

Mr. Bynum made a similar request in reference to the death of Hon. R. A. Reid.

The motion of Mr. Chipley was agreed to, and the Chair appointed as such committee Messrs. Bynum and Hartridge.

Mr. Chipley moved, as a token of respect to the memory of the deceased, that the Senate do now adjourn until to-morrow morning at 10 o'clock;

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock to-morrow morning.

Confirmations.

COUNTY COMMISSIONERS.

LEON COUNTY.

District No. 1—Flavius T. Christie.

District No. 2—John Bradford.

District No. 3—Miles Johnson.

District No. 4—Hugh T. Black.

District No. 5—Julius S. Diamond.

MADISON COUNTY.

District No. 1—W. H. Dial, Jr.

District No. 2—T. J. Blalock.

District No. 3—L. J. Porter.

District No. 4—N. W. McDonald.

John Mooney, John A. Merritt, E. H. Putnam, to be Pilot Commissioners for the Port of Pensacola, Florida.

WEDNESDAY, JUNE 2, 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, Blich of 20th, Blich of 21st, Broome, Bynum, Clark, Crosby, Daniel, Darby, Dimick, Gaillard, Hartridge, Hendley, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Phipps, Reeves, Roberts, Thomas and Wadsworth—25.

A quorum present.

Prayer by the Chaplain.

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

Mr. Phipps offered the following resolution:

Senate Resolution No. 43:

Resolved, That the Sergeant-at-Arms of the Senate be allowed the sum of twenty-five (25) dollars extra for clerk hire in the preparation of his pay rolls, etc., for this session of the Senate.

Mr. Phipps moved the adoption of the resolution.

Mr. Blich of 20th moved to lay the resolution on the table;

Which was agreed to.

A message was received from the House of Representatives.

Introduction of Bills.

By Mr. Hartridge:

Senate Bill No. 302:

A bill to be entitled an act requiring a special license tax to be paid by express companies doing business in this State:

Which was read the first time by its title.

Mr. Hartridge moved that the rules be waived, and Senate Bill No. 302 be read second time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 302 was read second time by title.

Mr. Hartridge moved that the rules be waived, and Senate Bill No. 302 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 302 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blich of 20th, Blich of 21st, Bynum, Chipley, Clark, Crosby, Daniel, Dimick, Hartridge, Hendley, Hooker, McLin, Palmer of 11th, Phipps, Roberts, Wadsworth and Williams—19.

Nays—None.

So Senate Bill No. 302 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Adams moved that the rules be waived, and he be al-

lowed to call up Senate Bill No. 260, now on its third reading;

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 260:

A bill to be entitled an act to authorize and empower the towns of this State to levy a tax not exceeding three mills upon the assessed valuation of the real and personal property of such town for the purpose of working the streets thereof, or to work their streets under provisions of the general law of this State.

Was taken up and read the third time in full, and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Barber, Blitch of 20th, Blitch of 21st, Bynum, Chipley, Crosby, Daniel, Dimick, Gaillard, Palmer of 14th, Phipps, Roberts Thomas, Wadsworth and Williams—17.

Nays—Messrs. Hooker, McClin and Palmer of 11th—3.

So Senate Bill No. 260 passed, title as stated.

Mr. Myers was excused from voting.

Mr. Blitch of 20th offered the following resolution:

Resolved, That the roll of Senators be called once, and that each Senator as his name is called shall be allowed to take up any bill on second or third reading.

Mr. Blitch of 20th moved the adoption of the resolution;

Which was agreed to.

Mr. Carson moved that the rules be waived, and that messages from the House of Representatives be taken up;

Which was agreed to by a two-thirds vote.

Mr. Blitch of 21st moved that the messages from the House of Representatives be spread upon the Journal without reading, and that the bills therein be read the first time by title and referred;

Which was agreed to.

Messages from the House.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

House Bill No. 231:

A bill to be entitled an act relating to proceedings drawing in question the validity of elections under the prohibition law, and to prescribe the time in which such elections may be questioned.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,
WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 231, contained in the above message, was read the first time and referred to the Committee on Privileges and Elections.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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. 406½:

A bill to be entitled an act to incorporate the Florida Herald Publishing Company.

And respectfully request the concurrence of the Senate thereto.

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

And House Bill No. 406½, 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., June 2, 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. 262:

A bill to be entitled an act to empower cities and towns to assess omitted lands and lands illegally sold for taxes.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 262, contained in the above message, was read the first time by its title and referred to the Committee on Finance and Taxation.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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. 385:

A bill to be entitled an act making it the duty of the Secretary of State to take charge of and have full control of all books in the State library, and empowering him to build shelves for same.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 385, contained in the above message, was read the first time by its title and referred to the Committee on State Affairs.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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. 364:

A bill to be entitled an act to repeal chapter 4426 of the Laws of Florida, entitled an act to authorize railroad and canal companies to condemn land and water rights for terminal facilities.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 364, 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., June 2, 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. 341:

A bill to be entitled an act for the relief of Samuel J. Reynolds, a fish commissioner 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 Bill No. 341, 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., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has passed—

House Bill No. 240:

A bill to be entitled an act to prevent the adulteration of candy.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 240, contained in the above message, was read the first time by its title.

Mr. McLin moved that the rules be waived, and House Bill No. 240 be read second time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 240 was read second time by its title.

Mr. McLin moved that the rules be waived, and that House Bill No. 240 be read the third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 240 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Blitch of 20th, Blitch of 21st, Chipley, Clark, Crosby, Dimick, Gaillard, Hendley, Hooker, McLin, Palmer of 11th, Phipps, Roberts, Thomas, Wadsworth and Williams—19.

Nays—None.

So House Bill No. 240 passed, title as stated.

Mr. McLin withdrew Senate Bill No. 145.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., June 2, 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. 232:

A bill to be entitled an act to give jurisdiction to county judges in all misdemeanors punishable by fine and imprisonment in the county jail in counties where there is no county court or criminal court.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No 282, 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., June 2, 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. 300:

A bill to be entitled an act declaring the town of East Tampa, in the county of Hillsborough, and State of Florida, to be a legally incorporated town.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 300, 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., June 2, 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. 274:

A bill to be entitled an act to amend section 2396 of the Revised Statutes of Florida, relating to the crime of rape,

and to provide a penealty for assault with intent to commit rape.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,
WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Bill No. 274, 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., June 2, 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. 256:

A bill to be entitled an act to amend paragraphs 1 and 2 of section 1453, Revised Statutes, relating to supersedeas upon appeals in equity causes.

And respectfully request the concurrence of the Senate thereto.

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

And House Bill No. 256, 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., June 2, 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. 255:

A bill to be entitled an act to amend paragraph 2 of sec-

tion 1272, Revised Statutes of Florida, relating to superse-
deas upon writs of error.

And respectfully request the concurrence of the Senate
thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives

And House Bill No. 255, 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., June 2, 1897. §

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—I am directed by the House of Representatives to in-
form the Senate that the House of Representatives has
passed—

House Bill No. 179:

A bill to be entitled an act for the benefit of creditors of
insolvent traders.

And respectfully request the concurrence of the Senate
thereto.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives

And House Bill No. 179, contained in the above message,
was read the first time by its title and referred to the Com-
mittee on Claims.

Passed to second reading.

Also the following:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, FLA., June 2, 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. 375:

A bill to be entitled an act to repeal an act to authorize and regulate the selling of pools in this State, being chapter 4023 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. 375, 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., June 2, 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—

Senate Bill No. 90:

A bill to be entitled an act to amend chapter 4226, Laws of Florida, approved May 30, 1893, entitled an act to amend section 1366 of the Revised Statutes of the State of Florida, in regard to the terms of the circuit court of the First Judicial Circuit of Florida.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 90, contained in above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

Senate Bill No. 18:

A bill to be entitled an act to prohibit arrangements, contracts, agreements, trusts or combinations, and certain other acts or things intended or tending to prevent, hinder or obstruct the lawful sale of Florida beef or other beef or fresh meat or cattle or other edible animal in this State, or tending to monopolize or control the sale or price thereof.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 18, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

Senate Bill No. 276:

A bill to be entitled an act to require the official phosphate samplers of each port of this State from which phosphates are shipped to inspect each and every car of phosphate arriving at such port for shipment, and to issue certificate for the same, and to provide for his compensation therefor.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 276, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

Senate Bill No. 265:

A bill to be entitled an act to authorize the county of Duval to issue bonds for the purpose of purchasing school sites and constructing, repairing and furnishing buildings for the use of public schools in said county.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 265, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

Senate Bill No. 206:

A bill to be entitled an act to amend section 31 of chapter 4496 of the Laws of Florida, entitled an act to amend the city charter of the city of Tampa.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 206, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

Senate Bill No. 72:

A bill to be entitled an act to amend section 2347 of the

Revised Statutes of the State of Florida, relating to the disposition of the proceeds of life insurance.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 72, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

Senate Bill No. 162:

A bill to be entitled an act to amend section 939 of the Revised Statutes of Florida, relating to the examination of licensing of pilots by pilot commissioners.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 162, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

Senate Bill No. 61:

A bill to be entitled an act to create a corporation to be named the Key West Insurance Company, and to confer certain privileges thereon.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 61, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. C. 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—

Senate Bill No. 220:

A bill to be entitled an act to legalize the incorporation of the city of Miami, in the county of Dade, and to declare the incorporation of said city to be valid and of full force and effect.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 220, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, FLA., June 2, 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—

Senate Bill No. 178:

A bill to be entitled an act to authorize the city of Orlando to confer the offices of clerk, assessor and treasurer, or any two of such offices, upon one person.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And Senate Bill No. 178, contained in the above message, was referred to the Committee on Enrolled Bills.

Reports of Committees.

Mr. Hartridge, Chairman of the Committee on Constitutional Amendments, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Constitutional Amendments, to whom was referred—

House Joint Resolution No. 43:
Proposing an amendment to the Constitution.

Also,
Senate Joint Resolution No. 114:
Proposing an amendment to the Constitution of the State of Florida.

Also,
Senate Joint Resolution No. 292:
Proposing an amendment to the Constitution.

Have had the same under consideration, and recommend that the same do not pass.

Very respectfully,

JOHN E. HARTRIDGE,

Chairman Committee on Constitutional Amendments.

And House Joint Resolution No. 43, and Senate Joint Resolutions Nos. 114 and 292, contained in the above report, were placed on the calendar of bills on second reading.

Mr. Williams, Acting Chairman of the Committee on Finance and Taxation, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Finance and Taxation, to whom was referred—

House Bill No. 172:
A bill to be entitled an act authorizing the Governor,

Comptroller and Treasurer to deposit the public moneys in such banks as shall furnish collaterals, providing for the sale of such collaterals and prohibiting the Treasurer from depositing any moneys in any bank without the consent of the Governor and Comptroller.

Have carefully examined the bill, and recommend that it be amended as follows:

In line 4, section 2, after the word "county," strike out the words "and municipal." In lines 4 and 5, section 2, after the word "counties," strike out the words "or cities."

And as thus amended recommend that the same do pass.

Very respectfully,

ARTHUR T. WILLIAMS,

Acting Chairman Committee on Finance and Taxation.

And House Bill No. 172, contained in the above report, together with the amendments offered by the committee, was placed on the calendar of bills on second reading

Mr. Hartridge, Chairman of the Committee on Constitutional Amendments, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Constitutional Amendments, to whom was referred—

House Joint Resolution No. 36:

Proposing an amendment to section 13, article 16, of the Constitution of the State of Florida, relating to the making of official bonds.

Beg leave to report that they have had the same under careful consideration, and report the same without recommendation.

Very respectfully,

JOHN E. HARTRIDGE,

Chairman Committee on Constitutional Amendments.

And House Joint Resolution No. 36, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Adams, Chairman of the Special Joint Committee ap-

pointed to examine the books and records of the Department of the Commissioner of Agriculture, submitted the following report:

TALLAHASSEE, FLA., June 2, 1897.

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your committee appointed to examine the books and records of the Commissioner of Agriculture, have made a careful and thorough examination of the same, and submit for the years 1895 and 1896 the following report:

Having taken the report of the Commissioner of Agriculture made to the Governor of this State on January 1, 1897, as a basis of our investigation, we find;

SWAMP LANDS.

Upon examination of patents now on file in the office of the Commissioner of Agriculture, we find since the 1st day of January, 1895, there has been patented to the State of Florida 137,068 29-100 acres. These lands being lands granted to the State of Florida under act of Congress of September 28, 1850, came by law into the custody of the Trustees of the Internal Improvement Fund and have, in a great measure, been disposed of by the Board of Trustees in the fulfillment of contracts previously made by them, in conformity with the acts of the Legislature with the several improvement companies of the State:

The following table will show the exact location of each particular parcel of said land by township and range.

GAINESVILLE.

	Patent No.	Township.	Range.	Acres.	Acres.
Feb. 1, 1895	103	6s	22e	40.62	.....
	103	30s	29e	40.05	80.67
Feb. 12, 1895.....	104	32s	39e	9.00	9.00
Feb. 15, 1895.....	105	1n	28e	4,320.00	4,320.00
Feb. 20, 1895.....	106	67n	25e	263.17	.....
		68n	25e	44.82	.....
		66n	26e	729.51	.....
		67n	26e	2,913.29	.....
		66n	27e	3,213.22	.....

	Patent No.	Township.	Range.	Acres.	Acres.
Feb. 20, 1895.....	106	67n	27e	4,170.21	.....
		66n	28e	4,501.48	.....
		67n	28e	660.51	.....
		65n	29e	1,008.45	.....
		66n	29e	1,737.31	.....
		67n	29e	187.27	19,429.24
Feb. 25, 1895.....	107	51n	25e	2,268.24	.....
		52n	25e	5.56	.....
		50n	26e	22,370.39	.....
		51n	26e	18,004.92	.....
		52n	26e	6,231.77	71,312.26
Feb. 25, 1895.....	108	3n	7e	80.15	.....
		2n	14e	79.91	.....
		2n	16e	52.17	.....
		1n	17e	40.20	.....
		4s	3e	526.50	.....
		4s	4e	481.52	.....
		5s	4e	961.54	.....
		6s	6e	618.96	.....
		2s	7e	40.15	.....
		4s	7e	1,037.57	.....
		6s	7e	159.87	.....
		7s	7e	129.75	.....
		6s	11e	79.68	.....
		9s	12e	79.83	.....
		9s	14e	218.20	.....
		7s	14e	39.72	.....
		3s	15e	40.00	.....
		9s	15e	39.90	.....
		12s	15e	82.10	.....
		10s	26e	225.89	4,913.61
July 6, 1895.....	109	8s	8w	309.00	309.00
	110	12s	15e	80.19	.....
		13s	15e	318.66	.....
		10s	16e	40.58	.....
		1s	17e	199.92	.....
		2s	17e	120.27	.....
		5s	17e	80.53	.....
		1s	18e	199.23	.....
		2s	18e	120.04	.....
		4s	18e	119.46	.....

	Patent No.	Township.	Range.	Acres.	Acres.
July 6, 1895.....	110	5s	18e	161.28	.....
		6s	19e	200.00	1,630.16
Jan. 10, 1896.....	111	9s	29e	1,763.37	.....
		10s	29e	401.20	2,164.59
March 27, 1896.....	112	5s	10e	39.81	.....
		29s	18e	80.00	.....
		30s	20e	160.00	.....
		24s	25e	40.00	.....
		1s	26e	40.00	.....
		11s	27e	75.02	.....
		19s	32e	810.00	.....
		23s	34e	1,329.00	.....
		32s	39e	330.00	.....
		38s	41e	80.00	.....
		2n	26e	51.07	.....
		1n	27e	160.00	.....
		2n	14e	270.22	.....
		2n	16e	42.00	.....
		3n	15w	40.00	.....
		3n	22w	79.97	.....
		6n	25w	39.00	.....
		8s	10w	160.40	.....
		9s	10w	88.65	.....
		2s	26w	40.00	3,624.85
Mch. 7, 1896.....	113	33s	27w	80.00	.....
		44s	27w	399.02	.....
		46s	27w	640.00	.....
		17s	28w	436.09	.....
		18s	28w	520.59	.....
		19s	28w	555.31	.....
		20s	28w	1,962.19	.....
Mch. 7, 1896.....	113	22s	28w	160.70	.....
		23s	28w	360.09	.....
		24s	28w	159.79	.....
		40s	28w	42.05	.....
		42s	28w	320.00	.....
		18s	29w	199.33	.....
		19s	29w	319.72	.....
		20s	29e	599.92	.....
		33s	29e	639.61	.....
		35s	29e	2,600.00	.....

	Patent No.	Township.	Range.	Acres.	Acres.
Mch. 7, 1896.....	113	43s	29e	97.08	9,811.49
Oct. 22, 1896.....		1n	16e	79.71	.....
		7s	14e	114.57	.....
		15s	14e	80.00	.....
		3s	15e	120.06	.....
		4s	15e	79.96	.....
		4s	16e	349.33	.....
		10s	16e	40.00	.....
		14s	16e	199.26	.....
		4s	18e	40.02	.....
		6s	18e	80.00	.....
	114	6s	19e	80.07	.....
		2s	20e	40.07	.....
		2s	21e	79.80	.....
		4s	21e	40.05	.....
		22s	22e	40.00	.....
		28s	23e	479.31	.....
		8s	24e	200.73	.....
		21s	24e	39.77	.....
		22s	24e	39.93	.....
		34s	24e	40.00	.....
		38s	41e	550.68	.....
		51s	42e	78.74	2,822.32

 137,068.29

NOTE.

Patent No. 112. This patent called for 3,946 14-100 acres
 out of which there
 was located in the
 State of Georgia 321 29-100 acres

Leaving as per statement 3,624 85-100 acres

Patent No. 113. This patent called for 10,091 49-100 acres
 of which there was
 included in former
 patents 280 00-100 acres

Leaving as per statement 9,811 49-100 acres

Patent No. 114. This patent called for	2,901 06-100 acres
of which there was included in former patents	78 74-100 acres
	<hr/>
	2,822 32-100 acres

The record of sale of swamp lands sold by the Commissioner of Agriculture at the price of \$1 per acre, aggregate 2,436.10 acres; that which was disposed of to actual settlers at 25 cents per acre, aggregate 6,979.17 acres. The proceeds of such sales are paid into the treasury of the Internal Improvement Fund.

INTERNAL IMPROVEMENT LANDS.

The records of this department show that on January 1, 1895, there remained in the hands of the Trustees of the Internal Improvement Fund, 105,100.82 acres. Amount sold in 1895, 2,305.56. Amount sold in 1896, 1,537.89 acres, leaving a balance on hand on January 1, 1897, of 101,257.37 acres. These particular lands were granted under acts of Congress of September 4, 1841, to the State of Florida for Internal Improvement purposes, and by an act of the Legislature of the State of Florida entitled an act for the relief of Jacksonville and the counties of Baker, Bradford, Columbia, Suwannee, Jefferson, Duval and Leon, chapter 3474, Acts of 1883. They were granted for the relief of said city and counties and the proceeds from the sale of all of said lands are placed to the credit of said city and counties as provided for in said act, which bonded themselves for the benefit of certain railroads that are now in operation in this State.

SCHOOL LANDS.

On January 1, 1895, the records show 373,418.92 acres on hand. The amount of school indemnity lands approved in 1895 and 1896, 3,995.89 acres. Total amount, 377,414.81 acres. The amount of land sold in 1895, 15,655.70 acres. The amount of land sold in 1896 is 5,983.98 acres. Total amount sold, 21,639.68 acres, balance on hand January 1, 1897, 355,775.13 acres. Amounts received from above sales of school lands, together with amount received on school land sold under provision of sections 449 and 453, during the years 1895 and 1896, and prior to January 1, 1895, aggregate \$20,343.58.

Receipts found in the office of the Commissioner of Agriculture show that the above sum was paid into the State treasury for the benefit of the general school fund.

SEMINARY LANDS.

The records of the office of the Commissioner of Agriculture show the amount of these lands on hand January 1, 1895, to be 30,796.05 acres. The amount of these lands sold in 1895 and in 1896, was 40.11 acres. Balance on hand January 1, 1897, was 30,755.94 acres. The amount received from said sales, \$50.14. The receipts show the disposition of the same, as the law directs.

A recapitulation of the land sales made by the Commissioner of Agriculture in 1895 and 1896, and published on page 24 in his report to the Governor, dated January 1, 1897, is an exact abstract of the books, records and land sales of his office.

The tabulated statement of the land transactions of the Commissioner of Agriculture, as set forth in his report, obviates the necessity of a recapitulation and the further publication of the same.

There are in the office of the Commissioner of Agriculture lists of all United States lands subject to homestead entry in many of the counties of the State. Such lists have been so revised as to show the number of acres and a description of the same in many counties in the State, and any person interested can procure a copy of the same at a nominal cost.

TAX SALE LANDS.

The lands certified to the State on account of unpaid taxes for the years 1891 and 1892, under the "Hammond bill," which were disposed of by the Commissioner of Agriculture. His receipt for moneys paid into the State treasury on this account we find to be correct, as per his statement.

After a careful survey of the difficulties surrounding tax sales, and the vital errors connected therewith, entailing a heavy expense to the State without recompense, your committee has drafted a bill and would recommend its passage, transferring to the Commissioner of Agriculture the care and disposition of all lands sold to the State for taxes, and of all lands certified to the State for unpaid taxes for the years 1891 and 1892.

OFFICE REPORT.

The salary of the Commissioner of Agriculture, as provided by the Constitution of the State, is \$1,500 per annum, with the provision that the Legislature may, at the expiration of eight years, increase or diminish the same at its discretion.

The report made by the Commissioner of Agriculture to

the Governor, January 1, 1889, occupied but seven pages; in 1891 his report covered 152 pages in pamphlet form; in 1893 the report required 133 pamphlet pages for its publication; in 1895 the report occupied 158 pages of the pamphlet, while in 1897 the business of the office had increased to such an extent that no less than 218 pages in pamphlet form were required for its publication. The work of the department has increased to such an extent as to require the handling and answering of 15,000 letters per annum, that must necessarily be copied, and some of which are of such a nature as to require the expenditure of several days' time in search of the information required. Each parcel of land sold we find to be entered on five different records: First, the map; second, the entry book; third, the abstract book; fourth, the tract book; fifth, the record of deeds.

Your committee would earnestly recommend that the salary of the Commissioner of Agriculture be increased to \$2,000 per annum, and that he be allowed a clerical force amply sufficient to sustain the efficiency and usefulness of his department at its present standard.

STATE CHEMIST.

Upon a thorough investigation of this department in all of its details, we are forced to recognize the great advantage accruing therefrom to the farmers, fruit growers and truckers of the State, in enabling them to make an intelligent selection and application of the fertilizers best suited to the growth of their respective crops, and the law requiring the analysis of all such fertilizers offered for sale in the State, and publication of same, is a great protection to the purchasers against imposition.

The report of the Commissioner of Agriculture covering the disposition of funds received, we find to be in full accord with the receipts on file in his office. In order to further extend the further usefulness of this department, we would recommend the passage of a bill now before the Legislature for the establishment of a geological survey of the State, the appointment of a State geologist and the appropriation of a sufficient sum in order to carry out the purposes of the survey, as detailed in the bill referred to.

STATE PRISON

The records of this department show that on Jan. 1, 1895, there were in the various camps of the lessees six hundred and seventeen convicts. There were committed during the year

1895, 429 males and 8 females. There were discharged during the year 1895, 348; deaths, 21; escapes, 20; recaptured, 4. Leaving on hand in the various camps on January 1, 1896, six hundred and sixty-nine (669).

There were committed during the year 1896, 354; discharged, 359; deaths, 23; escapes, 34; recaptured, 7. Leaving the number of convicts on hand on January 1, 1897, six hundred and fourteen.

By authority of an act of the Legislature approved 1895, the Governor appointed an agent, who was directed to visit the several convict camps, and to consider their welfare in a general way, and to make investigation of the cases of certain convicts who might have meritorious claims to be considered by the Board of Pardons, and appropriated the sum of \$500 dollars for the expenses of said agent. This work, we find to have resulted in the pardoning, within the last two years, of forty-four convicts. The number receiving pardons in the two previous years, 1893 and 1894, being only twenty-one. (See report of Commissioner).

In consequence of insufficient means to meet the expenses for traveling and research, it seems that the object of the law was not fully accomplished.

We recommend that \$1,200 from the funds arising from the hire of convicts be appropriated by the Legislature to pay the salary and the expenses incidental to such agent. The lessees of the convicts keep them in many camps throughout the State, some of the camps being far removed from each other. The number of escapes in the past two years were more than should be, and the agent appointed to look after the welfare of the convicts should be made diligent in his care of this particular feature of the convict camps, and any lessee not prepared to keep them safely should not be allowed to keep them at all.

The death rate in the State prison we find to be far in excess of the mortuary statement in the census report, rate in State prison being about three to every one hundred, and in census report seven and one-fifth to every one thousand. Relying on the above information as being true, the people of the State of Florida cannot become over-zealous in the adoption of such measures as will secure to the State convicts every comfort that our civilization demands.

The funds arising from the hire of convicts we find to have been duly collected and distributed as the law directs.

FARM STATISTICS.

The work of this department being confined almost exclusively to the preparation of statistical matter, and the in-

vestigation of questions pertaining to the agricultural interests of the State, a detailed investigation into its affairs is wellnigh impossible. While the work done in this direction is undoubtedly of great value to the people of the State, your committee is forced to the conclusion that the value and accuracy of these statistics, in so far as they are based upon the report rendered by the tax assessors of the several counties, would be greatly enhanced by insisting upon a stricter compliance with the provisions of section 350, chapter 1 of the Revised Statutes, under which said tax assessors act in this matter. A close comparison of some of the agricultural statistics collected in this manner, with well established facts, seems to justify the conclusion that some, at least, of the county tax assessors have failed to comply fully with the requirements of the above section, which reads in part as follows: "It shall be the duty of each tax assessor in this State, when listing property for taxes, to also call on the tax payers in their respective counties engaged in agriculture, horticulture and stock raising for necessary facts and information for filling out such blanks as the Commissioner of Agriculture may furnish him, and for such service such tax assessor shall be paid 5 cents for each tax payer in the occupation heretofore mentioned." * * * Should any assessor of taxes fail or refuse to comply with the provisions and restrictions of the Commissioner, the board of county commissioners of his county shall, on notice from the Commissioner, withhold the fees due such assessor for assessing the State and county taxes.

And your committee would, therefore, urge upon the Commissioner of Agriculture the advisability of giving the county commissioners notice, provided for in the above section, in all cases in which the returns received from any given tax assessor show that he has failed to comply with the law. The fact that the statistics in question are extensively employed as a basis for the information sought by prospective immigrants, renders their accuracy and reliability a question of the first importance.

INFORMATION DEPARTMENT OR BUREAU OF IMMIGRATION.

This bureau, as its name implies, is devoted to the collection and dissemination of such information as is likely to prove valuable to those who contemplate taking up their residence in this State. Nearly 7,000 letters bearing upon this subject have been received and answered during 1896, and the bureau stands much in need of printed matter adapted to general distribution among intending im-

agents, and the publication of a brief, yet comprehensive, treatise, giving an adequate outline of the State and its varied resources, would do much to facilitate the work of the bureau in this direction. The present method of replying to inquiries is necessarily cumbersome and expensive, and your committee would recommend the publication of such a treatise, or hand book, as that mentioned, as likely to prove economical to the State and useful to those who desire to number themselves among its inhabitants.

METEOROLOGICAL REPORT.

