

OSCEOLA COUNTY.

- District No. 1—Samuel Miller.
 District No. 2—M. N. Overstreet.
 District No. 3—J. E. Bass.
 District No. 4—J. B. Tumblin.
 District No. 5—Robert La Martin.

ST. JOHNS COUNTY.

- District No. 1—W. M. DeGrose.
 District No. 2—William Hernandez.
 District No. 3—F. L. Mitchell.
 District No. 4—Bartolo Genovar.
 District No. 5—R. J. Oliver.

SUWANNEE COUNTY.

- District No. 1—J. H. Johns.
 District No. 2—John F. Newlan.
 District No. 3—H. B. Peacock.
 District No. 4—James Parrish.
 District No. 5—J. M. Hall.

WASHINGTON COUNTY.

- District No. 1—James M. Simmons.
 District No. 2—W. T. Horne.
 District No. 3—Jeff. Anderson.
 District No. 4—William Miller.
 District No. 5—Reif Karl.

SATURDAY, May 8, 1897.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, the following Senators answered to their names:

Mr. President, Messrs. Adams, Barber, Blitch of 20th, Blitch of 21st, Broome, Bynum, Carson, Chipley Clark, Crosby, Daniel, Darby, Dimick, Fuller, Gaillard, Hartridge, Hendley, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Peacock, Phipps, Reeves, Thomas, Wadsworth and Williams—29.

A quorum present.

Prayer by the Chaplain.

On motion the reading of the Journal was dispensed with.
The Journal was approved.

Mr. Blich of 21st moved that the reading of the House messages be dispensed with, and that the bills therein be read by their titles and referred to the proper committees;

Which was agreed to.

Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 7, 1897. }

HON. CHAS. J. PERRENOT,

President of Senate:

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

Senate Bill No. 69:

A bill to be entitled an act to extend the time for completing the Carrabelle, Tallahassee and Georgia Railroad, and to preserve and continue the grant of lands heretofore made to aid in its construction.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 69, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 6, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 108:

A bill to be entitled an act for the protection of persons mortgaging real estate or personal property.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,
 WM. FORSYTH BYNUM,
 Chief Clerk House of Representatives.

And House Bill No. 108, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES, }
 TALLAHASSEE, FLA., May 7, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 44:

A bill to be entitled an act to amend section 3 of chapter 4477, Laws of Florida, approved May 30, 1895, in reference to a railroad from Tallahassee to Gainesville and other points.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,
 WM. FORSYTH BYNUM,
 Chief Clerk House of Representatives.

And House Bill No 44, contained in the above message, was read the first time by its title and referred to the Committee on Railroads.

Also the following:

HOUSE OF REPRESENTATIVES, }
 TALLAHASSEE, FLA., May 7, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 120:

A bill to be entitled an act for the better protection of live stock.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 120, contained in above message, was read the first time by its title and referred to the Committee on Railroads.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 6, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 182:

A bill to be entitled an act to prescribe the terms of office for notaries public, and to provide a time when the commissions of notaries heretofore appointed shall expire, and to declare valid the acts of notaries whose commissions are more than four years since issued.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 182, contained in the above message, was read the first time by its title and referred to the Committee on Agriculture.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 6, 1897. }

HON. CHAS. J. PERRENOT,

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 a three-fifths vote—

House Joint Resolution No. 36:

A Joint Resolution proposing an amendment to section 13,

article 16, of the Constitution of the State of Florida, relating to the making of official bonds.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Joint Resolution No. 36, contained in the above message, was read the first time by its title and referred to the Committee on Constitutional Amendments.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 6, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 157:

A bill to be entitled an act to incorporate Florida State Tobacco Growers' Association.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 157, contained in the above message, was read the first time by its title and referred to the Committee on Corporations.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 7, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 81:

A bill to be entitled an act to define the boundaries of the town of St. Petersburg, Florida.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 81, contained in the above message, was read the first time by its title and referred to the Committee on City and County Organization.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 6, 1897. }

HON. CHAS. J. PERRENOT,

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 a three-fifths vote—

House Joint Resolution No. 43:

Proposing an amendment to the Constitution of the State of Florida.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Joint Resolution No. 43, contained in the above message, was read the first time by its title and referred to the Committee on Constitutional Amendments.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 6, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 153:

A bill to be entitled an act to amend section 2463 of the Revised Statutes of the State of Florida, relating to embezzlement by public officers, and to define and declare what is prima facie evidence thereunder.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 153, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., May 7, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 131:

A bill to be entitled an act to amend chapter 4431, acts of 1895, entitled an act to require railroad companies, other companies and persons operating railroad or running cars or trains in this State to prepare and put up blackboards for posting the marks, brands, color and sex of live stock killed or injured by engines or cars, requiring certain railroad employes to report the killing of such live stock, and to keep a record of and to post the marks, brands, color and sex thereof, and providing penalties for failure so to do, and for burying the carcasses of live stock so killed before the report of the same is posted, and to repeal chapter 4189 of the Laws of Florida.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 131, contained in the above message, was read the first time by its title and referred to the Committee on Railroads.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA, May 6, 1897. §

HON. CHAS. J. PERRENOT,

President of the Senate:

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

House Bill No. 129:

A bill to be entitled an act to declare unlawful and void all arrangements, contracts, agreements, trusts or combinations made with a view to lessen, or which tend to lessen, free competition in the importation or sale of articles imported into this State, and for other purposes.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 129, contained in the above message, was read the first time by title and referred to the Committee on Judiciary.

