

brary, and the Tilden Trust, and for which the City of New York is about to construct a large building, is probably the largest reference Library and is more consulted for such purposes, than any other Library in the United States. We are endeavoring to form in this Library as complete a collection as possible of the public documents of all countries, for the benefit of the many scholars and students who consult our files.

Regarding the Journals issued by the Florida Senate, we have nothing later than 1865-66, viz: We have 1845, 1856-57, 1859, 1865-66; and I have the honor to request that this file may be completed to date, so far as it is possible. Should copies of the earlier Journals not be obtainable, I would particularly request that the volumes issued since 1880 to date may be furnished. The favor would be highly appreciated.

Should you be able to grant my request and forward a collection of these documents, the expense of transmission would be borne by the Library.

The Bulletin of the New York Public Library has been forwarded regularly to the Florida State Library, and I hope that it may be considered a partial equivalent for the current and future publications of the Senate and House.

Hoping for a favorable consideration of my request, I am

Very respectfully,  
JOHN S. BILLINGS, Director.

Mr. Myers moved:

That the Senate adjourn until 10 o'clock to-morrow.

Which was agreed to.

Thereupon the Senate stood adjourned till to-morrow at 10 o'clock.

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WEDNESDAY APRIL 5, 1899.

Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Baker, Barber, Blich, Broome, Bynum, Carson, Chaires, Clark, Crill, Crosby, Denham, Dimick, Fuller, Gaillard, Harris, Hendley, Hooker, McCaskill, Mc-

Creary, McLin, O'Brien, Palmer of 14th, Palmer of 11th, Reeves, Roberts, Rogers, Sams, Wadsworth, Williams, Wilson  
—31.

Agnorum present.

Prayer by Mr. Crosby, in the absence of the chaplain.

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

Mr. Broome stated that he had been requested by Mr. Myers to ask that he be excused from attendance for today on account of absence from the city on legal business.

Mr. Myers was excused.

### INTRODUCTION OF RESOLUTIONS.

Mr. Reeves offered the following resolution:

Senate Resolution No. 2:

By Mr. Reeves:

Whereas, since the last convening of this Honorable Body, Almighty God, in His Divine Wisdom, has seen fit to take from among us an honored and beloved member, who by his courtesy, integrity and distinguished ability had endeared himself to all who knew him either in person or by reputation, a man whom we all admired and loved, and in whose counsel and wisdom we had learned to confide, who to his friends was always faithful, to his opponents eminently fair and considerate, and who in his devotion to every duty was firm and unswerving; therefore, be it

Resolved, by the Senate of the State of Florida, That in the death of our late President, the Hon. C. J. Perrenot, of Santa Rosa County, the State and this Body have lost a true citizen and an able counsellor and statesman. Be it further

Resolved, That this Senate set apart Thursday, the 13th of April, for the purpose of giving the members an opportunity to pay individual tribute of respect to the memory of our deceased colleague, and that these resolutions be spread upon the Journals, and that they be immediately engrossed and a copy sent to the family of our deceased President as a token of our sympathy and respect.

Mr. Reeves moved the adoption of the resolution.

Which was agreed to.

Mr. O'Brien moved:

That Thursday, the 13th day of April, 1899, at 4 o'clock P. M., be set apart for the purpose of considering resolutions upon the death of the late W. D. Chipley, and that

a committee of three Senators be appointed to draft said resolutions.

Which was agreed to.

The President appointed as said committee, Messrs. O'Brien, Harris and Gaillard.

Mr. McCaskill offered the following resolution:

Senate Resolution No. 3:

By Mr McCaskill:

Whereas, The Almighty God has in His wisdom seen fit to remove from this world the Honorable Charles J. Perrenot, late Presiding Officer of the Senate of the State of Florida; therefore, be it

Resolved, by the Senate of the State of Florida, That the President of the Senate of the State of Florida, who fills the chair made vacant by this act of Divine Providence, be requested to appoint a committee, to consist of five Senators, who shall draft suitable resolutions in memory of the deceased President.

Mr. McCaskill withdrew the resolution, as Mr. Reeves' resolution covered the same ground.

Mr. Carson offered the following resolution:

Senate Resolution No. 4:

By Mr. Carson:

Resolved, That it is the sense of this Senate that no Standing Committee of this body except the Judiciary Committee shall be entitled to a clerk, except by consent of the Senate.

Resolved, 2d, That the Secretary of the Senate shall be authorized to direct and supervise the service of all the elected secretaries or clerks of this body, assigning them to clerkships of committees, engrossing, enrolling, recording, or any other clerical work, where in his judgment they may be needed; and that said secretaries or clerks shall perform such service as may be assigned to them by the Secretary of the Senate without additional pay.

