

JOURNAL OF THE SENATE

Monday, April 20, 1953

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The Senate convened at 1:30 o'clock P. M., pursuant to adjournment on Friday, April 17, 1953.

The President in the Chair.

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

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

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A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. E. Hall.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, April 16, 1953, was further corrected as follows:

Page 4, column 1, strike out line 15 and insert in lieu thereof the following:

"of violations of law on cruelty to children and animals."

Also—

Page 6, column 2, counting from the bottom of the column, strike out "definition of the term wages," and insert in lieu thereof the word "definitions."

Also—

Page 8, column 1, line 3, counting from the bottom of the column, following the word "law" and before the word "be" insert the word "may".

Also—

Page 12, column 1, line 12, strike out the figures "1940" and insert in lieu thereof the figures "1949".

Also—

Page 15, column 2, line 27, strike out the following:

"immediately, by waiver of the rule"

Also—

Page 15, column 2, line 1, counting from the bottom of the column, strike out the following:

"immediately, by waiver of the rule"

And as further corrected was approved.

The Senate daily Journal of Friday, April 17, 1953, was corrected as follows:

Page 1, column 2, strike out lines 1 to 4, both inclusive, and insert in lieu thereof the following:

S. B. No. 162—A bill to be entitled An Act providing a retirement system for Police Officers of Incorporated Municipalities in Florida; creating a special fund to be known as the Police Officers Retirement Fund within such municipalities and the State Treasury; providing for the augmenting of the pension fund of municipal Police Officers by providing for payment by the State Treasury on warrants duly drawn by the Comptroller of the two per cent tax on premiums paid by

Foreign Casualty Insurance Companies to the treasury of the several towns, cities and municipalities which have heretofore or that may hereafter provide for municipal police pensions, retirement or death funds; prescribing certain duties of state officers; and providing for the administration and financing of said retirement system.

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

S. B. No. 51—A bill to be entitled An Act amending Section 704.01, 704.02, 704.03, Florida Statutes, 1949, relating to easements and providing for the use and maintenance of easements over certain lands when any land desired for use as a dwelling or for agricultural or stockraising purposes has no practical route of egress and ingress.

—and recommends that the same pass with Committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Rodgers, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following Bill:

S. B. No. 46—A bill to be entitled An Act to amend Section 625.02, Florida Statutes 1951; relating to the amount and par value of capital stock of insurance and surety companies organized under the laws of this State.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Davis, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 18—A bill to be entitled An Act to amend Chapter 203, Florida Statutes, relating to gross receipts taxes generally, by adding thereto Section 203.011, relating to tax upon gross receipts of public service corporations where resale is made by municipalities.

S. B. No. 155—A bill to be entitled An Act amending Section 215.26, Florida Statutes 1951, relating to repayment of funds paid into the State Treasury through error, etc., relating to the fixing of time within which application for refunds shall be filed with the Comptroller of the State for refund of "use taxes" paid into the State Treasury under the Florida Revenue Act of 1949, Chapter 26139, Laws of Florida, Acts of 1949, extraordinary session.

—and recommends that the same do not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Davis, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Concurrent Resolution:

S. C. R. No. 240—A Concurrent Resolution memorializing the Congress of the United States to enact legislation providing for the withdrawal of Federal Government from the field of gasoline taxes.

—and recommends that the same be adopted.

And the Concurrent Resolution contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Davis, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 23—A bill to be entitled An Act relating to the assessment, levying and collection of taxes upon the estates of decedents; amending Chapter 198, Florida Statutes 1951; providing for the taxation of certain intangible property of the estates of nonresident decedents; specifying when estate tax returns shall be filed; providing for the time for paying estate taxes; fixing the rate of interest payable on delinquent estate taxes; fixing the time within which estate taxes shall be determined and assessed; and fixing the time for discharging estates and decedents from estate tax liability.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Branch, Chairman of the Committee on Miscellaneous Legislation, reported that the Committee had carefully considered the following Bill:

S. B. No. 256—A bill to be entitled An Act amending Section 550.081, Florida Statutes, 1951; and allocating and providing the period of operation of horse race tracks and prohibiting future permits in this State where three horse race tracks are located within a radius of one hundred air miles of each other; providing and establishing annual racing seasons; allocating such racing seasons into three racing periods, each of which shall include one day of required racing from which the net profits shall be paid into a special State scholarship fund; and making findings and declaration of policy relative thereto.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

S. B. No. 134

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on April 17, 1953.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Your Enrolling Clerk, to whom was referred—

H. B. No. 47

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on April 20, 1953.

Very respectfully,

ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

Senator Melvin moved that a committee be appointed to escort Honorable Newman C. Brackin, former member of the Senate from the First Senatorial District, and a former President of the Senate, to a seat on the rostrum.

Which was agreed to.

And the President appointed Senators Melvin, Douglas and Floyd as the committee to escort former Senator Brackin to the rostrum.

By unanimous consent Senator Floyd added his name as a co-introducer of Senate Bill No. 213 and Senate Bill No. 214.

By unanimous consent Senator Collins added his name as a co-introducer of Senate Bill No. 253.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS.

By Senator Collins—

S. B. No. 275—A bill to be entitled An Act amending Section 394.23 Subsection (2) Florida Statutes 1951 providing for compensation for resident practicing physicians appointed on examining committees for mentally and physically incompetent persons; providing for a minimum and maximum of such compensation, and for certification by the county judge to the Board of County Commissioners for any such compensation exceeding the minimum; repeal of laws in conflict herewith, and providing for effective date thereof.

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

By Senators Franklin and King—

S. B. No. 276—A bill to be entitled An Act amending Section 321.19, Florida Statutes; authorizing credit in Department of Public Safety Pension Fund on the basis of previous time served as a law enforcement officer.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Fraser—

S. B. No. 277—A bill to be entitled An Act relating to arrest fees and mileage paid to sheriffs or constables when arrest is made jointly with the highway patrol; amending Subsection (4) of Section 321.05, Florida Statutes.

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

By Senator Branch—

S. B. No. 278—A bill to be entitled An Act relating to criminal contempt of court for failure to testify or produce documentary or other evidence before the grand jury, and providing a penalty therefor.

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

By Senator Branch—

S. B. No. 279—A bill to be entitled An Act to preserve and improve the purity of the waters of the State of Florida for the protection of public health, animal and aquatic use and for industrial consumption and recreation; requiring all persons, firms or corporations engaged in the business of mining and minerals or subterranean products in this State to provide necessary places of deposit for the industrial waste; making it unlawful for any person, persons, firm or corporation to permit or allow the escape of industrial waste into any of the waters of this State, and providing a penalty for violation of the provisions of this Act; providing for the filing of injunction suits and issuance of injunctions to prevent the escape of industrial waste; providing the venue of injunction suits and actions to enforce the provisions of this Act.

Which was read the first time by title only and referred to the Committee on Oil and Natural Resources.

Senator Melvin moved that Senate Bill No. 279 be also referred to the Committee on Public Health.

Pending consideration of the motion made by Senator Melvin, Senator Pearce moved as a substitute motion that Senate Bill No. 279 be referred also to the Committee on Public Health and to the Committee on Drainage and Water Conservation in addition to the Committee on Oil and Natural Resources.

The question was put on the substitute motion made by Senator Pearce.

A roll call was demanded.

Upon call of the roll on the substitute motion made by Senator Pearce the vote was:

Yeas—27.

Baker	Davis	Houghton	Melvin
Beall	Dayton	Johnson	Pearce
Black	Douglas	King	Rodgers
Bronson	Floyd	Leaird	Shands
Clarke	Fraser	Lewis	Sturgis
Connor	Gautier (28th)	Lindler	Tapper
Crary	Hodges	McArthur	

Nays—10.