Under this head the department annually compiles a mass of well digested and valuable statistical information upon the subject of climatic conditions as applied to the agricultural interests of the State. The data upon which this information is based is derived directly from the Florida section of the United States weather bureau, by means of an arrangement by which the bureau, in exchange for information supplied by the Commissioner of Agriculture, furnishes, at a cost merely nominal, such data as may be found necessary. The authority under which the Commissioner of Agriculture acts in this matter is found in section 140, article 7, of the Revised Statutes, requiring him to "disseminate information" and "give information upon the above subject and others of interest to those who till the soil of this State." The statistical tables compiled upon this subject in the annual report of the department are so arranged as to give a complete outline of the climatic conditions prevailing for each month in the year at the principal points in the State. In view of the incalculable damage inflicted upon the horticultural interests of the State by sudden and severe frosts, your committee would urgently recommend the adoption of some means by which the frost warnings sent out by the weather bureau to the various stations throughout the State, may be more promptly and thoroughly disseminated throughout the adjoining county, either by sounding steam whistles, discharging rockets, by the display of flags, or otherwise. At Zellwood, in Orange county, some such plan has already been adopted, largely through the exertions of the Commissioner of Agriculture; and in view of the vast importance of this subject to the fruit growers and truckers of the State your committee would advise an extension of the same plan in so far as it may prove practicable.

THE STATE CENSUS.

Under this head, the annual report of the Commissioner of

Agriculture for 1896, embodies the results of that enumeration of population, etc., which, under a provision of the State Constitution, is taken every five years, and which was last made in 1895. The most conspicuous feature of the census report is the loss of \$29,764,089 in farm values since 1890, which was due to the great freeze of the winter of 1895-6. Against this loss may be set an increase of more than fifty per cent. in the number of manufacturing establishments, together with an increase in the value of manufactured products of \$5,383,988. The increase in the value of farm products is \$3,292,948.57, and the farm statistics indicate a tendency toward the further subdivision of agricultural holding, the increase in the number of farms being 2,912, while the number of acres under cultivation was only 12,869 more in 1895 than in 1890. An increase of 247,918 acres held in undivided ownership is also noted. The manufacturing statistics indicate a marked increase in the number of employes on the one hand, and a marked decrease in the rate of wages paid on the other. The total population of the State is 464,600, of which 271,561 are white, and 193,039 are black. The total increase in population since 1890 is 73,471, divided as follows: White, 46,612; black, 26,859. One hundred and forty-two thousand one hundred and eighty-three persons, or over thirty per cent. of the entire population, are gathered in the towns and cities of the State. The mortuary statistics presented in the census report indicate a gratifying improvement in sanitary conditions. The death rate in 1895 being but 7.20 to each one thousand persons, against 10.12 per one thousand in 1890.

In conclusion, your committee would recommend when the State census of 1900 shall be taken, a further subdivision of the enumerator's districts, and the employment of a larger number of enumerators. The value of a census depends largely upon the rapidity with which it is taken, and the closeness with which the scope of the inquiry is confined to a few important points; and this result can best be attained by the subdivision of the districts, the employment of more enumerators, and less elaboration of detail.

All of which is respectfully submitted.

F. ADAMS, Chairman,
E. N. DIMICK,

On part of the Senate.

WALTER S. TURNER, Chairman,
W. D. BALLENTINE,
J. P. WALL,

On part of the House.

Ordered spread on the Journal.

Mr. Bynum, on behalf of the committee appointed to prepare resolutions of respect on the death of Hons. J. P. Roberts and R. A. Reid, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., JUNE 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee, to whom was referred the subject of resolutions in memory of Hon. J. P. Roberts, of the Fifth, and Hon. R. B. Reid, of the Seventeenth Senatorial Districts, beg leave to submit the following report:

Whereas, In the death of Hons. J. P. Roberts and Robert A. Reid, the State has lost two of her noblest sons, their families loving protectors, their fellow citizens kind and thoughtful neighbors, with hands ever open and ready to do for their fellow man all that came in their way for the good of those around them.

Whereas, By their selection by their fellow citizens in October last they were Senators of the State of Florida and members thereof with us, and it is eminently fitting that as such we should pay honored tribute to their memory, therefore be it

Resolved, That we hereby testify our admiration for and appreciation of the many high qualities that distinguished the deceased Senators as citizens, friends, soldiers, patriots and Christian gentlemen.

Resolved, That these resolutions be spread upon the Journal of the Senate, and that an engrossed copy be sent to the families of each of the deceased Senators.

Respectfully submitted,

J. H. T. BYNUM,

JOHN E. HARTRIDGE,

Committee.

Mr. Bynum moved the adoption of the resolution contained in the report, and that engrossed copies of the resolution be sent to the families of the deceased;

Which was agreed to.

Mr. Barber, Chairman of the Committee on Engrossed Bills, asked until to-morrow morning to submit his expense report;

Which was agreed to.

Mr. Hooker, Chairman of the Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Enrolled Bills, to whom was referred—

An act to incorporate the town of Williston, in the county of Levy.

Also,

An act to incorporate and establish a municipal government for the town of Milton, Santa Rosa county, Florida, provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said town.

Beg leave to report that they have carefully examined the same, and find them correctly enrolled.

Very respectfully,

J. N. HOOKER,

Chairman Committee on Enrolled Bills.

And the acts contained in the above report were referred to the Joint Committee on Enrolled Bills.

Mr. Hooker, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to incorporate the town of Williston, in the county of Levy.

And,

An act to incorporate and establish a municipal government for the town of Milton, in Santa Rosa county, Florida, provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of sad town.

Beg leave to report that they have carefully examined the same, and find them correctly enrolled.

Very respectfully,

J. N. HOOKER,

Chairman Joint Committee on Enrolled Bills.

And the acts contained in the above report were referred to the Joint Committee on Enrolled Bills to be conveyed to the House of Representatives for signature of Speaker and Chief Clerk thereof.

Mr. Hooker, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to incorporate the town of Williston in the county of Levy.

And,

An act to incorporate and establish a municipal government for the town of Milton, in Santa Rosa county, Florida, provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said town.

Beg leave to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Representatives and is herewith presented for the signature of the President and Secretary of the Senate.

Very respectfully,

J. N. HOOKER,

Chairman Joint Committee on Enrolled Bills.

Enrolled.

The President announced that he was about to sign—

An act to incorporate the town of Williston, in the county of Levy.

Also,

An act to incorporate and establish a municipal government for the town of Milton, in Santa Rosa county, Florida, provide for its government, prescribe its jurisdiction and powers and to abolish the present corporation of said town.

The acts were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Hooker, Chairman of the Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Enrolled Bills, to whom was referred—

An act to amend sections 865 and 866 of the Revised Statutes of Florida, regulating the granting of permits to sell liquors, wines and beer.

Also,

An act to prohibit fishing in the waters of Lake Worth and tributaries.

Also,

An act to make it unlawful for live stock to run at large in Dade county, Florida, and to provide for the impounding and sale of stock so running at large.

Beq leave to report that they have carefully examined the same, and find them correctly enrolled.

Very respectfully,

J. N. HOOKER,

Chairman Committee on Enrolled Bills.

And the acts contained in the above report were referred to the Joint Committee on Enrolled Bills.

Mr. Hooker, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to amend sections 865 and 866 of the Revised Statutes of Florida, relative to the granting of permits to sell liquors, wines or beer.

Also,

An act to prohibit fishing in the waters of Lake Worth and tributaries.

Also,

An act to make it unlawful for live stock to run at large in Dade county, Florida, and to provide for the impounding and sale of stock so running at large.

Beg leave to report that they have carefully examined the same, and find them correctly enrolled.

Very respectfully,

J. N. HOOKER,

Chairman Joint Committee on Enrolled Bills.

And the acts contained in the above report were referred to the Joint Committee on Enrolled Bills to be conveyed to the House of Representatives for signature of Speaker and Chief Clerk thereof.

Mr. Hooker, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to amend sections 865 and 866 of Revised Statutes of Florida, regulating the granting of permits to sell liquors, wines or beer.

Also,

An act to prohibit fishing in the waters of Lake Worth and tributaries.

Also,

An act to make it unlawful for live stock to run at large in Dade county, Florida, and to provide for the impounding and sale of stock so running at large.

Beg leave to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Representatives, and is herewith presented for the signature of the President and Secretary of the Senate.

Very respectfully,

J. N. HOOKER,

Chairman Joint Committee on Enrolled Bills.

Enrolled.

The President announced that he was about to sign—

An act to amend section 865 and 866 of Revised Statutes of Florida, regulating the granting of permits to sell liquors, wines or beer.

Also,

An act to prohibit fishing in the waters of Lake Worth and tributaries.

Also,

An act to make it unlawful for live stock to run at large in Dade county, Florida, and to provide for the impounding and sale of stock so running at large.

The acts were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Daniel, Chairman of the Committee on Privileges and Elections, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate.

SIR—Your Committee on Privileges and Elections, to whom was referred—

House Bill No. 231:

A bill to be entitled an act relating to proceedings drawing in question the validity of elections under the prohibition law, and to prescribe the time in which such elections may be questioned.

Have had the same under consideration, and recommend that it do not pass.

Very respectfully,

W. J. DANIEL,

Chairman Committee on Privileges and Elections.

And House Bill No. 231, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Carson, Chairman of the Joint Committee on Apportionment, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., JUNE 1, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee on Apportionment, to whom was referred—

Senate Bill No. 273:

A bill to be entitled an act to amend section 56 of the Revised Statutes of the State of Florida, relating to the division of the State of Florida into senatorial districts, and to amend section 56 of the Revised Statutes of the State of Florida, relating to the apportionment of members of the House of Representatives of the State of Florida.

Have carefully considered the same, and herewith submit a committee substitute for said bill, and recommend that the substitute do pass.

Accompanying this, however, we also hand a minority report, signed by one member of the committee, recommending the passage of bill as originally proposed.

Very respectfully,

C. A. CARSON,

Chairman Joint Committee on Apportionment.

And Senate Bill No. 273, contained in the above report, together with the substitute offered by the committee, was placed on the calendar of bills on second reading.

Mr. Chipley, on the part of the minority, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., JUNE 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee, to whom was referred—
Senate Bill No. 273:

A bill to be entitled an act to amend section 56 of the Revised Statutes of the State of Florida, relating to the division of the State of Florida into senatorial districts, and to amend section 56 of the Revised Statutes of the State of Florida, relating to the apportionment of members of the House of Representatives of the State of Florida.

Have considered said bill, and the majority of your committee have made a report, therein recommending a substitute, providing that the present apportionment be not disturbed. The undersigned, the minority of said committee, begs to call your attention to the fact that the Constitution of Florida makes it mandatory upon this Legislature to make a re-apportionment of the State.

Section 56 requires that the representation in the House of Representatives shall be apportioned among the several counties as nearly as possible according to population, provided each county shall have one representative-at-large in the House of Representatives, and no county shall have more than three Representatives.

The undersigned questions the right of this Legislature to disregard this requirement of the Constitution, and therefore recommends that the original bill do pass.

Respectfully,

W. D. CHIPLEY,
Minority of Joint Committee.

Mr. Darby, Chairman of the Joint Committee appointed to attend the meeting of the Interstate Commerce Commission, held in Jacksonville, submitted the following report:

AUSTIN, TEXAS, April 15, 1897.

HON. T. A. DARBY,

State Senate, Tallahassee, Florida:

DEAR SIR:—Enclosed herewith find copy of testimony taken before the Interstate Commerce Commission at Jacksonville last week in what is called the "Vegetable Case." This is the testimony which you ordered at the hotel. We were in New Orleans several days, and employed some help there and have pushed it out as rapidly as possible. I enclose formal bill for the same, thinking you will need it in this shape in order to have it paid without delay. Please address me at Washington, D. C., 2526 L Street, N. W.

I trust that you will find it satisfactory.

Very respectfully,

FRANK LYON.

TALLAHASSEE, FLA., June 1, 1897

HON. CHAS J. PERRENOT,

President of the Senate:

DEAR SIR—The Joint Committee appointed to attend the

meeting of the Interstate Commerce Commission held in Jacksonville, beg leave to submit this, their report:

The Commissioners seemed anxious to learn the facts in regard to the discrimination said to be practiced against vegetable shippers of Florida.

The testimony given by vegetable growers indicates that unless the conditions which exist now are changed, Florida, although by climate and facilities is adapted to raising in open air early vegetables at a time when other sections are not, and although having these superior advantages, the industry will have to be abandoned, unless, as stated above, the conditions are changed.

For the foundation for this conclusion we beg leave to call attention to the testimony of Representative Ayer, of Marion county, and others, which testimony herewith submitted shows that the value of products are virtually consumed in transportation, leaving nothing for the producer.

The testimony, as a whole, indicates that the rates now arbitrarily made and collected, if continued, will not only impoverish the producer, depopulate the State, but eventually bankrupt the railroads. The railroad companies would do well to employ agents to adjust freight rates with some idea of political economy, and the future, instead of seeking to make an apparent profit for the present, at the expense of the future well fare of the investments they represent.

All of which is respectfully submitted,

T. A. DARBY,

Chairman of Senate Committee.

C A Colcolough having been duly sworn, testified as follows:

Abrams—Do you hold any position with the Vegetable Growers' Association of Alachua County?

Colcolough—Yes, sir; Secretary.

Abrams—Are you a shipper of vegetables?

Colcolough—Yes, sir.

Abrams—How many years have you been engaged in that business?

Colcolough—I commenced in 1880—17 years ago.

There were two years, the years 1881 and 1882, when I was not in the business. With that exception, I have been in it continuously.

Abrams—Have you kept the run of freight rates during all these years?

Colcolough—Yes, sir.

Abrams—State to the Commission the difference between

the size of the cabbage crate of to-day and the size of the crate in 1888.

Colcolough—The crate in 1888 and prior to that date, standard crates were 12-18-36-barrel crates. The cabbage crate of the present day, the one we adopt at Gainesville, is 11-20-39, and at McIntosh 12-20-36. They are identically the same inside measure.

Abrams—What is the percentage of difference between the two crates?

Colcolough—The percentages of difference between the crates?

Abrams—Yes, sir.

Colcolough—Identically the same inside measurement. There is a little difference outside measurement.

Abrams—About what is the percentage of difference between crates of 1888 and 1896?

Colcolough—Less than 10 per cent. The crate of to-day is less than 10 per cent. larger than the crate of 1888.

Abrams—Can you state about what the average weight of a crate of cabbage at this time is?

Colcolough—I think about 125 pounds. The heaviest crate of cabbage I ever weighed was 140 odd pounds and the lightest about 115. It varies accordingly to the solidity of the cabbage.

Abrams—You never saw a crate of cabbages that weighed 180 lbs—did you?

Colcolough—No, sir; I do not think any one ever did.

Abrams—When you shipped cabbages in 1888 was there any difference in the methods of charging freights than there is at this time, or was it just charged so much per crate?

Colcolough—It was so much per package crate, there were two packages—a bushel package and a barrel package.

Abrams—And they were charged so much by the package?

Colcolough—Yes, sir; there was never any additional charge because of weight after the cabbage reached the markets, that have been informed of. They were always carried through at so much per package.

Abrams—Is there any difference now between the bushel crate and the bushel crate of 1888?

Colcolough—There is considerable difference between the tomato now and of 1888. In 1888 the tomato crate was used, box with a solid head; to-day they are used with veneered material and panel heads and are much lighter—probably weigh half, the package alone, and are small. They are shipped in carriers, six baskets to the carrier. That package would weigh, I suppose, 20 per cent. less than the 1888 package, 15 per cent. or 20 per cent. less, because of the space these bas-

kets take up, the vacant space in the carriers which is not utilized.

Abrams--What were the rates in 1888 from Gainesville, points to New York, Philadelphia and Baltimore?

Colcolough--30 cents via steamer--the Savannah steamers of the Ocean Steamship Company, from Gainesville; 60 cents per barrel; 30 cents per bushel; 66 cents all rail per barrel and 33 cents per bushel or box or small package.

Abrams--You say that the bushel crate of to-day is lighter on tomatoes than it was in 1888?

Colcolough--Yes sir.

Abrams--Is there any difference in the weight of tomatoes now from what it was in 1888?

Colcolough--The difference in the weight of the tomatoes.

Abrams--State the difference in their weight and their freight rate?

Colcolough--The rate has been very largely advanced. From 66 cents all rail, 1888, it is now \$1.04. The rates have been advanced this season 3 cents over last year. Last year it was \$1.01 on small packages. It was also advanced on barrel packages 6 cents from all points in Florida, but that rate has been taken off on barrel packages on cabbage and potatoes and put back to last year's rate.

Abrams--Can you state, if you know, what the rate is on cabbage from New York to Gainesville?

Colcolough--Yes, sir; I was shown the tariff sheet by a merchant in Gainesville a few days ago. He said it was 45 cents per 100 via Savannah steamer, and that he had no all rail rate.

Abrams--I asked you a question a while ago which I think you misapprehended? You have testified that the tomato crate of 1888 was heavier than the tomato crate of 1896?

Colcolough--Yes, sir.

Abrams--What is the difference in the freight? What did they charge on a crate of tomatoes to New York, say, in 1888?

Colcolough--30 cents via steamer, and 33 cents all rail.

Abrams--What is it now?

Colcolough--It is 37 1-2 cents and 3 cents added this year which makes 40 1-2 cents via steamer, and it is 53 1-2 cents via all rail.

Abrams--Then the charges to-day for a lighter crate of tomatoes is higher than it was in 1888?

Colcolough--Yes, sir; much higher, nearly double in some instances via all rail--about 50 per cent. more--a fraction over 50 per cent. more.

Abrams--How far is it from Arredondo to Gainesville?

Colcolough—Six miles, it is called and a fraction over.

Abrams—What is the rate from Arredondo to New York per barrel or per crate?

Colcolough—To New York?

Abrams—Is there any difference in the rate from Arredondo and Gainesville?

Colcolough—Yes, sir.

Abrams—How much?

Colcolough—A difference of 16 cents, I believe, on barrels. I am not positive of it.

Abrams—It is higher?

Colcolough—Yes, sir; it is considerably higher. It is the same as the Rocky Point rate and the Wacahoota rate?

Abrams—Are you a large shipper, Colcolough?

Colcolough—Yes, sir; I ship a great many.

Abrams—Have you recognized in your expenditures and payments the difference between the rates now and those of 1888?

Colcolough—Yes, sir; very much.

Abrams—Have you kept yourself familiar with the increase of rates? If you have, state the successive increases that have been made, if there are any.

Colcolough—The rates were first advanced in 1888 from 30 cents—no, I do not think they were advanced all rail that year. They were advanced from 33 to 66 cents in 1888, and to 41 and 82, the following year, 1889. In 1890 they were advanced from 82 to 85, and half that rate on small packages. In 1891 the rate was advanced to \$1.50 to \$1.01.

Commissioner Clements—What vegetables are you talking about now?

Colcolough—Cabbage, I say half that rate on small packages.

Abrams—When was the last increase?

Colcolough—This last winter.

Abrams—What was the total increase on each class of goods per barrel or bushel, crate on the different lines?

Colcolough—The increase via the Savannah steamer was from 60 to 75—25 per cent. via all rail, 66 to \$1.01.

Abrams—How was it via Portsmouth?

Colcolough—That rate was increased in proportion. I am not positive of the figures, but I think it was 65 in 1888, and now it is about 90 odd cents.

Abrams—Was the barrel crate increased via Portsmouth from 66 cents in 1888 to 91 cents in 1896?

Colcolough—Something like that, you have the rate there.

Abrams—And from 33 to 35½ on small packages?

Colcolough—Yes sir, I think something about that.

Abrams—Is this a correct statement of vegetable freights paid by you in 1895? (Handing paper to witness).

Colcolough—Yes sir, I think so. Yes sir, I presume that is correct. I sent a statement to Senator Call two years ago and I think he turned it over to the Commission, which they had published, and he sent that back to me. I think that is a correct statement.

Abrams—Does that embrace cabbages?

Colcolough—No sir, the cabbage crop was a failure that year, the freeze killed the cabbages that year and killed the oranges.

Abrams—This was entirely to Eastern markets, was it not?

Colcolough—I am not positive, I suppose so; it appears so.

Abrams—How many crates did you ship that year, in 1895?

Colcolough—I do not remember now; I do not think they were added up; I do not remember exactly.

Abrams—There is a recapitalation there.

Colcolough—(After examing paper) 5216.

Abrams—How much freight did you have to pay on those 5216?

Colcolough—\$2,656.79.

Abrams—Those were altogether in bushel crates, were they not?

Colcolough—I think so; I do not think that I shipped any in barrel crates that year. That is my recollection.

Commissioner Prouty—Is that what you shipped individually?

Colcolough—Yes, sir.

Abrams—What was the average you had to pay per crate on that?

Colcolough—50 cents per crate according to that.

Abrams—What was the farthest point North to which you shipped anything?

Colcolough—Boston.

Abrams—I wish you would take out the aggregate number of Boston packages and state what that number is?

Colcolough—696.

Abrams—That leaves 4,520 packages that were shipped to New York, is that correct?

Colcolough—Yes, sir.

Abrams—Does not that include shipments to Savannah, Washington, Norfolk, Baltimore and Philadelphia?

Colcolough—Yes, sir.

Abrams—The average cost per crate paid by you in 1895 as I understand, was 50 cents per crate.

Colcolough—Yes, sir.

Abrams—While I understand that in 1888 the rate per bushel crate was only 33 cents to New York?

Colcolough—Yes sir.

Abrams—Now, Mr. Colcolough, has any other than the tomato crates, for cucumbers and the like, increased in size since 1888?

Colcolough—I do not know positively. In our section we use a bushel basket, where we used a bushel crate formerly. I do not know whether it holds any more than the bushel crate or not. I suppose not.

Abrams—Are they not made to hold a bushel?

Colcolough—Yes sir.

Abrams—Were not the crates of 1888 also bushel crates?

Colcolough—I have been so informed. That was my impression. I never measured them though.

Abrams—Do you observe any difference in weight between the crates of beans and cucumbers in 1896 from what those bushel crates were in 1888, or are they relatively the same?

Colcolough—Relatively the same. That is, I mean the bushel baskets and the bushel crates. The tomato carrier is lighter, as I stated before, lighter than the old tomato crate.

Abrams—Are not a large proportion of the vegetables shipped tomatoes?

Colcolough—Yes, sir; a very large proportion, and they are shipped almost exclusively now—in these carriers—twenty-four basket carriers—twenty-four quart carriers.

Abrams—Outside of the vegetables in the crate, is not the basket crate lighter than the old bushel wooden crate?

Colcolough—Yes, sir; I do not think it would weigh more than half. I am satisfied of it.

Abrams—Then the average of the bushel crate would be lighter than it was in 1888 before the basket crate was used, would it not?

Colcolough—Yes, sir; I think so.

Abrams—From your shipping experience, can you state to the commission whether or not you pay any less or more freight now on the same shipments than you did in 1888?

Colcolough—Yes, sir; I pay very much more.

Abrams—What?

Colcolough—I average, I think, about 25 per cent. more—not less than that.

The Chairman—You mean more more in the package, or more per 100 pounds?

Colcolough—More per 100 pounds.

Abrams—That is all.

CROSS-EXAMINATION.

Baxter—Mr. Colcolough, how long have you lived in Florida?

Colcolough—Twenty-two years.

Baxter—Did you engage in the vegetable business as soon as you came to the State?

Colcolough—No, sir; I commenced in 1888.

Baxter—When did this vegetable business begin in Florida?

Colcolough—About 1876, I think.

Baxter—Have you got accessible anywhere in the form of a record, which you have kept as the secretary of your association, or as an individual, the rates charged from time to time during the period you have been in the business or before?

Colcolough—No, sir; I have kept no record, only from memory. The railroad, I suppose, have a record of it.

Baxter—It is not a part of the records of your association?

Colcolough—No, sir; our association is a very recent one.

Baxter—Is there any thing in any of your public documents of the State that would show that?

Colcolough—No, sir; only in the railroad offices, I think. I suppose that they keep a record of all these rates.

Baxter—Something was said about cabbages being shipped from New York to Florida. About what time of the year does that shipment start in?

Colcolough—Well, I think it commences about the 1st of September.

Baxter—How long does it continue?

Colcolough—Until about December 1st, or January, in some years.

Baxter—How would the quantity of those inbound shipments of cabbages compare with the quantity of outbound shipments to New York from Florida?

Colcolough—It would be a very small compared with the outgoing shipments.

Baxter—Could you give us a percentage?

Colcolough—No, sir; I have no idea. I only judge it by the number of people in Florida as compared with the number in the North and West.

Baxter—Are such shipments usual every year, or is it only occasionally?

Colcolough—I think every year in the fall we get cabbage from the North, in fact, I know we do. We cannot grow them here in the summer, because in the long spell of warm weather, the worms eat them.

Baxter—Are those shipments brought all rail, or all water?
or part rail and part water?

Colcolough—Part rail and part water, I think.

Baxter—Have you made any of them yourself?

Colcolough—I have, years ago.

Baxter—Did they come by all rail or all water?

Colcolough—By Savannah steamers, thence by all rail.

Baxter—Do you remember how the rates were in 1896?

Colcolough—Yes, sir.

Baxter—Were they higher or lower than in 1888?

Colcolough—The same; identically the same.

Baxter—How were they in 1885?

Colcolough—The same, to the best of my recollection.

Baxter—And in 1884?

Colcolough—The same.

Baxter—And all the way back to 1880, so far as you
can remember?

Colcolough—Yes, sir; there may have been one or two
occasions when the railroads cut the rates North—cut them
down a little lower, but as a whole, they were the same from
the time I commenced business until 1880 in Gainesville.

Abrams—I wish to ask you two or three more questions.
Now, Mr. Colcolough, about how many car loads of vegeta-
bles are shipped annually from Gainesville?

Colcolough—I declare I can hardly answer that ques-
tion, sir. I suppose 200 or 300 car loads.

Abrams—About what proportion are shipped North?

Colcolough—It is all shipped North and Northwest.

Abrams—What proportion is shipped East, and what
proportion is shipped West?

Colcolough—I suppose about two-thirds is shipped
East from our station; I should think two-thirds from Gaines-
ville proper.

Abrams—That would be 200 of the 300 car loads?

Colcolough—Yes, sir.

Abrams—Can you state what is the difference—the
average difference—in freight rates per car now from 1888?
About how much did it approximate?

Colcolough—Well, you know, the rates West are about the
same as they were 8 or 10 years ago.

Abrams—What is the difference now between the rates
East and West?

Colcolough—From Gainesville to Cincinnati, it is 54 cents
in carload lots per barrel crate to Chicago, 66 cents; to St.
Louis, 62 cents; to Columbus or Cleveland, I think, it is 68
cents. I am not positive about that. To New York, via

steamer, it is 67 1-2 cents in car loads on cabbage. All rail, it is 91 cents. A. C. L., 82.

Abrams—What I want to get at is—can you estimate about how much per car more approximately you people are paying for freights now from Gainesville to points East—New York, Philadelphia and Eastern Points than you paid in 1888—about how much per car would it average?

Colcolough—Per car via Savannah steamer would be \$15.00.

Commissioner Clements—That is, by rail to Savannah, and by steamer from there on?

Colcolough—Yes, sir; A. C. D.

Commissioner Clements—What does that mean?

Colcolough—All rail despatch--\$50.00. I do not remember the A. C. L. lines.

Commissioner Prouty—What is A. C. L.?

Colcolough—Atlantic Coast Line to Portsmouth and then via steamer. I think the A. C. L. is about \$40.00.

Commissioner Prouty—The average, you say, would be about \$40.00.

Colcolough—About \$35 a car average, taking the three lines.

Commissioner Prouty—Then, on the 200 cars, you were paying about \$7,000 per annum more than the same service would have cost you in 1888?

The Chairman—Abrams, I think that you misunderstood Mr. Colcolough in the number of cars shipped from Gainesville.