Mr. Carson moved the adoption of the resolution.

Mr. Broome moved that the resolution be referred to a committee of three to be appointed by the Chair.

Mr. Broome withdrew the motion.

Mr. Fuller offered the following amendment to the resolution:

Strike out the clause: "Except the Judiciary Committee."

Mr. Fuller moved the adoption of the amendment.

Mr. McLin offered the following amendment to the amendment:

Add after the last word: "And that the President appoint a committee of five, who shall take this resolution and all others on this matter of clerical aid, who shall report as early as practicable a resolution for consideration by this body covering the matter of clerical aid."

Mr. McLin moved the adoption of the amendment to the amendment.

Mr. Fuller withdrew his amendment.

Mr. Carson accepted Mr. McLin's amendment.

Mr. Crill moved to strike out the amendment offered by Mr. McLin.

Which was not agreed to.

The resolution, as amended, was adopted.

Mr. Barber offered the following resolution:

Senate Concurrent Resolution No. 6:

By Mr. Barber:

Resolved, the House concurring, That a committee consisting of two on the part of the Senate and three from the House be appointed to investigate the books, receipts and accounts of the Commissioner of Agriculture, Comptroller and Treasurer, and they are authorized to employ such clerical aid as will enable them to make their regular investigation.

Laid over under the rules till tomorrow morning:

Mr. Reeves offered the following resolution:

Senate Concurrent Resolution No. 7:

By Mr. Reeves:

Whereas the New York Public Library, composed of the Astor Library, the Lenox Library and the Tilden Trust, through its director, John S. Billings, has requested this body to furnish to the said New York Public Library such volumes of the Florida Senate Journals as may be necessary to complete the said Library's files of the said Journals to date, and

Whereas, The Bulletins of the New York Public Library have been forwarded regularly to the Florida State Library; therefore be it

Resolved, by the Senate, the House concurring, That the Secretary of State be and he is hereby directed to furnish the said New York Public Library, free of charge, such volumes of the Florida Senate Journals now in his keeping, as may be necessary to complete the files of said Journals to date, including the Journals, when completed, of the present session of this Senate.

Laid over under the rules until tomorrow morning.

## INTRODUCTION OF BILLS.

By Mr. Hendley:

Senate Bill No. 1:

A bill to be entitled an act to provide for the division of counties into school districts, for the election of school trustees in the districts, and for the levying and collection of school tax in such districts, and to amend Chapter 4194 of the Acts of the Legislature of Florida, approved June 12, 1893, and Chapter 4336 of the Acts of the Legislature of Florida, approved May 20, 1895.

Which was read the first time by its title.

By Mr. Hendley:

Senate Bill No. 2:

A bill to be entitled an act to regulate proceedings on appeals from County Judges' Courts and Courts of Justices of the Peace.

Which was read the first time by its title.

By Mr. Wilson:

Senate Bill No. 3:

A bill to be entitled an act to prohibit the carrying of concealed weapons, and the manufacture and sale of slung shots and metallic knuckles, providing a penalty therefor, and to repeal Chapter 4124, Acts of 1893, relating to the carrying of concealed weapons.

Which was read the first time by its title.

By Mr. Wilson:

Senate Bill No. 4:

A bill to be entitled an act in relation to appellate proceedings and practice in civil causes.

Which was read the first time by its title.

By Mr. McCreary:

Senate Bill No. 5:

A bill to be entitled an act to amend Sections 26, 61 and 62 of the Laws of Florida, Chapter 4328, entitled an act to provide for the registration of all legally qualified voters in the several counties of the State, and to provide for general and special elections and for the returns of elections.

Which was read the first time by its title.

By Mr. McCreary:

Senate Bill No. 6:

A bill to be entitled an act to repeal Chapter 4217 of the Laws of Florida, entitled "An act to organize and establish a

County Court in and for Alachua County and to provide for the appointment of a prosecuting attorney for such County Court," approved May 24, A. D. 1893.

Which was read the first time by its title.

By Mr. Blich:

Senate Bill No. 7:

A bill to be entitled an act to regulate the giving of official bonds by guarantee or surety companies.

Which was read the first time by its title.

By Mr. Blich:

Senate Bill No. 8:

A bill to be entitled an act to provide for working, repairing and maintaining the public roads and bridges of Levy County by contract and to provide penalties for failure thereof.

Which was read the first time by its title.

#### CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 1:

Resolved, the House concurring, That a committee consisting of two on the part of the Senate, and three from the House, be appointed to investigate the books, records, and accounts of the Comptroller and Treasurer, and they are authorized to employ such clerical aid as will enable them to make a thorough investigation.