Mr. President	Carlton	Morrow	Rogells
Boyle	Collins	Pope	
Branch	Franklin	Ripley	

So the substitute motion was adopted and Senate Bill No. 279 was referred to the Committee on Oil and Natural Resources, the Committee on Public Health and the Committee on Drainage and Water Conservation, in the order named.

By Senator Sturgis—

S. B. No. 280—A bill to be entitled An Act to amend Section 782.06, Florida Statutes, relating to killing by interfering with railway trains, by defining certain willful tampering with the mechanism of aircraft as murder in the first degree.

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

By Senator King—

S. B. No. 281—A bill to be entitled An Act relating to election laws, amending Section 101.36, Florida Statutes, by providing and setting out requirements to be followed in the use of voting machines by counties which have adopted such machines; providing for cities at their option to use such machines and granting authority to county commissioners to permit such use when requested by municipalities.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Black—

S. B. No. 282—A bill to be entitled An Act for the relief of John D. Odom, Jr. for the slaughter and burning of swine by the State Livestock Sanitary Board as a quarantine measure.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senators Baker and Sturgis—

S. B. No. 283—A bill to be entitled An Act relating to compensation of jurors in all courts of the state; amending Section 40.24, Florida Statutes and repealing Section 41.08, Florida Statutes.

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

By Senator McArthur—

S. B. No. 284—A bill to be entitled An Act amending Sections 588.09 and 588.11, Florida Statutes, and repealing Section 588.09, Florida Statutes, all relating to legally enclosed land, fenced and posted; providing for the elimination of posted notices in certain circumstances.

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

By Senator Davis—

S. B. No. 285—A bill to be entitled An Act relating to legislative committees; providing that interim committees of either branch of the Legislature may be created; providing that joint interim committees of both branches of the Legislature may be created; providing powers of such committees; providing that provisions of Sections 11.08, 11.09, 11.10 and 11.11, Florida Statutes, relating to subpoena of witnesses, sheriffs costs, false swearing, pay of witnesses, subpoena duces tecum and expenses of hearing, shall apply to such interim

committees between sessions of the Legislature as well as during sessions thereof.

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

By Senator Shands—

S. B. No. 286—A bill to be entitled An Act fixing the salary, other than fees, of the supervisor of registration in all counties of this state having a population of not less than 55,000 and not more than 60,000 inhabitants according to the last official census, and providing for payment thereof by the Board of County Commissioners in each such county.

Which was read the first time by title only.

Senator Shands moved that the rules be waived and Senate Bill No. 286 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 286 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 286 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. 286 was read the third time in full.

Upon the passage of Senate Bill No. 286 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 286 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Black and Tapper —

S. B. No. 287—A bill to be entitled An Act designating the pine tree as the Florida State Tree.

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

By Senator Franklin—

S. B. No. 288—A bill to be entitled An Act to amend Section 324.10, Florida Statutes, relating to motor vehicle liability policies by adding thereto a new subsection to be designated Subsection (4); providing for a detailed statement to be given by the insurer to the insured.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senator Franklin—

S. B. No. 289—A bill to be entitled An Act to amend Chapter 627, Florida Statutes, relating to insurance agents by adding at the end thereof a new section to require a statement of risks covered and the usual risks not covered by each policy to be delivered to the insured upon his receipt therefor and providing penalties for violations.

Which was read the first time by title only and referred to the Committee on Insurance and the Committee on Judiciary "C," in the order named.

By Senator Melvin—

S. B. No. 290—A bill to be entitled An Act to amend Section

954.06, Florida Statutes, relating to gain time of prisoners for good conduct; and providing the effective date hereof.

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

By Senator Melvin—

S. B. No. 291—A bill to be entitled An Act to amend Section 790.15, Florida Statutes, relating to the discharge of firearms on public highways or within three hundred yards of occupied premises outside of incorporated villages; and prescribing the effective date hereof.

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

By Senator Melvin—

S. B. No. 292—A bill to be entitled An Act to amend Section 811.21, Florida Statutes, relating to taking or using another's vehicle, boat or animal without authority; and providing the effective date hereof.

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

Senator Gautier (13th) moved that Senate Bill No. 217, which was previously referred to the Committee on Finance and Taxation, be also referred to the Committee on Aviation and Radio.

Which was agreed to and Senate Bill No. 217 was referred to the Committee on Finance and Taxation and the Committee on Aviation and Radio, in the order named.

By Senator Sturgis—

S. B. No. 293—A bill to be entitled An Act to amend Chapter 203, Florida Statutes, relating to gross receipts taxes generally, by adding thereto Section 203.011, relating to tax upon gross receipts of public service corporations where resale is made by municipalities.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Davis—

S. B. No. 294—A bill to be entitled An Act to amend Subsection (3) of Section 562.27, Sections 562.35, 562.38, 562.39 and 562.40, Florida Statutes, relating to seizures and forfeitures of any still and stilling apparatus or raw material used in the manufacture of illicit and illegal alcoholic beverages and liquors and all vehicles, vessels, aircraft or animals used in the transportation or removal of or for the deposit or concealment of any such apparatus or raw material or illicit liquor; providing for disposition of proceeds and requiring third party claimants to meet certain standards, and providing that a claimant has burden of proof to show right to possession, and repealing Section 562.43, Florida Statutes.

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

By Senator Connor—

S. B. No. 295—A bill to be entitled An Act providing for the construction, maintenance, repair and operation of a turnpike project extending from near Jacksonville in Duval County to near Miami in Dade County with proper connection to the west coast of Florida in the Tampa Bay area, creating a body politic and corporate to be known as the "Florida Turnpike Authority", authorizing appointment of members, terms of office and compensation, and defining its powers and duties; granting to the authority power to acquire necessary real and personal property and to exercise the power of eminent domain; providing for financing the construction of such project by the issuance of revenue bonds of the authority, payable solely from tolls and other revenues; providing that no debt of the state shall be incurred in the exercise of any such powers; providing for the collection of tolls and other revenues to pay such bonds and the interest thereon and the cost of maintenance, repair and operation of such project; exempting from taxes and assessments such project and such bonds; authorizing the issuance of revenue refunding bonds; authorizing appropriation state funds; and prescribing the powers and duties of the authority in con-

nection with the foregoing and the rights and remedies of the holders of bonds issued under the provisions of this Act.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Appropriations, in the order named.

By Senator Gautier (13th)—

S. B. No. 296—A bill to be entitled An Act relating to robbery and providing penalties therefor; repealing Section 813.01, Florida Statutes, relating to robbery by person armed, and Section 813.02, Florida Statutes, relating to robbery by person unarmed; and providing the effective date hereof.

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

By Senator Gautier (28th)—

S. B. No. 297—A bill to be entitled An Act recognizing Florida's necessity to protect its people by encouraging the development of industry, declaring the State's public policy to that effect, authorizing the several counties, districts and municipalities to acquire industrial enterprises, to issue bonds or other obligations therefor, to operate such industries, to dispose of them and to make contracts relative to such industries, to create the Florida Industrial Board, and to prescribe its duties.

Which was read the first time by title only and referred to the Committee on Appropriations and the Committee on Labor and Industry, in the order named.

By Senators Hodges and Connor—

S. B. No. 298—A bill to be entitled An Act relating to hunting on lands owned, managed or leased by the State of Florida or the Game and Fresh Water Fish Commission; amending Subsection (2) of Section 372.573, Florida Statutes, by providing a maximum fee for permits for residents and others.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Pope—

S. B. No. 299—A bill to be entitled An Act to amend paragraph (b) of Subsection (2) Section 210.20, Florida Statutes, relating to the appropriation of certain funds derived from cigarette taxes to the State Road Department; and providing an effective date.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Pope—

S. B. No. 300—A bill to be entitled An Act to appropriate to the Florida Board of Parks and Historic Memorials the sum of \$100,000.00 for development of Anastasia Park in St. Johns County.