By permission—

Mr. Palmer of 14th introduced:

Senate Bill No. 212:

A bill to be entitled an act to secure roads for the ingress and egress of persons owning lands cut off from the public market or church roads by lands of others;

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

By permission—

Mr. Fuller introduced:

Senate Bill No. 213:

A bill to be entitled an act to amend section 1, article 2; sections 1 and 2, article 3; sections 2 and 3, article 8, and section 1, article 9, of chapter 4297 of the Laws of Florida, approved May 30, 1893;

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

By permission—

Mr. Hooker introduced:

Senate Bill No. 214:

A bill to be entitled an act to secure and perfect drainage

of lands needing the same, or to promote the public health by petition of two-thirds of the resident owners of the same to the county board of commissioners, etc.

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

A message was received from the Governor.

Reports of Committees.

Mr. Gaillard, Chairman of the Joint Committee to investigate the affairs of the State Treasurer, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., May 8, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your committee appointed to act on the joint committee appointed under Senate Joint Resolution No. 4, beg leave to submit the report of the Joint Committee herewith.

Very respectfully,

H. F. GAILLARD,
Chairman.

SENATE CHAMBER,
TALLAHASSEE, FLA., May 8, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your committee appointed in pursuance of Senate Joint Resolution No. 4, to investigate the affairs of the State Treasurer, have the honor to report as follows:

That the Comptroller furnished your committee with a certified statement of the amount which Treasurer C. B. Collins should have had on hand for general purposes at the close of business on the 30th day of April, A. D. 1897, to-wit: the sum of \$359,141.75, said statement being hereto attached and marked Exhibit "A."

At the close of business on the day aforesaid, Treasurer Collins had on hand, in cash, vouchers, receipts, and in bank, for general purposes, the sum of \$343,127.39, as is more fully shown by reference to an itemized statement, hereto attached as Exhibit "B."

That, as fully shown by reference to Exhibit "B," your

committee report, that a shortage of \$16,014.33 exists in the general accounts of the State Treasurer.

That your committee account for said shortage in the following manner:

That on the 18th day of October, A. D. 1896, as shown by Exhibit "C," hereto attached, R. B. McConnell, as president of the Merchants National Bank of Ocala, met Treasurer Collins and J. N. C. Stockton by appointment at Jacksonville, Florida, and endeavored to procure a loan of \$15,000 from Treasurer Collins for the use of the Merchants National Bank of Ocala, of which bank the said McConnell was president.

That, it being known to Treasurer Collins that said bank was in an unsound financial condition, he declined to make the loan. Mr. J. N. C. Stockton then agreed with Treasurer Collins—referring to Exhibit "C"—to loan said McConnell the said amount of \$15,000, provided Treasurer Collins would advance a like amount to said Stockton, which was done; and your committee report that, in their opinion, said J. N. C. Stockton owes the said sum of \$15,000 to the State of Florida, and for which the State has no collateral security.

Reference is here made to Exhibit "D" which fully and at large sets out the transaction.

That Treasurer Collins in the ordinary course of business sent to the National Bank of the State of Florida, at Jacksonville, for collection and credit, checks or items, on the Merchants National Bank of Ocala, Florida, aggregating the sum of \$591.46.

That said Ocala bank remitted the said Jacksonville bank New York exchange for said amount, but before said exchange was paid in New York, the said Ocala bank closed its doors, the said piece of exchange was protested, and the State of Florida has never received credit for said amount.

Treasurer Collins continues to carry said amount in his accounts as cash on hand, but your committee are of the opinion that said amount is lost to the State and should not be carried by the Treasurer as cash.

That on the 15th day of April 1895, one D. C. Hull sent to Treasurer Collins his check on the First National Bank of Ocala for the sum of \$420.90.

That said check was protested for non-payment, thereby increasing the amount of the check \$2 for Notary Public fees; has never been paid, but Treasurer Collins continues to carry and treat such protested check as cash in hand, which, in the opinion of your committee, should not be done.

The above referred to items of \$15,000, \$591.46 and \$422.90, thus aggregate and account for the reported shortage of \$16,014.36.

That on said date of April 30, 1897, in addition to the above named sum of \$343,127.39 found to be in Treasurer Collins' hands for general purposes, said Treasurer had on hand in cash, or in bank, the sum of \$12,575.45, which said sum is held for specific purposes, as set forth in exhibit "B," and forms no part of the general funds and accounts of the State Treasurer.

Your committee hereto attach a list of securities held by Treasurer Collins to secure the deposits of the State's money in the various banks therein named, and marked exhibits "B" and "E."

On April 30, 1897, Treasurer Collins had on deposit in the National Park Bank of New York, the sum of \$27,926.33 for which he has no security, and which sum is so deposited at his own risk.

On the same date, Treasurer Collins had on deposit in the National Bank of the State of Florida at Jacksonville, Florida, the sum of \$90,780.64 and to secure which, he held securities amounting to \$74,984.80 as shown by exhibit "B"

On the same date the Treasurer had on deposit in the Capital City Bank of Tallahassee, Florida, the sum of \$65,962.11, \$35,000 of which is divided into two certificates of deposit, one for \$25,000 and the other for \$10,000.

The balance of said deposit being an open account, and which total account is secured by securities aggregating the sum of \$26,000 as is more fully shown by exhibit "B" hereto attached.