Was taken up and read the second time.

Mr. McLin offered the following amendment to the resolution:

After the word "Investigation," add the words, "Provided said clerical aid shall not exceed two clerks."

Mr. McLin moved the adoption of the amendment.

Mr. Hendley offered the following amendment to the amendment:

After the word "Clerical," add the word "Expert."

Mr. Hendley moved the adoption of the amendment to the amendment.

Mr. Blich moved that all concurrent resolutions now before the Senate be referred to the appropriate standing committees when appointed.

Which was agreed to.

And Senate Resolution No. 1, together with the amendments, and also the following resolutions were so referred:

## Senate Concurrent Resolution No. 2:

Resolved, the House concurring, That a committee consisting of two members from the Senate and three from the House, be appointed to examine the books, accounts and records of the office of the Commissioner of Agriculture, and they be allowed to employ such clerical aid as they may find necessary.

## Senate Concurrent Resolution No. 3:

Be it Resolved, by the Senate, the House concurring, That a committee to consist of two from the Senate, and three from the House be appointed to investigate the books, accounts and vouchers of the Comptroller and Treasurer, and report to the Senate and House the result of the same; and that said committee is hereby authorized to employ two expert accountants, with such clerical aid as may be necessary.

## Senate Concurrent Resolution No. 4:

Resolved, the House concurring, That a committee consisting of two on the part of the Senate and three from the House, be appointed to investigate the books, receipts and accounts of the Comptroller and Treasurer, and they are authorized to employ such clerical aid as will enable them to make their regular investigation.

## Senate Concurrent Resolution No. 5:

Resolved, the House concurring, That a committee consisting of two on the part of the Senate and three from the House, be appointed to investigate the books, receipts and accounts of the Comptroller and Treasurer, and they are authorized to employ any clerical and expert aid as will enable them to make a thorough investigation.

The concurrent resolutions introduced to-day were also ordered so referred by the President.

## ORDERS OF THE DAY.

The Message of the Governor, presented yesterday, was taken up.

Mr. Carson moved that the Governor's Message be spread upon the Journal, and that the reading of the Message be dispensed with.

Which was agreed to.

The Governor's Message was as follows:

## MESSAGE OF THE GOVERNOR.

STATE OF FLORIDA,  
EXECUTIVE OFFICE, April 4, 1899. }

*Gentlemen of the Senate and House of Representatives:*

The Constitution directs that the "Governor shall communicate by message to the Legislature at each regular session information concerning the condition of the State, and recommend such measures as he may deem expedient." In obedience to this mandate, I have the honor of submitting the following statements and recommendations:

## FINANCIAL.

Florida's financial standing is unsurpassed by that of any State in the Union. She has no floating debt; the few bonds of the masses, admonishes us that the strictest economy in direct or indirect instrumentalities of taxation.

the rewards of labor are not to be confiscated through the Municipal, County, and State expenditures is necessary, if General Government, which must at last come from the labor enormous and continuous increase in the expenditures of the time make the burden of taxation as light as possible. The est efforts to preserve our financial standing, and at the same

Let this be an incentive, not to extravagance, but to earn- The State tax proper has also been reduced to three mills.

in 1898, and twenty-five thousand during the present year. paid. Seventy-five thousand dollars of this amount was paid thousand dollars of the principal of the State's debt has been

Since the adjournment of the last Legislature, one hundred as cash in all financial channels.

due, are at a premium, and her Comptroller's warrants pass outstanding in the hands of individuals, although nearly

## WARRANTS ISSUED.

By reference to the Comptroller's Report, it will be seen that warrants were issued in 1898 aggregating \$662,279.37, distributed as follows:

Expenses Administrative Department .....	\$ 40,188 49
Expenses Judicial Department .....	93,562 11
Assessment and Collection of Revenue .....	71,969 29
Expenses State Troops, inc. Encampment.....	13,092 07
Maintenance Lunatics .....	58,667 77
Educational Purposes .....	168,774 86
State Chemist Department .....	3,599 97
Miscellaneous .....	212,424 81

Total Warrants Issued in 1898 .....\$662,279 37

Under head of "miscellaneous," are included "Expenses State Board of Health, Railroad Commission, payment of Pensions, payments of borrowed money, distribution of hire of convicts, and other items as set forth in detail in the Comptroller's Report. These sums do not include the interest upon the bonded debt, which is paid by the Treasurer upon the presentation of the coupons representing said interest.

In the elaborate reports of the Comptroller and Treasurer you will find full information regarding the financial transactions of the State Government.