Abrams—I understood him to say 500.

Chairman—I think he said 200

Concolough—I think it is nearer 300 than 200.

Abrams—Mr. Colcolough, how do prices received by the grower for his vegetables in 1896 compare with the prices he received for the same product in 1888?

Colcolough—In 1896 on all vegetables, with the exception of cabbage, in the fall of 1895, there was a severe drouth North and West and the cabbage crop was a failure. Last season they brought fair prices, the best for several years. With that exception all the spring vegetables from our point, at least, were very low.

Abrams—How do prices compare now with the same products in 1888?

Colcolough—They are much lower on an average. The business then was in its infancy.

Abrams—Can you give the Commission any information as to how these rates were raised, by what combination or what agreement between these railroad companies to bring about this increase of rates?

Colcolough—No, sir; I cannot answer that question.

Abrams—Do you know of any pooling of the vegetable business by these roads?

Colcolough—Yes, sir; there is no question about that. One of the railroad men last year told me—we went to him, two or three of us, to see if we could not get the railroads to give us inducements, provided we threw all our freight on to one line—and he told us that they could not do that any longer, that they had gone into written agreements, and that they were liable to heavy fines, provided they did any thing of that kind. The year previous they had been cutting the rate, giving rebates, that is, two years ago.

Abrams—Did you go to Atlanta, in the endeavor to have the rates adjusted, and if so, what did they tell you there?

Colcolough—Well, they did not tell us any thing much. I hardly know what they did tell us. They put us off; told us they would bring the matter up before a future meeting of the Freight Association.

Abrams—What Freight Association?

Colcolough—That was the Southern Freight Association. We went before Mr. Haynes at Mr. Papy's invitation. Mr. Haynes treated us very nicely, and promised to bring the matter up at the next meeting. We never heard from it since.

Abrams—There is another question I wish to ask. What would be the freight on a car load of cabbage from Gainesville to New York—about how much?

Colcolough—Now?

Abrams—Yes, sir.

Colcolough—200 crates were \$182.00—about 90 cents a crate.

Abrams—What would be the freight on a carload of melons going over the same route?

Colcolough—I have the rates from one of the offices. They gave me the rates per 100. I will have to calculate the rates to New York. A. C. D., it is 45 1-2 cents per 100; that is, \$9.25, I believe, per ton; 12 tons would be about \$100.80 and a fraction over; that would be per car load of 24,000 pounds. To Philadelphia, would be 42 1-2 cents per hundred; \$8.25, I believe per ton. To Baltimore, it would be 38 1-2 cents per hundred. To Boston, Mass., it would be 64 1-2 cents; to Richmond, Va, 33 1 2 cents; Norfolk, the same; Portsmouth, the same. To Cincinnati, would be 35 1-2 cents per hundred.

Commissioner Clements—Is that the car load rate on melons?

Colcolough—Yes, sir; by steamer to New York it would be

\$82.2 per car load; to Philadelphia, \$82.20; to Baltimore, \$77.80; to Boston, \$92.80. That is by Savannah steamer. The rates on cabbage are nearly double.

Commissioner Clements—What is the difference in the freight of the carload; how much is hauled in the carload of each in weight?

Colcolough—They estimate a carload of melons to weigh 24,000 pounds.

Commissioner Clements—And a carload of cabbages?

Colcolough—It would be 200 crates, and a crate is supposed to weigh 100 pounds; but now, I think, they claim it weighs more; 200 crates would weigh ten tons, 20,00 pounds; at 120 to the crate it would be 24,000.

Baxter—I understood you to say that there were about 300 carloads shipped from Gainesville, and of that about 200 went East and 100 went West. Is that right?

Colcolough—Yes, sir; that is my opinion, as near as I can get it.

Baxter—Do the shipments West move about the same as the shipments East or after?

Colcolough—The same time.

Baxter—Do you meet any competition from Mobile and that section in shipping west to Chicago markets and Ohio?

Colcolough—It is very limited. Their cabbage, the commission men say, commence to move about May 1st, sometimes a little earlier. We generally get through from the 1st to the 10th of May.

Baxter—Well, now, in this shipment of vegetables, what is the first vegetable that commences to move?

Colcolough—Lettuce from our section.

Baxter—When does that commence?

Colcolough—It commences in December.

Baxter—How long does it last?

Colcolough—Until April.

Baxter—What is the next one?

Colcolough—The next is cabbage and peas.

Baxter—They come in about together?

Colcolough—Yes, sir.

Baxter—What time do they commence?

Colcolough—About the latter part of February, and they last until May.

Baxter—Well, your next line of vegetables?

Colcolough—The next are cucumbers and beans.

Baxter—And they commence about when?

Colcolough—About the 1st of May.

Baxter—How long do they last?

Colcolough—About three weeks.

Baxter—And then next?

Colcolough—Tomatoes commence about the 20th of May.

Baxter—How long do they last?

Colcolough—Until about the 20th of June.

Baxter—What next?

Colcolough—A few egg plants; very little.

Baxter—When do your potatoes come in?

Colcolough—We plant very few at Gainesville. They come in about the latter part of May.

Baxter—The movement of this vegetable traffic, then, may be said to be from about December 1st to about the 1st of July?

Colcolough—Yes, sir; June generally winds it up.

Baxter—It extends over a period of about six months?

Colcolough—Yes, sir.

Baxter—These vegetables raised here come in about the same time, I suppose; so there is a large demand for cars at the same time?

Colcolough—Yes, sir; I suppose so, all over the State you mean?

Baxter—Yes.

Colcolough—Yes, sir; they generally mature all over the State within six months.

Baxter—Speaking generally, from the the time you first became acquainted with the business to the present time, has it been a prosperous or an unprosperous business?

Colcolough—It has not been a prosperous business.

Baxter—The farmers have lost money?

Colcolough—There are but a very few farmers but what are in debt. A great many have gone from our section and Arradondo.

Baxter—Gone away from the State?

Colcolough—Yes, sir; within six miles of Gainesville was a thickly settled section a few years ago; now it is deserted.

Baxter—There is no other business for them to go into?

Colcolough—No, sir; no other business that they can make a living at.

Baxter—Is there any other traffic for the railroads to carry out of that section?

Colcolough—They get lumber, phosphate rock and flint rock for the jetties. I do not think they are in that business now; and cotton, that is pretty well over now.

Baxter—Does the lumber move in large quantities, or has that been exhausted?

Colcolough—It moves in large quantities.

Baxter—You spoke of the price of vegetables being very

much lower than in 1888. Is not that true of almost everything else?

Colcolough—Yes, sir.

Commissioner Prouty—How does the time of service between here and New York compare now with the time of service in 1888?

Colcolough—Via the steamer and A C L, I think they are identically the same. I know they are by the Savannah steamer.

Commissioner Prouty—Was the rail communication as made then the same as it is now up to Savannah?

Colcolough—Yes, sir; to the Savannah steamer. We had some trouble on the Mallory line to Fernandina. It did not make as quick time.

Commissioner Prouty—How is it as to the all rail line?

Colcolough—We never had any prior to 1888. They first gave us a rate of 66 cents per barrel in 1888. Prior to that time it was Atlantic Coast Line and Savannah Steamer Line.

Commissioner Prouty—How quick a passage did this 66-cent rate which you got in 1888 entitle you to?

Colcolough—About four days.

Commissioner Prouty—How quick a passage do you get now?

Colcolough—About the same.

Commissioner Prouty—So the service was about the same as it is now as to time?

Colcolough—Yes, sir.

Commissioner Prouty—How does the service compare between New York and Chicago?

Colcolough—The service to Chicago, I think, is about a day longer, all rail.

Commissioner Prouty—Than to New York?

Colcolough—Yes, sir. To Cincinnati and New York I think the service is about the same in point of time.

Commissioner Prouty—Of how much importance in shipping vegetables is a day's time?

Colcolough—I do not know that it is a great deal of importance. They have claimed to make it in 72 hours last year.

Commissioner Prouty—Now, the question is does it make any difference to you people who have vegetables to ship, whether they go in three days, or four days, or five days?

Colcolough—Yes, sir; we want quick service.

Commissioner Prouty—Why do you want quick service?

Colcolough—Because vegetables are perishable.

Commissioner Prouty—Now, how much better is a four-day

service than a five-days' service to you? How much more can you afford to pay for it?

Colcolough--Well, I do not know hardly.

Commissioner Prouty--Of course, that means money to you?

Colcolough--Yes, sir.

Commissioner Prouty--Can you tell the Commission how much difference in a money point of view, there would be between a four and five day service between here and New York?

Colcolough--Where we make close connection with the steamer we can make it in a little less than four days. The fastest steamers make it in 52 hours from Savannah; and from here to Savannah it is from 12 to 13 hours.

Commissioner Prouty--Suppose that those trains took 24 hours to go up there, instead of 13, would it make any difference to you people?

Colcolough--No, sir; I do not think it would. It would make virtually a day's difference. For instance, the steamer leaves to-morrow morning at 8 o'clock. We would have to ship this morning at 8 to connect.

Commissioner Prouty--Can you afford to pay any better freight rate from here to New York because it takes a day's less time? Say that the railroad company puts on a special train to hit that steamer, is that worth anything to your dollars and cents?

Colcolough--Yes, sir; I suppose so.

Commissioner Prouty--How much?

Colcolough--How much, I cannot tell. I do not think that it is worth the difference that they charge us.

Commissioner Prouty--And you do not think that the express freight service between here and New York is worth the difference in the freight?

Colcolough--I do not think the service is any better than it was nine years ago.

Commissioner Prouty--Why do you not sell your vegetables in Chicago? Can you get better prices in New York than Chicago?

Colcolough--Yes, sir; from our point. Point south of us ship largely to the West.

Commissioner Prouty--If I understand you correctly, these vegetables are all shipped in barrel crate packages or bushel crate packages, and they charge so much a package?

Colcolough--Yes, sir.

Commissioner Prouty--It does not make any difference

what that package contains, it is the same price for a lettuce package, a tomato package or a cucumber package?

Colcolough--Yes, sir.

Commissioner: How much do they charge for transporting a bushel of cucumbers to New York?

Colcolough: 53 1-2 cents, all rail.

Commissioner Prouty: What is it worth after it gets to New York?

Colcolough: The average, the season through, I suppose it would sell--well, there is a very great difference between seasons, it would depend upon the production.

Commissioner Prouty: About how much?

Colcolough: I do not suppose it would average much more than that. We consider that we make money if we get 50 cents net.

Commissioner Prouty: You would have to get about \$1.25 to pay charges all around?

Colcolough--Yes, sir.

Commissioner Prouty--How many cucumbers do you put into that kind of package?

Colcolough--I have never counted them. I suppose about 8 or 10 dozen.

Abrams--As the commission has asked you a question in regard to special trains, I will ask whether or not it is a fact that if you require your crates to meet some particular steamer instead of special freight trains being sent to meet that steamer, you have not to pay Mr. Plant's Southern Express, and send it by express to meet that steamer?

Colcolough--Very often we do.

Commissioner Prouty--You pay express rates?

Colcolough--Express rates to Savannah to meet the steamer.

Abrams--Have you not an express rate to connect with the fast freight on the Atlantic Coast Line?

Colcolough--Yes, sir; we have an all rail express rate.

Abrams--You also have an express rate so that you can meet the fast freight on the A C D at some point?

Colcolough--Yes, sir; Savannah, I think.

Abrams--Then there is no special freight train at the ordinary rate to enable you to meet these steamers on the A C D, is there?

Colcolough--Yes, sir; they run special vegetable trains from Gainesville.

Abrams--But is there any special?

Colcolough--No, sir.

Abrams--When it goes special, you pay expressage?^d

Colcolough--I have known them to run specials; to run them earlier.

Abrams--I am speaking generally.

Colcolough--Generally, we ship by the regular fast freight trains to connect with these steamers. The schedule is so arranged that they connect at Savannah.

Baxter--You spoke of the regular trains that run to connect with the steamers. Do you pay extra rates on those?

Colcolough--No, sir; those are the regular trains run every day.

Baxter--Do they run at the same hour, or do they expedite the business by changing time and making special arrangements to get the steamer?

Colcolough--They have a regular time, but occasionally when the steamers leave early in the morning, like 1:00 or 2:00 o'clock in the morning, they advance the time a few hours, in order to connect. They leave Gainesville several hours earlier.

Baxter--There is no extra charge on those trains?

Colcolough--No, sir.

DuBignon--The boat has no fixed hour for sailing from Savannah?

Colcolough--Yes, sir.

DuBignon--And they run a special train to accommodate its arrival in Savannah to the sailing of the boat, do they not?

Colcolough--Not that I am aware of. They have the regular trains as I have stated.

DuBignon--You do not mean that the stated hours are the same?

Colcolough--Usually they are advertised to be the same, but they vary them to suit themselves.

DuBignon--To suit themselves, or to suit the sailing hours of the boat?

Colcolough--The hours of the boat.

DuBignon--You spoke of paying for special service. I did not understand the question asked you. What were those charge?

Colcolough--When we could not ship by freight we shipped by express to connect with the steamer.

DuBignon--Why cannot you ship by freight?

Colcolough--Sometimes the schedules have been so arranged that the trains would go out earlier than we could get ready for them.

DuBignon--Do not they give you special freight service from Gainesville to Savannah to meet the boat?

Colcolough--I think so.

DuBignon--You do not mean to suggest that there was any

other arrangement--that they fixed the hours so as to make you pay extra for express?

Colcolough--No, sir.

Cunningham--Do you prepay your freight when it is shipped West?

Colcolough--No, sir. Occasionally, when the markets are glutted, they require it.

Cunningham--You are never required to do so when it goes by boat from Jacksonville and Savannah?

Colcolough: We have been when the markets were glutted.

Commissioner Prouty: I suppose they will show on the other side, about how long these vegetable trains are, do you know, Mr. Colcolough?

Colcolough: It depends a great deal on the season; from six or eight to fifteen or twenty.

I have seen twenty odd. I suppose, it would average ten or twelve; probably more.

DuBignon: Mr. Colcolough, do you recall any instance when you have paid this extra express charge?

Colcolough: Yes, sir.

DuBignon: When was that?

Colcolough: Every year, more or less.

DuBignon: Why do you do it?

Colcolough: To connect with the steamer.

DuBignon: To make speed?

Colcolough: Yes, sir.

DuBignon: That is a considerable item in the business, is it not?

Colcolough: Oh yes, sir; fast freights.

Alfred Ayer having been duly sworn, testified as follows:

Abrams: Ayer, you represented yourself as complainant on behalf of the McIntosh Growers--do you not?

Ayers: Yes, sir.

Abrams: Will you please make a statement of your grievances to the Commission?

Ayer: Yes, sir; I will take a very short time and a very few words, I think.

Commissioner Knapp: Where is your section?

Ayer: McIntosh, about 21 miles south of Gainesville. All that has been said of Gainesville applies to McIntosh, with the additional freight from McIntosh to Gainesville. I have been in the vegetable business there 10 or 12 years. I own a good many hundred acres of land. I worked with tenants before I went on the farm myself. We had a rate in 1886 and 1887 of 27 cents on bushel crates from McIntosh to New York, and the rates, as I recollect, on barrel crates were 56

cents on cabbage and 28 cents on small tomatoes. I forget whether it was in 1886 or 1887. I had tenants then and I remember paying those rates. I think the railroad men here will verify these facts that from McIntosh to Gainesville the distance is only 21 miles, and we pay 10 cents on bushel freights and 20 cents on barrel freights from McIntosh to Gainesville. We put our tomatoes 600 crates in a car. That is \$60 a car on tomatoes, and it is about \$40 a car on cabbage for pulling it 21 miles. We got last year—the G. & G. road was run in there from Gainesville and two roads had agents there competing for the freight—they gave us a rebate of 5 cents. There was no secret about it; they gave it to every body, 5 cents on bushel crates and 10 cents on barrel crates. This year—I am not prepared to say how—but they found it more to their advantage to give this rebate to each other than to give it to us. Any how, they have taken it off.

Commissioner Clements—What is the G. & G.

Ayer—The Gainesville and Gulf. It makes no difference now which road we ship by, the freights are the same. I heard you speaking to these gentlemen about the average prices. Take four years back on cabbage—in 1894 we made a very large cabbage crop, and it did not pay for the crates,

In 1895 the freeze came and wiped it out. The railroad, it is true, got nothing, but we had all our fertilizers and money which we had invested in those sorts of things before the freeze came along, and we had our labor which was lost. In 1896 we sold our cabbage, as I figure it out at about \$1.25 net f. o. b. at the train right along. We had no trouble. This year not one of us have got pay for our crates. It costs us \$40 with the strictest economy to furnish crates to load a car. We have lost our crates and our work. I have a pocket full of account sales. You will find that not one man in a dozen has got back the actual cost of the crate he put in, and all the other work is lost. To-day gentlemen, there are not acres, but there are miles of cabbage rotting in the field at McIntosh and in that vicinity, and I suppose there are many hundred people that would like to get them. I had a shipment to Charlotte, N. C., I have the account sales there of one car. The freight to Charlotte was \$1.14 on 240 crates that is \$270. It did not pay freight. It was \$40 or \$50 out of our pockets and we quit shipping.

Commissioner Clements—When you speak of the price in the market this year, you mean the market at New York, do you not?

Ayer—Yes sir; and the other places, now gentlemen, I want you to figure on that a little. In the four years we got on an average $31\frac{1}{4}$ cents for our cabbage. That is, in four years.

In the meantime, the railroads lost no year for the freeze. They did not lose anything, except their profits. They made an average that year of \$3.00. Our profits are as compared with theirs as 30 cents is to \$3.00. When they talk about facilities, who gets the advantage of the facilities? When they get it all, to whose advantage are the facilities? I suppose it is done for the grower of course.

Commissioner Prouty—You think they ought to pool with you?

Ayer: I will sign a contract that if they will give the freight I will furnish the package, make and load the traffic and I will plant 900 acres of vegetables. These men are intelligent men. These railroad men know our condition. I had a high official tell me that some of my neighbors had not paid for their fertilizers. It is their business to know it, just as it is a bank's business to know its customers. I do not know the principle on which the railroads work, but the idea of killing out the business, I cannot understand it, except that the advertisements bring new men in, and as you starve us out you can fill our places with others. I know that if I worked the same principle on my vegetables with my tenants, I could not get a man to work for me. The railroads compel me to work for them under the same terms and conditions that no free nigger in the State of Florida would work for me. They say to us, "we will take what satisfies us, and give the rest to you." Now, as to the service, we have had cars that ought to go in three or four days twelve days in going to New York. Let me say here, that since the decision of the court that the initial road is not responsible, but that we must bring suit against the road on which the delay or damage occurs, that virtually bars us out. We cannot sue every road between here and Chicago and every road between here and New York. We cannot bring suit to recover against all those roads. And they have whatever the vegetables bring. There is car load after car load that will not pay freight. We sell it and take what it will bring. They have the first lien, and they take that out, and do not even give us our proportion of the transportation, because we hauled it a mile or two. They do not even give us that. I was formerly in the orange business, but we were frozen out. Before that time I worked on shares with my tenants. Since then I have been planting and working on shares and trading jack-knives and everything I could to make a living. The oranges are gone, and it seems to me you gentlemen are trying to make the vegetable business pay up all losses. Here were 5,000,000 boxes of oranges going out. Do the railroads propose to make the vegetable

growers pay for the deficiency or loss on the oranges? We cannot pay the freight you lost on 5,000,000 boxes of oranges; we cannot do it. It reminds me, if you will excuse me, to illustrate my point, of the man who once rented an inn in the old stage coach days. He paid \$150 a year for the inn. He moved his family in.

Chairman Did he pay it in vegetables?

Ayer—Oh, no; that would be cheap enough. The travel was in some way diverted from that direction, and towards the end of the year, one man drove up with a pair of horses and a buggy, and put up for the night. The next morning he asked for his bill. The landlord said: "When I rented this inn, I made up my mind that all I would ask of my patrons would be to pay the rent. Do you not think the public ought to pay the rent of the house?" The traveler replied that he thought that that was reasonable. "Well," said the innkeeper, "your bill is \$150. You are the first customer I have had." That seems to be the principle on which the railroads seem to be working in this matter of vegetable rates.

Chairman You mean, that when there are no oranges the railroads live on the vegetable business?

Ayer—I suppose so. And if it takes all we make, as it seems to, it is all the same. How can we make anything at thirty-three cents when it costs forty cents to make a barrel of cabbage. Last year we did make money. I say it is justice to the railroads. We made money last year on cabbage, but this is one year in four.

Vegetables have steadily declined year after year. And I cannot see how the service is better. If you examine the crates I think you will find they are no better. We have not brought suit. We cannot sue every road between here and New York. I would like to bring suit for several car loads that myself and my neighbors have lost. I suppose it is claimed that the service is better because no suits have been brought the service, it seems some, does not seem to be any better now than it was then.

Commissioner Prouty: Do they charge you more since the freeze?

Ayer: Yes, sir; they go up every year a little. They figure how much milk there is in the cocoanut.

Chairman: Do you want to leave those papers with us?

Ayer: Yes, sir; they are nothing but account sales.

Commissioner Clements: You spoke of the cost of the barrel crate?

Ayer: I say that is a very low cost. We cannot do it for that. It cost about \$40 to load a car.

Commissioner Clements: You mean by the crate?

Ayer: Yes, sir.

Commissioner Clements: That includes growing the cabbage?

Ayer: No, sir; cutting the cabbage and loading the car; the crate costs about $12\frac{1}{2}$ cents. Then you cut, haul and load into the car.

Commissioner Clements: Have you made any estimate of what it costs to make and load the cabbage, the whole cost?

Ayer: Yes, sir; the actual cost to make a barrel of cabbage and put it in, I figured it out with Captain Light, I have forgotten the figures.

Commissioner Clements—The rates are much lower to Chicago than they are to New York, are they not?

Ayer—Yes, sir; in car loads.

Commissioner Clements—Why do you not send them to Chicago?

Ayer—We have sent them everywhere, where we thought the market was open.

Commissioner Clements—What is the result in Chicago, which keeps you from utilizing that market?

Ayer—Those of us who shipped there got nothing on the shipment.

Commissioner Clements—Is that because they will not bring as much in Chicago as in New York?

Ayer—They have not brought much more than freight anywhere. This year it has been pretty much the same—\$1 to \$1.25.

Abrams—Would it not be glutting the western market if you sent all your produce there?

Ayer—Not if it was dispatched to all the small towns, but when it is crowded all into Chicago it would,

Abrams—The rate is higher from Gainesville to New York than it is from here?

Ayer—Yes, sir; as a general thing.

W. D. Evans, having been duly sworn, testified as follows:

Abrams—Mr. Evans, I wish you would make a statement to the Commission of the grievances complained of?

Evans—I expected to present quite a quantity of evidence—documentary evidence, but I failed to get it to-day, from the fact that I left home before it was fully prepared, but it will reach here to-night and I ask that it be placed in evidence. If my statements are in contradiction of the statistics, why of course, I expect that it will be eliminated.

Chairman—Will you be kind enough to give us your residence?

Evans—Evanston.

Commissioner Knapp—In what section is that?

Evans—That is in South Alachua, on Lake Orange.

Commissioner Clements—On what road are you?

Evans—On the Florida Southern.

Commissioner Clements—That is part of what system?

Evans—Of the Plant System; it is 17 or 18 miles below Gainesville.

Chairman—In that same vegetable region?

Evans—Yes, sir; three miles above McIntosh. I visited Florida as far back as 1881 and grew a few vegetables that season and from that time until 1885, I believe, I grew no more, but I remember very distinctly shipping across the lake and paying from 27 to 30 cents a crate. That, I think, I will be able to show by these statistics which will reach here to-night. In 1886, if I remember correctly, or near that time, when we had a fairly good cabbage crop—1886 to 1888—the prices were certainly raised upon us after we planted the crop and it was almost matured. From 60 or 65 cents to 80 cents a crate. That is by steamer from Savannah.

Chairman: By rail to Savannah and then from Savannah by steamer?

Evans: By rail to Savannah and then by steamer. After the connections were made by rail we were charged by one line, \$1.02 to New York, and the other, I believe, \$1.06, which will appear from the sworn evidence of an agent who will forward the papers here. The A. C. D., I believe, is \$1.02 or the A. C. L. and the other is \$1.06—that is in less than car load lots. It is 97 cents in car load lots all rail and 84 cents by steamer. That is the present price which has prevailed for several years, six or eight years.

Chairman: Has there been some changes in the rates in the last two or three year-?

Evans: No, sir; no change except an additional six cents that was put on this season. Six cents was added to those rates this season, but that has been taken off after remonstrance by the growers and the rate now is the same as for the last several years. Now, perhaps it is not entirely clear up to this point, as to the size or capacity of the crates used at present as compared with those of 1888, and along to 1890. The difference is scarcely appreciable at all. I think there is about 60 cubic inches difference between a crate of 1888 and 1897, which would perhaps be equal to an ordinary cabbage. If it is four inches through in every direction it would be 64 inches cube, I believe that is proper calculation. Besides that, the crates are different

in size, owing to the mills where they have been cut. That was so in 1888, and it is so still. They are not uniformly cut, but they were all the same size, almost exactly. The McIntosh crate is 12x20x36. We had a standard crate in 1889, 12x18x36, and another size 11x20x39, so that the difference in crates is scarcely appreciable at all. I would state that the average crate—as I have weighed a good many—the heaviest I ever weighed, and I packed it with care, and regarded the cabbage as fine as any I ever saw, last season, I packed that crate and it weighed 141 or 142 pounds, and it was an extra crate. Many of my own cabbage I put up myself, but I think the average crate weighs about 125 pounds. That is the average crate, and has been for a number of years.

Now unless they weigh 125 pounds, taking off the crate, in certain markets they will not be received, and they have been reported back to us, in some instances, as being less than 100 pounds of cabbage, taking off the crate. Again, if they weigh more than 100 pounds, in shipping beyond the river to the West and other points, we are charged extra freight, additional freight. We have been so charged to Chicago, and that accounts for the small shipments we have made. Perhaps that is all that I need state in regard to the cabbage crates. It has been testified as to the production of cabbage for the last four years. We have had an average experience in that line; 1894 was perhaps an over-production. We received nothing. In 1895 they were killed. In 1896 we had a fairly good year. This season has been almost a total failure. I know a man who produced about 10,000 or 12,000 crates. It is not an overestimate. He shipped about 4,000 crates. I think the shipment brought him about \$1000 into debt, and the balance he had thrown away.

Chairman—You call the vegetable season from December to May?

Evans—Yes sir; it extends the 1st of July, including tomatoes.

Chairman—When you say 1896 do you mean a part of two years, or do you mean 1896?

Evans—The cabbage was set out in November mostly and matured in February 1897.

Chairman—Do you call that the crop of 1897?

Evans—Yes the crop of 1897 when we harvest it.

Commissioner Clements—I did not quite understand you about the outcome of that man's shipments?

Evans—He shipped about 4,000 crates and it brought him in debt about \$1,000. That does not include fertilizers, etc. That is the cost after the cutting was \$1,000.

Commissioner Clements—More than he got out of it?

Evans—Yes sir; that is the cost of cutting, crating and delivering at the depot. Then, there was the large part of the crop he lost. Other circumstances need not be spoken of at all.

The commission will pardon me if I speak briefly that from 1881 when I had some little experience in the business a few months, but not again until 1885; the production of every kind of vegetable, perhaps, has increased at least five-fold, probably more than that—from five to ten-fold. The railroads were being constructed in our country at that time, and we encouraged them. We gave them lands. I need not mention that, but we did, and we gave them liberally. The railroad ran through a mile or two of very valuable land of mine and others, and they promised that when we grew more vegetables that the rates that then existed would be reduced; that whenever the production of the country would justify the reduction of rates, that that reduction would come.