On the same date, the said Treasurer had on deposit the following: In the Putnam National Bank of Palatka, the sum of \$5,000. In the State Bank of Florida at Jacksonville, Florida, the sum of \$5,000. In the Citizens Bank of Tampa, Florida, the sum of \$5,000. In the First National Bank of Pensacola the sum of \$27,356.07. In the First National of Tallahassee the sum of \$11,094.17. In Savings and Trust Bank of Jacksonville, Florida, the sum of \$15,000, and which said several deposits are secured by collateral in the Treasurer's hands as fully set out and explained in Exhibits B and E.

Your committee further report, that to the best of their ability, they have ascertained the value of said security above referred to and which values are fully set out in Exhibits "B" and "E," and your committee recommends that such amounts as are now held by said banks, over and above the value of the securities, be at once withdrawn.

That as shown by exhibit "B" Treasurer Collins is carrying as cash three Marion county past due school warrants of \$5,000 each, aggregating the sum of \$15,000.

In reference thereto your committee report that Treasurer Collins claims to have loaned the school board of Marion county the said sum of \$15,000 as shown by page 37 of his testimony and exhibit "F" hereto attached; the school board, however, claim never to have received the money, or at least only a part thereof, and repudiates a part of the debt or loan, if not the entire amount. Your committee herewith attach a certified copy of a letter of Treasurer Collins to R. B. McConnell marked "H," which refers thereto, and calls attention to the evidence given by Governor Bloxham on page 20 of his evidence, and to the evidence of C. B. Collins on page 38 of his sworn testimony.

Your committee are of opinion that this loan of \$15,000 to the Marion county school board was made without authority of law, and without the advice or consent of the Governor and Comptroller, and is without precedent, and that he should be held personally accountable therefor.

Your committee here beg to state that the foregoing portion of this report, has reference particularly to the general accounts and funds of the Treasurer, and the following portions hereof, to the accounts, transactions, etc., of Treasurer Collins with the defunct Merchants National Bank of Ocala, and the tax certificate redemption fund.

According to the books of Treasurer Collins, at the date of suspension of the Merchants National Bank of Ocala, the said bank was indebted to the State in the sum of \$10,927.01.

The books of said bank, a certified copy of Treasurer Collins' account, as furnished to your committee by the receiver, show that the State was indebted to the bank at the date of its suspension in the sum of \$1,018.23.

Your committee here report that they have had copies of the account kept by Treasurer Collins with said bank, and the account of the said bank with Treasurer Collins, and the monthly statements of accounts furnished Treasurer Collins by said bank, but the said accounts have been so irregularly and improperly kept, and there are so many apparent fictitious entries made on the bank books, and irregular entries made on Treasurer Collins' books, and so many vouchers and items of credit missing, and figures juggled in such a manner, that it has been impossible for your committee to fully and completely reconcile the account kept by Treasurer Collins with said bank, and your committee have had to rely entirely on the amounts which the Comptroller certified as he should have had on hand belonging to the tax certificate redemption fund, as per exhibit "I," which is hereto attached.

Continuing, your committee further report that on the 23d day of October, 1896, Treasurer Collins drew a check for

\$22,000 on the Merchants National Bank of Ocala, in favor of the National Bank of the State of Florida, and sent said check to J. N. C. Stockton as President of the said National Bank of the State Florida, with instructions to collect the same in cash, and, if said Merchants National Bank could not pay the check in cash, to accept such credits as could be procured; that said Stockton acting as trustee for Treasurer Collins, was compelled to and did accept securities of the supposed value of about \$65,000. Reference is here made to the testimony of Receiver Stapleton, on page 14, hereto attached, and to the testimony of W. H. Baker, on page 14, etc.

Referring especially to testimony of W. H. Baker, your committee report that the securities so taken by said Stockton are supposed to be worth about \$15,000, and that said Stockton holds such securities to secure the loan of \$15,000 hereinbefore referred to, leaving the item of \$22,000 totally unsecured.

Your committee would report, as more fully shown by testimony of C. B. Collins, that as shown by the accounts kept by Treasurer Collins, the Merchants National Bank of Ocala, at the time of its failure, was actually due the State of Florida the sum of \$32,927.01 supposedly for the tax certificate redemption fund deposited therein; the actual shortage of said redemption fund is \$34,967.01, for which the State has no security, leaving a shortage of \$2,040 to be personally accounted for by Treasurer Collins. (See page 35 of Collins' testimony).

Your committee further reports that Treasurer Collins (see page 30 of his testimony) claims that the tax certificate redemption fund paid into his hands for the quarter ending September 30, 1896, and December 31, 1896, and a balance due for the quarter ending June 30, 1896, aggregating the sum of \$34,967.01 were the moneys lost in the defunct Merchants National Bank of Ocala, by reason of its failure, but your committee are forced to conclude from Treasurer Collins' sworn testimony (see pages 29, 30, 31-38 thereof) and so report that said tax certificate redemption money was not in said bank at the time of its failure, but other general funds of the State aggregating the amount of \$34,967.01, or a greater part thereof, were used and deposited in said bank, and the tax certificate redemption fund for the quarters ending as above referred to, were used by Treasurer Collins to reimburse funds which had been abstracted from the general funds of the State, and deposited in said bank. The statement of what is now due by Treasurer Collins to the State and counties, on account of the tax certificate redemption money, is hereto attached marked Exhibit "L."