If no material changes are made in our revenue laws and no extraordinary appropriations authorized by the Legislature, the financial condition of the State will remain in a healthy and satisfactory condition with our present rate of State taxation. Some minor changes, in a few laws, looking to economy, will be called to the attention of appropriate committees.

Upon the general subject of taxation, it is deemed unnecessary to repeat the recommendations contained in my last message. Those that were not formulated into law, are still proper subjects for consideration.

#### BONDED DEBT.

The bonded debt of the State is as follows:

Bonds of 1871—

Seven per cent. bonds, 1871, interest payable annually, amount issued .....	\$350,000 00
Deduct amount in Sinking Fund .....	82,300 00
	\$267,700 00

Deduct amount in Educational Funds .....	203,800 00
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Held by individuals, 7 per cent. bonds .....	\$ 63,900 00
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Bonds of 1873—

Six per cent. bonds, 1873, interest payable semi-annually, amount issued .....	\$925,000 00
Deduct amount in Sinking Fund .....	160,200 00
	\$764,800 00

Deduct amount in Educational Fund .....	504,200 00
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Held by individuals, 6 per cent. bonds .....	\$260,600 00
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Under Legislative sanction, \$200,000.00 were borrowed in 1891 and prior years. Half of this amount, or \$100,000.00, as elsewhere stated, has been paid since the adjournment of the last Legislature, and the remaining \$100,000.00 held in Educational Funds.

The entire State debt, then, including amount in Educational Funds, is \$1,132,500.00.

### FUNDING BONDS.

The Constitution authorizes the Legislature to issue State Bonds for "the purpose of redeeming or refunding bonds already issued, at a lower rate of interest."

The seven per cent. bonds issued in 1871 fall due January 1st, 1901, which will be before another Legislature convenes. There are \$63,900.00 of said bonds now in the hands of individuals; and although the Educational Funds may be in a condition to take up this amount as an investment on or before the maturity of the bonds, still it is well for the Legislature to consider if it would not be wise to provide for their refunding by another issue of bonds at a lower rate of interest.

This view is strengthened by the fact that there are \$260,400.00 six per cent. State Bonds in the hands of individuals, that fall due in January, 1903; and one law could provide for the redeeming of both issues. A well considered act, authorizing the issue of bonds at a very low rate of interest to refund or redeem the \$63,900.00 of seven per cent. bonds and the \$260,600.00 of six per cent. bonds, or as many of the same as may be held by individuals at the date of maturing, would be proper and timely.

The \$808,000.00 State securities held by our Educational Funds should be provided for by the issuing of manuscript bonds, under a separate act similar to Chapter 3564, Laws of 1885. The State can afford to have these manuscript bonds, issued to the various educational funds, bear a larger rate of interest than the bonds issued to redeem or refund those held by individuals. Of course, provision should be made for destroying the outstanding bonds when redeemed, as well as those in the sinking funds.

### SHORTAGE OF TREASURER.

The resignation of ex-Treasurer C. B. Collins, tendered on the 3d of June, 1897, was accepted, after the House of Representatives passed a resolution advising the acceptance of the

same. On the same day (the Senate being organized as a Court of Impeachment), the House passed the following resolution:

“Resolved, by the House of Representatives; That the Governor is hereby required to see that C. B. Collins be prosecuted criminally for unlawfully converting the State’s money to his own use, and that he be sued on his bond for the full amount of money lost, as per the charges filed against him.”

It was my duty, after the adoption of said resolution, to employ counsel to assist the efficient State Attorney in the prosecution of the State’s case against the ex-Treasurer. Hon. B. F. Liddon, ex-Chief Justice of the State, and recognized as one of the ablest attorneys in the State, was retained. The jury brought in a verdict of not guilty.

In the civil suits against the ex-Treasurer and his bondsmen, the Attorney-General associated with him Hon. W. B. Young, ex-Judge of the Fourth Judicial Circuit.

As the misappropriation by Mr. Collins of State moneys took place in 1896, under a former administration, his old bond, given for that administration, was responsible for the shortage; and suits were instituted, and judgments obtained against the ex-Treasurer and those bondsmen for the amount of the State’s claim. The judgment against Mr. Collins was for \$52,591.97 and interest.

The State has received from the school Board of Marion County through Hon. R. A. Burford, its Attorney, for moneys loaned the Board, \$8,459.53; and from Hon. J. N. C. Stockton, Trustee, through his Attorney, Judge W. H. Baker, the sum of \$17,321.99, making a total of \$25,781.52, which has been credited on the judgment against the ex-Treasurer.

