alpha Epsilon Fraternity, as the committee.

Messrs. Lane, Gosnell, Bauman, Stephens and Pease were duly escorted to the rostrum.

Honorable William F. Lane presented to Senator Wallace E. Sturgis, President of the Senate, a gavel with the following remarks:

"Many years ago the President of your Senate came to Washington, D. C., as a young man to complete his legal training at George Washington night school while working with the Department of the Interior in the daytime.

"It was as a member of Sigma Alpha Epsilon college fraternity and particularly of Washington City Rho chapter, that with his engaging personality and qualities of leadership he made many friends, including the party for whom I speak today, and the friendship and love we have for him has burned brightly over the years.

"I would first like to present to you the Honorable Ernest W. Stephens of Pierre, South Dakota, the Honorable Henry B. Pease of Columbus, Georgia, the Honorable Clarence W. Gosnell of Washington, D. C., and the Honorable Walter Bauman of Annapolis, Maryland, who perhaps with me were his closest friends during his stay in Washington and who have come here to pay tribute and honor in our little way to the man we knew by the nickname of "Sturge."

"Now, Sturge, there are none here today who are happier or more proud than we are on this occasion, and it is good to see that so many members of this Senate are not only your fellow senators but your fellow brothers.

"Your chapter of Washington City Rho has held a special meeting for the sole purpose of adopting resolutions of congratulations to you and when properly embossed these resolutions will be forwarded.

"This little group of us have made arrangements to have delivered to you a replica of the original badge of our fraternity for you to wear as a memento of this occasion. And we have also had the good fortune, through our brother Torrence Wolford who sends his best wishes, to procure for you a gift which may be best expressed by my reading to you these letters:

Washington, D. C.
March 31, 1951

Honorable Wallace E. Sturgis
President, Florida State Senate
Tallahassee, Florida

Dear Sturge:

Some of your old friends from Washington are leaving this city tomorrow to be present when you take the oath of office in Tallahassee, Florida on April 3, 1951.

We feel that an expression of admiration is in order so you will be presented with a gavel made from the "Washington Elm." David Lynn, Architect of the Capitol, of the United States has furnished data concerning the tree from which your gavel was made.

Enclosed you will find copy of letter from Mr. Lynn and a copy of the Olmstead Report.

Our mutual friend Earl D. Chesney, Director, Congressional Liaison Service, House Office Building, Washington, D. C., has assisted us in securing the gavel and sends his best wishes.

We extend to you our congratulations and best wishes for a successful term of office.

Sincerely and fraternally,

GOODY GOSNELL
MIKE BOUMAN
BILL LANE
"T" WOLFORD

EXTRACT FROM 1882 REPORT OF FREDERICK LAW
OLMSTEAD ON THE TREES IN THE UNITED STATES
CAPITOL GROUNDS.

The intelligent visitor reflecting that it is nearly ninety years since the site of the Capitol was determined, and more than eighty since Congress first held its sessions upon it will need some explanation of its present sylvan juvenility.

* * * * *

It may be added that many hundred trees are known to have been planted in the streets of the city early in the century, of which not one remain alive, nor is it probable that one was ever allowed full development of its proper beauty. Yet to show what easily might have been, if due judgment and painstaking had been used, it is enough that one planted tree of even an earlier date may be pointed to, which is yet in the full vigor of its growth. (The Washington Elm in the Capitol Grounds, originally a street-side tree).

The following notes, chiefly upon the past misfortune of the Nation in its Capitol Ground, have been largely based on conversation with the venerable Doctor J. B. Blake, sometime Commissioner of Public Grounds.

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The year before his death Washington built the brick house still standing prominently but injured by recent additions, a little to the north of the Capitol.

* * * * *

It is a tradition and is probable that Washington, while building his brick house planted some trees on the East side of the Capitol of which the elm above referred to was one and is the only one remaining. Another of equal age but rotting prematurely, probably from unskilful or neglected pruning, was blown down a few years ago and a third was removed in consequence of the enlargement of the Capitol. The last was a tree of graceful habit and Mr. Smith of the Botanic Garden has distributed through members of Congress many rooted cuttings of it to different parts of the country.