Your committee would also report that Treasurer Collins, received the sum of \$15,710.96 as the State's proportion of the tax fund for the quarter ending June 30, 1896, and which he claims (see pages 29 and 30 of his testimony) was held by him in cash in the treasury vault until April 6, 1897.

But as shown by the statement (see Exhibit L), Treasurer Collins has only paid in \$11,321.58 of such quarter, and that not until April 6, 1897, and for that reason your committee are unable to say whether these funds are properly disbursed from the tax certificate fund or not. (Reference is here made to the testimony of C. B. Collins, pages 29, 30, 31, 38.)

Further reporting, your committee say that Treasurer Collins (see Exhibit I) received \$6,557.30 for tax certificate redemption fund belonging to the State and counties for the month of April, 1897. Of this amount Treasurer Collins had \$3,557.30 in cash on hand on April 30, 1897, and the balance of said fund, namely \$3,000, is represented by the Citrus county school warrant for \$3,000, which was loaned by said Collins to said board (to be paid three months after November 20, 1896.) without authority of law or the consent of the Governor and Comptroller, is now long past due, and improperly represents a part of the cash certificate redemption fund so received for the month of April, 1897.

Your committee further report that no security was ever deposited with Treasurer Collins for funds deposited by him in the Merchants National Bank of Ocala, and the report made by the Treasurer to Governor Bloxham (see Exhibit M) that at the date of the failure of the said Merchants National Bank of Ocala, said Collins had collateral security on hand amounting to \$90,000 to secure the amount lost in the failure of said bank, is not borne out by the facts and evidence before this committee; and your committee are of the opinion that Treasurer Collins never had on hand or in his possession the security which he reported he had in his said report to the Governor, and which appears by reference to a letter of Treasurer Collins to Governor Bloxham herewith filed, and marked Exhibit M.

Further reporting, your committee say that from evidence before us, and which is herewith submitted, that Treasurer Collins continued to make deposits in said bank of large sums, relying solely upon the promise of R. B. McConnell, president of the said bank, for payment, as late as the 16th day of July 1896, having loaned said bank the sum of \$15,000 out of the State's money without any security whatever, as shown by his sworn testimony (see page 33) and his letter to Governor Bloxham (see Exhibit M). He admits that at no time subsequent to the 13th day of July 1896, could he have

withdrawn his deposits from the Merchants National Bank (see his sworn testimony page 31) where he denies having made any deposit in said bank subsequent to July 13, 1896 (see also letters of Treasurer Collins to Governor Bloxham hereto attached in reference thereto).

From evidence before this committee and from letters written by C. B. Collins to R. B. McConnell, copies of which are herewith submitted, it will be observed that although Treasurer Collins knew that said McConnell had repeatedly violated his promises and agreements to repay funds loaned him, and notwithstanding this information of which he was in possession, he continued to deposit funds of the State in said McConnell's bank, and to transact business with him, using the money of the State, and doing so without receiving any security therefor.

Your committee further report that from the testimony before us, and which is herewith submitted, we are constrained to say that the business relations between C. B. Collins, R. B. McConnell and others have been such as to lead your committee to believe that Treasurer Collins has been using the State funds to assist the said McConnell and others in conducting private enterprises. See Receiver Staypleton's testimony, pages 9 and 11, and various telegrams and letters hereto attached. Also see Treasurer Collins' testimony, page 33, and the testimony of W. N. Shine.

A recapitulation of the shortage of Treasurer Collins above reported, your committee find to amount to the sum of \$50,-981.37 and which is more fully and at large set out in the items and statements hereto attached and marked Exhibit P.

In concluding this report your committee feel it to be their duty to say that Mr. Collins has shown an utter disregard of the high and responsible duties of Treasurer of the State of Florida, devolving upon him, in the handling of the State moneys, and recommend that he be requested to at once hand in his resignation to the Governor, that upon failure so to do, that such steps be taken by the Legislature to remove him from office as the law provides.

H. F. GAILLARD,
H. W. FULLER,
B. F. WHITNER,
W. K. ZEWADSKI,
WM. K. HYER.

EXHIBIT A.

RECEIPTS AT THE TREASURY FROM JANUARY 1, 1895, TO
MARCH 31, 1897.

Receipts in January 1895.....	\$111,473	90	
Receipts in February 1895.....	46,779	07	
Receipts in March 1895.....	60,235	88	
Receipts in April 1895.....	175,648	34	
Receipts in May 1895.....	58,411	01	
Receipts in June 1895.....	14,253	06	
Receipts in July 1895.....	114,382	76	
Receipts in August 1895.....	32,598	70	
Receipts in September 1895.....	34,603	71	
Receipts in October 1895.....	62,194	69	
Receipts in November 1895.....	194,808	47	
Receipts in December 1895.....	50,008	86	
Receipts in January 1896.....	81,453	34	
Receipts in February 1896.....	36,964	00	
Receipts in March 1896.....	43,517	45	
Receipts in April 1896.....	106,426	02	
Receipts in May 1896.....	98,376	87	
Receipts in June 1896.....	40,651	70	
Receipts in July 1896.....	74,306	13	
Receipts in August 1896.....	19,364	69	
Receipts in September 1896.....	7,127	28	
Receipts in October 1896.....	31,500	82	
Receipts in November 1896.....	114,317	31	
Receipts in December 1896.....	63,679	65	
Balance in Treasury January 1, 1895.....	257,252	53	—\$1,930,336 24

RECAPITULATION.