Chairman—Are those gentlemen who made those promises here yet?

Evans—The roads have been transferred several times.

Chairman—Probably those gentlemen got broke before you did.

Evans—I do not think they went into liquidation. I think they found a bonanza in it, and sold out at a liberal profit. The State of Florida also gave them liberally of their lands.

Chairman—Have you had any experience in the growth of oranges?

Evans—Yes, sir.

Chairman—In the years next before this freeze?

Evans—Yes, sir; I had several orange crops.

Chairman—How was that as to oranges?

Evans—We were grumbling most of the time, but we were in a better situation then than at present. Since you mention the orange, for a number of years we paid to Gainesville 25 cents a box on oranges, and from Gainesville to New York 20 cents; smaller crates, 15 cents a box to Gainesville, and 25 cents from there to New York. A number of growers some half dozen years ago—from 1887 to 1889—met with a commission that we had, and that was corrected to some extent, so that we do not pay as much now as formerly—25 cents a box for eighteen miles. That is a matter of history. We pay now 20 cents a box on cabbage to Gainesville, without the privilege of counting them. We have been denied that privilege. I have had one or two cars lost when I have had them directed over other lines, and have never been able to make any recovery for them.

Baxter: As I understand, a certain per cent. of the vege-

tables produced in your locality, are carried to New York all rail, and a certain other percentage is carried by rail to Savannah and thence by steamer to New York. Can you give the percentage carried all-rail and what the percentage by rail and water?

Evans: No, sir; I could not do so, only comparatively.

Baxter: I only want your best estimate?

Evans: I think that more cabbage, perhaps a little over 50 per cent. of the cabbage, would go by steamer from Savannah originally, but when the season advances, we ship all rail. We are afraid of the steamers. Our cabbages frequently get crowded and heated after a certain time has expired in shipping them; then, we ship all rail. This season, we have not been under the necessity, because we have not shipped cabbage.

Baxter: Well, now, when the season is such that you can ship by steamer without injuring your cabbage, what percentage during that period is carried all rail, and what percentage by rail and water?

Evans: Something over 50 per cent. of the cabbage crop and the beans are sent all rail.

Baxter: They come in later?

Evans: Yes, sir; they come all rail. When the price will justify, we send by express. When the prices range very low, we ship by steamer.

Baxter: Before the season is advanced so far that it becomes dangerous to ship by steamer, do you find the steamer service satisfactory? In that time of year when it is cool enough to ship by steamer from Savannah, is that service satisfactory to you?

Evans: Yes, sir; mostly so. Occasionally we have some heated goods. I have known a good many cases.

Baxter: But as a general rule is it satisfactory?

Evans: Generally, they carry fairly well, but in some instances they arrive in New York injured from the transit across the water.

Baxter: Where the goods arrive there in New York in an unsaleable condition, is it the custom to charge freight or does the railroad abandon the freight?

Evans: If they are totally worthless they are thrown overboard, unless they accompany other goods that will bring freight. If we ship tomatoes and beans, or beans and cabbage, or beans and other vegetables, and one arrives in an unsaleable condition and the other arrives in a saleable condition, one is sold to redeem the other; the good is sold to redeem the bad. In some cases they are thrown overboard.

Baxter: Where they are thrown overboard, the transpor-

tation line does not charge the shipper any freight at all, does it?

Evans: No, sir; a good many bills have been returned to us for a deficiency in freight.

Baxter: That was not in cases where the freight was thrown overboard?

Evans: Where all the freight was thrown over in later years that has not occurred.

Baxter: You gave an instance a while ago of some gentleman who shipped 4000 crates and lost a thousand dollars, I believe you said, on the whole transaction of shipping only.

Baxter: There is no part of that that is represented by freight charges, is there?

Evans: I do not know what freight he paid, but he lost that amount on cutting and delivering at the station.

Baxter: What is your estimate as to what it costs, ordinarily, to produce a crate of cabbage, that you have been speaking of, I mean to produce it ready to be harvested and cut and packed for shipment, counting the rent of land or your labor?

Evans: From \$15 to \$20 a hundred crates. Twenty cents would produce cabbage under favorably circumstances—a barrel of cabbage.

Baxter: That is the same as a crate?

Evans: Yes, sir.

Baxter: You spoke about there having been an increase of production of from 5 to 10 fold. Within what period has that increase occurred?

Evans—Between the years 1882 and 1897. I said from one to five or even ten fold.

Baxter—Did that increase occur gradually along those years or has it occurred recently?

Evans—It has been gradually growing and within the last two or three years there has been a larger area planted in vegetables because of the killing of the orange trees.

Baxter—Do you find it the case nearly every year that there is an over-production, or is it only occasionally that you produce more vegetables than you can market? Last year was a satisfactory year, I understand?

Evans—Yes sir; only on cabbage. The smaller vegetables brought nothing.

Baxter—That year on cabbage the market in the North or wherever you shipped the market was not glutted?

Evans—The West took largely of our cabbage and we sold them largely at our depots.

Baxter—The vegetable growers of Florida, I see they have

organizations, etc., have they agents in the Northern, North-eastern or Western cities, to ascertain daily the amount of vegetables that those particular markets will take and telegraph to you, how many cars to ship to this, that, or the other market?

Evans—No sir; not generally. We have telegraphic communication, though, with all the cities of the West that we can reach daily. That is, we have agents here who buy or we have those interested in selling their vegetables, and we very often have a half dozen telegrams to our little places of shipping during the shipping season.

Baxter—During this season that the business has been developing, have you any collection of statistics by which the vegetable growers of Florida can ascertain what quantity of vegetables the next year will probably take up. For instance, did you all know down here that there was a surplus of cabbages left over in the North from last year when you planted that crop?

Evans—We had only limited information on that score.

Baxter—Have you any agreements or arrangements among yourselves by which, when you know, for instance, that the New York market will take 5, 10 or 20 cars, as to who will ship them?

Evans—I do not think we do things so systematically. We have no combinations.

Baxter—Have you bureaus of information from which men can find out how much to raise and how much not to raise, or do you go in and every man raise as much as he wants to?

Evans—We have not been able to impose any restraints upon it, but we are governed to some extent upon the information we receive from the Northwest and East.

Baxter—Does it come from your commission merchants?

Evans—Our commission merchants and others. We are in correspondence with St. Louis, New York and Boston.

Baxter—Do they send out prices current from day to day?

Evans—Yes, sir; during the season, almost a daily telegram.

Commissioner Clements: How much does an empty barrel crate weigh?

Evans: About 20 to 25 pounds.

Commissioner Clements: There are about 100 pounds of cabbage in it?

Evans: Yes, sir; that is about the average. That is what we expect them to weigh.

Commissioner Clements: What do you say it costs to grow a crate ready to harvest?

Evans: Twenty cents, I say, under favorable circumstan-

ces, to grow a crate of cabbage; \$20 per hundred, and \$25 to cut, crate and deliver them at our depots.

Commissioner Clements: That would be \$45?

Evans: Forty-five cents per crate; yes, sir. Let me state to the commission—you asked me, Mr. Baxter, if the railroads lost their freights to New York. We have repeatedly approached the railroad officials, proposing to guarantee all the freight, to prepay it if they would reduce the rates and make them reasonable. We did that in Atlanta last October. I chanced to be at Atlanta, and had had correspondence with Colonel Papy, which induced me to go. Upon his invitation, I went to Atlanta to meet that traffic association. I told him that we were too poor to bear our expenses, and so we were, that he would please give us transportation. He did so, as far as his road extended, so we managed to visit the exposition. We made that proposition again. We repeated the proposition to prepay all our freight if we could have reasonable transportation, but it was refused.

Commissioner Knapp: What rate did you ask for, then?

Evans: From 25 to 33 per cent. We thought from 33 to 50 per cent. reduction would be right. I believe that the transportation companies, if we give them plenty to carry, can afford to haul a car from here to New York for \$100.

Commissioner Knapp: Do you agree with another witness who stated that in his opinion a reduction of rates would not increase the volume of shipments?

Evans: I think it would, very materially, if we had the ability to plant. We are prostrated now.

Commissioner Knapp: You do think that a reduced rate would stimulate the volume of shipments?

Evans: Yes, sir; I think so. That is natural to suppose. It has been very remarkable to me, a very strange thing, that the railroad companies have not seen before now that every mule that they would introduce into the vegetable business would yield to that railroad \$1,000 in rates from here to New York.

Commissioner Knapp: Every what?

Evans: Every mule introduced on a vegetable farm. The statistics will show that some mules produce \$1,000 worth of freight. If those statistics are not presented to this commission, what I say may go for naught. I hope the papers will reach here to-night. We pay not less when we have anything like a successful season than \$1,000 to \$1,500 for every mule or horse we work on our farm.

Commissioner Clements: What other freight is produced in considerable quantities in this country?

Evans: Lumber is very considerable in quantity and, until

recently, the hauling of phosphate. The jetties about this place have required a good deal of rock. That is local trade.

Commissioner Clements: Is there any considerable quantity of cotton?

Evans: Oh, no; not much cotton; that does not amount to much.

Commissioner Clements: What stood in the way--do you know what stood in the way of a reduction of these rates when you went to Atlanta on Mr. Papy's suggestion?

Evans: The impression created on my mind, and I think it is a correct one--the impression upon my mind was that no one of the roads could venture to give us low rates, that there was an agreement with that Association upon freight rates.

Commissioner Clements: How did you get that impression?

Evans: From Col. Hayne and Col. Papy. I had an interview with both of them, and we were refused, here, and by that traffic association, but they asked myself and other gentlemen that visited them to state our grievances and forward them. I did that myself to Col. Hayne, Col. Papy and Mr. Pennington.

Commissioner Clements: Did either of them indicate their willingness to reduce the rates if the others would agree to it?

Evans: No, sir; in fact, Col. Papy said that the rates could not possibly be reduced East. He was very positive in that declaration, but he thought there might possibly be a reduction West, in less than carload lots; up to that time the rates were so high that they amounted to an extortion.

DuBignon: You live at Evanston, on the Florida Southern, Mr. Evans?

Evans: Yes, sir.

DuBignon: I would like you to state what is the character of the service afforded by the Florida Southern for handling that traffic during the vegetable season?

Evans: I think it is fairly good.

DuBignon: How many daily trains do they handle for you in that service?

Evans: Freight trains?

DuBignon: Yes, sir.

Evans: Well, there are more some seasons than others; and at certain periods during the season, during the cabbage season, we require more trains.

DuBignon: How have they accommodated themselves as to stops for the convenience of the producer? How many stops would they make? For instance, take Reddick; how far

is that from Millwood, the next station—about a mile and a half or two miles?

Evans: Yes, sir.

DuBignon: And Oak Lawn; that is not very far, is it?

Evans: No, sir; that is not far.

DuBignon: They stop at shortly intervening points, and have platforms there for the accommodation of the traffic, do they not?

Evans: Yes, sir; it is seven miles from my station to the next one.

DuBignon: You have no complaint of the character of the service, have you?

Evans: No, sir; for the most part, we have not made any complaint of that. It has not been so good until recently; very recently the fast freight has been put on, not until most of our cabbage was decayed in the fields.

DuBignon: There was no market in the eastern cities this year, was there?

Evans: No, sir; no market.

DuBignon: That did not affect you, then, to any extent?

Evans: No, sir; I suppose it did not, except in a few instances where they were very slow in reaching the market.

DuBignon: I did not catch your answer to a question of one of the commissioners. What do you think ought to be the cut in this rate?

Evans: From 33 per cent. to 50 per cent.

DuBignon: Do you think the railroads could make money at that?

Evans: I think that would enable us to some extent to recuperate.

DuBignon: What makes you think that that be profitable to the railroads?

Evans: The vegetable grower from California can ship his oranges across the continent, 3,000 miles, and deliver them in the East in competition with ours. If across that mountainous route they can be delivered at Philadelphia, New York and elsewhere for the sum that we can ship them there, I do not know why our roads cannot afford some reductions.

DuBignon: You know nothing of the local conditions except a mere matter of inference about those rates?

Evans: No, sir.

DuBignon: This Florida Southern road runs through a thickly settled country, does it not?

Evans: Yes, sir.

DuBignon: What else is there to support a railroad?

Evans: Before our oranges were killed, I think the tonnage from Florida, taking the inhabitants into consideration,

was two or three times as much as that as that of any other state. It took more to move our orange crop from Florida than two cotton crops from the great state of Georgia.

DuBignon—I understand that. I am speaking more particularly of local business along the line of the road other than this special crop, whether oranges or vegetables.

Evans—There may be a dearth at this time in that business—I think so. It was pretty active.

DuBignon—Local business.

Evans—Yes sir.

DuBignon—What did it consist of?

Evans—Largely of building material, lumber, tilling and various other materials. All the flour we consume comes from another State.

DuBignon—Are there many local industries along the line of that road?

Evans—No, I do not think they are very numerous.

DuBignon—Is there much passenger traffic along the line of that road?

Evans—Only during the winter season. We have had quite a travel this season. The Plant System has put on some additional lines. I think they are running three or four passenger trains daily now in both directions. They have increased their passenger facilities very much.

DuBignon—That is all.

Evans—I do not know that I can add anything to what I have already said.

Abrams: There is one thing that we should ask the Commission, and it is to require of all the respondents a statement of the proportional divisions made in these freight rates. I think if that is placed before the Commission it will probably throw a great deal of light upon the matter and enable the Commission to better understand the necessity for this reduction.

The Chairman: When some of these gentlemen come upon the stand, we will ask them. They have been very free to give those statistics. They have not in any instance denied that, and I presume they will not.

Abrams: Does the Commission desire to go on further now? I have quite a number of additional witnesses.

The Chairman: Well, you may call another witness.

Abrams: I will call Mr. Darby.

T. A. Darby having been duly sworn, testified as follows:

Darby: I heard the gentleman, Mr. Du'Bignon, ask, a few minutes ago, if there was a reduced rate, whether or not it would increase the product, and another question he asked.

Du'Bignon: I did not ask that question. Mr. Baxter asked it.

Darby: Another question was asked as to the local condition. I believe it was stated that there was no local traffic on these roads—no enterprise. That is true. But there have been enterprises started. The industry started, there, now is to raise vegetables, but when they do not get anything for the vegetables they cannot expect their road to have these or other industries, because it is discouraging. I participated in the organization of the orange growers. I was interested in oranges and advocated a restriction of shipment, contending that a glut in the market was detrimental to the grower as a high rate of freight, and that a high rate of freight sometimes prevented these gluts, because, being perishable, an accumulation of vegetables at any place would break down the market. I contend that a high rate of freight would prevent them from shipping there. I went into the question very carefully. By the rates they give, making basing points and concentrating all the shipments at that point, they make a glut there, whereas, if they reduce the rates at intermedipoints the freight would be distributed broadcast over the country. Now, they speak about service. They give the same service that they would give for logs. If I had a trainload of logs they will send a special train there to get it. The rate they charge on this freight justifies special service, and the rate they ask is more, in consideration of the freight carried than any other class of freight they handle. I contend that there is an error, a serious error, in the State of Florida, because it is impossible for the railroads to have a back-freight when the parties that ship the outgoing freight do not get enough to buy from the Eastern markets. If they reduce rates on outgoing freight, it would leave the producer with a certain amount of purchasing power, so that he could buy some of the luxuries of the Eastern markets, and they would get it coming South. With all due deference to the gentlemen who have studied freight rates, and when they state that freight rates are like a fabric, they cannot be disturbed at any point without a disturbance of the whole system, with all due deference to them, I think that they would benefit Florida more if they would decide to charge more on vegetables coming into Florida and less on those going out. We might as well be frank. There is no use trying to contend that there is no error in this State. We have a territory of 38,400,000 acres of land, and there is less than 1,000,000 under cultivation, and that 1,000,000 acres of land produces products enough, and I cite you to Poor's Manual, to pay dividends on some of the stocks of these

railroads and interest on the bonded debt of some of them, which is about \$25,000 a mile, I forget the rate, and I venture the assertion that, with the exception of some of these late improvements, that any one of their railroads can be paralleled for \$10,000 a mile. Now, they ask for this one industry, or a few industries, to pay the fixed charges on a bonded indebtedness that is all the way from 100 per cent. to 200 per cent. greater than its original cost. I aided, one time, in the construction of a railroad, and have been interested in railroads. I was president of the Atlantic and Western Railroad—a very short road. I have land in the State of Florida, am interested in orange groves and recognize that the railroads and the people of the State of Florida are partners. It is just as essential for the people of Florida to have the railroad as it is for the railroad to have freight, and I know very well that the people cannot prosper unless the railroads prosper. But there is a condition, and I think you have got pretty near it now, where the railroads, to be permitted to arbitrarily fix rates to meet some fabulous fixed charges, will create a serious drawback to the people of this State. I was with the gentlemen at the conference in Atlanta in regard to the freight rate on oranges, and I contended that we ought to have a less rate. I think the freight rate from the Mediterranean then was about 20 or 25 cents, and we thought we ought to get rates for 25 or 30 cents to New York. I met Mr. Papy and discussed the question with him. We tried to get a delegation to go before the Southern Railroad Association, as the gentlemen told us here that it was impossible for them to reduce the rates, because the connecting lines would not participate in the reduction. Now, they have a system, and I think I state this right—of course I do not know about all basing points. They have a basing point, I think, at Sanford, and one at Baldwin, I believe. These basing points, if they are put at certain places, give a through rate to and from these places. As was demonstrated at the Hampton hearing here this morning, they will carry freight by Hampton to the basing point and bring it back again to Hampton at a less rate than if it was put off at Hampton in the first instance.

I do not know that I have anything else to say, unless you, gentlemen, want to ask me some questions.

DuBignon: Between what points did the railroad you were connected with run?

Darby: From St. Johns river to New Smyrna.

DuBignon: I never heard of it.

Darby: It was very short.

DuBignon: Is it a part of the Flagler system?

Darby, Yes, sir.

Chairman: Mr. Darby, where is your home?

Darby: Palatka; I live about three miles from Palatka.

Commissioner Clements: Something has been said of the rates into Florida from Northern and Eastern cities, particularly on potatoes. Is there any movement of potatoes to Florida from the North?

Darby: In certain seasons of the year they have new potatoes when ours are gone. The same is true of cabbage. We ship in some cabbage.

Commissioner Clements: Is that any considerable movement, or is it very small?

Darby: At certain seasons it amounts to something. I could not state exactly how much, but I think I have seen Northern cabbage in nearly all of our villages.

Commissioner Clements: And that occurs at what time of the year?

Darby: Well, when our potatoes are gone, mostly. You see, the Irish potato industry has only been a late industry in the State to any extent.

Commissioner Clements: In the spring you ship out?

Mr. Darby: No, we ship out in the winter.

Commissioner Clements: When do you ship in?

Darby: In the summer.

Baxter: You seem to have given a great deal of study to the subject. Can you tell me approximately what proportion of the Florida traffic—I mean, not only the vegetable traffic but your lumber and everything produced in Florida—how much moves by water and how much by rail. Your State seems to have a great many ports and navigable rivers in it?

Darby: Well, if you mean to take the whole State, Pensacola, and around on the gulf side, I should suppose you would include lumber and everything?

Baxter: Yes, sir; all the productions of the State.

Darby: Well, I suppose 50 per cent. any how; yes, possibly 66 2/3 per cent. of it moves by water.

Baxter: That would leave between 50 per cent. and 33 per cent by railroad?

Darby: Yes, sir; that is in tonnage, not in point of value, because if you take lumber business it is very bulky, and there is a very large proportion of it that goes by Pensacola that never strikes the rail. It comes down the Rues river.

Baxter—Your most valuable traffic is the vegetable and orange traffic, that is, when you have oranges.

Darby—Yes, sir; vegetables and oranges, and cotton. We

have quite a fish industry, too. That has to move. That is the bulk of it.

Baxter—Take the valuable products you have mentioned. What proportion of those do you suppose move by rail and what proportion by water?

Darby—If you mean all rail it will be impossible for me to say, but all of it is moved partly by rail, is started by rail. None of it goes all water.

Baxter—All rail movement, practically, to Savannah, and from there by water?

Darby—Yes, sir; I think so. Here is the Clyde Line. (illustrating). They have a steamer here, and have the ability to build more steamers. Well, now, the freight that naturally belongs to them is carried by here (illustrating) that is, some of it, to Savannah. They do not charge any more for carrying by rail than if they stopped it here. That is, for instance, the rate is the same from any point by way of the Ocean Steamship Company to New York as it would be by the Clyde. That would make a person in business naturally infer that there must be some arrangement, because why should the Clyde Line let the freight pass by their door and go by the Ocean Steamship Company. We know this, that we started an independent line here. I think this testimony can be gotten for you, and they cut the rate 30 cents, I think. It is a matter of memory, but can be established. They cut it. In place of 35 cents from here, I think they reduced it to 5 cents, but the oranges shipped over that line were not always given to this independent steamship line. The consequence was that that line had to go out of business. We naturally infer that there must be an arrangement with the Clyde Line and the railroads of this State, that you must maintain this rate and then we will protect your bills-of-lading in the State, because the Clyde Steamship Line does not always carry a full load from here. They stop at Charleston. It would be to their benefit to start their ships direct from here to New York and not stop any at Charleston, to cater to and get the vegetable business.

It does not look like common carriers would let business pass by them in that way unless there was some such arrangement. There is no competition. I infer that men who build ships and own ships running all over the world, you may say, would not let that freight pass their door and stand an additional railroad freight and go to a competing line unless there was some arrangement between the competing line.

Abrams: Have you paid some attention to the vegetable business and the volume of the shipments to the markets,

generally of the North? When I say "North," I mean everything north and west of Florida.

Darby: I think the first vegetables were raised on my place in Alacaua county. It was a small industry.

Abrams: Have you noticed the effect of a large production on the markets North?

Darby. Certainly; if you glut the market it will reduce the price.

Abrams: Is it or not a fact that below a certain figure—when vegetables fall to a certain figure there is practically no limit to the market, so far as our production is concerned, except so far as it is stopped by rates of freight preventing their further shipment?

Darby: Well, certainly. We produce vegetables and they do not produce them. If those vegetables could be got to those consumers those vegetables would bring a price.

Abrams: Is it not a fact that when vegetables fall to a certain price, say, in New York, there never have been sufficient to glut the market?

Darby: Well, I will state that I recollect one time receiving a telegram not to ship any cucumbers. I bought, I think, 2,200 crates at 37 cents, shipped them right on the heel of that notice about a glut, and when they got in there they were sold for \$2.25—because the market rids itself of a glut very rapidly. I am advocating this reduction of rates for my own interest, because I own land in Florida and it is only desirable to own land in the State of Florida on account of what it will produce. I suppose the railroads are running for their interest the same as I am trying to take care of my land. They maintain a rate in Florida because they have a road that continues on through Georgia and South Carolina, and if they were to reduce the rates in the State of Florida, we could continue to ship our vegetables longer, but the territory they have in Georgia and South Carolina would not get the benefit then, because there would be that much more of this product going to these Northern markets. I think they are in error in this, because if they would give us a rate to these places and not attempt to make basing points and ship everything to one place, or two or three places, this would scatter the products, and there would not be a glut at any one place. There are certainly consumers enough for all that produce. I was speaking to one of the railroad officials—I will not mention his name—of the rate on strawberries. I believe the rate of freight for a basket of strawberries, a small basket, is 3 cents. By express it is 6 cents, but the delay attached to the freight is such that a man cannot ship his straw-

berries by freight. He does ship them, though, by refrigerator and express car. I said the farmers cannot stand that rate, because if you make them pay that price they cannot pay commissions and for baskets, and sell in New York at 10 cents. If you would permit them to ship that much more by reducing rates, they would have that much more money in our country, and would buy something in the East or West, and you would have a back freight. He said, if they cannot pay that freight let them go out of the business. That is where I object. I think we ought to have somebody to step in and arbitrate this matter, and prevent any man saying to 400,000 population of this State: "You do what I say, let me take what toll I please, or get out of the business."

Commissioner Yeomans: Was the crop this year larger than last year?

Darby: We are not able to say.

Commissioner Yeomans: You say they got over \$1 net last year; this year they do not get anything?

Darby: That I do not know. The other gentleman can tell you more about that. Mr. Crown can tell you about it. I was very extensively in the orange business and tried to organize them to restrict the shipments and distribute the freight.

Abrams: That is all Mr. Darby; I will call Mr. McLean.

J. N. McLean, having been duly sworn testified as follows:

Abrams: You represent the Manatee county shippers do you not Mr. McLean?

McLean: Yes sir.

Commissioner Knapp: Where is that district?

McLean: On the Manatee river, 45 miles below Tampa.

Abrams: State to the commission the difference in rates between 1884 and the present time.

McLean: What we proposed to do was to show that, while there has been an increase in products, there has been likewise an increase in transportation charges. In 1884—it is practically the beginning of the industry in Manatee county—we shipped 43,283 packages of fruit and vegetables, and paid, to New York, 47½ cents per crate, or 95 cents per barrel; to Philadelphia, 50 cents per crate, or \$1 per barrel; to Washington, 47½ cents per crate, or 95 cents per barrel.

Commissioner Prouty: Is that all rail?

McLean: No, sir; we had no all rail route for shipping at that time. To Washington it was 47½ cents per crate and 95 cents per barrel; to Baltimore, 47½ cents per crate and 95 cents per barrel; to Cincinnati, 85 cents per crate and \$1.70 per barrel; to St. Louis, 90 cents per crate and \$1.80 per bar-

rel, and to Chicago, 95 cents per crate and \$1.90 per barrel. Beginning January 1 and ending December 31, 1891, we shipped 143,819 packages, at the following rates per crate: New York, 55 cents; Philadelphia, 57 cents; Baltimore, 55 cents; St. Louis, 31½ cents; Cincinnati, 30 cents; Chicago, 32½ cents; Kansas City, 34 cents. Beginning January 1 and ending December 31, 1896, we shipped 500,292 packages, at the following rates per crate: New York, 68 cents; Philadelphia, 65 cents; Baltimore, 64 cents; Washington, 65 cents; St. Louis, 44 cents; Cincinnati, 40 cents; Chicago, 49 cents, and Kansas City, 51 cents.

Commissioner Prouty: Are those all rail or rail and water rates?

McLean: To these western points, St. Louis, Chicago, Cincinnati and Kansas City, it was via. steamship to Mobile.

Commissioner Yeomans: What year was that?

McLean: 1896; last year. These other rates are all rail, except from our place of business they strike the rail after about a 50 mile water haul. Now, this year we have a prospect of just as much increase as usual in the number of crates and we have had still further increase of rates.

Commissioner Yeomans: How much?

McLean: Three cents per crate, or six cents per barrel. Last season we paid to St. Louis 44 cents per crate and 88 cents per barrel; this season the rate is 47 cents per crate and 94 cents per barrel.

Abrams: Have you ever had anything to do with cabbage?

McLean: Yes, sir.

Abrams: Do you grow cabbage?

McLean: We grow a good many.

Abrams: Do you use barrel crates?

McLean: Yes, sir.

Abrams: What size crate do you use?

McLean: 12-20-36 inches.

Abrams: Have you ever weighed any of those barrel crate when loaded?

McLean: Yes, sir; I weighed ten last season.

Abrams: What did they average?

McLean: 112 pounds.

Abrams: Did you ever see one that weighed 180 pounds?

McLean: No, sir; the transportation companies down our way estimate them to weigh 100 pounds.

Abrams: Those you weighed were 112 pounds?

McLean: Yes, sir.

Abrams: When did you do this weighing?

McLean. In 1896, along in March.

Abrams: What is the rate per barrel of cabbages from Manatee River points to New York on cabbages?