The surviving tree having a girth of but ten feet at four feet from the ground, has been of slower growth and been badly wounded within twenty years; these cavities showing the removal of considerable limbs by barbarous excision. On the east side a strip of bark the entire length of the trunk has been torn off.

The ground at a little distance on three sides having been trenched and that nearer the trunk forked over and top dressed, the tree has within three years gained greatly in health and vigor; its wounds are closing over and it may yet outlive several generations of men.

Some years after the death of Washington a space of ground nearly half as large as the present ground was enclosed in connection with the Capitol and a street laid out around it. The Washington elm stands near where this bounding street intersected another which formed the northern approach to the Capitol and on the opposite side to the north, an inn of some celebrity, long known as the "Yellow Tavern" was built. This was the dining place for members still lodging at a distance.

Whatever improvement had been made upon the original ground before the burning of the Capitol in 1814 was probably then or during the subsequent building operations wholly laid waste, the three or four trees first planted alone escaping.

* * * * *

ARCHITECT OF THE CAPITOL

Washington, D. C.

My Dear Mr. Wolford:

I hereby certify that the wood transmitted herewith, pursuant to your request, was taken from the "Washington Elm" tree, which recently succumbed to old age and was removed in June 1948 from the East lawn area of the United States Capitol grounds; its exact location having been directly opposite (approximately 100 feet East) of the Senate Wing of the United States Capitol building.

Scientific tests and examinations made by expert pathologists, prior to its removal, established the approximate age of this tree at the time of its removal to be 160 years old.

Frederick Law Olmsted, the landscape architect who laid out the old Capitol Grounds, which lie between Constitution Avenue and Independence Avenue (formerly B Street North and B Street South), and First Street East and First Street West, in his report of 1882 to the Architect of the Capitol stated that this was one of 3 or 4 trees surviving in 1882 from the original tree plantings in the Capitol Grounds, and endorsed the tradition that this tree, known for many years as the "Washington Elm", had been planted by George Washington in 1798 when he built his brick house a little to the north of the Capitol.

I am enclosing, herewith, statement containing an extract from the 1882 report of Olmsted.

Yours very truly,

(signed) DAVID LYNN,
Architect of the Capitol.

"It will be a matter of interest to you to know that the tree from which this gavel was made was planted by George Washington on the Capitol grounds of the United States in 1798. I am extremely sorry that illness prevented him from being here.

"It is with the most fond recollections and with assurances of our love that I have the pleasure of presenting to you, Sturge, this gavel.

Senator Boyle moved that the nominating speech made by Senator Baker, the remarks by Mr. Lane in presenting the gavel to the President, and the address of the President of the Senate, be spread upon the pages of the Journal of the Senate.

Which was agreed to and it was so ordered.

The President now presiding.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 3, 1951

Hon. Wallace E. Sturgis,
President of the Senate,
Sir:

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

BY SENATOR GAUTIER (13th District)—

SENATE CONCURRENT RESOLUTION NO. 1:

WHEREAS, HIS EXCELLENCY, FULLER WARREN, GOVERNOR OF FLORIDA, has expressed a desire to address the Legislature of Florida in Joint Session on this day, Tuesday, April 3, 1951, at 3:00 o'clock P. M.

THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the Senate and House of Representatives convene in Joint Session in the Chamber of the House of Representatives at 3:00 o'clock P. M., this day, Tuesday, April 3, 1951, for the purpose of receiving His Excellency's message.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives

And Senate Concurrent Resolution No. 1, contained in the above message was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Senator Johns moved that the President of the Senate appoint a special committee for the purpose of arranging for a floral offering to be sent from the Senate for the funeral of Mr. T. T. Phillips, Chairman of the Board of Directors, Gulf Life Insurance Company, Jacksonville, Florida, who passed away yesterday.

Which was agreed to.

The President appointed Senators Johns, Ripley and Sanchez as the committee.

Senator Gautier (13th District) moved that the Senate recess until 2:45 o'clock, P. M., this day.

Which was agreed to.

And the Senate recessed at 1:34 o'clock, P. M., until 2:45 o'clock, P. M., this day.

AFTERNOON SESSION

The Senate reconvened at 2:45 o'clock P. M., pursuant to recess order.