Receipts from January 1, 1895, to December 31, 1896.....	\$1,930,336	24	
Disbursements January 1, 1895, to December 1896.....	1,625,462	43	
Balance in Treasury January 1, 1897.....			\$304,873 81
Receipts at Treasury January, 1897.....	71,620	90	
Receipts at Treasury February, 1897.....	31,435	36	

Receipts at Treasury March, 1897	\$36,200 24—	\$139,256 50—
		<u>\$444,130 31</u>
Disbursements January 1897....	96,268 06	
Disbursements February 1897...	64,523 38	
Disbursements March 1897.....	35,476 91	—196,268 35
		<u>247,861 96</u>
Balance April 1, 1897.....		247,861 96
Receipts April 1, to April 22 inclusive.....		110,347 85
		<u>358,209 81</u>

I, Wm. H. Reynolds, Comptroller of the State of Florida, do hereby certify that the above and foregoing is a true and correct statement of the receipts from January 1, 1895, to April 22, 1897, and the disbursements from January 1, 1895, to March 31, 1895, at the State Treasury, as appears from the books in this office.



Given under my hand and seal of office this
24th day of April, A. D. 1897.

[signed]

WM. H. REYNOLDS,

Comptroller.

Balance, as shown above.....	\$458,200 81
Receipts from April 23 to 30, 1897, inclusive....	931 94
	<u>\$359,141 75</u>

I certify that the receipts at the State Treasury from April 23 to 30, inclusive, 1897, shown by the Treasurer's receipts on file in this office, amount to \$931.94.

[signed]

WM. H. REYNOLDS,

Comptroller.

DISBURSEMENTS AT THE TREASURY FROM JANUARY 1, 1895, TO
MARCH 31, 1897.

Disbursements January, 1896.....	\$90,305 37
Disbursements February, 1896....	27,010 48
Disbursements March, 1896.....	39,582 08
Disbursements April, 1896.....	66,210 10
Disbursements May, 1896.....	135,867 57
Disbursements June, 1896.....	119,802 05
Disbursements July, 1896.....	167,733 90

Disbursements August, 1896.....	\$34,371	97
Disbursements September, 1896...	11,739	73
Disbursements October, 1896.....	53,397	82
Disbursements November, 1896...	43,936	18
Disbursements December, 1896...	78,340	25
Disbursements January, 1897....	151,212	50
Disbursements February, 1897....	82,244	11
Disbursements March, 1897.....	49,744	88
Disbursements April, 1897.....	53,463	58
Disbursements May, 1897.....	62,037	40
Disbursements June, 1897.....	41,253	43
Disbursements July, 1897.....	99,136	61
Disbursements August, 1897.....	31,188	54
Disbursements September, 1897..	27,315	38
Disbursements October, 1897....	68,773	11
Disbursements November, 1897...	64,670	79
Disbursements December, 1897...	26,124	60—\$1,625,462 43

RECAPITULATION.

Receipts from January 1st, 1895, to December 31, 1896.....	\$1,930,336	24
Disbursements from January 1st, 1895, to December 31st, 1896.....	1,625,462	43
Balance in Treasury January 1st, 1897..	304,873	81

EXHIBIT B.

BALANCE SHEET, TREASURER'S OFFICE, AT CLOSE OF BUSINESS,
APRIL 30, 1897.

1897.		Security valued at.
April 30—National Park Bank, New York,.....	\$28,926	33
National Bank, State of Florida, Jacksonville....	90,785	64 \$74,984 80
First National Bank, Pensacola.....	27,356	07 21,250 00
Capital City Bank, Tallahassee.....	30,962	11 26,000 00
First National Bank, Tallahassee.....	11,094	17
Capital City Bank, Tallahassee.....	25,000	00

Capital City Bank, Tallahassee	\$10,000	00	
Putnam National Bank, Palatka	5,000	00	\$5,000 00
State Bank of Florida, Jacksonville	5,000	00	5,000 00
Savings and Trust Bank, Jacksonville	15,000	00	15,000 00
Citizens Bank of Florida, Tampa	5,000	00	5,000 00
Cash items, money advanced			
Legislature	1,980	99	
Cash items	289	38	
Cash items	740	00	
Cash items, money advanced			
Legislature	4,395	00	
Cash items, capitol grounds.	360	00	
Cash on hand	10,310	86	
Marion county school warrants	15,000	00	
Jurors and witnesses	8,246	50	
State Board of Health	6,619	05	
State Board of Health	38	89	
Agricultural College fund..	413	04	
General revenue, warrants paid	48,961	92	
One-mill school tax	1,304	69	
School fund, principal	100	00	
School fund, interest	3,592	20	
General revenue, coupons..	226	00	

Total

\$355,702 84

Less government account—
Morrill fund, white college. \$5,263 25
Morrill fund, colored college 4,462 24
Experimental Station fund . 2,849 96

12,575 45

Amount on hand

\$343,127 39

Amount due, as per Comptroller

359,141 75

Shortage

\$ 16,014 36

Item, check protested,
New York exchange. \$ 591 46
Item, check protested,

W. C. Hull.....	\$ 422 90
Item, National Bank, State of Florida	15,000 00
	<hr/>
	\$16,014 36

EXHIBIT C.