Which was read the first time by title only and referred to the Committee on Forestry and Parks and the Committee on Appropriations, in the order named.

By Senators Rodgers, Beall and Fraser —

S. B. No. 301—A bill to be entitled An Act relating to cemeteries and the burial of human dead in this State, prescribing the organization, powers, duties of cemetery authorities, and concerning the maintenance and supervision of endowed care funds, and for other purposes, and providing penalties for violation of certain sections hereof.

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

By Senator Collins—

S. B. No. 302—A bill to be entitled An Act conferring jurisdiction on the circuit court within whose judicial district the greater portion of the area involved lies, to extend or contract the boundaries of municipalities on petition of the governing body of the municipality or the county or fifty-one per centum of the qualified voters or freeholders of the area involved; prescribing the nature and contents of the petition, the manner of its filing, and the notice by service or publica-

tion to be given; designating the parties to the suit and permitting certain persons to become parties; prescribing the rules of procedure which shall govern the proceeding and permitting consolidation of certain proceedings; establishing the standards to be followed and the factors, such as area of the county remaining, to be considered by the court in making its determination and the conditions, including capital outlays, upon which a petition may be granted; prescribing the liability of the territory annexed or excluded and of its citizens for bonded indebtedness, the payment of taxes and the performance of any other duties; providing that title to public property shall not be transferred by annexation or exclusion; permitting the municipality to decline to accept the terms and conditions of the order of annexation and the effect of such failure to accept or comply with the terms and conditions of any order or decree of annexation, and the effect generally of denial of the petition; providing for assessment of costs, review by the Supreme Court and for subsequent retention of jurisdiction and enforcement of the decree or order of annexation, and prescribing the application of this Act.

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

By Senator Collins—

S. B. No. 303—A bill to be entitled An Act relating to public aid to needy persons who are permanently and totally disabled, defining permanent and total disability, prescribing requirements for eligibility, providing for administration thereof by the State Department of Public Welfare and making an appropriation therefor.

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

By Senator Branch—

S. B. No. 304—A bill to be entitled An Act authorizing the Board of County Commissioners of any county of the State of Florida to create a Historical Commission for such county; providing who shall be members of such commission; prescribing their powers and duties; providing who shall be chairman, and secretary; providing that the expenses of such a commission shall be paid by the County Commissioners of such county out of the general fund; that the Clerk of the Circuit Court of such county shall file and record without charge historical data and material; and authorizing the County Commissioners of such county to provide a suitable place as a repository for such data and material.

Which was read the first time by title only and referred to the Committee on County Organizations.

By Senator Gautier (13th)—

S. B. No. 305—A bill to be entitled An Act amending Subsections (b) and (d) of Section 1, Subsections (3), (11), (18) and (24) of Section 2 and Sections 5 and 8 of Chapter 22963, Laws of Florida, Acts of 1945, entitled "an Act relating to counties of and county commissioners in counties having a population of 260,000 inhabitants or more according to the latest Federal Census and their powers in general and in particular in relation to ports, harbors, air fields and other projects and making same a county purpose", as amended by Chapter 24296, Laws of Florida, Acts of 1947, and as further amended by Chapters 25166 and 25520, Laws of Florida, Acts of 1949, and as further amended by Chapter 26652, Laws of Florida, Acts of 1951: To confer additional powers upon such counties and county commissioners; further defining the term "project" to include railroad and motor terminals for passengers and freight, and to include buildings, and toll highways; granting such counties and county commissioners authority to construct elevated toll roads along, over and across public streets in any city, town or municipality within such counties; further defining the term "cost" to include interest during construction and, if deemed advisable, for one year after completion of construction; to authorize the pledging of the revenues of two or more projects for financing purposes; authorizing the levy of a general ad valorem tax of one and one-half mills and providing the purposes for which the proceeds thereof shall be used; and for other purposes.

Which was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

By Senator Ripley—

S. B. No. 306—A bill to be entitled An Act relating to the Corporation Capital Stock Tax; amending Sections 610.07, 610.08(1), 610.10 and 610.15, Florida Statutes, by prescribing the effective date of information contained in said tax reports; deleting limitations on proration of tax; eliminating penalty for failure to comply with Capital Stock Tax Law; providing for valuation date of no par value stock; requiring all corporations paying tax to file reports; repealing Sections 610.13 and 610.14, Florida Statutes and providing the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Ripley—

S. B. No. 307—A bill to be entitled An Act relating to inheritance and estate taxes; amending Section 198.13 and the first paragraph of Section 198.15, Florida Statutes, by prescribing the amount of the gross estate upon which a return shall be made and the date when said taxes are due and payable; providing the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Ripley—

S. B. No. 308—A bill to be entitled An Act to provide an expeditious method for the determination of issues arising out of a claim of homestead in real property or claim of exemption in personal property after the same shall have been levied upon under execution or other process.

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

By Senator Ripley—

S. B. No. 309—A bill to be entitled An Act to amend Section 2, of Chapter 27518, Laws of Florida, Acts of 1951, entitled "An Act affecting Duval County, Florida, by providing for the establishment of the position of County Service Officer: providing for his appointment and compensation, suitable quarters and office expense; prescribing his powers, duties and qualifications; providing for the employment of assistants and other personnel; providing for the financing of said service by Duval County and the City of Jacksonville and requiring appropriations therefor and any appropriation made for the compensation and expense of such County Service Officer shall be deemed for a lawful county purpose."

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 309 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Ripley moved that the rules be waived and Senate Bill No. 309 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 309 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 309 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. 309 was read the third time in full.

Upon the passage of Senate Bill No. 309 the roll was called and the vote was:

Yeas—38.

Mr. President	Bronson	Davis	Gautier (28th)
Baker	Carlton	Dayton	Gautier (13th)
Beall	Clarke	Douglas	Hodges
Black	Collins	Floyd	Houghton
Boyle	Connor	Franklin	Johnson
Branch	Crary	Fraser	King

Leaird	Melvin	Ripley	Sturgis
Lewis	Morrow	Rodgers	Tapper
Lindler	Pearce	Rogells	
McArthur	Pope	Shands	

Nays—None.

So Senate Bill No. 309 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ripley—

S. B. No. 310—A bill to be entitled An Act relating to Deputy Sheriffs providing for their appointment, duties, compensation and other matters: providing certain exemptions from Section 30.09, Florida Statutes, and repealing all laws in conflict herewith.

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

By Senator Ripley—

S. B. No. 311—A bill to be entitled An Act to amend Subsection 7 of Section 610.03, Florida Statutes, relating to inherent powers of corporations to increase or diminish number of directors, managers or trustees and specifying the number thereof.

Which was read the first time by title only and referred to the Committee on Corporations.

By Senator Ripley—

S. B. No. 312—A bill to be entitled An Act to amend Section 813.01, Florida Statutes, by making armed robbery an offense punishable by death.

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

By Senator Ripley—

S. B. No. 313—A bill to be entitled An Act relating to alcoholic beverages, amending Section 562.12, Florida Statutes, by prohibiting the possession of said beverages not permitted to be sold by license holder with intent to sell the same; providing for the confiscation of certain alcoholic beverages, and repealing all laws in conflict herewith.

Which was read the first time by title only and referred to the Committee on Temperance.

By Senator Ripley—

S. B. No. 314—A bill to be entitled An Act to provide for the inclusion of costs in all fines assessed against persons convicted of crimes in any court of the State, and providing that the sheriff shall have the duty of collecting all fines assessed in any criminal case.