The President in the Chair.

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

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

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A quorum present.

Pursuant to Senate Concurrent Resolution No. 1 the Senate formed in processional order and marched in a body to the hall of the House of Representatives in the order of length of service as Senators, preceded by the President and 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 B. Elliott, Speaker of the House of Representatives, received the President of the Senate on the rostrum and requested him 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:	David	McAlpin	Rowell
Akridge	Dekle	McFarland, E. B.	Saunders, D. H.
Andrews	Dowda	McFarlin, J. L.	Saunders, S. D.
Atkinson	Dukes	McKendree	Shaffer
Ayres	Duncan	McKenzie	Shepperd
Bailey	Fascell	McLaren	Simpson
Beasley	Floyd	Melvin	Smith, Claude
Belsler	Fuqua	Merchant	Smith, Lisle W.
Bollinger	Getzen	Mitts	Smith, M. B.
Boyd	Griner	Moody	Smith, S. C.
Bronson	Haley	Morgan	Stewart
Bryant	Hammons	Murray	Summers
Burnsed	Hathaway	Nesmith	Surles
Burton	Henderson	Okell	Sweeny
Burwell	Hendry	Papy	Tapper
Campbell	Inman	Patton	Tate
Carlton	Jacobs	Payne	Turlington
Chambers	Jernigan	Pearce	Usina
Cobb	Johnson	Peeples	Watson
Conner	Jones	Phillips	Webb
Cook	Kirkland	Pittman	Whitlock
Courtney	Lancaster	Putnal	Williams, F.
Cramer	MacWilliam	Roberts	Williams, V. A.
Darby	Mathis	Rood	

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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	Beall	Carroll	Davis
Ayers	Boyle	Clarke	Dayton
Baker	Brackin	Collins	Franklin
Baynard	Branch	Crary	Gautier (28th)

Gautier (13th)	Lewis	Pope	Shivers
Johns	Lindler	Ripley	Smith
Johnson	McArthur	Rogells	Tucker
Johnston	Moore	Rogells	Wright
King	Morrow	Sanchez	
Leaird	Pearce	Shands	

—38

A quorum of the Senate was declared present.

The President announced a quorum of the Joint Assembly present.

Prayer was offered by Reverend John Gaines, Chaplain of the House of Representatives.

The Speaker in the Chair.

Honorable C. Farris Bryant of Marion was called to the rostrum where the Speaker presented to him a plaque from the St. Petersburg Times in recognition of "the best, most unselfish service to the State" as a member of the House of Representatives of the 1949 Legislature.

The President of the Senate in the Chair.

Senator Baynard of the 11th Senatorial District was called to the rostrum where the President of the Senate presented to him a plaque from the St. Petersburg Times in recognition of "the best, most unselfish service to the Senate" as a member of the Senate of the 1949 Legislature.

Senator Lewis moved that a committee be appointed to notify the Governor that the Senate and the House of Representatives were now in joint session assembled and ready to receive His Excellency's message.

Which was agreed to.

The President appointed Messrs. Melvin of Santa Rosa, Okell of Dade and Carlton of Duval, on the part of the House of Representatives, and Senators Lewis and Shands on the part of the Senate, as the committee.

The committee withdrew.

Honorable R. A. Gray, Secretary of State; Honorable Richard W. Ervin, Attorney General; Honorable Clarence M. Gay, Comptroller; Honorable J. Edwin Larson, Treasurer; Honorable Nathan Mayo, Commissioner of Agriculture; Honorable Thomas D. Bailey, Superintendent of Public Instruction; constituting the Cabinet of the State of Florida, appeared in a body at the Bar of the House of Representatives and were seated immediately in front of the rostrum.

The committee appointed to wait upon the Governor reappeared in the hall of the House of Representatives escorting His Excellency, Fuller Warren, Governor of Florida.

The Governor was received by the Joint Assembly standing.

The President presented His Excellency to the Joint Assembly and the Governor thereupon delivered his message to the Legislature in joint session assembled.

Following the Governor's address, Senator Gautier of the 13th Senatorial District 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 at 4:17 o'clock P. M.

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

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

—38

A quorum present.

Senator Gautier (13th) moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 4:18 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 4, 1951.