C. B. Collins, being duly sworn, deposes as follows:

On October 18, 1896, Mr. R. B. McConnell met me in Jacksonville by appointment with J. N. C. Stockton.

He informed me that his bank was in bad shape, and we went carefully over the affairs with him. Mr. McConnell said his bank would have to close unless it got assistance. I told him I had better lose what I had in his bank than to put in more, and said it would be impossible for me to assist him. Mr. McConnell said if he could get \$15,000, it would tide him over.

Mr. Stockton said that he had not the money to spare, but if I would advance him a like sum, he, Stockton, would loan McConnell the money.

Mr. Stockton then went down town to see his cashier. He came back, and my understanding was that he agreed to advance the \$15,000 to McConnell if I would deposit the money.

I came away believing that I had no responsibility with that \$15,000.

He seems to have taken the idea that I made the loan with the understanding that the money was to be returned to me when he was paid.

This was on Sunday, October 18, 1896.

EXHIBIT D—(4).

OCALA, FLA., Oct. 26, 1896.

J. N. C. Stockton, Jacksonville:

DEAR SIR—In consideration of the National Bank of the State of Florida advancing us fifteen thousand (15,000) dollars, the receipt of which is hereby acknowledged and which is evidenced by our two notes payable on demand, to-wit:

Note dated Ocala, Fla., Oct. 21, 1896, for five thousand dollars.

Note dated Ocala, Fla., Oct. 26, 1896, for ten thousand dollars.

I hand you herewith deed (made in your name) to the

bank building now occupied by the Merchants National Bank of Ocala and others, to be held by you as security for said National Bank of the State of Florida until the Merchants National Bank of Ocala fully pays the above described notes aggregating fifteen thousand (15,000) dollars.

As an additional security we hand you herewith our bills receivable: Marti city and Marion county scrip aggregating, as per attached list \$....., to also be held by you until said notes aggregating \$15,000 is fully paid, and after said notes aggregating fifteen thousand dollars payable to the National Bank of the State of Florida are fully paid, I authorize you to hold said deed as described above, and said bills receivable and scrip as per schedules attached until note signed by Merchants National Bank of Ocala, bearing date October —, 1896, payable on demand for the sum of twenty-two thousand dollars to J. N. C. Stockton, trustee, is fully paid.

We also assign as additional security all equities we may have in collateral held by National City Bank of New York City for loan of seventeen thousand five hundred (17,500) dollars, and we authorize you if it becomes necessary to protect said equities to pay said loan of seventeen thousand five hundred dollars, and hold all of said securities aggregating forty seven thousand dollars for said amounts and further security for said notes aggregating fifteen thousand dollars to National Bank State of Florida, and said note of twenty-two thousand (22,000) dollars payable to J. N. C. Stockton, trustee, and after said notes are paid and fully discharged, I further authorize you to hold all of above described securities or any equities we might have in said securities to secure any and all funds on deposit with said Merchants National Bank of Ocala to credit of C. B. Collins, Treasurer of the State of Florida, or any notes or certificates of deposits payable to said C. B. Collins, Treasurer of the State of Florida.

It being thoroughly understood that all of said securities are to be held, by you and that said notes, deposits, certificates of deposits are to be paid in the following order out of the proceeds of said securities or otherwise:

First, National Bank, State of Florida.....	\$15,000
Second, J. N. C. Stockton, trustee.....	22,000
Third, C. B. Collins, State Treasurer.....	20,000

(Signed) MERCHANTS NATIONAL BANK OF OCALA,
by R. B. McConnell, Pres.

(Copy.)

I hereby certify that the foregoing is a true copy of a copy

furnished me by C. B. Collins, State Treasurer, of one original document said to be held by J. N. C. Stockton in Jacksonville, Fla.

G. C. STAPYLETON,
Receiver Merchants National Bank.
Ocala, Fla.

May 6, 1897.

(Copy.)

OCALA, FLA., Oct., 26, 1896.

J. N. C. STOCKTON,

Jacksonville, Florida:

DEAR SIR—We hereby promise to send you seventeen thousand dollars in notes payable to this bank, said notes now on the way from National City Bank to us, as additional security to our two notes to National Bank State of Florida, aggregating fifteen thousand (15,000) dollars, and in event of these being paid to be used as collateral to secure note twenty-two thousand (22,000) dollars to J. N. C. Stockton, trustee, and in event of that note being paid further to apply as security to any and all amounts due or to become due to Hon. C. B. Collins, Treasurer State of Florida, either on deposit at Merchants National Bank of Ocala, Fla., or due him on certificates of deposits issued by said bank to him.

(Signed) R. McCONNELL, Pres.

EXHIBIT E.

LIST OF SECURITIES HELD BY STATE TREASURER TO SECURE DEPOSITS.