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

By Senator Ripley—

S. B. No. 315—A bill to be entitled An Act amending Section 1, Chapter 25348, Laws of Florida, Acts of 1949, relating to the appointment of deputy constables by the constables of the various Justice of the Peace districts in counties having a population of not less than three hundred thousand (300,000) according to the last state or federal census.

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

Senator Pearce asked unanimous consent of the Senate to take up and consider House Bill No. 114, out of its order.

Which was agreed to.

H. B. No. 114—A bill to be entitled An Act relating to Putnam County, Florida; declaring the providing of an adequate library for and the maintenance of the Circuit Court chambers in the County Courthouse be a county purpose; validating all expenditures from county funds heretofore made for such purpose; appropriating a portion of certain docket fees collected by the Clerk of the Circuit Court of said County to the General Revenue Fund thereof, and providing for the use and disbursement of such moneys and providing effective and expiration date.

Was taken up.

Senator Pearce moved that the rules be waived and House Bill No. 114 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 114 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 114 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 114 was read the third time in full.

Upon the passage of House Bill No. 114 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 114 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pearce asked unanimous consent of the Senate to take up and consider House Bill No. 115, out of its order.

Which was agreed to.

H. B. No. 115—A bill to be entitled An Act relating to the establishment of a County Hospital Authority and Public Hospital in Putnam County, Florida.

Was taken up.

Senator Pearce moved that the rules be waived and House Bill No. 115 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 115 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 115 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 115 was read the third time in full.

Upon the passage of House Bill No. 115 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 115 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pearce asked unanimous consent of the Senate to take up and consider House Bill No. 116, out of its order.

Which was agreed to.

H. B. No. 116—A bill to be entitled An Act relating to compensation of county officials in the several counties of the State of Florida with not more than 23,652 and not less than 23,405 population according to the last preceding official state census; providing effective and expiration date.

Was taken up.

Senator Pearce moved that the rules be waived and House Bill No. 116 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 116 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 116 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 116 was read the third time in full.

Upon the passage of House Bill No. 116 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 116 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pearce asked unanimous consent of the Senate to take up and consider House Bill No. 117, out of its order.

Which was agreed to.

H. B. No. 117—A bill to be entitled An Act relating to the compensation of members and officers of boards of public instruction in the several counties of the State of Florida with not more than 23,652 and not less than 23,405 population, according to the last official census, and ratifying and confirming payments made under Chapter 26,396, Laws of Florida, extraordinary session of 1949, and under Chapter 26,646, Laws of Florida, 1951, and under Chapter 27,141, Laws of Florida, 1951.

Was taken up.

Senator Pearce moved that the rules be waived and House Bill No. 117 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 117 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 117 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 117 was read the third time in full.

Upon the passage of House Bill No. 117 the roll was called and the vote was:

Yeas—38.

Mr. President	Bronson	Davis	Gautier (28th)
Baker	Carlton	Dayton	Gautier (13th)
Beall	Clarke	Douglas	Hodges
Black	Collins	Floyd	Houghton
Boyle	Connor	Franklin	Johnson
Branch	Crary	Fraser	King

Leaird	Melvin	Ripley	Sturgis
Lewis	Morrow	Rodgers	Tapper
Lindler	Pearce	Rogells	
McArthur	Pope	Shands	

Nays—None.

So House Bill No. 117 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Pearce asked unanimous consent of the Senate to take up and consider House Bill No. 118, out of its order.

Which was agreed to.

H. B. No. 118—A bill to be entitled An Act appropriating all funds accruing to Putnam County, Florida, under Section 15, Article 9 of the State Constitution, and Chapter 550, Florida Statutes, 1951, the same being racing commission funds, to the county board of public instruction of Putnam County, Florida; the board of county commissioners of Putnam County, Florida; the board of bond trustees of Putnam County, Florida, and the remainder to the county commissioners of Putnam County, Florida, to be placed in the "hospital fund"; providing effective and expiration dates.

Was taken up.

Senator Pearce moved that the rules be waived and House Bill No. 118 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 118 was read the second time by title only.

Senator Pearce moved that the rules be further waived and House Bill No. 118 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 118 was read the third time in full.

Upon the passage of House Bill No. 118 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 118 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Tapper asked unanimous consent of the Senate to take up and consider House Bill No. 189, out of its order.

Which was agreed to.

H. B. No. 189—A bill to be entitled An Act amending Section 9 of Chapter 27833, Laws of Florida, Acts of 1951, entitled "An Act to abolish the present municipal government of the City of Port St. Joe, in the County of Gulf, in the State of Florida, and to create, establish and organize a municipality to be known and designated as the City of Port St. Joe, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges," relating to the election and compensation of the City Commission.

Was taken up.

Senator Tapper moved that the rules be waived and House Bill No. 189 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 189 was read the second time by title only.

Senator Tapper moved that the rules be further waived and House Bill No. 189 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 189 was read the third time in full.

Upon the passage of House Bill No. 189 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 189 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Branch asked unanimous consent of the Senate to take up and consider House Bill No. 120, out of its order.

Which was agreed to.

H. B. No. 120—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Hillsborough County to levy a tax not to exceed one mill per annum for not more than four consecutive years for the purpose of raising funds for the additional cost of construction, repairing and equipping of the court house in Hillsborough County, Florida, and authorizing the issuance of revenue certificates to be paid from the proceeds of such tax.

Was taken up.

Senator Branch moved that the rules be waived and House Bill No. 120 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 120 was read the second time by title only.

Senator Branch moved that the rules be further waived and House Bill No. 120 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 120 was read the third time in full.

Upon the passage of House Bill No. 120 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 120 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGE FROM THE GOVERNOR

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

April 17, 1953

*Hon. Charley E. Johns,
President of the Senate,
State Capitol*

Sir:

I have the honor to inform you that I have today approved the following Act, which originated in your Honorable Body, Regular Session, 1953, and have caused the same to be filed in the office of the Secretary of State:

S. B. No. 134—RELATING TO PENSACOLA

Respectfully,

Dan McCarty,
Governor.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,

April 20, 1953.

*Hon. Charley E. Johns,
President of the Senate.*

Sir:

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

By Senator Leaird—

S. B. No. 163—A bill to be entitled An Act to provide for the creation of a Municipal Corporation to be known as Fern Crest Village, in Broward County, Florida; to fix and determine the territorial limits, jurisdiction, powers and privileges of said town and the jurisdiction, powers and privileges of its officers.

Proof of Publication Attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bill No. 163, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 20, 1953

*Hon. Charley E. Johns,
President of the Senate.*

Sir:

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

By Senator Hodges—

S. B. No. 150—A bill to be entitled An Act abolishing all justice of peace districts in Levy County, Florida, subject to approval at a referendum election.

Also—

By Senator Houghton—

S. B. No. 151—A bill to be entitled An Act providing for the creation and maintenance of traffic and rate bureau in Pinellas County, Florida, it being a County wide purpose; that the funds for the aforesaid traffic and rate bureau are to be appropriated from the general fund of Pinellas County, Florida; that the Board of County Commissioners shall de-

cide each year the appropriation necessary for said bureau and shall disburse the necessary funds either in a lump sum or by monthly installments; that any municipality within Pinellas County, Florida may contribute to the maintenance of said traffic and rate bureau.

Proof of Publication Attached.

Also—

By Senator Baker—

S. B. No. 106—A bill to be entitled An Act to abolish the present municipal government of the Town of Mount Dora, in the County of Lake, State of Florida, and to establish, organize and constitute a municipality to be known as the City of Mount Dora, in the County of Lake, and State of Florida; to provide a Charter for said City; to fix its territorial limits and boundaries; to provide for its government, and prescribe its jurisdiction, powers and privileges; to provide miscellaneous provisions relating to such established municipality; and to provide for repeal of Chapter 10866, Laws of Florida, Acts of 1925, and Chapter 16574, Laws of Florida, Special Acts of 1933.