The amount paid by Mr. Stockton was the result of a final decree in the case of “G. C. Stapylton, Receiver, et al., vs. J. N. C. Stockton, Trustee, et al.,” in the United States Court in Florida and United States Court of Appeals at New Orleans, in settlement of the loan of \$15,000.00 made through Mr. Stockton, as Trustee, by Mr. Collins, while State Treasurer, to the Merchants’ National Bank of Ocala, and dividends on note of the bank, paid to Mr. Stockton.

Mr. Stockton has made a full report to this office, under date of February 23d, 1899, regarding this loan, with expenses of litigation, etc., which is on file, and open to the inspection of the Legislature or others interested.

## DIRECT TAX REFUNDED.

Governor Mitchell forwarded to this office on January 18th, 1897, a check on the Merchants' National Bank of Jacksonville for \$8,093.88, being a balance in his hands of the direct tax paid over to the State under the Act of Congress of March 2d, 1891. He also gave me an order on the State Treasurer for \$10,000 of Duval county bonds held by him as security for the \$8,093.88. The suspension of the bank precluded a prompt settlement, but Receiver E. T. Shubrick as early as possible paid the \$8,093.88, with some additional interest, making the total amount received on the check through Mr. Shubrick, \$8,147.83. Of this sum, \$6,974.40 was paid into the State Treasury on June 18th, 1897, and the remainder held pending the examination of claims that had not been finally adjusted. Of these claims, that of B. F. Weams, of Houston, Texas, for \$268.72, was allowed, and the remainder of the money, amounting to \$904.71, was paid into the State Treasury on November 25th, 1898. The \$10,000 of Duval county bonds held as security were returned to the Merchants' National Bank of Jacksonville, through the First National Bank of this city.

## EXAMINATION OF ACCOUNTS.

The Legislature of 1897 (Chapter 4587) authorized the Governor to have the accounts of county officers examined whenever he deemed it proper for the public good. Under this authority, Mr. W. V. Knott was employed, and the results of his work have demonstrated the wisdom of the law.

His reports furnish valuable information to the financial officers of the State, as well as to the County Commissioners of the respective counties, as he has always forwarded the Clerks of the Circuit Courts copies of the portions of his reports relating to the finances of the respective counties.

Many thousands of dollars have been saved the State and the counties, the superior worth of the large number of efficient county officers has been demonstrated, and others have been stimulated to follow their example.

## FLORIDA IN THE WAR WITH SPAIN.

The events that transpired in March and the early portion of April, 1898, satisfied all that war between the Government of the United States and the Kingdom of Spain was inevitable. The President's call, therefore, on April 23d, for 125,000 volunteers was not unexpected, and met a prompt re

sponse from the military organizations of this State. On April 28th, this office was notified that Florida was expected to furnish one regiment of infantry, consisting of twelve companies, each company having not less than 80 nor more than 84 men.

The State had a military organization of five battalions of infantry, each battalion containing four companies; and two batteries of artillery. Having no regimental organization, it became necessary to select twelve companies from the twenty companies of infantry to meet the call. This was a most ungracious and unpleasant task, when every company had volunteered. After consultation and consideration, the twelve companies to constitute the regiment were selected from the first four battalions. The Fifth battalion, under command of Major D. F. Conelly, was left intact, to meet, with the other companies, the President's second call, which it was understood would soon be issued. Florida, however, having been allotted more than her quota according to population under the first call, was not included in the second. This was unexpected and disappointing, and of course prevented the Fifth battalion and the other companies from entering the service. Every effort was made to have a battery of light artillery also accepted from this State, and Capt. Gumbinger worked unremittingly to that end, but without success.

The twenty companies of infantry were ordered into camp at Tampa between the 12th and 15th of May, and on the latter date the regiment called for was ready to be mustered into the United States service. It was mustered in at once, and was one of the first, if not the first, volunteer regiment in the field. The field officers were W. F. Williams, Colonel; I. E. Webster, Lieutenant-Colonel; C. P. Lovell and J. W. Sackett, Majors.

After the respective States had responded to the President's first call, it was commented upon as showing a proper State pride, that each State had placed at the head of her regiments, officers claiming citizenship in said State.

When a vacancy afterwards occurred by the resignation of Col. Williams, it was deemed proper to follow this unbroken precedent, and the applications of officers who were citizens of other States, to fill the vacancy, were not considered.

Florida had officers of the best type in the regular army, who were graduates of West Point, and men in the business walks of life, the equals of those from any other State, who had received early military training.

Under such circumstances, and with the precedents of all other Executives before me, it would have been considered by many as a reflection upon our State to have placed a citizen of another State at the head of our regiment. The Lieutenant-Colonel not desiring promotion, Major C. P. Lovell was recommended and commissioned as Colonel of the regiment, and Captain R. E. Davidson as Major.