	Security.	Deposit.
National Park Bank, New York.....	None	\$27,926 33
First National Bank, Pensacola.....		27,356 07
\$25,000 Pensacola City Bonds deposited as security; valued by committee at.....	\$21,250 00	
Putnam National Bank, Palatka....		5,000 00
\$5,000 Jacksonville City Bonds deposited as security; valued by committee at.....	5,000 00	

Savings and Trust Bank, Jacksonville.		\$15,000 00
\$15,000 Tampa City Certificates deposited as security; valued by committee at.....	15,000 00	
National Bank of State of Florida, Jacksonville.....		90,785 64
\$65,000 00 Duval County Bonds		
6,400 00 Bradford County Bonds		
1,000 00 Columbia County Bonds		
2,584 80 Baker County Bonds		
<hr/>		
\$74,984 80 deposited as security.		
Valued by committee at.....	74,984 80	
State Bank of Florida, Jacksonville..		5,000 00
\$5,000 00 Tampa City Certificates, deposited as security; valued by committee at.....	5,000 00	
First National Bank, Tallahassee.....	None.	11,094 17
Citizens' Bank and Trust Co., Tampa,		5,000 00
\$5,311.36 Tampa city certificates deposited as security.		
Valued by committee at.....	5,000 00	
Capital City Bank, Tallahassee		65,962 11
\$ 1,000 00 Opelika, Ala., Water Works Bonds.		
1,500 00 Leon County Bonds.		
2,000 00 Jefferson County Bonds.		
1,200 00 " " "		
3,300 00 Madison County Bonds.		
17,000 00 Capital City Light and Fuel Co. Bonds.		
<hr/>		
\$26,000 00 deposited as security.		
Valued by committee at.....	26,000 00	

EXHIBIT F.

OCALA, FLA., May 4, 1897.

HON. HENRY F. GAILLARD,

Chairman Senate Investigating Committee, etc.,

Tallahassee, Fla.:

DEAR SIR—At a meeting of the Board of Public Instruction for Marion county this day held, the chairman and sec-

retary of the said board were by resolution authorized and directed to communicate to your committee the facts with reference to the alleged loan by the State Treasurer to said school board of the sum of \$15,000, and to ask that your committee make full investigation of the facts connected with said alleged loan with a view of determining whether or not the State Treasurer is entitled to have his account credited with the amount of the said alleged loan; the board of public instruction for said county taking the position that it has never received either directly or indirectly the full amount of said loan, and therefore does not admit its liability on the warrants held by the State Treasurer issued on December 11th, A. D. 1896. The facts of the transaction are briefly stated as follows:

First. Owing to the fact that the tax collector was behind in making collections, and the board of public instruction was by reason thereof not possessed of funds to promptly pay warrants issued to teachers from time to time during the school year, they were desirous of borrowing money to enable them to cash warrants as they might be issued pending the collection of taxes, and for previous years had borrowed money from either the First National Bank of Ocala or the Merchants National Bank of Ocala, to meet such emergencies.

Second. In accordance with the usual custom of the board in this particular, application was made to R. B. McConnell, the president of the Merchants National Bank of Ocala, for funds to meet the immediate necessities of the board, and members of the said board were informed by the said R. B. McConnell that the bank could not make a loan at that time, but that the same could be obtained from State Treasurer Collins, as the State Treasurer had made loans to school boards of other counties, notably, Citrus and Sumter, and also stated that he would communicate with the State Treasurer on the subject, and would inform the board later of his decision in the matter.

Third. Anticipating that the loan would be made, at the regular meeting of the board in December, 1896, the chairman and secretary of the board were authorized to issue warrants of the board for any amount that might be borrowed, and on December the 11th, R. B. McConnell, the president of the Merchants National Bank, who was acting for the State Treasurer, would make a loan of \$15,000 at $2\frac{1}{2}$ per cent. interest per annum, and three warrants of the school board, number 5078, 5079 and 5080, each in the sum of \$5,000, were drawn and properly signed and turned over to R. B. McConnell, the

president of the Merchants National Bank, who was acting for the State Treasurer in the matter of said loan, with the understanding that these warrants would be forwarded to the State Treasurer on receipt of the \$15,000 to be placed to the credit of the county treasurer of Marion county, Florida, who was the treasurer under the law of the school board, and as such, the custodian of the school funds, and before the next meeting of the board held in January, A. D. 1897, members of the board received information from R. B. McConnell, that \$10,000 of the money had been sent.

Fourth. At the regular meeting of the board held on January the 4th, A. D. 1897, the county treasurer made his usual monthly report, and from this report it did not appear that he had charged himself with the ten thousand dollars which McConnell claimed had been received from the State Treasurer, and thereupon the board of public instruction declined to receive the report of the county treasurer, in the form that it was presented, and returned it to him for correction, so as to include the amount of the \$10,000 which the board had been led to believe had been placed to his credit by remittance from the State Treasurer. On the following day R. B. McConnell appeared before the board, acting on behalf of the State Treasurer, and stated that the State Treasurer was doubtful as to the power of the county board to make loans, and that in lieu of the warrants 5078, 5079 and 5080, each in the sum of \$5,000, which had previously been forwarded to the State Treasurer, that he, the State Treasurer, would simply hold the original warrants that might be issued to teachers as obligations against the school board, and that these warrants would be taken up by the Merchants National Bank, acting for the State Treasurer in the disbursement of the fund, and would be presented and paid by the school board, when they might be in funds, adding an additional amount of two and one-half per cent. to cover interest. Attached to this communication we send you copy of extracts from the minutes of the Board of Public Instruction with reference to the matter entered at the time, held January 5, A. D. 1897, to which your attention is especially called. The board, in all respects acting in pursuance of this understanding, thought that they would only be required to redeem from the State Treasurer the original warrants issued to teachers and which the Merchants National Bank might take up, acting for the State Treasurer in the disbursement of the fund, and that they would be further required to pay to the State Treasurer at the rate of $2\frac{1}{2}$ per cent. per annum for any funds that might be advanced in taking up said original warrants issued to teachers, and they received no information

whatever to the contrary until after the failure of the Merchants National Bank of Ocala, and they then ascertained for the first time that the Merchants National Bank of Ocala had put to the credit of the school board of Marion county, Florida, the \$15,000.00 which the State Treasurer claims to have loaned the board. Whatever amount may have been paid out of any fund furnished by the State Treasurer for the purpose of taking up the original warrants issued to the teachers, the Board of Public Instruction of Marion county feel obligated for, but nothing additional to this amount. According to the information of the board, the bank, acting for the State Treasurer, took up from the teachers the original warrants aggregating \$7,819.50, and on surrender of these warrants the board would recognize said sum as at least a moral and equitable obligation against the board.