Proof of Publication Attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 150, 151 and 106 contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 20, 1953.

Hon. Charley E. Johns,
President of the Senate.
Sir:

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

By Senator King—

S. B. No. 173—A bill to be entitled An Act to abolish the present municipality of the City of Lake Wales, in Polk County, Florida, and to establish, organize and incorporate in its place a municipality to be known and designated as the City of Lake Wales, Florida; to define its territorial boundaries and to provide for its government, jurisdiction, powers and privileges, and the exercise of the same; to preserve and confirm all titles, rights, ownerships of property, uncollected taxes, liens, dues, claims, judgments, decrees, choses in action, contracts and obligations, existing in favor or against the City of Lake Wales, Florida, abolished by this act, and to transfer the same to the City of Lake Wales, Florida, created by this act, providing referendum.

Also—

By Senator Bronson—

S. B. No. 183—A bill to be entitled An Act fixing the salary of the members of the board of County Commissioners of Osceola County and the chairman thereof and to provide for mileage for the commissioners of such county while engaged in county work.

Proof of Publication Attached.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And Senate Bills Nos. 173 and 183, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,

April 16, 1953.

Hon. Charley E. Johns,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed— as amended—

By Messrs. David and Burwell of Broward—

H. B. No. 94—A bill to be entitled An Act to create and incorporate the Town of Hollywood Ridge Farms, establishing the territorial limits thereof; and defining the powers of the town, and the town council, and providing for the election of the town council; establishing a municipal court, providing for the qualification and registration of the electors; ordinances, meetings of the town council, revenue and taxation, bond, and amendment of charter.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 94 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 94, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 17, 1953

Hon. Charley E. Johns,
President of the Senate.
Sir:

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

By Messrs. Land and Keezel of Orange—

H. B. No. 284—A bill to be entitled An Act authorizing the Board of County Commissioners of Orange County to procure and pay premiums on liability insurance against tort actions; requiring insurer to waive defense of governmental immunity in any suit brought against county; waiving governmental immunity only to extent of insurance carried.

Proof of Publication Attached.

Also—

By Messrs. Land and Keezel of Orange—

H. B. No. 286—A bill to be entitled An Act relating to residence requirements of applicants for appointment as members of the fire department of the City of Orlando, amending Section 3 of Chapter 23444, Acts of 1945.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 284 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 284, contained in the above message, was read the first time by title only.

Senator Rodgers moved that the rules be waived and House Bill No. 284 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 284 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 284 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 284 was read the third time in full.

Upon the passage of House Bill No. 284 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 284 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 286 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 286, contained in the above message, was read the first time by title only.

Senator Rodgers moved that the rules be waived and House Bill No. 286 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 286 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 286 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 286 was read the third time in full.

Upon the passage of House Bill No. 286 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 286 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,

April 17, 1953.

*Hon. Charley E. Johns,
President of the Senate.*
Sir:

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

By Messrs. Bartholomew and Washburne of Sarasota—

H. B. No. 263—A bill to be entitled An Act amending Section 3, Chapter 8838, Laws of Florida, 1921, being an Act relating to the establishment of a county court in Sarasota County, Florida; to prescribe the terms thereof; to provide for the appointment of a prosecuting attorney and judge, the latter to receive a portion of the docket fee provided for the Clerk of the County Court under Chapter 26931, Laws of Florida, 1951 (Section 34.041, Florida Statutes, 1951).

Proof of Publication Attached.

Also—

By Messrs. Morgan, Mahon and Westberry of Duval—

H. B. No. 268—A bill to be entitled An Act amending Section 5, Chapter 7175, Laws of Florida, Special Acts of 1915 as amended, entitled "An Act providing a pension for members of the fire department of the City of Jacksonville, who shall become permanently incapacitated to perform their duties in said department, or who have served for a number of years, and for other relief, and certain persons dependent upon them for support, and providing a fund for said purposes," so as to require the City of Jacksonville to pay those members of the fire department that retired prior to 1945 the same amount as those retired since that date.

Proof of Publication Attached.

Also—

By Messrs. Land and Keezel of Orange—

H. B. No. 283—A bill to be entitled An Act amending Section 17 of Chapter 7533 of the Laws of Florida of 1917, relating to the creation and administration of the Windermere Special Navigable Canal District of Orange County, Florida.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 263 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 263, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 268 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 268, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 283 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 283, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 17, 1953.

Hon. Charley E. Johns,
President of the Senate.
Sir:

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

By Mr. Fee of St. Lucie—

H. B. No. 256—A bill to be entitled An Act authorizing St. Lucie County, Florida, to construct or acquire a courthouse, or jail, or both, or additions and improvements to any existing courthouse or jail; providing for the levy of a special tax to pay for the cost thereof; authorizing the issuance of certificates of indebtedness in anticipation of the levy and collection of said special taxes; authorizing said county to pledge to the payment of the principal of and interest on said certificates of indebtedness the monies received by said county from taxes on race tracks in the State of Florida; providing for the terms and conditions of said certificates of indebtedness and the rights of the holders thereof; and providing when this Act shall take effect.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 256, when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 256, contained in the above message, was read the first time by title only.

Senator Crary moved that the rules be waived and House Bill No. 256 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 256 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 256 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 256 was read the third time in full.

Upon the passage of House Bill No. 256 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 256 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,

April 17, 1953.

Hon. Charley E. Johns,
President of the Senate.
Sir:

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

By Messrs. Land and Keezel of Orange—

H. B. No. 287—A bill to be entitled An Act relating to the drawing and issuance of county warrants by the board of county commissioners of Orange County; the use of a signature machine; the printing of county warrants; the procedure to be followed in issuing such warrants during any interim between meetings; repealing all laws and parts of laws in conflict herewith, and providing when this Act shall take effect.

Proof of Publication Attached.

Also—

By Messrs. Morgan, Mahon and Westberry of Duval—

H. B. No. 298—A bill to be entitled An Act granting to certain full-time employees in the Legal Department of the City of Jacksonville full credit for the entire period of full-time employment in the Health Department of said City in the Pension Fund created by Chapter 18610, Laws of Florida 1937, upon certain conditions.

Proof of Publication Attached.

Also—

By Messrs. Morgan, Mahon and Westberry of Duval—

H. B. No. 299—A bill to be entitled An Act granting to certain full-time employees in the Police Department of the City of Jacksonville full credit for the entire period of full-time employment in the Health Department of said city in the Pension Fund created by Chapter 18610, Laws of Florida 1937, upon certain conditions.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 287 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 287, contained in the above message, was read the first time by title only.

Senator Rodgers moved that the rules be waived and House Bill No. 287 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 287 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 287 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 287 was read the third time in full.

Upon the passage of House Bill No. 287 the roll was called and the vote was:

Yeas—38.

Mr. President	Boyle	Clarke	Davis
Baker	Branch	Collins	Dayton
Beall	Bronson	Connor	Douglas
Black	Carlton	Crary	Floyd

Franklin	Johnson	Melvin	Rogells
Fraser	King	Morrow	Shands
Gautier (28th)	Leaird	Pearce	Sturgis
Gautier (13th)	Lewis	Pope	Tapper
Hodges	Lindler	Ripley	
Houghton	McArthur	Rodgers	

Nays—None.

So House Bill No. 287 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 298 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 298, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 298 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 298 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 298 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 298 was read the third time in full.

Upon the passage of House Bill No. 298 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 298 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 299 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 299, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 17, 1953.

*Hon. Charley E. Johns,
President of the Senate.*
Sir:

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

By Mr. Webb of Washington—

H. B. No. 310—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Washington County, Florida, solely, or in conjunction with the City of Chipley, to purchase and operate equipment for fighting and suppressing fires throughout Washington County.