McLean: Cabbages to New York on the barrel crate it would be double the rate on the bushel crate—it would be \$1.32.

Abrams: You say it has been increased 6 cents this year?

McLean: Yes, sir; on everything except cabbage and Irish potatoes.

Abrams: Do you know what the proportion is from Manatee river points to Tampa.

McLean: Fourteen cents to Tampa.

Abrams: To ship a barrel of cabbage from Tampa to New York you pay \$1.18?

McLean: Yes, sir; \$1.18.

Abrams: Do you know what those receipt bills are (handing papers to witness).

McLean: Yes, sir; I got them from Lawrence Stephens. That (indicating) is for two crates of cabbage and apples from New York to Tampa, via the Clyde line.

Abrams: From New York to Tampa?

McLean: Yes, sir.

Abrams: I want to introduce them in evidence to show that cabbages and apples are shipped from New York to Tampa at 60 and 55 cents per barrel.

McLean: I wish to say that we were sent here to represent the interests of Manatee county, not to make a fight against the railroads or any anybody else, but simply to make a fight for ourselves, and we claim this, that if the railroads can haul a package of cabbage or Irish potatoes or any package from New York to Tampa for 55 cents, they can haul a similar package of the same products from Tampa to New York for the same price, and what we ask, and all we ask is an equitable arrangement of these rates, these freight charges.

Abrams: Now, let me see if I understand you correctly. You say this year the rates East on everything but cabbage and Irish potatoes was 69 cents?

McLean: Yes sir.

Abrams: From $47\frac{1}{2}$ cents in 1884 it has steadily increased to 69 cents now?

McLean: Yes sir.

Abrams: That is $21\frac{1}{2}$ cents per bushel crate?

McLean: Per bushel crate increase.

Abrams: And 43 cents per barrel crate increase?

McLean: Yes, sir.

Abrams: And the increase of production has been from 43,283 crates in 1884—

McLean: To 206,292 crates in 1896. The acreage has increased from somewhere near 200 to 2,500.

Commissioner Prouty: Do not you market most of your stuff in the West?

McLean: No, sir; we ship about equally each way; about as much East as West. Cabbage we cannot ship East at all on account of the excessive freight rates, the extremely high charges; but when it comes to tomatoes we ship about as much East as West.

Commissioner Prouty—How far south of Gainesville are you?

McLean—About 190 miles, I think, south. I do not know certainly. I think it is 190 miles.

Commissioner Yeomans—Is the rate \$1.18 this year to New York?

McLean—\$1.32.

Commissioner Yeomans—What is the \$1.18?

McLean—This is from Tampa this year.

Commissioner Yeomans—What was it last year?

McLean—\$1.18 last year.

Commissioner Yeomans—It was good business last year, was it not?

McLean—Yes, sir; but we did not have much cabbage last year. We got a good price for what we had.

Commissioner Yeomans—This year you cannot sell any?

McLean—Well, no; sir.

Commissioner Yeomans—That is not on account of the difference in the rates?

McLean—No, sir; the difference is in the freeze that came along last year and killed all the cabbages except a few.

Commissioner Yeomans—You could not sell a few this year?

McLean: If we only had a few we could. But we have a great many and cannot sell them.

Commissioner Yeomans: You mean you have too many for the markets?

McLean: Yes, sir; if we could put them to the people so that they would pay us 90 cents to a dollar and leave us a fair margin, we would do it. But we cannot do it for \$1.25 when it costs us \$1.40 to get them there.

Commissioner Clements: Are all these other vegetables shipped in basket crates?

McLean: Nothing except tomatoes. You take cucumbers and squash, cucumbers are shipped in bushel boxes; squash are shipped in half-barrel baskets; lettuce in half-barrel baskets.

Commissioner Clements: Have you any data by which you could tell what a given quantity of any of these things cost to produce ready for shipment?

McLean: No, sir; that would depend upon the locality in which it was produced and the kind of crop produced. If it is a good crop, it costs less. A small crop costs more. Then the difference in locality makes a difference. We pay more for labor in our county than they do at Gainesville, we pay \$1 a day.

Brady: There has been some evidence here about the prepayment of freight on stuff that was not in condition to be received, and there was some talk as to whether or not the railroads lost freight in those instances.

McLean: They do not lose anything down our way because they always, before a market goes to pieces, notify us that we must prepay before we can ship.

Brady: Do you know anything about a rule they have to blacklist merchants?

McLean: Yes, sir; I know there have been several blacklisted. There were notices sent out last season against some in Baltimore and one in Philadelphia. They will not receive shipments for those people unless it is prepaid or guaranteed by the people of the shipping point.

Brady: Do you know that was based upon the fact that the merchants refused to accept shipments in bad condition?

McLean: I presume it was, but could not say positively.

Brady: You say that, when the season begins to run down and it is doubtful what price it will bring, they notify the agents not to receive except on prepayment.

McLean: Yes, sir; we were notified on the 10th of June last season.

Baxter: In the first part of the season they do not require prepayment?

McLean: No; as long as the price is up they do not require prepayment or a guarantee, but now, like on tomatoes when they are hauled at a 75 cent rate and tomatoes are worth only 60 cents in the market, they do. These transportation people are posted better than we are, because they have their agents, and they know that they cannot get 75 cents out of tomatoes that are worth only 60 cents. Where an agent guarantees the freight, they let it go through. It is not necessarily always a prepayment.

DuBignon: You spoke of a raise in rates this year?

McLean: Yes, sir.

DuBignon: You are on the Plant System?

McLean: Yes, sir.

DuBignon: You heard Mr. Evans speak of that rate having been withdrawn?

McLean: Yes, sir; and it was withdrawn our way on potatoes and cabbage, as I stated. I said that this six cent rate on cabbage and potatoes was withdrawn, but that it remains on other things. Take a barrel of onions and it is six cents higher than it was last year.

There is one thing which I wish to bring out here, and that is the matter of rebates. We have had down in our country in past seasons, a system of rebates, first inaugurated by the F. C. & P. R. R., and they were given first to produce men, commission men; drummers would come in there and work up carload lot shipments and they would give them all the way from 5 to 15 cents a crate.

Chairman: How do you know?

McLean: Because we all get on to it later. One or two of them told us they were getting it and we worked around until we got it.

Chairman: Who did you get it from?

McLean: The agent of the F C & P R R, W R Fuller.

Chairman: Where is he now?

McLean: In Tampa.

Chairman: Is he still agent?

McLean: Yes, sir; still agent.

Commissioner Clements: When did you get those rebates?

McLean: Last year and the year before, and we have reliable information that parties are getting them this year.

Commissioner Clements: How were they paid to you?

McLean: Simply as a rebate.

Commissioner Clements: How?

McLean: In money; in cash; by Mr. Fuller and by the agents of the different wharves along the river.

Commissioner Clements: Who were they?

McLean: J. Howes, of Palmetto; C. P. Fuller, of Ellenton; J. H. Kennedy, Terra Ceia; Young and Clarkson, Palmetto; H. W. Fuller, Braidentown; H. S. Clark, Manatee.

Commissioner Clements: Who are these people?

McLean: The wharf agents. They are not, any more, the agents of the transportation company than they are of the people.

Commissioner Clements: Are they the men to whom the rebates were paid?

McLean: Yes, sir; in certain instances, to be distributed to the parties to whom they belonged, the owners of the produce.

Commissioner Clements: Did the S. F. & W. give any rebate?

McLean: Yes, sir, after it was inaugurated by the F. C. & P.

Commissioner Yeomans: Do you know any shippers that did not get them?

McLean: Yes, sir.

Commissioner Yeomans: Who were they?

McLean: M. A. Barnes.

Commissioner Yeomans: What others?

McLean: C. G. Barnes, J. J. McDougal, J. N. McLean.

Chairman: That system is not going on now?

McLean: Yes, sir; I think it is. I will tell you why I think so. The Plant System has a road to St. Louis, and to Cincinnati, and to Chicago, via Mobile. The rate is 20 cents per barrel less than the F. C. & P. rate is all rail, or than the Plant System is all rail. This is a water haul to Mobile, but they only have one boat a week, and that is on Saturdays. For the last two Saturdays down home I have seen from three to five cars a day leave for these same points over the F. C. & P., all rail, and it does not seem that a man has little enough sense to ship all rail and pay 20 cents more than necessary. That is why we believe that this system of rebates is in force yet. We fought it last year, and tried to have them give us an open rate that much lower, but when the rebate was coming, all that could get it took it, and that is one of the main things we are here to fight to day.

Commissioner Clements: Who did you communicate with about the rebates you got?

McLean: I got no rebates. I gave my name as one that did not get them.

Commissioner Yeomans: What time last year did this take place?

McLean: From the 9th of April the open rebate was given until the 15th of June.

Commissioner Prouty: Why did you not get them when all these other people did?

McLean: I never collected them.

Abrams: You did not get any?

McLean: No, sir; I did not collect my rebates. Mr. Willis, there, can tell whether he collected them or not. I did not collect them because I had been fighting the rebate system.

A voice: "I did not get a cent."

McLean: Mr. Davis did, I guess.

A voice: "Yes, sir; I got mine."

The Chairman: There seems to be enough of that: That is a matter for the district attorney and the grand jury.

DuBignon: I understood you to say that the reason you thought it was still in vogue was that on Saturday, the day on which the Plant steamer for Mobile sailed, you saw car-loads of freight going over the F. C. & P. destined to Western points?

McLean: Yes, sir.

DuBignon: And you presume a man would be a fool to pay 20 cents more than was necessary to ship by all rail?

McLean: Yes, sir.

DuBignon: In other words, he is meeting the water rate by Mobile?

McLean: Yes, sir; or better.

DuBignon: That is your reason for saying it, is it?

McLean: Yes, sir; that is my reason for saying it.

DuBignon: That is all.

Abrams: Mr. Brady, I think, has some witnesses that he desires to examine in the morning.

Brady: If the Commission desire not to hold a session here to-morrow, it might be avoided in my case, if I knew what the effect of a decision would be in this matter, when it is asked by various committees. My witnesses are not here and will not be until to-morrow morning. If the effect should eventually be to find that the people here are entitled to relief, I wish to inquire whether it would be in respect to those localities that ask it only, or whether there would be a general scaling of rates for that entire business and that entire section. If that would be the effect in the event of any relief, it would be unnecessary for me to go further than to make out my case.

Chairman: Our experience is that anybody is fortunate if they get what they ask for. Of course if it is not shown that anybody is entitled to relief they would get it. If it is shown that these rates operate unequally or unfairly as to the different communities, the same rule will apply as to all. We have only to-morrow to devote to this hearing, and we will, of course, afford ample opportunity to the defense to put in their testimony.

Brady: I have only one or two witnesses. The President of my Association will be here to-morrow. I have telegraphed for him. It will take only a short time.

McLean: If you, gentleman, want the names of any more people who received this rebate, I shall be glad to furnish them.

The Chairman: That will probably necessitate another inquiry of another sort, and you will probably be called upon.

We have advised you that we have no control of that matter except to call the District Attorney's attention to the fact that these things have been going on. Mr. Baxter, have you any witnesses?

Baxter: Yes, sir.

DuBignon: We have, at least, four, I think.

The Chairman: Well, gentlemen, meet us at 9 o'clock, in the morning.

James Menzies, a witness on behalf of defendants, having been duly sworn, testified as follows:

Baxter—I believe you are connected with the Plant System?

Menzies—Yes, sir.

Baxter—Where do you reside?

Menzies—In Savannah.

Baxter—What position do you hold?

Menzies—Assistant general freight agent.

Baxter—Have you the rail and water rates on single crates from Gainesville, Fla., to New York, from 1886 to the present?

Menzies—Yes, sir.

Baxter—Will you call them out to the stenographer?

Menzies—The rate on vegetable, rail and water, from Gainesville, Fla., to New York in 1886 was 40 cents per crate and 80 cents per barrel; in 1887 the rate was 40 cents per crate and 80 cents per barrel; in 1888 the rate was 27 cents per crate and 54 cents per barrel; in 1889 the rate was 30 cents per crate and 60 cents per barrel; in 1890 the rate was 30 cents per crate and 60 cents per barrel; from 1891 to 1896, inclusive, the rate was $37\frac{1}{2}$ cents per crate and 75 cents per barrel, except on cabbage and potatoes, which took a rate of $57\frac{1}{2}$ cents per barrel in carload quantities and 75 cents per barrel in less than carload quantities during these years. In 1897 the rates was made $40\frac{1}{2}$ cents per small crate and 81 cents per barrel.

Baxter—Those rates per crate are what they call small crates, single crates?

Menzies—Yes, sir.

Baxter—I will offer this statement in evidence.

(The same is hereto attached and marked Ex. No. 1.)

Baxter—Are you able to state the rates back of 1886?

Menzies— I am unable to give these rates. The records were destroyed or I could not find them.

Baxter—Those are the rates as far back as your records enable you to go?

Menzies—Yes, sir.

Baxter—There seems to have been in 1886 and 1887 a rate on single crates of 40 cents; then in 1888 there seems to have been a reduction from 40 to 27 cents. Were you connected with the road at that time?

Menzies—Not with the Plant System; no, sir.

Baxter—What is your understanding as to what caused that reduction?

Menzies—From 40 to 27?

Baxter—Yes, sir.

Menzies—In the year 1886 the Clyde Steamship Line was inaugurated to Jacksonville, and the rates on vegetables and other classes of freight were reduced to Jacksonville. In other words, the rate on first-class, which, I think at that time was 75 cents from New York to Jacksonville, was reduced to 25 cents; and the rates on vegetables were reduced from 30 to 22½ cents; that rate of 22½ cents to Jacksonville would reduce the rate from interior points in Florida because these rates were made on the Jacksonville combination.

Baxter—Then that reduction was the result of a rate war?

Menzies—That is my impression. Of course I do not state it definitely, because I was not connected with the Plant System at that time.

Baxter—Something has been said about the rates on some of the vegetables being lower from New York into Florida than from Florida to New York. I wish you would give the rate on potatoes per hundred pounds from Gainesville to New York and the rate from New York to Gainesville per hundred pounds.

Menzies—The rate on potatoes from New York to Gainesville in any quantity is 45 cents per hundred pounds; the rate on potatoes from Gainesville to New York via steamer, based on 180 pounds to the barrel, is 41.7 cents per hundred pounds, being a difference of 3.3 cents per hundred pounds in favor of the northbound shipper.

Baxter—Now, how is the rate on cabbage in less than carloads?

Menzies—The same conditions apply to cabbage in less than carload quantities as to potatoes in any quantity.

Baxter—How is it with reference to cabbage in carload quantities northbound as compared with cabbage in carload quantities southbound?

Menzies—The rate on cabbage from Gainesville to New York is 37½ cents per hundred pounds.

Abrams—That is all-rail?

Menzies—No; rail and water.

Baxter—Something has been said about cabbage and other articles not weighing 180 pounds per barrel crate. How is that arrived at?

Menzies—That is simply used as the estimated weight, and of course shippers have the right to put 180 pounds in a barrel, securing the same rate. Some classes of vegetables may not weigh that; others, doubtless, do come very close to it. Our experience is that the size of the respective packages is increasing continually. It is the case with oranges. There was a time when the orange crate, for instance, weighed about 70 pounds; it gradually increased to 80, and finally to 90; and even sometimes they weigh as high as a hundred. These packages were called "Jumbo" boxes. Some increase, I think, has been made in the size of packages used in shipping vegetables.

Baxter—Was that estimate of 180 pounds made by the Plant System by itself or in connection with other companies? Was it not in connection with all Eastern companies?

Menzies—The Atlantic Coast Line and the Pennsylvania railroad.

Baxter—So that the shipper has the privilege of carrying that quantity in the package. Is there any difference, as shown by your records, between the average number of small crates per car on shipments to the West as compared with shipments to the East, and if so, what is it?

Menzies—The average number of crates loaded to the car from Florida to Eastern cities would be from 170 to 200; that is, including the entire movement. To Western points, the average number of crates per car would be about 440.

Baxter—Do you use the same cars in shipping to the East as you do in shipping to the West?

Menzies—Yes, sir.

Baxter—Well, that would indicate that the cars going East are not loaded to more than about half their capacity?

Menzies—That is about the condition, sir.

Baxter—While those to the West are generally loaded to their full capacity, are they?

Menzies—Well, to just about their capacity, or as many crates as we would care to handle in a car on account of the condition they would be in when they would reach the market. If we put too many crates in the condition at destination would not be favorable, as it otherwise would.

Baxter—Did you get the average number that you have mentioned from your records, or how did you arrive at it?

Menzies—That was taken from our records, sir.

Baxter—Now, it appears that certain shipments of vegetables are made to the West, and certain shipments are made to the East from this country. Does the record show what percentage goes to the West and what percentage goes to the East?

Menzies—Our records would indicate that about 22 per cent. goes West and about 78 per cent. goes East.

Baxter—Now it appears from the testimony that of the vegetables going to the East a portion of them goes by rail from here to Savannah and thence by steamship to New York and other northeastern ports; and another portion goes all-rail. Can you give the percentage that goes all-rail and the percentage rail and water from Savannah?

Menzies—I am not prepared to state definitely just what the percentage is, but I think the movement all rail is about 50 per cent. of the total movement to the East.

Baxter—Something has been said about the requiring prepayment of freight on these vegetables. Explain what the practice is in that regard.

Menzies—The Florida lines never require prepayment unless they are so advised by the connecting lines—by the Pennsylvania Railroad in the Eastern markets or the Ocean Steamship Company and by various Western lines. The Pennsylvania Railroad prior to the present season required consignees—commission merchants—to pay freight on all shipments arriving at New York, whether the product was salable or otherwise.

A meeting was called last February in New York by the Pennsylvania Railroad to consult with the commission merchants and see what could be done with reference to that particular point, and it was finally decided that the Pennsylvania Railroad would not in the future require that guarantee. So that shipments today are going forward to all points without any guarantee whatsoever. Of course, when the markets become glutted, the connections advise us promptly to stop shipments, or in other words, require prepayment. That requirement is possibly as advantageous to the shipper as to the railroads, because it stops the further shipment of vegetables to a glutted market.

Baxter—Do you give the shippers down here notice of the fact that you have been informed that the market is glutted

and that they must prepay the freight if they persist in shipping there?

Menzies—That is the effect of the notice we give.

Baxter—How much preliminary notice do you give before you put that rule in operation?

Menzies—We give five days' notice from the time the circular is received at a station.

Baxter—So that the neighborhood has five days' notice before the company will insist upon the prepayment of freight, and that is not insisted upon except when the market is glutted and the possibilities are that they could not sell the product if it were carried?

Menzies—That is the very reason prepayment is required.

Baxter—Something has been said about blacklisting merchants. Will you explain what that means?

Menzies—Well, that blacklisting question—I do not know that that is the proper term—I suppose it refers to the fact that the Pennsylvania railroad required merchants in New York to guarantee the charges and take the freight, as I have already stated, whether it could be sold for charges or otherwise; the consignee had to pay it; then, if the consignee declined to pay these charges on arrival of the carload of vegetables at New York, the Pennsylvania railroad would send out notice that, on future shipments to that consignee, freight would have to be prepaid. That was prior to last February.

Baxter—And that rule has been changed?

Menzies—Yes, sir.

Baxter—So that there is no such blacklisting now?

Menzies—No.

Baxter—That is all.

CROSS-EXAMINATION.

Abrams—I understand you to say that in the matter of these vegetable shipments the shipper has the right to put 180 pounds of cabbage in a cabbage crate?

Menzies—Yes, sir.

Abrams—Now, imagining that they do put 180 pounds in a crate, what would be the rate per hundred on cabbages from Gainesville to New York? I wish you would figure it. I believe the rate on carload lots is 86 cents all-rail. At 86 cents per hundred and eighty pounds, how much per hundred would that be?

Menzies—The rate from Gainesville, Fla., to New York?

Abrams—Yes, sir; all-rail.

Menzies—On cabbage in carloads the rate would be 50½ cents per hundred pounds?

Abrams—Is it not a fact that bulk shipments by the carload are cheaper than crate shipments?

Menzies—I do not know that any shipments of cabbage are made in bulk.

Abrams—I find in this list here, which I believe is your last (referring to tariff) for the vegetable season of 1897, on the second page, cabbage in bulk. Is that correct?

Menzies—(After examining tariff) That is right; yes, sir.

Abrams—In bulk shipments of potatoes and cabbage the rates are supposed to be relatively lower than by crate shipments. (Witness examining tariff.) Please answer the question without looking at the rate. Are not bulk shipments supposed to be lower in rate than crate or barrel shipments?

Menzies—The rate per hundred pounds on barrel shipments of 180 pounds is less in barrels than when in bulk.

Abrams—Now, I ask you whether or not shipments are not supposed to be lower in bulk than when in boxes or barrel shipments?

Menzies—No, the rate is higher per hundred pounds.

Commissioner Prouty—He wants to know whether you do not ship cheaper by carload than by hundred pounds.

Abrams—Whether the average rate per hundred is not lower in bulk than when put in crates or barrels?

Menzies—No, not necessarily. You mean the general basis of making rates?

Abrams—Yes, sir.

Menzies—Not necessarily; no, sir.

Abrams—I find here that cabbage in bulk, per hundred pounds, are exactly the same—86 cents—from Gainesville to New York that it is on cabbage in crates. How do you account for that, that the railroad companies require, per hundred pounds, the same money—86 cents—when they carry it in crates or barrels, where they have to carry all that wooden ware, which is of no value, and the rate is only 59 cents, if your statement is correct, on your estimate of 180 pounds of cabbage to the crate? You then charge 59 cents per hundred pounds in crates and 86 cents per hundred in bulk. I wish you would explain that to the commission.

Menzies—The movement of cabbage in bulk I understand to be very small. I do not know of any cabbage shipped that way. Therefore the rate, whether it was 70 cents per hundred pounds or 25 cents per hundred pounds, is of little con-

sequence. Now if there were a large movement of cabbage in bulk of course the rates would necessarily be relatively adjusted.

Abrams—If you do not ship in bulk why do you provide for it? There must be some shipments in bulk?

Menzies—We have no doubt had applications for rates on shipments in bulk, and for that reason have published the rate. But I do not think there are many cabbage shipped in bulk.

Abrams—It would not pay to ship in bulk if a man can get 100 pounds of cabbage shipped for 59 cents in a crate, as you testified, and when he shipped in bulk would have to pay 86 cents per 100 pounds?

Menzies—It would not be advantageous under those circumstances; no, sir.

Abrams—Then, in bulk, you charge 40 per cent. more?

Menzies—Yes, sir; on the per hundred pound basis.

Abrams—Did you ever weigh or have weighed any cabbage crates?

Menzies—No, sir.

Abrams—Where did you get your estimate that a crate of cabbage weighs 180 pounds?

Menzies—That was arrived at, as I have already stated, at a consultation between the various lines interested in the business. I was not present at the meeting and am not able to state how they arrived at the weights.

Abrams—What is the carload estimate—how many pounds do you allow a car to be loaded with?

Menzies—It varies according to the destination.

Abrams—New York, for instance?

Menzies—Twenty thousand pounds. You see, the rates, generally speaking, to New York are the same in carloads and less, so that there is no minimum established except where we have special carload rates.

Abrams—No minimum weights established?

Menzies—No minimum weights established. In other words, you can ship one crate or ten crates as cheap per crate as you can if you ship 400.

Abrams—I am speaking of the carload weights now. I find here 200 barrels of cabbage made the minimum, 24,000 pounds upon cabbage in bulk?

Menzies—That is where the carload rate is a less rate than carload rate. Then we have to establish a minimum.

Abrams—Is not this 86 cent rate all-rail to New York the

carload rate? Have you not got to ship a whole car on those rates?

Menzies—Yes, sir.

Abrams—If you ship less than a car, is not the rate higher? Is not all-rail \$1.01 in less than carload lots?

Menzies—That is right, sir.

Abrams—Then, according to these rates, he has to ship a carload?

Menzies—I made that exception that where carload rates were specified, of course they have to be based on a certain minimum weight.

Abrams—Do you say there is any difference in the weight of the barrel crate now from what it was in 1886?

Menzies—No, I did not.

Abrams—You have testified in regard to rates in 1886. What rates were those?

Menzies—To what rates do you refer?

Abrams—Those rates you read.

Menzies—Those rates I named from 1886?

Abrams—Yes, sir.

Menzies—That was by Savannah, the Ocean Steamship Company.

Abrams—Are you sure of that?

Menzies—Yes, sir.

Abrams—Have you got the printed tariff sheets of that year with you?

Menzies—No, sir.

Abrams—I am sorry that you did not bring them. Now, in shipping watermelons via Ocean Steamship, do they go on the same route, on the same steamship?

Menzies—Yes, sir.

Abrams—Carried by the same trains?

Menzies—Ordinarily so, yes, sir.

Abrams—Is that known as the fast train or what?

Menzies—I do not know whether that fast service is discontinued before the watermelon season opens. Our transportation department, however, will testify as to that.

Abrams—Will you explain why cabbages can not be carried on the same train for as low a rate as watermelons?

Menzies—That is a very difficult problem, you know, when you begin to compare one rate with another.

Abrams—That is the problem we are trying to solve here.

Menzies—You might say that the cost of hauling a carload of melons is the same as the cost of hauling a carload of vegetables.

Abrams—Well, does not the shipper of a carload of melons himself usually load it?

Menzies—Yes, sir.

Abrams—Does not the shipper load the carload of cabbages himself usually?

Menzies—Yes, sir.

Abrams—Will you explain to the commission why the rate on a carload of cabbages should be nearly double the rate on a carload of melons to the same destination; the shipper loading both cars and both cars going on the same train at the same time—one rate double what the other is?

Menzies—I did not bring the watermelon rates with me, so I can not say whether your statement is correct in regard to the rates; but the average movement of vegetables per car is from 170 to 200 crates per car.

Commissioner Prouty—You mean small crates?

Menzies—Small crates.

Abrams—Does your rule there require a car to be loaded with not less than 200 crates of cabbages?

Menzies—That is our carload rate; but as I stated, the movement of cabbages is bulk is very small. I do not know that any moves.

Abrams—I am not speaking about bulk cabbage.

Menzies—The average number of crates per car, crates of vegetables, moved to Eastern points is from 170 to 200. Two hundred crates would equal 10,000 pounds. The watermelons move in carloads; that makes a difference; they move in full carloads.

Commissioner Prouty—Why do you not fill up the cars with cabbages? Why not put in more crates?

Menzies—The trouble is in making the through time. We have not time to transfer the vegetables from one car to the other at different junctions. For instance, if a shipper has 50 crates of vegetables to go from Gainesville, Fla., today to New York, and there are no other shipments to New York, we have to send that car with the 50 crate, and that would occur if there were only 10 crates.

Commissioner Prouty—When the car goes West is it filled up?

Menzies—Of course, there are some shipments moved in less than carloads to the West, but they are very few.

Abrams—Now, is it not a fact that at the basing points such as Gainesville you consolidate shipments from other points so as not to make less than carloads? Is not that a

regular part of the duty imposed upon your agents at these stations, that they shall consolidate and load full cars?

Menzies—That, I believe, are the instructions of the transportation department to the agents; that, whenever it is possible to consolidate, there are instructed to do so, but they can not do this always and give the best results.

Abrams—And is it not a fact that when you get to Savannah and before turning the cars over to the A. C. D., there is another consolidation and the cars filled, unless that has been done in Gainesville?

Menzies—You mean that the cars going north are consolidated?

Abrams—Yes, sir; unless in exceptional cases, where the time did not permit, or something of that kind.

Menzies—You mean a greater number of crates are put into a car?

Abrams—Yes, sir.