Sixth. The Board of Public Instruction protests against the payment of the three warrants, each in the sum of \$5,000, held by the State Treasurer as hereinbefore explained, and respectfully asks that as this credit is in the line of the investigation to be made by the committee, that you take evidence as to the circumstances and facts of the said alleged loan, and to this end they request that you have as witnesses before you F. E. Harris, chairman of Board of Public Instruction; M. L. Payne, the then secretary of the board; John W. Stevens, then county treasurer; A. R. Griffin, then a member of the Board of Public Instruction and now county treasurer, and R. B. McConnell, the president of the defunct Merchants National Bank of Ocala, Florida.

Seventh. We call your committee's attention to the fact that the county treasurer did his business also through the Merchants National Bank of Ocala, Florida, and this bank was a depository for both State and county funds, and according to the information of the Board of Public Instruction the keeping of the Treasurer's accounts was done by the officials of the bank. The Treasurer states that the funds never passed through his hands, and were never placed to his credit, and it was the distinct understanding of the Board of Public Instruction that the funds should pass through the hands of the county treasurer, who was a bonded officer, and was a proper custodian of any funds of the School Board, and if the State Treasurer failed to see that this money was properly put to the credit of the county treasurer, but permitted the Merchants National Bank to handle this fund in taking up school warrants issued to teachers, he is the party who should

sustain any loss that might have been occasioned thereby, and not the school board of the county, as they have never had possession or control of the fund.

Respectfully submitted,

F. E. HARRIS,

Chairman.

W. D. CARN,

Secretary.

Extract from minutes attached.

EXHIBIT G.

EXTRACT FROM MINUTES OF BOARD JANUARY 5, 1897.

"Mr. R. B. McConnell, in behalf of the State Treasurer, appeared before this board and made the following statement: "Inasmuch as doubts have been raised as to the power of the county boards to negotiate loans and issue warrants for the same, the State Treasurer proposes to take up all warrants issued by this board for the payment of its legal expenses to the amount of \$15,000.00, charging interest at the rate of $2\frac{1}{2}$ per cent per annum, and returning the warrants Nos. 5078, 5079 and 5080, issued December 11th, 1896, placed in the hands of the president of the Merchants National Bank of Ocala as collateral."

EXHIBIT H.

TALLAHASSEE, FLA., January 2, 1897.

R. B. McCONNELL, Esq., President,

Ocala.

MY DEAR SIR—I hand you herein my:

No. 2440. J. W. Stevens Co., Treas., Jacksonville..	\$1,986 88
Exchange paid on N. Y. Ex.....	3 75
No. 31360. First National Bank, Tallahassee.....	3,000 00
N. Y. Ex. paid by me on \$7,500 last summer.....	9 37
	\$5,000 00

to cover Marion county school warrant sent me by J. W. Stevens, County Treasurer, No. 5080, \$5,000.

I send this to you as requested by Mr. Stevens and as he will be with you on Monday, you will have no trouble to get his endorsement. This closes up the entire matter of \$15,000 loaned Marion County School Board.

Yours truly,

(Signed) C. B. COLLINS,
State Treasurer.

EXHIBIT I.

AMOUNTS RECEIVED BY STATE TREASURER FROM REDEMPTION AND SALE OF TAX SALE CERTIFICATES.

January 1, to March 31, 1895.	\$ 9,287 75	\$ 5,489 95
April 1, to June 30, 1895.	22,569 28	15,217 90
July 1, to September 30, 1895.	9,416 65	4,423 34
October 1, to December 31, 1895.	10,217 90	6,363 08
January 1, to March 31, 1896.	8,536 20	5,609 13
April 1, to June 30, 1896.	15,710 96	11,195 09
July 1, to September 30, 1896.	10,863 85	8,407 51
October 1, to December 31, 1896.	6,807 16	4,499 11
January 1, to March 31, 1897.	8,066 24	5,095 71
April 1, to April 30, 1897.	6,557 30	

\$108,033 29 \$66,300 82

AMOUNTS PAID INTO STATE TREASURY AS EVIDENCED BY RECEIPTS ON FILE IN COMPTROLLER'S OFFICE.

July 12, 1895, receipt No 1242.	\$ 9,287 75
November 2, 1895, receipt No 1733.	22,569 28
April 27, 1896, receipt No 621.	10,217 90
July 17, 1896, receipt No 965.	9,416 65
July 17, 1896, receipt No 966.	8,536 65
April 6, 1897, receipt No 732.	11,321 58
April 22, 1897, receipt No 853.	8,066 24

\$79,415 60

Cash in State Treasurer's hand.	\$3,557 30
Citrus county school war- rant.	3,000 00 6,557 30

\$85,972 90