Proof of Publication Attached.

Also—

By Mr. Surlles of Polk—

H. B. No. 313—A bill to be entitled An Act amending Section 163 of Chapter 10754, Laws of Florida, Acts of 1925, entitled: "An Act to abolish the present municipality of the City of Lakeland, Polk County, Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Lakeland, Polk County, Florida, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges, and to authorize the said City of Lakeland, Polk County, Florida, to enforce ordinances of said city;" providing for the registration of qualified electors who are physically unable to appear before the registration officer of said city for the purpose of registration.

Proof of Publication Attached.

Also—

By Mr. Surlles of Polk—

H. B. No. 314—A bill to be entitled An Act amending Sections 12, 17, 18, 23 and 161 of Chapter 10754, Laws of Florida, Acts of 1925, entitled: "An Act to abolish the present municipality of the City of Lakeland, Polk County, Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Lakeland, Polk County, Florida, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges, and to authorize the said City of Lakeland, Polk County, Florida, to enforce ordinances of said city"; and providing for the election of City Commissioners, and defining a quorum thereof, and providing for the election of a mayor and mayor pro tem of the City of Lakeland, Florida.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 310 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 310, contained in the above message, was read the first time by title only.

Senator Tapper moved that the rules be waived and House Bill No. 310 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 310 was read the second time by title only.

Senator Tapper moved that the rules be further waived and House Bill No. 310 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 310 was read the third time in full.

Upon the passage of House Bill No. 310 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 310 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 313 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 313, contained in the above message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 313 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 313 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 313 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 313 was read the third time in full.

Upon the passage of House Bill No. 313 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 313 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 314 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 314, contained in the above message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 314 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 314 was read the second time by title only.

Senator King moved that the rules be further waived and House Bill No. 314 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 314 was read the third time in full.

Upon the passage of House Bill No. 314 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 314 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,

April 17, 1953.

Hon. Charley E. Johns,
President of the Senate.
Sir:

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

By Mr. Fee of St. Lucie—

H. B. No. 259—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of St. Lucie County, Florida, to grant easements and franchises for rights of way over, in and upon and across county roads for the maintenance of pipes, poles and lines for the transmission and distribution of water, gas, electric power and for telephone and telegraph purposes, under such conditions and with such limitations as said board may, in its discretion, impose, and ratifying and confirming all easements and franchises heretofore granted by said board for said purposes.

Proof of Publication Attached.

Also—

By Mr. Fee of St. Lucie—

H. B. No. 260—A bill to be entitled An Act to abolish justice districts in St. Lucie County, Florida, and providing for a referendum.

Also—

By Messrs. Bartholomew and Washburne of Sarasota—

H. B. No. 262—A bill to be entitled An Act repealing Chapter 20367, Laws of Florida, 1941, as amended by Chapter 26640, Laws of Florida, 1951, relating to the compensation of the clerk of the circuit court for services performed in the circuit and county courts of Sarasota County, Florida.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 259 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 259, contained in the above message, was read the first time by title only.

Senator Crary moved that the rules be waived and House Bill No. 259 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 259 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 259 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 259 was read the third time in full.

Upon the passage of House Bill No. 259 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 259 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 260, contained in the above message, was read the first time by title only.

Senator Crary moved that the rules be waived and House Bill No. 260 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 260 was read the second time by title only.

Senator Crary moved that the rules be further waived and House Bill No. 260 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 260 was read the third time in full.

Upon the passage of House Bill No. 260 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 260 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 262 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 262, contained in the above message, was read the first time by title only.

Senator Rogells moved that the rules be waived and House Bill No. 262 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 262 was read the second time by title only.

Senator Rogells moved that the rules be further waived and House Bill No. 262 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 262 was read the third time in full.

Upon the passage of House Bill No. 262 the roll was called and the vote was:

Yeas—38.

Mr. President	Black	Bronson	Collins
Baker	Boyle	Carlton	Connor
Beall	Branch	Clarke	Crary

Davis	Gautier (13th)	Lindler	Rodgers
Dayton	Hodges	McArthur	Rogells
Douglas	Houghton	Melvin	Shands
Floyd	Johnson	Morrow	Sturgis
Franklin	King	Pearce	Tapper
Fraser	Leaird	Pope	
Gautier (28th)	Lewis	Ripley	

Nays—None.

So House Bill No. 262 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

VETO MESSAGES

S. B. No. 379 (1951 Session)—An Act relating to punishment and providing that whenever punishment by imprisonment is prescribed the court may in its discretion, where the sentence is for a term of two years or less, direct that the imprisonment be in the county jail.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE

June 11, 1951

Honorable R. A. Gray
Secretary of State
The Capitol

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 379, enacted by the Legislature of 1951, and entitled:

“AN ACT RELATING TO PUNISHMENT AND PROVIDING THAT WHENEVER PUNISHMENT BY IMPRISONMENT IS PRESCRIBED THE COURT MAY IN ITS DISCRETION, WHERE THE SENTENCE IS FOR A TERM OF TWO YEARS OR LESS, DIRECT THAT THE IMPRISONMENT BE IN THE COUNTY JAIL.”

This bill seeks to give Courts in certain counties the discretion to direct that the imprisonment of all persons convicted of any type of crime whose sentence is for two years or less, be spent in the county jail rather than in the state prison.

This is a bad bill, in my opinion, because it would cause a great deal of confusion. Punishment for crime should be uniform throughout the state.

It also is bad because, in my opinion, it would upset the general state law on the difference between a felony and a misdemeanor.

It is bad because of its probable use in certain counties which are not in wholehearted sympathy with the enforcement of certain state laws, and might result in a prisoner having a good time in some home town jail even though he had been convicted of a felony.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill 379, Legislative Session of 1951, and I hereby veto the same.

Respectfully,

FULLER WARREN
Governor

The President put the question, “Shall the bill pass, the Governor’s objections to the contrary notwithstanding?”

Upon the passage of Senate Bill No. 379 (1951 Session) the roll was called and the vote was:

Yeas—None.

Nays—36.

Mr. President	Crary	Hodges	Morrow
Baker	Davis	Houghton	Pearce
Beall	Dayton	Johnson	Pope
Black	Douglas	King	Ripley
Branch	Floyd	Leaird	Rodgers
Bronson	Franklin	Lewis	Rogells
Carlton	Fraser	Lindler	Shands
Clarke	Gautier (28th)	McArthur	Sturgis
Connor	Gautier (13th)	Melvin	Tapper

So Senate Bill No. 379 (1951 Session) failed to pass over the Governor's veto.

S. B. No. 620 (1951 Session)—An Act authorizing cities or towns in this state to provide by ordinance, rules or regulations for the construction, maintenance and operation of curb windows, curb auto-teller service stations or other curb facilities for paying or collecting public utility charges, making bank deposits, cashing checks or other written orders on banks, paying telephone bills and for like or similar service as may be necessary, expedient, desirable or convenient and for the best interest of the public.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 4, 1951

Honorable R. A. Gray
Secretary of State
The Capitol

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 620, enacted by the Legislature of 1951, and entitled:

"AN ACT AUTHORIZING CITIES OR TOWNS IN THIS STATE TO PROVIDE BY ORDINANCE, RULES OR REGULATIONS FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF CURB WINDOWS, CURB AUTO-TELLER SERVICE STATIONS OR OTHER CURB FACILITIES FOR PAYING OR COLLECTING PUBLIC UTILITY CHARGES, MAKING BANK DEPOSITS, CASHING CHECKS OR OTHER WRITTEN ORDERS ON BANKS, PAYING TELEPHONE BILLS AND FOR LIKE OR SIMILAR SERVICE AS MAY BE NECESSARY, EXPEDIENT, DESIRABLE OR CONVENIENT AND FOR THE BEST INTEREST OF THE PUBLIC."