Menzies—The trouble about that is we have to load a car for the various destinations from Savannah and it may be just the reverse. There may be fewer crates in the car north of Savannah than south of Savannah on some shipments. In other words, if we had a shipment of 50 crates for Richmond we would have to load that in a car for Richmond; then we might have to load a car for Norfolk—for the rail and water route through Norfolk; then we might have to load a car for Washington, for Philadelphia, etc.

Abrams—Is it not also a fact that, when there are a succession of points to deliver to between Savannah and Richmond and other points, that the shipments are loaded in one car and those shipments taken out at the different stations?

Menzies—No, sir; not on our fast train.

Abrams—Now, going back to Florida: Do you not advertise, and is it not a fact, that you make your connections so as not to delay the shipment at Savannah?

Menzies—That is the general idea.

Abrams—And do you not, also, make your agents make it a point that shippers shall unite and fill up cars so as to avoid these unfilled cars in Florida?

Menzies—That is done as far as possible.

Abrams—Then the small or light loading of cars is exceptional?

Menzies—I have stated already that the average number of crates per car, eastbound, was from 170 to 200. That is the general average.

Abrams—Those were small crates?

Menzies—Yes, sir. In getting at that estimate the large crates were reduced to small crates.

Commissioner Prouty—Is that made up so that you can swear to it, or is it something you guess at?

Menzies—That is information compiled from our records. Of course I can only say that it is a fact to the best of my information and belief.

Commissioner Prouty—You keep the record so that it can be made up accurately?

Menzies—I think so; yes, sir.

Commissioner Prouty—Does that include your whole system on which this movement takes place, or some particular road?

Menzies—That includes the movement through Savannah.

Commissioner Prouty—From all points in Florida?

Menzies—Yes, sir.

Abrams—Those tables show exclusively Ocean Steamship rates?

Menzies—Yes, sir.

Abrams—When was the increase made in 1891?

Menzies—In 1891.

Abrams—The increase was from 60 and 30 to 75 and 37½?

Menzies—That is right.

Abrams—There was another increase in 1896?

Menzies—No, sir.

Abrams—Was there any increase this year?

Menzies—An increase in small crates; yes, sir; 3 cents.

Abrams—Taking your figures on small crates are you not charging the highest rate you have charged since 1886?

Menzies—Yes, sir; about ½ cent a crate.

Abrams—Has not the volume of vegetable shipments from Florida increased since 1886?

Menzies—Our records do not go that far back.

Abrams—How far do they go?

Menzies—Our records from Gainesville proper are from 1892.

Abrams—What does that show?

Menzies—It shows a considerable reduction.

Abrams—Is not that because since then you have had competition into Savannah, where before that you had everything your own way? Prior to 1892 was the F. C. & P. in Savannah?

Menzies—No.

Abrams—Then since then there have been two lines running from Florida to Savannah?

Menzies—Yes, sir; since the time the F. C. & P. was built.

Abrams—That is, since 1892?

Menzies—I do not know the date exactly.

Abrams—Take the State at large, has there been an increase in shipments?

Menzies—Since what year?

Abrams—Since 1886.

Menzies—I suppose there has. I have not the figures before me, however. Since 1886 I suppose there has been an increase.

Abrams—Since 1892?

Menzies—Since 1886.

Abrams—I will ask you now, since 1892?

Menzies—I can only give the figures from certain points, Gainesville and McIntosh, which were the original rates complained of.

Abrams—Have you not brought the figures to show the increase on your whole line?

Menzies—I have not those figures with me.

Abrams—Can you state it approximately?

Menzies—No, sir; I can not.

Abrams—Can you state that since 1892 or 1886 it has been increasing generally?

Menzies—I think it has increased since 1886.

Abrams—Since 1892?

Menzies—There has been a reduction from certain points.

Abrams—I am speaking of the whole State.

Menzies—I can not say whether there has been an increase or a reduction in the total from the State entirely.

Abrams—Are you the assistant general freight agent?

Menzies—That is my title.

Abrams—Would not the fact of an increase throughout the State be embraced within your department?

Menzies—It might be so considered.

Abrams—Do you not notice whether business is increasing or diminishing in certain lines?

Menzies—Yes, sir; that is, generally speaking, we watch it very closely.

Abrams—Can you state whether for the past five years there has been any increase throughout Florida in shipments of vegetables from the State?

Menzies—I am not able to say at the present time as I have not the information with me.

Abrams—What proportion of these rates does your road receive, what proportion does the Atlantic Coast Line receive, the Ocean Steamship Company? What proportion does each

get of this 75 cents for cabbages and $40\frac{1}{2}$ cents for small vegetables? You have a carload rate by Ocean steamer?

Menzies—Yes, sir.

Abrams—What is the per carload by Ocean steamer from Gainesville to New York via Ocean Steamship?

Menzies—The rate is $67\frac{1}{2}$ cents.

Abrams—On what?

Menzies—Per barrel.

Abrams—What proportion do you get, and what proportion do the others get?

Menzies—The Plant System gets 34.8.

Abrams—What does the other get?

Menzies—Wharfage and transfer, five—that is a terminal expense.

Abrams—Who gets that wharf and transfer rate?

Menzies—The Ocean Steamship Company gets part of it.

Abrams—The Ocean Steamship Company gets the balance?

Menzies—We have to transfer that stuff around the city about nine miles, and we share in the transfer. We do not get 50 per cent of it.

Abrams—If the charge is 5 cents you get $2\frac{1}{2}$?

Menzies—We do not get 50 per cent. of the 5.

Abrams—What percentage do you get?

Menzies—Twenty-five.

Abrams—That is $1\frac{1}{4}$ cents. That would make your total rather over 36 cents out of the 67, would it not?

The Chairman—That is a matter of calculation.

Abrams—Now, on small lots, where you charge 75 cents and $40\frac{1}{2}$, state what you get in gross.

Menzies—The rate from Gainesville of $40\frac{1}{2}$ cents is divided: Plant System, 20.3; wharfage and transfer, 4 cents; steamer, 16.2.

Abrams—Now, will you give the pro rata division of the rates, all-rail, both on carload lots and small shipments?

Menzies—The rate on both small shipments and carloads, all-rail, from Gainesville proper to New York, is 53.5 cents.

Abrams—No, divide it.

Menzies—The Plant System to Savannah, 20.3; Charleston and Savannah Division, 3.4; Atlantic Coast Line, 14.9; north of Richmond, including the Pennsylvania Railroad, 14.9.

Abrams—So that the Plant Investment Company gets 23.7 cents on its entire line?

Menzies—Yes, sir.

Abrams—Just state the mileage of the several lines from

Gainesville to Charleston, and Charleston to Richmond, and Richmond to New York.

Menzies—The Plant System mileage to Charleston is 365.

Abrams—How many miles is it from Gainesville to Charleston?

Menzies—Three hundred and sixty-five miles from Gainesville to Charleston.

Abrams—How many miles is it from Charleston to Richmond?

Menzies—Three hundred and ninety-six.

Abrams—From Richmond to New York?

Menzies—Three hundred and forty-five.

Abrams—Now, on your direct testimony, you have stated that the Pennsylvania Railroad has made certain objections. Does the Pennsylvania Railroad control the rates from Florida into New York always?

Menzies—Not altogether so; it is a joint arrangement.

Abrams—Well, in what way are you dependent upon the Pennsylvania Railroad in making rates?

Menzies—That is the only connection we can use, and of course we have to be governed by what they say so far as their line is concerned.

Abrams—On these several routes, excepting the Ocean Steamship, for instance, via Portsmouth and the Atlantic Coast Line, do you receive the same proportion?

Menzies—On what class of vegetables do you want it?

Abrams—Any class, in small lots.

Menzies—It is the same proportion to Savannah, but varies beyond.

Abrams—Varies to Charleston?

Menzies—Yes, sir.

Abrams—What is the difference? Now, the Plant System gets 20.3 cents to Savannah. Now, from Savannah to Charleston, what would it be?

Menzies—Four and one-tenth cents.

Abrams—Now, will you go back to the Ocean Steamship Line on crates of vegetables, and tell me how much you get to Savannah when you deliver to them?

Menzies—Gainesville proper you desire? The Plant System receives 20.3 cents to Savannah.

Abrams—Then, except beyond Savannah, your proportion did not vary?

Menzies—No, sir.

Abrams—Can you advise the commission what proportion

of these vegetables were shipped in carload lots by shippers and what proportion in less than carload lots?

Menzies—To what markets—Eastern or Western markets?

Abrams—Going East.

Menzies—No, I can not, except to state that the average per car is from 170 to 200 crates.

Abrams—I mean, how much goes out—what proportion goes out in carload lots? Can you state that?

Menzies—No, sir.

Commissioner Prouty—Do you mean at the carload lot rate or in full carloads?

Abrams—Full carload rate.

Menzies—I can not say as to that.

Abrams—Is it a fact that a very considerable portion of this stuff is sent out from Gainesville in solid carload lots by the growers uniting and making up the carloads so as to get the reduced rates?

Menzies—I believe that is sometimes done by shippers.

Abrams—Is it not done wherever they can do it?

Menzies—That is a matter entirely with the shippers. I do not know to what extent it is done.

Abrams—In coming here to testify you have not taken the trouble to make an investigation of your shipments from Gainesville, so that you can definitely state to the commission what proportion leaves Gainesville in solid carload lots, and what in smaller quantities, less than carloads?

Menzies—No, sir.

Commissioner Prouty—You call tell, Mr. Menzies, very easily how much went at the carload lot rate?

Menzies—On commodities taking the carload rate?

Commissioner Prouty—Yes, sir.

Menzies—Yes, sir; but I have not had that data prepared.

Abrams—Is there any difference between the cars hauling a carload of vegetables now from what they were in 1886?

Menzies—I can not state what conditions existed in 1886; but as I have stated already, the transportation department is represented here and will answer questions as to the cost of movement.

Abrams—Will you give the commission a statement as to what is the rate from New York to Jacksonville—barrel crates?

Menzies—Southbound rates?

Abrams—Yes, sir.

Menzies—The rate is 18 cents per hundred pounds.

Abrams—From New York to Jacksonville?

Menzies—Yes, sir.

Abrams—By Ocean Steamship? What proportion of that 18 cents do you get?

Menzies—We would get 50 per cent. after taking out wharfage and transfer.

Abrams—You get 9 cents? Then from New York to Jacksonville on a barrel crate of cabbages you receive 9 cents, now from Jacksonville to New York what is the rate on cabbages?

Commissioner Prouty—That was the rate per hundred pounds?

Menzies—Yes, sir. The rate from Jacksonville proper to New York on northbound business?

Abrams—Yes, sir.

Menzies—On cabbage it is 60 cents per barrel.

Abrams—What do you get out of that?

Menzies—We get 26 cents.

Abrams—Then you get 26 cents as your proportion of barrel cabbages from Jacksonville to Savannah when they go to New York and 9 cents on a barrel of cabbages coming back? Is not that correct?

Menzies—Yes, sir.

Abrams—That is all.

Commissioner Prouty—Now what is the rate per hundred pounds from Jacksonville to New York on cabbages? I do not want you to figure it out, but do you not have a tariff rate per hundred pounds from New York to Jacksonville upon some class which would include cabbages?

Menzies—Under a regular classification rate?

Commissioner Prouty—A rate per hundred pounds on cabbage from Jacksonville to New York.

Menzies—Yes, sir; the same classification of course would apply in both directions.

Commissioner Prouty—Then the rate per hundred pounds, or rather the same rate, would apply from Jacksonville to New York as from New York to Jacksonville?

Menzies—According to the regular classification.

Commissioner Prouty—So that the classification and rate going North is a special commodity rate?

Menzies—Yes, sir.

Commissioner Prouty—And coming South you give the regular rate?

Menzies—Yes, sir.

Commissioner Prouty—And the regular rate is the same both North and South?

Menzies—Yes, sir.

Commissioner Prouty—You say you estimate your crates at

180 pounds. Did ever a man get 180 pounds in one of them?

Menzies—I am unable to say.

Commissioner Prouty—Would you allow these vegetable growers to ship a larger crate than that if that did not hold 180 pounds? Suppose a man comes along and wants to ship a great big crate, enough to hold 180 pounds, would you let him do that?

Menzies—Oh, yes.

Commissioner Clements—Yours is the Plant System, if I understand you correctly?

Menzies—Yes, sir.

Commissioner Clements—I see in Trf. 1. C. C. No. 126 certain columns designating rates on carloads and less than carloads of cabbages and other vegetables, stating that the barrel crate is 100 pounds and the standard crate 50 pounds, and also some notes at the bottom, which are instructions to agents in billing to state that in cases of any excess of 100 pounds and 50 pounds, respectively, an excess charge will be made. Will you look at that and state whether or not those instructions are applied and in force to the points that are indicated on that page?

Menzies—Yes, sir. These rates given on page 6 are per hundred pounds, and all excess over 100 pounds is charged on the same basis.

Commissioner Clements—So that a 180-pound package, if there be such, would be charged by the hundred, and not by the package?

Menzies—Yes, sir.

Commissioner Clements—That applies to Western shipments, as indicated?

Menzies—That applies to points north of the Ohio river.

Commissioner Clements—And does not apply to Eastern cities?

Menzies—No, sir.

Commissioner Clements—The shipments are made according to those instructions?

Menzies—Yes, sir.

Commissioner Clements—That applies in ordinary transactions and shipments?

Menzies—Yes, sir.

Commissioner Clements—Now, what is the reason for the difference in the number of shipments to the West and to the East?

Menzies—I suppose that is on account of water competition, I think. You see, the rate to the East is less than car-

load quantities is the same in carloads, as with certain exceptions.

Commissioner Clements—Yes, sir. Is that a sufficient reason for making a difference in your charges into one part of the country based on the 100 pounds and 50 pounds, respectively, and then to another part of the country 180 pounds?

Menzies—There may be another reason, and that is, that business moving from Florida to points north of the Ohio river is so small as compared with the movement to the East that the lines possibly have not considered it worth while to take the subject up and arrange a through business.

Commissioner Clements—A man who ships a barrel of cabbage that weighs 100 pounds and another man that ships a package that weighs 180 pounds to the same market at the same time is charged the same rate, is he?

Menzies: I cannot tell.

Commissioner Clements: You are not informed about that?

Menzies: No, sir.

Commissioner Clements: Now, what other points in Florida take the same rates as Jacksonville—I mean basing points?

Menzies: Gainesville takes the same rate on business coming from Florida, the Southern Division.

Commissioner Clements: And does it not take the same rate on business coming from other quarters?

Menzies: I do not quite understand.

Commissioner Clements: Take a local shipment originating at Gainesville. Does that go at the Gainesville rate?

Menzies: The Gainesville proper rate; yes, sir.

Commissioner Clements: Are there any basing points in Florida on the same basis as Gainesville and Jacksonville, at the same rate?

Menzies: Santa Fe Junction and High Springs is used as a base point—simply a point to enable the total rates to be made.

Commissioner Clements: Now, if you desire to ascertain the rate from all stations in your system in Florida to Eastern points of destination, how would that be arrived at? I understand that the rate is so much into Gainesville, or into Jacksonville, and after that it goes at the Jacksonville rate, with the local rate up to that point added, and also the same from Gainesville and these other base points.

Menzies: Yes, sir.

Commissioner Clements: Have you any tariff that states in detail what the rates are from the local stations on your line to these base points?

Menzies: Yes, sir; this tariff states it.

Commissioner Clements: The tariff to which I refer?

Menzies: Yes, sir.

Commissioner Clements: That names all the local stations on your system in Florida?

Menzies: Yes, sir.

Commissioner Clements: And the rates?

Menzies: Yes, sir.

Commissioner Clements: That is the rates to Gainesville and Jacksonville and other basing points?

Menzies: Yes, sir.

Commissioner Knapp: What is your explanation of the fact that it costs more to send any quantity of cabbages North than it does to bring the same quantity South?

Menzies: That may be explained by the fact that vessels coming South for return loads very frequently have to secure some tonnage, or use rock or sand for ballast, and in preference to doing that they will make specially low rates on potatoes or salt, or articles of that kind. Now, then, the regular steamship lines competing for that business, in order to endeavor to meet that kind of competition, come as closely to the schooner's figures as possible without losing money. When the schooner reaches Jacksonville it has already secured a load—she is chartered. It comes for a specific purpose, and the southbound shipment would be merely incidental. On the other hand the steamship comes here without any previous charter. It has to take what is offering on the day that she sails, and necessarily the rate on that business should be higher than on the southbound traffic. Whether that explains that particular cabbage rate I am not able to say. I was not connected with the system at the time that rate was made, and can not make any further statement on the subject.

Commissioner Prouty: Do I understand you have a special commodity cabbage rate South, or is that the general rate?

Menzies: That is the general class rate.

Commissioner Prouty: Under what class do cabbage fall?

Menzies: Sixth class.

Commissioner Prouty: What is the reason a man can not ship cabbage North on this sixth class and get the same rate?

Menzies: Because that special commodity rate is issued on cabbage northbound on account of the increased facilities.

Commissioner Prouty: And that withdraws cabbages from that class?

Menzies: Yes, sir.

Commissioner Prouty: Do I understand you correctly in thinking you said that a shipper was entitled when he pays

the double rates to 180 pounds, and that if the shippers had larger ones, weighing 180 pounds, you would transport them at the same rate?

Menzies: Yes, sir.

Commissioner Prouty: Mr. Abrams, why does not that give you all the relief you want?

Abrams: We are limited to the size of the crate. They have adopted this standard barrel—they force us to use a certain size and no larger.

Are not these barrel crates limited to standard barrels? Is not that stated there? (Referring to tariff.)

Menzies: "Standard barrels, except when otherwise stated.

Commissioner Prouty: Now, is there something in there which shows what a standard barrel is?

Abrams: It is limited to standard barrels.

Commissioner Prouty: He says 180 pounds is a standard barrel.

Abrams: The standard is a certain size.

Commissioner Prouty: Is there anything in that tariff to show what the standard is?

Abrams: No.

Colclough: This barrel is supposed to hold the same as the flour barrel.

Abrams: But cabbage won't weigh as much as the solid flour. Have you not established a standard crate and weight? When crates of oranges were shipped to you weighing over 80 pounds to the crate they were called Jumbo crates and the excess charged for.

Menzies: No, sir; I do not know that. I will explain that to you.

Abrams: Over the S., F. & W. I want you to be certain, because I have had to pay it?

Menzies: You say all over 80 pounds. As I said before the package was less than 80 pounds when they first started shipping. It gradually got up to 80 pounds, and then got to 85 or 90 pounds. The railroads did not say anything about 85 or even 90 pounds, but as the crate gradually increased year by year, of course they had to draw the line somewhere, and they made a rule that shipments would be prorated for that weighing over 80 pounds.

Abrams: I will ask you if this crate called the Jumbo crate was not simply an enlargement of the crate for taking the larger sized fruit.

Menzies: I do not know about that. I am not a fruit shipper.

Abrams: You have no experience in orange shipments?

Menzies: I am not an orange grower.

Abrams: Never shipped any?

Menzies: Not myself.

Abrams: Can you tell me whether the size of the crate has been enlarged in the last 15 years or since 1883? I want you to name the increase of the size during the 14 years.

Menzies: I have not got the date with me, sir.

Abrams: Is it not a fact that there has been no increase except this Jumbo increase—but one increase, and that was the Jumbo crate?

Menzies: My information would not lead me to believe so.

Commissioner Clements: Your tariff says, "other vegetables" and "potatoes." The 50 pound limit and the 100 pound limit applies to crates and barrel crates. I see from the tariff which I showed you a moment ago such instructions. Is that correct?

Menzies: Cabbage, beets, squash, turnips, etc., take the 100 pounds.

Commissioner Clements: Just read this, I want to understand it.

Menzies: (Reading) "Instructions for making rates from points in Florida to Jacksonville, Santa Fe Junction and Gainesville for beyond." It says: "Rates on potatoes and cabbages apply per barrel or barrel crates. Rates on other vegetables apply per crate of 50 pounds. Other vegetables in barrels or barrel crates double the crate rate and weight."

Commissioner Clements: Is that the rule?

Menzies: That refers to local freight up to the base points.

Commissioner Clements: You limit them to those points up to the basing points—the three points there named—and then send it from those points to Eastern cities without regard to the weight?

Menzies: No, sir; while the tariff says to charge for the excess, we don't make any charge.

The Chairman: That is one way of cutting the rate?

Menzies: It is one way of reducing the rate; yes, sir.

Commissioner Clements: Is that disregarded in regard to all vegetables, that waiving of the limit mentioned on that tariff?

Menzies: I believe it is so far as the Florida base points are concerned—the local rates to Florida base points. I believe all the lines carry the barrel at the barrel rates.

Commissioner Clements: On all vegetables?

Menzies: Yes, sir.

Commissioner Clements: Without regard to weight?

Menzies: Yes, sir.

Commissioner Clements: Up to the base points?

Menzies: Yes, sir.

Commissioner Clements: How about from the base points on?

Menzies: The rates to the East, all-rail, are on cabbages, potatoes, etc., based on 180 pounds to the barrel.

Commissioner Clements: Well, then, you totally disregard this weight limit; do you or not? I simply want to get it so we can understand how it is done.

Menzies: We do so far as points on our line are concerned. Of course points named on here that are not on our lines we could not testify in regard to, but from points on our line up to base points we do disregard it.

Commissioner Clements: So much per barrel and so much per crate on all vegetables East as well as West?

Menzies: Yes, sir; to base points.

Commissioner Clements: How about it beyond the base point?

Menzies: Beyond the base point to the East the per barrel rate is so much on 180 pounds—that stands per barrel, whether it is 180 pounds or less.

Commissioner Clements: What does that mean where it says 100 pounds, or double the crate rate, which is 50?

Menzies: That means that so far as the local rate is concerned that the rates to base points are constructed on the basis of 50 pounds to the crate and 100 pounds to the barrel.

Commissioner Clements: You said a moment ago you disregarded that—took them irrespective of that.

Menzies: We do not make any charge for the excess over 100 pounds per barrel.

Commissioner Clements: That is all.

Baxter: I will ask Mr. Denham to be sworn.

W. B. Denham, a witness on behalf of the defendants, having been duly sworn, testifies as follows:

Baxter: You are connected with the Plant System, I believe?

Denham: Yes, sir; as superintendent.

Baxter: Superintendent of transportation?

Denham: Yes, sir; Superintendent of transportation of the fourth and sixth divisions of the Plant Systems of railway.

Baxter: Where are those divisions located?

Denham: They start at Dupont, on the north, and go to Lakeland, as far south as Lakeland and St. Petersburg, including the Florida Southern and St. Johns and Lake Houston Railways.

Baxter: Where are your headquarters?

Denham: Gainesville is my headquarters.

Baxter: What was the time made, all rail, from Jacksonville to New York in 1889 in carrying these vegetables?

Denham: In 1889 we made the service from Jacksonville to New York in 82 hours. Gainesville and Jacksonville was about the same.

Baxter: What was the time in 1896?

Denham: In 1896 we made it at about 67 or 68 hours.

Baxter: Please explain to the commission how these vegetables are gathered up from here in Florida by the trains when intended for shipment to the North?

Denham: We advertise a through fast freight schedule. Of course in the South where we have to pick up the schedule is not as fast as it is when we get to Gainesville. The stuff is picked up and as near as practicable put in the proper cars. For instance, the all-rail shipments are loaded in certain cars. The Ocean Steamship business is loaded in separate cars. Then, of course, we pick up a lot of stuff for the West which goes via Montgomery, and that is loaded in separate cars; or it may go via Tifton. As near as practicable we have these local trains loaded in this way in order to save as much delay at the junction points as possible. Until this season we had but one schedule—fast trains north of Gainesville. That carried Ocean Steamship and all Northern and Western shipments. But this season we have run an extra train in order to catch the Savannah Steamship which leaves Savannah according to the tide. If it leaves there at 5 o'clock in the morning, we leave the vegetable territory early enough to leave us two hours in Savannah in order to get the stuff aboard ship and get it off on that day's ship. This is an extra train in addition to the regular fast train that carries A. C. L. all-rail shipments. This train is scheduled at the rate of 30 or 31 miles an hour. After we consolidate at Gainesville I think the schedule is based on 25 miles an hour—the schedule from Savannah to New York or to Jersey City. All freight is consolidated so that the train has to stop only at junctional points. Shipments from Richmond, Washington, Philadelphia, Baltimore and New York are loaded in separate cars, so that all the trains have to do when they come to these points is to set off the car and the train goes on immediately. There

is an agreement between the lines that the train shall make that schedule and shall only stop to set off a car, and where a car runs hot they have the right to set off the car if it is liable to detain the train. This is done in order to maintain the schedule. Shipments, for instance, between Rocky Mount and Richmond are all loaded in one car; that is set off at Rocky Mount, and that stuff is handled by a local train between Rocky Mount and Richmond, so that this train does not do any local work at all. It is a through fast train.

Baxter: From Gainesville to New York?

Denham: From Gainesville to New York.

Baxter: Now, when it comes to Savannah, the cars destined to go to the Ocean Steamship Company or other steamers sailing from Savannah are switched out of the train there?

Denham: Yes, sir; switched out.

Baxter: Does the balance of the train wait there?

Denham: No, sir; the balance of the train is in Savannah a couple of hours. It is almost impossible to load the cars properly, and if we happen to have a car loaded with mixed shipments, it is unloaded so that the train would not have to stop except to set off a car.

Baxter: Who unloads those cars intended for the Ocean Steamship Company at Savannah?

Denham: They go right down to the Ocean Steamship wharves and are transferred direct by our people into the steamship.

Baxter: Is any special force kept there on hand to wait the arrival of these trains?

Denham: Yes, sir; we keep a force on hand. We do not know exactly the time of the arrival of these trains there, and we have to hurry to do the work there in order to make the connection and we have to have on hand a big force, so that whatever is done is done quickly.

Baxter: Now, stations down here in the vegetable growing part of Florida—about what is the distance apart?

Denham: Well, you can start on the Florida Southern and start at Reddick, which is about 21 or 22 miles south of Gainesville; and a mile and a half north of Reddick we have a station called Milwood; a mile north of Milwood is Oak Lawn; a mile north of Oak Lawn is Orange Lake; then McIntosh is about a mile and a half north of that; a mile and a half north of McIntosh is Boardman; three-quarters of a mile north of Boardman is Evinston. Between Evinston and Micanopy

Junction we have two platforms. We allow them to put up a platform and we take the stuff off. We do this because they can not haul vegetables in Florida. They do not have any teams. They just put the stuff on a platform and we stop there and get it. The same is true of the Tacoma branch—a little branch eight miles long. We have ten or fifteen stations on that eight miles. Some are within a quarter of a mile of each other. We have these local trains to pick up that stuff so as to save all the expense possible and accommodate these people. Between Rochelle and Gainesville we have four or five little stops. We stop the trains at all these little places and pick up and load the vegetables. If the growers were forced to haul them to the stations they could not grow them.

Baxter: This vegetable train that you speak of, where does it start from?

Denham: It starts at Brooksville. These trains are not run on regular schedule. We abandon the schedule and run on special so as to save time and get in as quickly as possible.

Baxter: What is the time from Brooksville. You try to leave Brooksville so as to catch the steamer which sails from Savannah?

Denham: Yes, sir.

Baxter: And you give it time to pick up these vegetables along the road, and if there is any danger that the train will not make the time you send an extra?

Denham: We try to run this train from these stations so as to reach Savannah just in time to catch these sailings.

Baxter: You endeavor as far as you can in loading the vegetables along the line to so load them as to have all the vegetables intended to go by steamer in one or more cars by themselves?

Denham: At Philadelphia we have the Ocean Steamship Company for New York; we have a ship for Philadelphia; we have a ship for Baltimore; a ship for Boston; we can not even consolidate those shipments especially if the sailing times are near to each other. If we do one will be left.