The regiment had no superior in the volunteer service, and the high encomiums passed upon the regiment and its superb band by distinguished officers of the regular army, were a source of pride to all Floridians. It was a demonstration that the men of the regiment were of the best type, and that no mistakes had been made in the selection of company and regimental officers.

For a complete roster of the regiment, as well as full information regarding our State troops and naval militia, you are respectfully referred to the Adjutant-General's report.

The regiment was not ordered to Cuba to participate in the battles around Santiago; but no regiment from any Southern State had that opportunity. With loyal and heroic hearts they did every duty assigned them—and men could do no more. As the President has well said, "the mighty army in camp, ready and eager to take the field, should be given equal credit with those who participated in the short but decisive contests in Cuba. It was their presence, ready at an hour's notice for any emergency, that taught the enemy that further resistance would be in vain."

Eight companies of the regiment were mustered out in this city on December 4th, 1898, and the remaining four companies at Huntsville, Ala., on January 28th, 1899. No event in the history of the regiment reflected greater credit than the orderly and law-abiding manner in which the men returned to the pursuits of civil life. They were mustered out, paid their debts, and quietly departed for their homes without a single violation of city ordinance or State law. It was an illustration of the highest type of the true citizen soldiery.

Florida also furnished a Company, organized at Arcadia on June 18th, 1898, under Captain W. H. Cobb, to the Third United States Volunteer Regiment of Immunes. Brigadier General Albert W. Gilchrist, of the Florida Militia, who enlisted as a private, while the Company was at Macon, Ga., was elected First Lieutenant, and M. L. Williams, Second Lieutenant. Lieutenant Gilchrist was afterwards promoted to Captain and assigned to many important duties in Cuba

The Company was recognized as being composed of the best material in the command, and furnished the Color-Sergeant, Sergeant-Major, and Quartermaster-Sergeant of the Regiment, and had two of its Sergeants promoted to Lieutenants. Although reaching Cuba after the close of hostilities, the Company has done efficient service at Guantanamo and surrounding towns. Orders have been issued for the mustering out of the Regiment, and the men will return to their homes wearing all the honors of deserving soldiers.

A former recommendation for a regimental organization of our State troops is respectfully renewed. Had such an organization existed at the beginning of the Spanish war, it would have enabled the Executive to have tendered a completed Regiment, without the disagreeable task of selecting twelve companies, out of the twenty of infantry, which had volunteered.

#### NAVAL MILITIA.

The last Legislature passed an act to establish a battalion of Naval Militia to consist of not more than four divisions. Under this law, Divisions of Naval Militia were organized at Jacksonville, Tampa, Port Tampa and Pensacola.

Captain J. W. Fitzgerald, the well known nautical expert, was elected Lieutenant Commander of the Battalion. The roster of the Battalion will be found in the Adjutant-General's report.

The Assistant Secretary of the Navy, in his last report, speaking of the Florida Naval Militia, says:

"The Naval Militia of this State, which at the outbreak of hostilities numbered twenty-four officers and about 300 men, supplied six officers and ninety-three men to the Naval service. Of this number, two officers and fifty-eight men served on Auxiliary Naval Force vessels; and four officers and thirty-five men served in the Coast Signal service."

In accordance with directions of Chapter 4569, Laws of Florida, application was made to the Secretary of the Navy for the loan of a practice vessel for the use of the Naval Militia. The United States Steamship Wasp, one of the best of her class, was secured, and Lieutenant A. R. Merrill, the efficient Commander of the Jacksonville Division, took a complement of men and brought her from Norfolk to Jacksonville.

It is the intention to have the ship spend portions of each year at the ports of the respective Naval Divisions. The question of a coal supply, however, will have to be met. The Navy Department has declined to supply the necessary coal.

to enable the ship to visit the respective ports; and if this is the settled policy, the State will have to make an appropriation for that purpose, or the Wasp remain stationary at one port and necessarily be of little use.

Attention is called to the necessity of making appropriations for the Naval Militia when appropriations are made for State troops, as under our law they are a "part of the Militia force of the State."

#### MILITARY EXPENSES.

Certain expenses had to be incurred by the State in connection with military operations during the war with Spain, in aiding to raise and organize, supply and equip, the volunteer army of the United States. Florida's expenses in that line were proportionately far below those of other States of the Union, and as the sum required at the time was not one-fifth as much as the expense would have been of calling an extra session of the Legislature, it was borrowed from the First National Bank of this city. The amount (\$3,960.74) that was borrowed was placed to the credit of Adjutant-General Houstoun for disbursement, and he holds vouchers for the same. The interest at six per cent. up to June 1st next will be \$199.02, making the total amount that will then be due, \$4,159.76.