This measure grants a wide discretionary authority to any city or town of this state to authorize the construction, maintenance and operation of curb windows or auto-teller service stations for paying or collecting utility charges, making bank deposits, cashing checks, paying telephone bills and for any like or similar services, and in aid of the grant of power authorizes cities or towns to alter, widen, fill in, grade, pave or divert the use of any street, avenue, highway, sidewalk or other way.

The streets and the sidewalks of the cities and towns of Florida belong to the people. The authorization of curb windows for the collection of public utility charges where the utility is owned by the municipality may be justified, but such a broad grant of power to a city in aid of any private company desiring curb window facilities offers a potential invasion of the right of the people for the general use of their streets and sidewalks. This measure as phrased would permit any city or town to close any street or sidewalk, or to divert the use of any street or sidewalk for the sole purpose

of furnishing curb window facilities for private banks, telephone companies and the like.

While it may be that such facilities would serve a useful purpose for some individual concerns for their customers, the bill permits a restriction of use to a limited segment of the population.

Such facilities, if they are to be furnished, would seem more appropriately established by off street curb windows and off street facilities for the transaction of the type of services to be afforded by such private institutions.

The diversion of the use of any street for such limited purposes could not help but further obstruct and congest traffic snarls which exist in so many of the cities of Florida. The movement of automobiles across sidewalks generally reserved to pedestrians presents a traffic hazard inconsistent with the program of public safety for which my administration has so long fought.

Since the entire measure seems dedicated to the restriction of public streets and sidewalks to limited uses for private institutions which could furnish such facilities by off street and off sidewalk services, I therefore withhold my approval from Senate Bill 620, Legislative Session 1951, and do hereby veto the same.

Respectfully,

FULLER WARREN
Governor

The President put the question, "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 620 (1951 Session) the roll was called and the vote was:

Yeas—None.

Nays—37.

Mr. President	Connor	Houghton	Pope
Baker	Crary	Johnson	Ripley
Beall	Davis	King	Rodgers
Black	Dayton	Leaird	Rogells
Boyle	Douglas	Lewis	Shands
Branch	Floyd	Lindler	Sturgis
Bronson	Franklin	McArthur	Tapper
Carlton	Fraser	Melvin	
Clarke	Gautier (28th)	Morrow	
Collins	Gautier (13th)	Pearce	

So Senate Bill No. 620 (1951 Session) failed to pass over the Governor's veto.

S. B. No. 757 (1951 Session)—

An Act declaring that all public roads and streets in and for all counties in Florida having a population of not less than 100,000 and not more than 114,000 inhabitants, according to the last official census, now in existence or hereafter constructed out of public funds serve a general public and state purpose, designating such roads as state roads and providing that this Act shall not make Sections 588.07 through 588.26 inclusive, Florida Statutes, relating to livestock running at large, effective as to such roads until they are accepted, paved and maintained by the State Road Department.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 6, 1951

Honorable R. A. Gray
Secretary of State
The Capitol

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III, of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 757, enacted by the Legislature of 1951, and entitled:

"AN ACT DECLARING THAT ALL PUBLIC ROADS AND STREETS IN AND FOR ALL COUNTIES IN FLORIDA HAVING A POPULATION OF NOT LESS THAN 100,000 AND NOT MORE THAN 114,000 INHABITANTS, ACCORDING TO THE LAST OFFICIAL CENSUS, NOW IN EXISTENCE OR HEREAFTER CONSTRUCTED OUT OF PUBLIC FUNDS SERVE A GENERAL PUBLIC AND STATE PURPOSE, DESIGNATING SUCH ROADS AS STATE ROADS AND PROVIDING THAT THIS ACT SHALL NOT MAKE SECTIONS 588.07 THROUGH 588.26 INCLUSIVE, FLORIDA STATUTES, RELATING TO LIVESTOCK RUNNING AT LARGE, EFFECTIVE AS TO SUCH ROADS UNTIL THEY ARE ACCEPTED, PAVED AND MAINTAINED BY THE STATE ROAD DEPARTMENT."

I have been requested by Senator Beall, of the Second Senatorial District, introducer of the bill, to veto it. Also Representatives Darby and Jernigan of Escambia County, the county which would be affected by this bill, have requested that I veto it.

For the foregoing reasons, I therefore withhold my approval from Senate Bill 757, legislative session of 1951, and I hereby veto the same.

Respectfully,

FULLER WARREN
Governor

The President put the question, "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 757 (1951 Session) the roll was called and the vote was:

Yeas—None.

Nays—37.

Mr. President	Connor	Houghton	Pope
Baker	Davis	Johnson	Ripley
Beall	Dayton	King	Rodgers
Black	Douglas	Leaird	Rogells
Boyle	Floyd	Lewis	Shands
Branch	Franklin	Lindler	Sturgis
Bronson	Fraser	McArthur	Tapper
Carlton	Gautier (28th)	Melvin	
Clarke	Gautier (13th)	Morrow	
Collins	Hodges	Pearce	

So Senate Bill No. 757 (1951 Session) failed to pass over the Governor's veto.

S. B. No. 763 (1951 Session)—An Act relating to the registration of brands, trade-marks and trade-names of intoxicating beverages by rectifiers, distillers and manufacturers thereof; requiring registration thereof; requiring registration of names and addresses of authorized distributors, agents, factors and brokers therefor; statement of contents and ingredients thereof; and prohibiting import of such trade-named or trade-marked beverages from any but such registered persons, firms or corporations; providing certain penalties for violation of any provisions hereof; and exempting malt beverages and beverages sold or purchased at judicial sale from the provisions of this Act.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

June 11, 1951

Honorable R. A. Gray
Secretary of State
The Capitol

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 763, enacted by the Legislature of 1951, and entitled:

"AN ACT RELATING TO THE REGISTRATION OF BRANDS, TRADE-MARKS AND TRADE-NAMES OF INTOXICATING BEVERAGES BY RECTIFIERS, DISTILLERS AND MANUFACTURERS THEREOF; REQUIRING REGISTRATION THEREOF; REQUIRING REGISTRATION OF NAMES AND ADDRESSES OF AUTHORIZED DISTRIBUTORS, AGENTS, FACTORS AND BROKERS THEREFOR; STATEMENT OF CONTENTS AND INGREDIENTS THEREOF; AND PROHIBITING IMPORT OF SUCH TRADE-NAMED OR TRADE-MARKED BEVERAGES FROM ANY BUT SUCH REGISTERED PERSONS, FIRMS OR CORPORATIONS; PROVIDING CERTAIN PENALTIES FOR VIOLATION OF ANY PROVISIONS HEREOF; AND EXEMPTING MALT BEVERAGES AND BEVERAGES SOLD OR PURCHASED AT JUDICIAL SALE FROM THE PROVISIONS OF THIS ACT."

This bill requires the registration of trade-names and trade-marks of intoxicating beverages with the State Beverage Department of the State of Florida before any such beverage can be imported into the State of Florida. The Act also requires the registration of the distillers, factors, brokers and agents authorized to sell such intoxicating beverages in this State. The Act exempts from its provisions malt beverages.

It is my opinion that the bill as passed is bad law for the regulation of the alcoholic beverage industry in Florida.

It is my opinion that the Director of the State Beverage Department under authority granted in Section 561.08 Florida Statutes, may promulgate valid rules and regulations consistent with existing provisions of the beverage law that will place into effect with full force of law a comprehensive registration requirement that will be a valuable regulatory measure to the people and the alcoholic beverage industry in Florida. In fact, I am advised he has prepared rules and regulations on this subject and they have been communicated to the alcoholic beverage industry, the effective date being July 9, 1951.