Baxter: Do not those steamships all have to sail approximately about the same time on account of the tide?

Denham: Yes, sir; on sailing days. They have different sailing days. Sometimes the Ocean Steamship and the Merchants' and Miners' and the Philadelphia ships will all go on one day, and then again on different days.

Baxter: The Baltimore steamers have different wharves from the others?

Denham: Yes, sir.

Baxter: Now, in addition to these cars that have to be loaded for steamers sailing from Savannah, certain other cars have to go on running to New York?

Denham: Yes, sir.

Baxter: In loading them down here do you have regard to that fact as far as you can?

Denham: Yes, we have to; if we do not, we can not make the through schedule.

Baxter: Then, as I understand, you do not have time to fill up and make carloads of these different shipments, but have to distribute them along to make these engagements?

Denham: Yes, sir. We have different branches. This train does not run over all branches. On one little branch we have to run three cars—one for business for the Ocean Steamship, one for A. C. D. and one for the West. Must have three different cars in that train at least, and the stuff is loaded in three different cars, depending on the destination. This train comes down from Astor to the junction point at Leesburg; another train runs up to that point from Brookfield; at Leesburg these two different trains consolidate into one train out of Leesburg. Thus we have two cars in that same train for the same business.

Baxter: You do not stop to transfer the business?

Denham: No; sir; we never stop until we get to Savannah.

Baxter: Are the vegetables for the West put into separate cars?

Denham: Yes, sir; it depends upon how they are going. If they are going via Montgomery, they are set off at Dupont; if via Jasper, they are set off at Jasper; if via Tifton, they are set off at Waycross; if by the Southern, they are set off at Jesup.

Baxter: Then, there are more than two or three cars going to the West?

Denham: Yes, sir. There may be 15 or 20 cars in the train and probably not more than 10 or 15 solids in the train.

Baxter: Going by different routes?

Denham: Yes, sir; going by different routes.

Baxter: Now, with reference to the service at New York City. Is there any requirement there?

Denham: Yes, sir. For the last two years the Pennsylvania Railroad has made an arrangement by which they run these vegetables through to New York. We are compelled to get them to Jersey City before 12 o'clock at night; then they are loaded on barges and are sold in the next morning's market. A train reaching there after 12 o'clock has to stay until the next day's market.

Baxter: The market is in the early morning?

Denham: Yes, sir. We have to give them so much time in order to get it there or it will have to remain over until the next day.

Baxter: Is it sold right on the barges or is it taken out?

Denham: I understand that the hucksters come down there and the stuff is sold right on the pier.

Baxter: How long has that been in practice?

Denham: They started that last year.

Baxter: How was it done before that?

Denham: I do not know exactly how it was done. It was not given that service. It took it longer to get into the city. It might have been sold in Jersey City. Only last year we started a service in order to reach New York at that time. It has certainly been an improvement. We realize the fact that if the vegetable grower makes anything he has got to have the service and good service. It is all perishable stuff, and if it gets to the market in bad order the stuff is all perished and he gets nothing for it.

Baxter: Is there any case in which you have to put vegetable cars on passenger trains?

Denham: Yes, sir; we frequently have to put vegetable cars on passenger trains. For instance, I have known in the last two weeks at Leesburg, where the vegetables come off the lake; we run a boat on the lake; got there in the evening after the vegetable train had left there. The only way to get those vegetables to market was to put them on the fast mail train and we pulled it to Savannah.

Baxter: So that it could catch up with the other train?

Denham: Yes, sir; 12:50 the next day. Otherwise it would have had to remain there twenty-four hours.

Baxter: Something has been said about ventilated cars. What kind of cars do you move vegetables in?

Denham: Exclusively ventilated cars. In fact, the Plant System has nothing but ventilated cars in the service. The old solid box cars are not allowed to be used for anything except the phosphate business.

Baxter: Is there any extra charge made for the ventilated cars over the old fashioned solid box cars?

Denham: No, sir; they are also provided with air brakes so that we can get them into these fast trains and make the time.

Baxter: Do the ventilated cars cost the same as the old fashioned box car?

Denham: No, sir; the ventilated car costs from \$50 to \$75 more than the old solid box car.

Baxter: Does one equipped with air brakes cost any more?

Denham: A good deal more.

Baxter: How much more?

Denham: From \$50 to \$75 will cover the expense of the air brake.

Baxter: Do you use refrigerator cars, for which there is an extra charge?

Denham: Yes, sir; but the Plant System owns no such cars. That is done by the C. F. people. They have the privilege of running them on our line. They have the best refrigerator car known, that is, as far as I know of. We handle their cars and we get nothing except our regular charges. They charge the grower an addition for the refrigeration.

Baxter: It is a matter of preference with the grower whether he takes the refrigerator or the ventilated car?

Denham: We give him either he wants.

Baxter: And the Plant System gets no more out of the one than the other?

Denham: No more.

Baxter: The growers use refrigerator cars in shipping these vegetables?

Denham: They have used them in handling tomatoes and a few other vegetables, especially in winter, when there is danger of freezing.

Baxter: What do you want with a refrigerator car in winter time?

Denham: You can make it a refrigerator car if you want it by putting ice in it, but close down your ventilators and you make it a tight car and there is no danger of freezing.

Baxter: Is there any apparatus for warming it?

Denham: No, but you can make it a perfectly tight car and there is no danger of freezing in it.

Commissioner Clements: I wanted to understand what you mean by the C. F. System.

Denham: The California Refrigerator Car people have a line of refrigerators.

The Chairman: You say you get the same. You use the ventilated car and that you supply and equip your own line with it. Then do you not pay any mileage when you use the refrigerator car?

Denham: Yes, sir.

The Chairman: What mileage do you pay?

Denham: We pay them for the use of the refrigerator car

the usual mileage. We do that for the benefit of the people. It is an advantage to them.

Baxter: Will you take that map and call off the lines of railroad? I wish you would describe the Florida Southern Railroad, commencing at one terminus and naming the other.

Denham: Commence at Gainesville, where we connect with the S., F. & W.; thence run south, via Ocala, Leesburg, Fitzgerald, to Brooksville, including the branch lines to Tacoma and Citra. Also commence at Bartow, running south to Punta Gorda, known as the Florida Southern Railroad. Now, we have another branch that starts at St. John and runs to Lake Eustis; one commences at Leesburg and runs to Lane Park, on Lake Harris; and another one runs to Astor, on the St. Johns river. Now, the Sanford and St. Petersburg road commences at Sanford and runs via Trilby to St. Petersburg; and the Silver Springs, Ocala and Gulf starts at Ocala and runs via Juliette and Inverness to Pemberton; and has a branch line from Dunelton to Homosassa.

Baxter: What is the length of the Florida Southern?

Denham: The Florida Southern is 252 or 253 miles in length.

Baxter: And the Sanford and St. Petersburg?

Denham: One hundred and fifty-three miles.

Baxter: And the Silver Springs, Ocala and Gulf?

Denham: Seventy-five miles.

Baxter: And the St. Johns and Lake Eustis?

Denham: Forty-eight miles.

Commissioner Clements: You mean the mileage of the branches and all?

Denham: Yes, sir.

Baxter: That is all.

CROSS-EXAMINATION.

Abrams: In regard to this mileage you have mentioned, you have not to go over all that mileage to get to Gainesville.

Denham: Anything from the St. Johns and Lake Eustis goes to Gainesville. Anything from the Charlotte Harbor Division of the Florida Southern road and the Sanford and St. Petersburg all go up what we term the West Coast; that is a line built from Fitzgerald to High Springs.

Abrams: Now, everything from Sanford to Trilby goes to Trilby?

Denham: Not everything. It can go to Sanford or the other way. If it is the morning train, they take it to Sanford, and in the evening they take it to Trilby.

Abrams: You say this extra train has only been put on for the first time this season?

Denham: Which one?

Abrams: The freight.

Denham: No, sir; we have been running an extra train since 1889.

Abrams: I understood you to say in your direct examination that this season you put on an extra train?

Denham: Yes, sir; I have this season. Before we never made a direct connection with the Ocean Steamship. It all went on the fast train and that train did not bother about the sailing time of the ship. If it happened to hit it right it made close connection, otherwise it did not. But this season we have arranged for this sailing and have had to arrange a special train. If there are only three or four cars that train is run through to Savannah.

Abrams: Now, you said something about the proximity of platforms and sidings to each other. On what division is that?

Denham: On the Florida Southern.

Abrams: In what territory is that?

Denham: That starts at Reddick and goes to Gainesville.

Abrams: What is the distance from the Florida Southern at those points to the F. C. & P. R. R.?

Denham: It ranges, I suppose, from eight to ten miles—five or six miles.

Abrams: Now, is it not a fact that you gave those accommodations because the people threatened to haul their stuff over to the F. C. & P. if you did not?

Denham: No, sir.

Abrams: That never has been?

Denham: No, sir.

Abrams: You did it voluntarily?

Denham: Yes, sir; as an improvement in the service.

Abrams: You say they can not haul their vegetables; that it is necessary to put stations every mile or so from each other because the people can not haul any distance?

Denham: A man raising vegetables sometimes has only one horse. He can not raise vegetables to any advantage if he has to haul them to the station. We put in platforms for them. It has been our desire to accommodate them, and that is the reason we did it.

Abrams: In the territory between these two roads in the vicinity of Orange Lake you say there have been no threats made to haul freight to the F. C. & P.?

Denham: No, sir; not to me.

Abrams: How long have you been superintendent of this division?

Denham: I have been connected with it seventeen years.

Abrams: How long have you been connected with the Florida Southern on this division?

Denham: I have been road master and assistant superintendent of the Florida Southern road since 1884.

Abrams: It was from five to how many miles between the two roads?

Denham: It is from five to ten miles from the F. C. & P. to these stations up there. Those stations were always in existence. No new stations have been put in there in the last four, five or six years. North of Evinston the platforms have been put up in the last three years, but the other platforms have been there for the last eight or ten years.

Abrams: Do you not use the platforms for your own convenience?

Denham: Yes, sir; but we could do without them.

Abrams: Then it was not on account of your desire to assist the shippers?

Denham: We could force them to haul the stuff to the station.

Abrams: But that would force you to make longer stoppages in loading.

Denham: We would rather make one stop and stay ten minutes than two stops and stay fifteen.

Abrams: Is that the only portion of your line where you afford them these platforms?

Denham: On the St. Johns and Lake Eustis branch we make seventeen stops in seventeen miles—we stop at every cow path.

Abrams: Do you do it now?

Denham: Yes, sir.

Abrams: How long have you been doing it?

Denham: Ever since I have been connected with the road—since the days you were there.

Abrams: Now, can you state how many in the year the several steamers leaving Savannah leave on the same day?

Denham: I do not think they all leave on the same day a single time in the year. Each ship issues a little card giving the information to all shippers, which we distribute as much as possible.

Abrams: Is it not a fact that steamers from Savannah do not leave on the same day? That is, do not the Merchants' and Miners' leave on different days from the Ocean Steamship?

Denham: Sometimes there are two or three ships out of there the same day.

Abrams: How many times in the year does that happen?

Denham: I have never calculated. It has happened two or three times in the last three weeks.

Abrams: What caused that?

Denham: One thing is the tide, and they happened to go on the same sailing days.

Abrams: Is not that exceptional?

Denham: It is not exceptional.

Abrams: Have you a schedule of that? Do they not arrange their schedule so as not to leave on the same day?

Denham: No, sir; I do not see any reason why they should. The Philadelphia market has nothing to do with the New York market; there is no competition with each other in the world.

Abrams: You say that these ventilated cars that you have now cost from \$50 to \$75 more than the box-cars.

Mr. Denham: Yes, sir.

Abrams: Do they cost that much now more than the old box car did in 1886?

Denham: I do not know whether they do or not.

Abrams: You mean they cost \$50 or \$75 more now than the old box car costs now?

Denham: No, I mean "then."

Abrams: They cost from \$50 to \$75 more than the old box car cost in 1886?

Denham: Yes, sir.

Abrams: Are you sure of that?

Denham: I know about what they were worth then and I know what we buy them for now.

Abrams: Did you not have a great many ventilated cars in 1886?

Denham: I suppose we had about one-third as many then as now. It used to be a very difficult problem to furnish ventilated cars for the vegetable movement, and at that time none were provided with air-brakes.

Abrams: Do the refrigerator cars get the ordinary rate?

Denham: Yes, sir; we pay mileage on the car, and, therefore, get less.

Abrams: You pay the mileage?

Denham: We pay the owner of the car the mileage and he gets the benefit of all the refrigeration. We have also got the trouble of stopping that car at certain junction points and having it iced.

The Chairman: You haul a great deal more dead weight and render some service to those people that you do not render as to the other cars?

Denham: Yes, sir; they have to be looked after and properly iced.

Abrams: These refrigerator people attend to the cars themselves?

Denham: They are required to do so so far as putting the ice in them is concerned, but at the junction points we have to see that the cars are looked after and that the waste pipes are kept open?

Abrams: And you have got to see that the ventilators are kept open?

Denham: Yes, sir; but the ventilators on a common car and a refrigerator car are very different. The ice in there causes a great deal more trouble to attend to the ventilators.

Abrams: What is the difference in the cost of operation now over what it was in 1886?

Denham: There is no practical difference.

Abrams: You pay the same money to the men?

Denham: Pay some men more; track labor we pay a little less.

Abrams: Pay local agents more?

Denham: Yes, sir.

Abrams: All of them?

Denham: That depends on the business; some more and some less.

Abrams: You say some more and some less?

Denham: That is regulated according to business.

Abrams: What proportion do you pay more?

Denham: At certain stations where the business has increased. I do not suppose we have made any difference except in half a dozen men's salaries on the Florida Southern road.

Abrams: Are not a large majority of your stations simply commission stations?

Denham: Well, I suppose maybe a half dozen are commission stations; balance are pay stations.

Abrams: On your entire road?

Denham: You spoke of the Florida Southern I suppose?

Abrams: How is it on your entire line from Gainesville south?

Denham: I suppose there are 600 or 700 miles of road. I suppose on the Florida Southern there are some five or six commission agents; on the St. Johns and Lake Eustis we

have only one; on the Silver Springs, Ocala and Gulf we have not a commission agent on the St. Petersburg road we probably have four commissions, the balance all pay; on the S., F. & W. part of the system we probably have half a dozen commission men.

Abrams: Have you not a great many flag stations?

Denham: Yes, sir.

Abrams: You have no agents there.

Denham: No.

Abrams: You just receive the stuff and they take receipts for it?

Denham: Yes, sir. We do not pretend to maintain agents every half mile. We pay more station service than is done on roads that do double the business.

Abrams: Now, at Jacksonville, do you arrange your schedule of trains there so as to consolidate the freight?

Denham: Before the Florida Southern was a standard gauge road we consolidated there and the schedules were based then from Gainesville to New York on 25 miles an hour. The Florida Southern road is now able to make much better time because the same stuff that used to leave Gainesville in 1886 at 2 P. M., in 1890 and 1893 left at about 12:30, and last year it left at 10:30; this year we get it at 4, 5 and 6 o'clock—from 12 to 14 hours ahead.

Abrams: At what time does your train reach Gainesville?

Denham: The schedule calls for about 11:30, but we no longer follow that schedule, but run extra so as to make all the time possible. Sometimes it is 5 o'clock in the evening and sometimes 8 o'clock.

Abrams: How long after it reaches Gainesville does the train north leave?

Denham: Immediately. All that we do is to cut the engine out and put another engine on.

Abrams: Does this train stop at Savannah so that you can consolidate?

Denham: We have a couple of hours at Savannah and we do just as much consolidation as possible.

Abrams: You seek to consolidate the freight?

Denham: Yes, sir. We do just as much as possible. It ought to be done down below so that we would not have to carry so many cars to Savannah.

Abrams: You take the time at Savannah?

Denham: We have only two hours there, and we can not consolidate 25 or 30 cars in two hours' time.

Abrams: Well, you control the initial shipments from Florida. Could you not fix your schedule so as to find time at Gainesville, for instance, to consolidate?

Denham: It certainly would be to the interest of the railroad company to do that, but not to the shipper?

Abrams: Why?

Denham: Because it would take that much more time on the schedule.

Abrams: The shipper is supposed to ship his produce once a day or twice a day?

Denham: Yes, sir.

Abrams: Would it make any difference to him if you arranged it so that the train could be consolidated at Gainesville, and if so, why would it make any difference?

Denham: Suppose a ship sails from Savannah at 7 A. M. Now, in order to get that ship the next morning at 7 A. M., I have got to leave Gainesville at 5 P. M.

Abrams: You arrange the leaving in accordance with the sailing of the ship?

Denham: Yes, sir.

Abrams: Why can not you vary the time along the line?

Denham: I want to leave Gainesville at 5 P. M. At what time must I leave Brooksville?

Abrams: Couldn't you arrange your schedules so as to give you time at Gainesville?

Denham: To leave Brooksville at 12 o'clock at night would not be an advantage down there.

Abrams: The growers along the lines have to make delivery to the train at different times?

Denham: Yes, sir.

Abrams: Some of them have to ship at midnight.

Denham: We try and run a train as conveniently as possible for them, so that the vegetables can be picked up in the evening which saves 12 hours' delay. That is what we endeavor to do. We endeavor to accommodate the people by getting to all the territory late in the evening. That allows everything to be picked up. If you run regardless of that then frequently a good deal of stuff would have to lie over 12 hours.

Abrams: Then the schedule depends upon the sailing of the ship?

Denham: Yes, sir.

Abrams: And you can not arrange the schedule to find time for consolidating at Gainesville?

Denham: No, sir; not without delay.

duBignon: You spoke about this road having been changed from a narrow gauge to a broad gauge?

Denham: Yes, sir.

duBignon: When was that done?

Denham: In July, 1896.

duBignon: What was the service before that on the narrow gauge?

Denham: It was much slower.

duBignon: How did you make the transfer when there was a narrow gauge?

Denham: The cars had to go over to the hoist and be transferred there—change the trucks.

The Chairman: Is there anything further with this witness?

Ayer: Do you know in regard to the vegetable express whether we paid 10 cents more to ship by express sometimes? That I understand is not the regular Southern Express or the Adams Express.

Denham: We have no express. The only express company is the Southern Express.

Ayer: But that vegetable express was different from that. There were three or four kinds of express. In this we had to pay only 10 cents higher than the regular rate.

Denham: The only thing that I know anything about is the Southern Express Company.

Ayer: What is that steamer express? What express is it that we pay 10 cents more on?

Denham: We have a steamer express. That is, the express goes to the steamers and they take it. A great many people ship in the early season by express to the steamers. That business is handled in express cars to Savannah and turned over to the steamship company there. It goes via steamship from Savannah to New York. That is cheaper than the all-rail express.

Ayer: Is that 10 cents more?

Denham: I do not know.

Ayer: We pay 10 cents more to ship by this express I speak of.

Denham: That is probably the steamer express. There are two expresses—the steamer express and the all-rail express. Probably you use the first. I know it is done by a great many shippers—they ship via the Ocean Steamship—express to Savannah. They do that to get the movement by passenger trains to Savannah, and the express company takes charge of it there and transfers it to the ship.

Ayer: What advantage is that over the vegetable train that you were describing at first, telling how it made connections and how it transferred at Savannah and all at?

Denham: The only advantage is that in the early part of the season we can not afford to run this train because there are only a few packages to ship. When the business has increased we put the train on. In the early part of the season the people ship via steamship and express. That must be what you refer to.

Ayer: Then it goes in the regular channel after that?

Denham: When the express company takes it to Savannah they turn it over to the steamship just as though it were to be delivered to a private party.

Ayer: I understand then that in the early part of the season if we ship by freight we won't make connection with that steamship, and the only way is to pay the ten cents more?

Denham: We have a fast train, but it is not as fast a train as the express people have, as they move all their stuff by passenger trains entirely.

Ayer: So that later in the season there is no advantage in shipping that way?

Denham: Some people say there is, and some of our growers ship their entire output by express.

duBignon: You do not mean that the Ocean Steamship Company runs an express company—you speak of the general express company?

Denham: Yes, sir; they pay a little higher that way.

duBignon: That is carried exclusively on passenger trains?

Denham: Exclusively—just like any other express; they turn it over to the Ocean Steamship Company just as they would to anybody else.

Abrams: The express company does not cover the Ocean Steamship Company?

Denham: They do not run an express on the Ocean Steamship's Company's steamers.

Abrams: Is it not a fact that the express company claims to have a monopoly of the business over the steamship company?

Denham: If it has it is information for me.

Abrams: Then the inducement held out by the agents of the express company to ship by express because stuff is not likely to be delayed is of no real value?

Denham: I never heard of it.

The Chairman: There is a good deal of this detail that does not give us much information.

Abrams: If you are running special trains to meet this steamship connection, why is it that the express company's agents seek to offer the inducement that it is a certain connection with the steamship companies?

Denham: I tell you, right now, you are behind the times. That express company don't handle the business now. In the early part of the season they do handle it, but they do not now.

Abrams: When did you do it other than in the late part of the season? When did you first do it?

Denham: The first season we started this quick service has been this.

Abrams: Did you establish this before this complaint was entered before this commission?

Denham: We have been doing it right along this season.

Abrams: In what month did you start it?

Denham: We first started it in the month of January. After the freeze came we cut out the service, and put it on again about a month ago.

Abrams: What freeze? The February freeze?

Denham: Yes, sir; I had a special engine and crew at Gainesville for the service.

The Chairman: You get a letter sometimes from the postoffice with a delivery stamp on it?

Denham: Yes, sir.

The Chairman: It goes in the same mail with the other one?

Denham: Yes, sir.

The Chairman. But the special delivery stamp brings it to me, while in the other case I have to get it?

Denham: Yes, sir.

Baxter: We will now call Mr. Morel.

The Chairman: Are you going to argue this case or do you desire to file a brief?

Mr. King: I would rather file a brief.

Mr. Howell: I suggest that we take two weeks after the testimony is written out.

Mr. King: That will be satisfactory.

The Chairman: Then there is nothing farther to do with this case. We will now take up the other case concerning the Florida business.

In the case entitled "In the matter of the Seaboard and Roanoke Railroad Company and other railroad companies, comprising the Seaboard Air Line, against the Central of Georgia Railway company et al." it was agreed by counsel to submit the same on the papers already filed, fifteen days being allowed for the filing of a brief by the Seaboard Air Line and fifteen days thereafter for the defendants.

In this case the following counsel appeared:

A. C. King, for Seaboard Air Line;

F. G. duBignon, for Brunswick and Western and Savannah, Florida and Western Railways;

John L. Hardeman, for Georgia Southern and Florida Railway Company;

T. M. Cunningham, Jr., for the Central of Georgia Railway Company.

Mr. Phipps called up—

House Bill No. 368:

A bill to be entitled an act for the division of DeSoto county, and the creation of a new county from a portion of the same.

And House Bill No. 368 was read a second time in full.

Mr. Carson moved that House Bill No. 368 remain on second reading, and be made a special order for 8 o'clock Thursday evening;

Which was agreed to.

Mr. Bailey called up—

House Bill No. 150:

A bill to be entitled an act to amend an act entitled an act to amend section 568 and 570 of the Revised Statutes of the

State of Florida, concerning annuities for disabled soldiers and sailors of the State of Florida, approved June 2, 1893.

And House Bill No. 150 was read a second time in full, together with committee amendments.

Mr. Wadsworth moved the adoption of the committee amendments;

Which was agreed to.

Mr. Palmer of 11th offered the following amendment to House Bill No. 150:

In line 20, section 1, strike out the figures "1890," and substitute therefor the figures and words "1880, and who has so continued ever since."

Mr. Palmer of 11th moved the adoption of the amendment;

Which was agreed to.

Mr. Palmer of 11th offered the following amendment to House Bill No. 150:

In line 69, section 1, strike out the word "practically," and substitute therefor the word "totally."

Mr. Palmer of 11th moved the adoption of the amendment.

The yeas and nays were demanded.

Upon call of the roll, the vote was:

Yeas—Mr. Palmer of 11th—1.

Nays—Mr. President, Messrs. Adams,⁷ Bailey, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Dimick, Dougherty, Gaillard, Hartridge, Hendley, Myers, McLin, Palmer of 14th, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—26.

So the amendments was not agreed to.

Pending further consideration of the bill—

Mr. Adams, moved that the Senate do now take a recess until 4:00 this afternoon;

Which was agreed to.

Thereupon the Senate stood adjourned until 4:00 o'clock this afternoon.

AFTERNOON SESSION.

4:00 o'clock.

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, Bailey, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Chipley, Clark, Crosby, Daniel, Dimick, Dougherty, Gaillard, Hartridge, Hendley, Hooker, Myers, McLin, Palmer of 11th, Palmer of 14th, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—27.

A quorum present.

By permission—

Mr. Myers introduced:

Senate Bill No. 303:

A bill to be entitled an act to provide a hospital and ambulance corps for the Florida State Troops, to create certain additional staff officers, and to provide for inspection and other duties by members of the staff;

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

By permission—

Mr. Hooker, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to amend sections 865 and 866 of the Revised Statutes of Florida, regulating the granting of permits to sell liquors, wines and beer.

Also,

An act to prohibit fishing in the waters of Lake Worth and its tributaries.

Also,

An act to make it unlawful for live stock to run at large in Dade county, Florida, and to provide for the impounding and sale of stock so running at large.

Beg leave to report that the same has been delivered to the Governor for his approval.

Very respectfully,

J. N. HOOKER,

Chairman Joint Committee on Enrolled Bills.

By permission—
Mr. Hooker, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Joint Committee on Enrolled Bills, to whom was referred—

An act to incorporate the town of Williston, in the county of Levy.

Also,

An act to incorporate and establish a municipal government for the town of Milton, in Santa Rosa county, Florida, provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said town.

Beg leave to report that the same has been delivered to the Governor for his approval.

Very respectfully,

J. N. HOOKER,

Chairman Joint Committee on Enrolled Bills.

Mr. Palmer of 11th offered the following amendment to House Bill No. 150:

In line 90, section 1, after the word "applicable," add the words "Provided, That such widow was a bona fide resident of this State on the 1st day of January, 1880, and has so continued ever since."

Mr. Palmer of 11th moved the adoption of the amendment; Which was agreed to.

The Senate resumed consideration of—
House Bill No. 150:

A bill to be entitled an act to amend an act antitiled an act to amend section 568 and 570 of the Revised Statutes of the State of Florida, concerning annuities for disabled soldiers and sailors of the State of Florida, approved June 2, 1893,

Pending at adjournment.

And House Bill No. 150, as amended, was placed on calendar of bills on third reading.

The following was sent to the Secretary's desk by Mr. Chipley, and read and ordered spread upon the Journal:

PETITION TO THE SENATE OF THE STATE OF FLORIDA, NOW IN
SESSION.

We, the undersigned petitioners and ex-Confederate soldiers and members of the House of Representatives of the State of Florida, from their several counties, have framed a bill for the relief of our old, poor and indigent comrades, their widows and orphans, which bill is now before the Senate, and we, as a body, ask your honorable body to deal gently with said bill and pass it, believing it will prove a blessing to the worthy ones, and be a general benefit to them and their families and descendants.

We believe further, that the honest tax payers of our State will heartily indorse it. All of which we humbly ask and will ever pray.