The United States Congress passed an act to reimburse the States for such expenditures. Florida has claims now filed amounting to \$6,974.34, being in excess of the sum she was compelled to borrow, as there was a small balance of an appropriation available for a portion of the expense.

It is respectfully recommended that an appropriation for the money borrowed be made. When the Government settles the State's claim, it will be paid into the State Treasury.

#### EXPENSES OF MEN ON FURLOUGHS.

By order of the War Department, eight companies of the First Regiment, Florida Volunteers, were ordered to this city in October last, to be furloughed for thirty days, and then mustered out of the service.

When the men were furloughed, it was ascertained that a very limited number had the means of returning home. Hundreds of men turned loose and no method provided by the Government for transporting them to their homes, or returning them to their commands at the close of their furlough, and without means of support, necessitated prompt action. The matter was called to the attention of Col. John

A. Henderson, Vice President of the Florida Central and Peninsular Railroad, and he arranged to have the road transport them to their homes and return, and await the action of the Legislature for compensation. The same arrangement was made with the Pensacola and Atlantic Railroad for the men from the Western portion of the State.

It was a great relief to the soldiers at the time, and evidenced a most commendable spirit upon the part of the roads. It is hoped the Legislature will not hesitate to provide compensation. To that end it is respectfully recommended that the Comptroller be authorized to audit and pay those claims at the same rate per mile as was paid by the General Government for moving troops.

### EDUCATION.

The Educational rating of a State is generally looked upon as the best guage of its progress, growth and healthy development. Elevate and improve your public schools, and the elevation and improvement of our future citizenzship is secured, and the best safeguard guaranteed for the perpetuity of our Republican Institutions.

The education of the masses is also an investment that will at all times yield profitable results. Statistics demonstrate that intelligent labor is worth at least 50 per cent. more than illiterate, while the illiterates furnish fifty times their proportion of paupers and many times more than their due proportion of criminals.

The interest of our people therefore in popular education, and the continued development of the State's educational system, are sources of congratulation.

At the close of the school year in June, 1898, there were in operation 2,538 public schools with 2,792 teachers; of these schools, 1,899 were for white, and 639 for colored pupils. At the same time, there were 2,108 white and 684 colored teachers.

By the census of 1896, Florida had a school population of 152,598; of which 86,196 were white, and 66,402 were colored. The total enrollment is 108,455, being divided as follows: White, 67,657; colored, 40,798.

The total expenditures for schools during the last school year amounted to \$736,951.23. The salaries of teachers consumed \$528,871.63; and the salaries of county superintendents, \$30,985.71. The remainder of the sum was used for improvements and costs of administraiton.

Our higher institutions of learning are all well patronized, and public sentiment sustains legitimate efforts for their further and broader usefulness.

Our Common School system and our higher educational institutions have grown to such proportions that a communication from the Executive Department can embrace not even a brief synopsis of their full operations. The Superintendent of Public Instruction, under our Constitution, has supervision of all matters pertaining to public instruction, and his elaborate report contains complete information of the State's educational system, in all of its details.

#### STATE BOARD OF HEALTH.

The first decade of the official life of the State Board of Health has passed into history. Its record is one of unbroken success, and the people of Florida appreciate its work. The trying experience of last summer, with great armies encamped upon our soil, and constant communication with infected ports, has emphasized the fact that our Health Board furnishes the best security against the possibility of epidemics and the evils resulting therefrom.

The reports of the President of the State Board, and its State Health Officer, are submitted for your information and consideration. Their importance necessitates your careful consideration.

The recommendations of our experienced and able Health Officer are made after a full and intelligent study of the subject, and have received the unanimous endorsement of the State Board of Health. They will necessarily claim your best attention and considerate judgment.

For reasons stated in the Health Officer's report, the Board is somewhat cramped financially, and may require a special appropriation to carry its work through the present year.

#### CONFEDERATE HOME.

The report of Hon. F. P. Fleming, President of the Confederate Soldiers' and Sailors' Home Association, shows that there were twelve beneficiaries in the Home on December 31, 1898. This Home is located in Jacksonville, and, the President states, is accomplishing much good in effecting the objects for which it was instituted.

For 1898, the State contributed to the Home \$817.90, which was supplemented by contributions from individuals, and the material assistance of various chapters of the United Daughters of the Confederacy.

During the past year, a settlement has been effected in the title to a small strip of land on the north side of the property, improvements have been made in fencing and repairs to buildings, and the management hopes to be able during the present year to somewhat enlarge the capacity of the Home.

### CONFEDERATE PENSIONS.

One of the most serious financial problems that confronts the Legislature is the payment of pensions under the law enacted by the last Legislature.