Senate Bill 763 fails to give the Beverage Department power to revoke the registration in the event the information furnished by the registrant under oath is not correct, or if inspection and analysis proves any such registered alcoholic beverage not to be the product described in the application of registration. As long as the brand name is registered, under this bill, the product of the registrant may be substantially altered from time to time without such registration being affected for the beverage after such substantial alteration will continue to fit the "general description of the contents of such beverages," as required in the bill.

The bill excepts from its provisions malt beverages imported into Florida. I fail to see any valid distinction between distilled spirits or liquors, on the one hand, and malt beverages, beer and ale, on the other, relating to a brand registration statute. All reasons for the registration of distilled alcoholic beverages equally apply to such registration of malt alcoholic beverages. In view of the limitation on the sale of alcoholic beverages to those containing 3.2% alcohol by weight or less in the nineteen Florida counties that have voted against the sale of intoxicating beer, wine and liquor, there exists the additional material reason for requiring registration of malt beverages in order that supervisors of the Beverage Department and local enforcement officers in dry counties may be informed of those malt beverages containing more than 3.2% alcohol by weight, and such beverages prohibited from being possessed for sale or sold in dry counties.

It is my opinion that Senate Bill 763 does not determine a reasonable classification in excepting malt beverages from its provisions and is discriminatory in its effort to make such an exception.

Sections 4, 5 and 6 of the bill clearly show that the effect of the bill is to restrain trade in intoxicating beverages by limiting the importation into Florida of such beverages by only the registered rectifier, manufacturer, distiller or the duly authorized representatives of the registered rectifier, manufacturer or distiller. Unquestionably, its primary purpose is special financial protection and benefit for certain well established liquor interests, and against the interests of any independent wholesaler or broker outside the State of Florida that is not an authorized agent of the registrant. Such an effort to promote monopoly and special interests is against the foundation of our democracy and our system of free enterprise.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill 763, Legislative Session of 1951, and I hereby veto the same.

Respectfully,

FULLER WARREN
Governor

The President put the question, "Shall the bill pass, the Governors' objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 763 (1951 Session) the roll was called and the vote was:

Yeas—None.

Nays—36.

Mr. President	Connor	Hodges	Morrow
Baker	Davis	Houghton	Pearce
Beall	Dayton	Johnson	Pope
Black	Douglas	King	Ripley
Boyle	Floyd	Leaird	Rodgers
Bronson	Franklin	Lewis	Rogells
Carlton	Fraser	Lindler	Shands
Clarke	Gautier (28th)	McArthur	Sturgis
Collins	Gautier (13th)	Melvin	Tapper

So Senate Bill No. 763 (1951 Session) failed to pass over the Governor's veto.

S. B. No. 771 (1951 Session)—An Act requiring certain carriers and public utilities to pay to the State of Florida a fee for inspection, control, supervision and regulation of the business, services and rates of such carriers and public utilities; fixing the amount of said fee and prescribing the time for payment thereof; repealing all laws in conflict herewith and providing the effective date of this Act.

Was taken up in its order, together with the Governor's objections thereto.

Senator Melvin moved that the consideration of Senate Bill No. 771 (1951 Session), together with the Governor's objections thereto, be informally passed, the Bill retaining its place on the Calendar.

Which was agreed to and it was so ordered.

S. B. No. 1063 (1951 Session)—An Act prohibiting the extension of limits of any municipality in Dade County or annexation of territory by any such municipality except with consent of majority of freeholders who are registered electors in the area proposed to be annexed, expressed in a special election to be held in such area; providing for steps to be taken prior to such special election; providing for resolution by governing body of municipality calling such special election, and for the conduct of such election, canvassing of votes and certification of results and who may vote thereat, and the payment of expenses incident thereto by the particular municipality; providing for time when such elections may be held and the form of question to be submitted; providing for accomplishment of annexation upon affirmative vote of majority of freeholders who are registered electors in proposed annexation territory; limiting time within which another attempt to annex proposed territory in whole or in part may be made; and making Act effective notwithstanding

contrary provisions in any charter heretofore granted any municipality in Dade County by local law of the State.

Was taken up in its order and read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

June 11, 1951

Honorable R. A. Gray
Secretary of State
The Capitol

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you, with my objections, Senate Bill 1063, enacted by the Legislature of 1951, and entitled:

"AN ACT PROHIBITING THE EXTENSION OF LIMITS OF ANY MUNICIPALITY IN DADE COUNTY OR ANNEXATION OF TERRITORY BY ANY SUCH MUNICIPALITY EXCEPT WITH CONSENT OF MAJORITY OF FREEHOLDERS WHO ARE REGISTERED ELECTORS IN THE AREA PROPOSED TO BE ANNEXED, EXPRESSED IN A SPECIAL ELECTION TO BE HELD IN SUCH AREA; PROVIDING FOR STEPS TO BE TAKEN PRIOR TO SUCH SPECIAL ELECTION; PROVIDING FOR RESOLUTION BY GOVERNING BODY OF MUNICIPALITY CALLING SUCH SPECIAL ELECTION, AND FOR THE CONDUCT OF SUCH ELECTION, CANVASSING OF VOTES AND CERTIFICATION OF RESULTS AND WHO MAY VOTE THEREAT, AND THE PAYMENT OF EXPENSES INCIDENT THERETO BY THE PARTICULAR MUNICIPALITY; PROVIDING FOR TIME WHEN SUCH ELECTIONS MAY BE HELD AND THE FORM OF QUESTION TO BE SUBMITTED; PROVIDING FOR ACCOMPLISHMENT OF ANNEXATION UPON AFFIRMATIVE VOTE OF MAJORITY OF FREEHOLDERS WHO ARE REGISTERED ELECTORS IN PROPOSED ANNEXATION TERRITORY; LIMITING TIME WITHIN WHICH ANOTHER ATTEMPT TO ANNEX PROPOSED TERRITORY IN WHOLE OR IN PART MAY BE MADE; AND MAKING ACT EFFECTIVE NOTWITHSTANDING CONTRARY PROVISIONS IN ANY CHARTER HERETOFORE GRANTED ANY MUNICIPALITY IN DADE COUNTY BY LOCAL LAW OF THE STATE."

This act seeks to prevent all municipalities in Dade County from extending their city limits unless and until a majority of the freeholders in the territory sought to be annexed shall vote for the annexation in a special election called for that purpose. The participants in the election are restricted by the act to freeholders in the area affected.

In my opinion, this bill is bad in principle because it would enable one or a small handful of property owners in an area sought to be annexed to prevent the normal and necessary expansion of a great city like Miami, or any other municipality in Dade County regardless of the necessity for the annexation of the particular territory and regardless of the will of a majority or even all of the inhabitants of the municipality.

For the foregoing reasons, I, therefore, withhold my approval from Senate Bill 1063, Legislative Session of 1951, and I hereby veto the same.

Respectfully,

FULLER WARREN
Governor

The President put the question, "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of Senate Bill No. 1063 (1951 Session)
the roll was called and the vote was:

Yeas—None.

Nays—37.

Mr. President	Bronson	Dayton	Gautier (13th)
Baker	Carlton	Douglas	Hodges
Beall	Clarke	Floyd	Houghton
Black	Collins	Franklin	Johnson
Boyle	Connor	Fraser	King
Branch	Davis	Gautier (28th)	Leaird

Lewis	Morrow	Rodgers	Tapper
Lindler	Pearce	Rogells	
McArthur	Pope	Shands	
Melvin	Ripley	Sturgis	

So Senate Bill No. 1063 (1951 Session) failed to pass over
the Governor's veto.

Senator King moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 3:19 o'clock P. M., until
11:00 o'clock A.M., Tuesday, April 21, 1953.