[Signed]

W. D. BALLENTINE, Chairman.
 WM. S. THAYER, Secretary.
 J C PELOT, Manatee county;
 J A COX, Polk county;
 J L MORGAN, Hamilton county;
 R A HARDEE, Brevard county;
 B C CHAIRES, Leon county;
 S E RICE, Franklin county;
 J W BURNSIED, Baker county;
 JAMES RAWLS, Jackson county;
 WILLIAM K HYER, Escambia county;
 ALFRED AYER, Marion county;
 B F WHITNER, Orange county;
 O W STREET, Volusia county;
 F A HENDLEY, Lee county;
 JOHN G ELLIS, Santa Rosa county;
 M W LINTON, Madison county;
 N E BLANTON, Madison county;
 MORTIMER BATES, Gadsden county;
 T R CANTY, Gadsden county;
 WM F BYNUM, Clerk;
 J N PEDRICK, Pasco county;
 S M ROBERTSON, Washington county;
 FRANCIS A WOLFF, Polk county;
 S J BUNCH, Columbia county.
 THOMAS SPENCER, Calhoun county;
 J L YOUNG, Hillsborough county.

A message was received from the Governor.

Mr. Reeves moved that the rules be waived, and he be allowed to call up Senate Bill No. 121, now on its third reading;

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 121:

A bill to be entitled an act to create a board of trustees for the State Normal School for whites at DeFuniak Springs, and to prescribe their duties and powers,

Was taken up and read the third time and put upon its passage.

And Senate Bill No. 121 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Barber, Bynum, Chipley, Daniel, Dimick, Dougherty, Gaillard, Hartridge, Hendley, Hooker, Palmer of 11th, Phipps, Reeves and Wadsworth—15.

Nays—Messrs. Adams, Bailey, Blich of 20th, Blich of 21st, Broome, Carson, Crosby, Darby, McLin, Palmer of 14th, Roberts, Thomas and Williams—13.

So Senate Bill No. 121, passed, title as stated.

The following communication from the Governor was ordered spread upon the Journal.

STATE OF FLORIDA, EXECUTIVE OFFICE, }
TALLAHASSEE, FLA., JUNE 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—I have the honor to inform the Senate that I have to-day signed the following bills which originated in that body, to-wit:

An act to make it unlawful for live stock to run at large in Dade county, Florida, and to provide for imponnding and sale of stock running at large.

Also,

An act to incorporate the town of Williston, in the county of Levy.

Also,

An act to incorporate and establish a municipal government for the town of Milton, in Santa Rosa county, Florida, provide for its government, prescribe its jurisdiction and powers, and to abolish the present corporation of said town.

Also,

An act to amend sections 865 and 866 of the Revised

Statutes of Florida, regulating the granting of permits to sell liquors, wines or beer.

And have filed the same with the Secretary of State.

Respectfully,

W. D. BLOXHAM,

Governor.

Also the following:

STATE OF FLORIDA, EXECUTIVE DEPARTMENT, }
TALLAHASSEE, June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—I have the honor to inform the Senate that I have to-day signed the following bills which originated in that body to-wit:

An act enlarging and extending the rights, powers and privileges of the Tropical Building and Investment Company of Key West, Florida, and granting to it banking privileges.

Also,

An act to amend section 1742 of the Revised Statutes of the State of Florida, relating to the acquisition of liens by persons in privity with the owner, and to amend section 1743 of the Revised Statutes of the State of Florida, relating to the acquisition of liens by persons not in privity with the owner, and to amend section 1744 of the Revised Statutes of the State of Florida, relating to the remedies of lienors against either real or personal property.

And have filed the same with the Secretary of State:

Very respectfully,

W. D. BLOXHAM,

Governor.

The following communication was read:

KEY WEST, FLA., May 30, 1897.

To the Honorable President, and the Members of the Senate of the State of Florida:

GENTLEMEN—When an evil exists, which involves the health, as well as the welfare and prosperity of the State, and it is impossible to reach it in any other way, I deem it eminently proper, to lay the matter before your Honorable

Body, in order that you, in your wisdom, may devise some means of checking and stamping out such evil.

The State of Florida from its proximity to the Bahama Islands, and the Island of Cuba, where leprosy exists galore, is in great danger from the introduction of this most horrible of all existing diseases. I have known of its existence in four of our principal cities, and we have one now dying here, who for years has been secluded, and kept at the expense of his brother, who is barely able to feed and clothe his own family. I have at different times, in past years, called the attention of the State Board of Health to this matter, and whilst it realizes its responsibility and importance, it claims that it has had legal advice, and that under the defective laws of the State, the State Board of Health has no jurisdiction over leprosy, which you all know, is far more horrible than yellow fever, cholera, small-pox, and all other known diseases, and is at the same time, absolutely incurable.

I sent a bill to some of the members of the House, as well as to members of your honorable body—which simply declares leprosy to be a contagious disease, which it is, and provides that the State Board of Health shall take charge of all cases reported to it, and provide for the sustenance and treatment of the same.

There is still time to enact this much needed legislation by introducing such bill into both houses. The matter is before you; I believe you will do your duty.

Respectfully yours,

J. V. HARRIS, M. D.

Mr. Palmer of 11th moved that it be spread upon the Journal;

Which was agreed to.

By permission—

Mr. Dougherty introduced:

Senate Bill No. 304:

A bill to be entitled an act to provide for the levy of a tax of 2 mills, the proceeds thereof to be devoted to the payment of pensions;

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

Mr. Bailey moved that the rules be waived, and he be allowed to call up House Bill No. 150, now on its third reading;

Which was agreed to by a two-thirds vote.

And,

House Bill No. 150:

A bill to be entitled an act to amend an act entitled an

act to amend sections 568 and 570 of the Revised Statutes of the State of Florida, concerning annuities for disabled soldiers and sailors of the State of Florida, approved June 2, 1893.

And House Bill No. 150, as amended, was taken up and read the third time in full and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Chipley, Clark, Crosby, Daniel, Dimick, Dougherty, Gaillard, Hartridge, Hendley, Hooker, McLin Palmer of 11th, Palmer of 14th, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—27.

Nays—None.

So House Bill No. 150 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Blich of 20th called up—

House Bill No. 189:

A bill to be entitled an act granting to the Meadow Land Improvement Company, a corporation organized and existing under the general laws of the State of Florida, a grant of land and other privileges to aid in the construction of the said company's canal and other works of internal improvement.

And House Bill No. 189, as amended by the Senate, was read the third time in full and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Messrs. Bailey, Barber, Blich of 20th, Blich of 21st, Bynum, Clark, Crosby, Daniel, Dimick, Gaillard, Hartridge, Hooker, McLin, Palmer of 11th, Phipps, Reeves and Roberts—17.

Nays—Messrs. Adams, Broome, Chipley, Dougherty, Hendley, Palmer of 14th and Thomas—8.

So House Bill No. 189 as amended passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Perrenot was excused from voting.

Mr. Broome called up—

House Bill No. 64:

A bill to be entitled an act to prohibit the taking or receiving money on deposit by any bank after the insolvency of said bank, and providing punishment for the same,

And House Bill No. 64 was read a third time in full and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Messrs. Bailey, Blich of 20th, Blich of 21st, Broome, Clark, Darby, Dougherty, Hendley, McLin, Palmer of 14th, Roberts, Thomas and Williams—13.

Nays—Mr. President, Messrs. Adams, Bynum, Carson, Chipley, Crosby, Daniel, Dimick, Gaillard, Hartridge, Hooker, Myers, Reeves and Wadsworth—14.

So House Bill No. 64 failed to pass.

By permission—

Mr. Williams, Acting Chairman of the Committee on Finance and Taxation, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Finance and Taxation, to whom was referred—

House Bill No. 262:

A bill to be entitled an act to empower cities and towns to assess omitted lands, and lands illegally sold for taxes.

Have carefully examined the same, and find that the title is defective in that the words "A bill to be entitled," is omitted, and recommend that the title be amended by the prefixing of the words "A bill to be entitled" before the word "an" in the title of the bill.

And as thus amended recommend that the same do pass.

Very respectfully,

AUTHUR T. WILLIAMS,

Acting Chairman Committee on Finance and Taxation.

And House Bill No. 262, contained in the above report, together with the amendments offered by the committee, was placed on the calendar of bills on second reading.

Mr. Bynum called up—

Senate Bill No. 131:

A bill to be entitled an act to amend section 1 of "an act in relation to the prosecution by the State of violation of prohibition regulations," approved April 25, 1895.

And Senate Bill No. 131 was read a third time in full and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blitch of 20th, Blitch of 21st, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Dimick, Dougherty, Gaillard, Hartridge, Hendley, Hooker, Myers, McLin, Palmer of 14th, Reeves, Roberts, Thomas, Wadsworth and Williams—24.

Nays—None.

So Senate Bill No. 131 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Carson called up—

Senate Joint Resolution No. 143:

Senate Joint Resolution proposing an amendment to section one (1) of article ten (10) of the Constitution of the State of Florida, relating to homestead exemptions.

And Senate Joint Resolution No. 143 was read a third time in full and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blitch of 20th, Blitch of 21st, Broome, Carson, Chipley, Clark, Crosby, Daniel, Dougherty, Gaillard, Hartridge, Hooker, McLin, Palmer of 11th, Palmer of 14th, Phipps, Roberts, Wadsworth and Williams—21.

Nays—None

So Senate Joint Resolution No. 143, having received three-fifths of the votes of all the members elected to the Senate, passed, title as stated.

Mr. Wadsworth, Chairman of the Committee on Corporations, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., JUNE 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Corporations, to whom was referred—

House Bill No. 406½:

A bill to be entitled an act to incorporate the Florida Herald Publishing Company.

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

Very respectfully,

B. D. WADSWORTH,

Chairman Committee on Corporations.

And House Bill No. 406½, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Blitch of 21st called up Senate Bill No. 298, and moved that he be allowed to substitute therefor House Bill No. 406½, and that he be allowed to withdraw Senate Bill No. 298;

Which was agreed to.

And Senate Bill No. 298 was withdrawn.

Mr. Blicht of 21st called up—

House Bill No. 406½:

A bill to be entitled an act to incorporate the Florida Herald Publishing Company.

Mr. Blicht of 21st moved that the rules be waived, and House Bill No. 406½ be read second time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 406½ was read second time by its title.

Mr. Blicht of 21st moved that the rules be waived, and House Bill No. 406½ be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 406½ was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Barber, Blicht of 20th, Blicht of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Hartridge, Hendley, McLin, Palmer of 11th, Palmer of 14th, Phipps, Roberts, Thomas, Wadsworth and Williams—24.

Nays—None.

So House Bill No. 406½ passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Chipley called up—

House Bill No. 172:

A bill to be entitled an act authorizing the Governor, Comptroller and Treasurer to deposit the public moneys in such banks as shall furnish collaterals, providing for the sale of such collaterals, and prohibiting the Treasurer from depositing any moneys in any bank without the consent of the Governor and Comptroller.

And House Bill No. 172 was read a second time in full together with amendments offered by the Committee on Finance and Taxation.

Mr. Chipley moved that the Senate non-concur in the committee amendments;

Which was agreed to,

Mr. Dougherty moved that the rules be waived, and House Bill No. 172 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 172 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Barber, Blicht of 20th, Blicht of 21st, Broome, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Dimick, Dougherty, Gaillard, Hart-

ridge, Hooker, McLin, Palmer of 11th, Palmer of 14th, Phipps, Roberts, Thomas and Williams—24.

Nays—Mr. Darby—1.

So House Bill No. 172 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Clark called up—

House Bill No. 389:

A bill to be entitled an act in relation to the boundary between the counties of Calhoun and Washington, in the State of Florida.

Mr. Clark moved that the rules be waived, and House Bill No. 389 be read second time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 389 was read second time by its title.

Mr. Clark moved that the rules be waived, and House Bill No. 389 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 389 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Barber, Blitch of 20th, Blitch of 21st, Bynum, Carson, Chipley, Clark, Crosby, Daniel, Darby, Dimick, Gaillard, Hartridge, Hooker, McLin, Palmer of 11th, Palmer of 14th, Phipps, Roberts, Thomas and Williams—23.

Nays—None.

So House Bill No. 389 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Crosby called up—

House Bill No. 201:

A bill to be entitled an act to amend section 5, chapter 4193, Laws of Florida, being an act fixing the salary and mileage of the county school boards.

And House Bill No. 201 was read second time in full.

Mr. Carson moved that the rules be waived, and that House Bill No. 201 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 201 was read the third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Barber, Blitch of 20th, Blitch of 21st, Broome, Bynum, Carson, Chipley, Crosby, Darby, Dimick, Dougherty, Gaillard, Hartridge,

Hooker, McLin, Palmer of 11th, Palmer of 14th, Phipps, Roberts and Thomas—22.

Nays—Mr. Williams—1.

So House Bill No. 201 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Crosby withdrew Senate Bill No. 226:

Mr. Dimick moved that the Senate do now take a recess until 8:00 p. m.;

Which was agreed to.

Thereupon the Senate stood adjourned until 8:00 o'clock this evening.

NIGHT SESSION.

8:00 O'CLOCK.

The Senate met pursuant to adjournment.

The President in the chair.

Upon call of the roll, the following Senators answered to their names:

Mr. President, Messrs. Adams, Bailey, Barber, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Crosby, Darby, Dimick, Dougherty, Gaillard, Hartridge, Myers, McLin, Palmer of 11th, Phipps, Reeves, Roberts, Wadsworth and Williams—23.

A quorum present.

Mr. Daniel was excused for the evening.

Mr. Hooker was excused for the evening on account of sickness.

By permission—

Mr. Gaillard introduced:

Senate Bill No. 305:

A bill to be entitled an act fixing the per diem to be paid to the expert employed by the special committee to examine the State Treasurer's office;

Which was read the first time by its title.

Mr. Gaillard moved that the rules be waived, and that Senate Bill No. 305 be read second time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 305 was read second time by its title.

Mr. Gaillard moved that the rules be waived, and Senate Bill No. 305 be read a third time and put on its passage;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 305 was read the third time in full.

Upon call of the roll, the vote was.

Yeas—Mr. President, Messrs. Adams, Bailey, Barber,

Blitch of 20th, Blitch of 21st, Bynum, Carson, Chipley, Crosby, Darby, Dimick, Dougherty, Gaillard, Hartridge, McLin, Palmer of 12th, Phipps, Roberts and Wadsworth—20.

Nays—Messrs. Broome, and Williams—2.

So Senate Bill No. 305 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr Carson offered the following resolution:

Senate Concurrent Resolution No. 23:

Whereas, Continual navigation of the lakes, canals and rivers between the town of Kissimmee, in Osceola county, and Lake Okeechobee is extremely desirable;

Resolved by the Senate, the House concurring, That the trustees of the Internal Improvement Fund are hereby authorized to investigate the possibility of such lakes, canals and rivers performing the double service of drainage and navigation, and to ascertain the best and most economical method of accomplishing such objects.

Mr. Carson moved that the rules be waived, and that the resolution be read the second time;

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 23 was read the second time.

Mr. Carson moved the adoption of the resolution;

Which was agreed to.

House Bill No. 12:

A bill to be entitled an act to give unto the Florida Central and Peninsular Railroad Company the power of eminent domain and the right to condemn property between Plant City, in Hillsborough county, Florida, and the city of Tampa, and the waters of Hillsborough river and Hillsborough bay, in said county and State.

Was taken up and read the third time in full, and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Barber, Blitch of 20th, Blitch of 21st, Broome, Bynum, Carson, Chipley, Darby, Dimick, Gaillard, Hartridge, Myers, McLin, Palmer of 11th, Phipps, Roberts, Thomas, Wadsworth and Williams—20.

Nays—Mr. Crosby—1.

So House Bill No. 12 passed, title as stated.

By permission—
Mr. Wardsworth, Chairman of the Committee on Militia,
submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

Hon. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Militia, to whom was referred—
Senate Bill No. 303:

A bill to be entitled an act to provide a hospital and ambulance corps for the Florida State troops, to create certain additional staff officers, and to provide for inspection and other duty by members of the staff.

Beg leave to report that they have examined the same, and recommend that it do pass.

Very respectfully,

B. D. WADSWORTH,

Chairman Committee on Militia.

And Senate Bill No. 303, contained in the above report, was placed on the calendar of bills on second reading.

Mr. McLin moved that he be allowed to substitute House Bill No. 305 for Senate Bill No. 231 on the calendar;

Which was agreed to.

And,

House Bill No. 305:

A bill to be entitled 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, being an act to incorporate the city of Bartow and to abolish the present incorporation of said city,

Was taken up and read the third time in full, and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blich of 20th, Blich of 21st, Broome, Chipley, Crosby, Darby, Dimick, Dougherty, Gaillard, Hartridge, McLin, Palmer of 11th, Phipps, Roberts, Wadsworth and Williams—18.

Nays—None.

So House Bill No. 305 passed, title as stated.

By permission—
Mr. Myers, Chairman of the Committee on Judiciary, submitted the following report:

SENATE CHAMBER, }
TALLAHASSEE, FLA., June 2, 1897. }

HON. CHAS. J. PERRENOT,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—

House Bill No. 341:

A bill to be entitled an act for the relief of Samuel Reynolds, a fish commissioner of the State of Florida.

Beg leave to report that they have carefully considered the same, and herewith return it without recommendation.

Very respectfully,

FRED T. MYERS,

Chairman Judiciary Committee.

And House Bill No. 341, contained in the above report, was placed on the calendar of bills on second reading.

House Bill No. 301:

A bill to be entitled an act to incorporate the Alafia, Manatee and Gulf Coast Railroad Company,

Was taken up and read the third time in full, and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr President, Blich of 20th, Blich of 21st, Broome, Carson, Chipley, Darby, Dimick, Gaillard, Hartridge, Myers, McLin, Palmer of 11th, Phipps, Roberts, Wadsworth and Williams—17.

Nays—None.

So House Bill No. 301 passed, title as stated.

Mr. Myers moved that he be allowed to substitute House Bill No. 341 for Senate Bill No. 244 on the calendar;

Which was agreed to.

Mr. Darby withdrew Senate Bill No. 244.

House Bill No. 341:

A bill to be entitled an act for the relief of Samuel J. Reynolds, a fish commissioner of the State of Florida.

Was taken up.

Mr. Darby moved that the rules be waived, and House Bill No. 341 be read second time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 341 was read the second time by its title.

Mr. Darby moved that the rules be waived and House Bill No. 341 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 341 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Blicht of 20th, Blicht of 21st, Broome, Carson, Chipley, Crosby, Darby, Dimick, Dougherty, Gaillard, Hartridge, Myers, McLin, Palmer of 11th, Phipps, Roberts, Wadsworth and Williams—21.

Nays—None.

So House Bill No. 341 passed, title as stated.

And was ordered certified to the House of Representatives.

House Bill No. 321:

A bill to be entitled an act to amend section 10 of an act entitled an act to keep in repair all public roads and bridges and to open new roads in the county of Orange, State of Florida, approved June 5, 1891, so as to authorize said county to levy a special tax for road improvement,

Was taken up and read the third time in full, and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Blicht of 20th, Blicht of 21st, Broome, Carson, Chipley, Clark, Darby, Dimick, Dougherty, Gaillard, Hartridge, Myers, McLin, Palmer of 11th, Palmer of 14th, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—24.

Nays—None.

So House Bill No. 321 passed, title as stated.

Senate Memorial No. 257:

A memorial to the Congress of the United States asking an appropriation for opening Jupiter Inlet,

Was taken up and read the third time in full, and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Blicht of 20th, Broome, Carson, Chipley, Clark, Darby, Dimick, Dougherty, Gaillard, Hartridge, Myers, McLin, Palmer of 14th, Phipps, Reeves, Roberts, Wadsworth and Williams—21.

Nays—Mr. Blicht of 21st—1.

So Senate Memorial No. 257 passed, title as stated.

Mr. Dougherty moved that the rules be waived, and he be allowed to call up Senate Bill No. 279;

Which was agreed to by a two-thirds vote.

Mr. Dougherty called up—

Senate Bill No. 279:

A bill to be entitled an act to appropriate fifteen hundred dollars for the erection of a monument to the Confederate soldiers on the battle field of Olustee, in this State.

Mr. Dougherty moved that the rules be waived, and Senate Bill No. 279 be read second time by its title;

Which was agreed to by a two-thirds vote.

And Senate Bill 279 was read second time by its title.

Mr. Dougherty moved that the rules be waived, and Senate Bill No. 279 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And Senate Bill No. 279 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Blitch of 21st, Broome, Carson, Chipley, Darby, Dimick, Dougherty, Gaillard, Hartridge, McLin, Palmer of 11th, Phipps, Roberts, Thomas, Wadsworth and Williams—19.

Nays—Mr. Blitch of 20th—1.

So Senate Bill No. 279 passed, title as stated.

And was ordered certified to the House of Representatives.

Senate Bill No. 233:

A bill to be entitled an act authorizing the county commissioners of Polk county to call an election to vote a special road tax for roads in the several road districts of said county, and providing how the revenue shall be expended,

Was taken up and read the third time in full, and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Blitch of 20th, Blitch of 21st, Broome, Carson, Chipley, Darby, Dougherty, Gaillard, Hartridge, Myers, McLin, Phipps, Reeves, Roberts, Thomas, Wadsworth and Williams—20.

Nays—None.

So Senate Bill No. 233 passed, title as stated.

Senate Bill No. 232:

A bill to be entitled an act to change the name of Hillsborough river in Volusia county to Indian river north,

Was taken up and read the third time in full, and put upon its passage.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Blitch of 20th, Blitch of 21st, Broome, Bynum, Chipley, Clark, Dimick, Dougherty, Gaillard, Hartridge, Myers, McLin, Palmer

of 11th, Palmer of 14th, Phipps, Reaves, Roberts, Thomas, Wadsworth and Williams—23.

Nays—None.

So Senate Bill No. 232 passed, title as stated.

Mr. Palmer of 11th moved that the rules be waived, and he be allowed to call up House Bill No. 179, now on its second reading;

Which was agreed to by a two-thirds vote.

And,

House Bill No. 179:

A bill to be entitled an act for the benefit of creditors of insolvent traders.

Mr. Palmer of 11th moved that the rules be waived, and House Bill No. 179 be read second time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 179 was read the second time by its title.

Mr. Palmer of 11th moved that the rules be waived, and House Bill No. 179 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 179 was read a third time in full.

Pending which—

Mr. Palmer of 11th moved that House Bill No. 179 be made a special order for 10:30 o'clock to-morrow;

Which was agreed to.

Mr. Blich of 20th moved that he be allowed to substitute House Bill No. 218 for Senate bill No. 200 on the calendar;

Which was agreed to.

House Bill No. 218:

A bill to be entitled an act to empower companies whose capital shall not exceed \$10,000 to incorporate at small expense,

Was taken up.

Mr. Blich of 20th moved that the rules be waived, and House Bill No. 218 be read the second time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 218 was read second time by its title.

Mr. Blich of 20th moved that the rules be waived, and House Bill No. 218 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 218 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Messrs. Bailey, Blich of 20th, Blich of 21st, Broome, Darby, Palmer of 14th and Thomas—7.

Nays—Mr. President, Messrs. Fynum, Carson, Chipley,

Dimick, Dougherty, Gaillard, Hartridge, Myers, McLin, Palmer of 11th, Phipps, Reeves, Roberts, and Williams—15.

So House Bill No. 218 failed to pass.

Mr. Palmer of 11th asked permission to withdraw Senate Bill No. 120;

Which was granted.

And Senate Bill No. 120 was withdrawn.

House Bill No. 88:

A bill to be entitled an act for the relief of John W. Dyches, ex-treasurer of Lake county,

Was taken up and read the third time in full, and put upon upon its passage:

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blich of 21st, Broome, Bynum, Carson, Chipley, Darby, Dimick, Dougherty, Gaillard, Hartridge, Myers, McLin, Palmer of 14th, Phipps, Reeves, Roberts, Thomas and Williams—20.

Nays—None.

So House Bill No. 88 passed, title as stated.

Mr. Palmer of 11th was excused from voting.

Mr. Chipley moved that the rules be waived, and he be allowed to call up House Joint Resolution No. 71, now on its second reading;

Which was agreed to by a two-thirds vote.

And,

House Joint Resolution No. 71:

Relative to an additional appropriation for the improvement of the Apalachicola river and the lower Chipola river,

Was taken up.

Mr. Chipley moved that the rules be waived, and that House Joint Resolution No. 71 be read second time by its title;

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 71 was read the second time by its title.

Mr. Chipley moved that the rules be waived, and House Joint Resolution No. 71 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 71 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blich of 20th, Blich of 21st, Broome, Bynum, Carson, Chipley, Clark, Darby, Dimick, Dougherty, Gaillard, Hartridge, Myers, McLin, Palmer of 11th, Palmer of 14th, Phipps, Reeves, Roberts, Thomas and Williams—23.

Nays—None.

So House Joint Resolution No. 71 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Darby moved that he be allowed to substitute House Bill No. 246 for Senate Bill No. 139 on the calendar;

Which was agreed to.

House Bill No. 246:

A bill to be entitled an act to enable cities and towns to manufacture and distribute gas and electricity, and to construct, purchase, lease or establish and maintain within its limits one or more plants for the manufacture or distribution of gas or electricity for furnishing light for municipal use, and for the use of such of its inhabitants as may require and pay for the same as herein provided,

Was taken up.

Mr. Barber moved that the rules be waived, and House Bill No. 246 be read second time by its title;

Which was agreed to by a two-thirds vote.

And House Bill No. 246 was read second time by its title.

Mr. Darby moved that the rules be waived, and House Bill No. 246 be read a third time and put upon its passage;

Which was agreed to by a two-thirds vote.

And House Bill No. 246 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Messrs. Adams, Bailey, Blicht of 20th, Blicht of 21st, Broome, Bynum, Carson, Chipley, Clark, Darby, Dimick, Gaillard, Hartridge, McLin, Palmer of 11th, Palmer of 14th, Reeves, Roberts, Thomas and Williams—20.

Nays—Mr. Dougherty—1.

So Senate Bill No. 246 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Darby was allowed to withdraw Senate Bill No. 139.

Mr. Thomas, moved that the rules be waived, and he be allowed to call up House Bill No. 147, now on its second reading;

Which was agreed to by a two-thirds vote.

And,

House Bill No. 147:

A bill to be entitled act for the relief of James M. Driver and Wm. H. Bigham,

Was taken up.

Mr. Thomas moved that the rules be waived, and House Bill No. 147 be read a second time by its title;

Which was agreed to by a two thirds vote.

And House Bill No. 147 was read a second time by its title.

Mr. Thomas moved that the rules be waived, and House Bill No. 147 be read a third time and put upon its passage; Which was agreed to by a two-thirds vote.

And House Bill No. 147 was read a third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Bailey, Blich of 20th, Blich of 21st, Broome, Bynum, Chipley, Darby, Dougherty, Gaillard, Hartridge, McLin, Palmer of 11th, Palmer of 14th, Phipps, Reeves, Roberts, Thomas and Williams—20.

Nays—Messrs. Carson and Clark—2.

So House Bill No. 147 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Clark asked permission to withdraw Senate Bill No. 289;

Which was granted.

And Senate Bill No. 289 was withdrawn.

Mr. Gaillard moved that the rules be waived, and he be allowed to call up Senate Bill No. 165 now on its third reading;

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 165:

A bill to be entitled an act to amend section 2183, Revised Statutes of the State of Florida; regulation of banking business,

Was read the third time in full.

Upon call of the roll, the vote was:

Yeas—Mr. President, Messrs. Adams, Blich of 20th, Bynum, Chipley, Clark, Darby, Dougherty, Gaillard, Hartridge, McLin, Palmer of 11th, Palmer of 14th, Phipps, Reeves, Roberts and Thomas—17.

Nays—Messrs. Bailey, Blich of 21st, Broome, Carson and Williams—5.

So Senate Bill No. 165 passed, title as stated.

And was ordered certified to the House of Representatives.

Mr. Bynum moved that the Senate do now adjourn;

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock to-morrow morning.