Prior to that period all pension laws were passed for the benefit of those who enlisted in the military or naval service of the Confederate States, or of this State, who lost limbs, or who were permanently injured by wounds or diseases contracted while in said service.

The last Legislature departed from this principle and gave the benefit of the pension laws not only to those who enlisted and are permanently injured from wounds or disease contracted during the service, but since.

The same change was made as to the widows of pensioners. Under the old law, "widows of soldiers or sailors killed, or who died during the war from exposure resulting from service in the line of active military duty, or shall have since died of wounds received while in the line of duty," received a pension.

Under the act of 1897, widows are entitled to a pension of \$150 per annum, whether their husbands died during the war or since, regardless of the cause of death.

The departure by the last Legislature from the former policy of all our pension laws, was urged upon the ground that the change would add but a limited number to the pension roll, and but a small additional expense to the taxpayers of the State. Time has demonstrated this to be incorrect.

Since the first pension law was passed in Florida, two thousand and sixty applications for pensions have been filed. About one-half of this number have been filed since and under the enactment of the pension law by the last Legislature; and from correspondence, blanks applied for, and other information, those best able to judge believe that five hundred additional claims will be filed when there are means to satisfy the same. It is thus evident that the estimates of those who advocated and pressed the legislation of 1897 were erroneous.

The Comptroller estimates that it will require an appropriation of about \$265,000 per annum to meet the future de-

mands of the present pension law, and a special tax levy of  $3\frac{1}{4}$  mills on the dollar on the aggregate value of all the taxable property of the State.

Suppose we place the estimate at \$250,000, and the tax levy which will be necessary to raise the same, at three mills on the dollar, and contrast the tax levy with that of other Southern States.

Alabama has heretofore levied one-half mill for pension purposes; information, however, has been received that her last Legislature raised this amount to one mill on the dollar of her taxable property. North Carolina levies one-third of a mill, and ten cents poll tax, making a total of less than one-half mill; South Carolina appropriates the equivalent of a tax of about five-eighths of a mill; Mississippi, of one-half mill; Arkansas, of one-fourth mill; Tennessee, of one-third mill; Virginia, of one-third mill; and Louisiana, of one-fifth mill tax. Texas has had no law providing for Confederate pensions, but recently adopted a constitutional amendment authorizing her Legislature to make appropriations for Confederate soldiers, but limits the amount that can be appropriated for such purposes to the equivalent of a one-third mill tax upon her present taxable resources. Georgia allows widows a pension of about \$60 each, per annum, and an average of about \$55 each, to maimed or disabled Confederate soldiers. Florida has heretofore appropriated a sum equivalent to a tax of about two-thirds of a mill, and allowed larger pensions than any of the other Southern States.

Under the law adopted by the last Legislature, the Comptroller estimates a levy of at least three mills will have to be made to meet its future requirements. If the Legislature at its present session should order a tax levy of three mills for pensions, it would be twelve months before the proceeds would be available. What is to be done during those twelve months?

An appropriation of less than \$200,000 would not meet the claims now on file, to say nothing of those daily coming in; and such an appropriation for pensions, with the usual appropriations for the necessary expenses of the State Government, State Asylum, and other public purposes, including interest upon the public debt, with the cost of the present Legislature, would in a few months exhaust the Treasury, render it unable to cash the Comptroller's warrants, weaken Florida's high financial standing, and reduce her to a script basis.

The Legislature, through proper committees or otherwise, should consider this grave financial question in all its phases.

Our sympathies naturally and warmly go out to the Confederate soldiers and their widows, and it is hoped that reasonable assistance can be furnished without injustice to the deserving soldiers and widows, and without overburdening the taxpayers, or impairing the State's financial credit.

## PUBLIC LANDS AND AGRICULTURAL STATISTICS.

Under our Constitution, the Commissioner of Agriculture has supervision of all matters pertaining to the public lands, such duties in relation to agriculture as may be prescribed by law, and supervision of the State prison.

The following information from the Commissioner's report, as to the sale of swamp, internal improvement, school and seminary lands, will be of interest:

	Acres.	Acres.
Swamp lands sold in 1897.....	6,311.52	
Swamp lands sold in 1898.....	2,819.03	
	<hr/>	
Total sold in 1897 and 1898.....	9,130.55	
Swamp lands on hand January 1st, 1899.....		422,064.82
	Acres.	Acres.
Internal Improvement lands sold in 1897.....	4,314.93	
Internal Improvement lands sold in 1898.....	2,253.54	
	<hr/>	
Total sold in 1897 and 1898.....	6,568.47	
Internal Improvement lands on hand January 1st, 1899.....		94,688.90
	Acres.	Acres.
School lands sold in 1897.....	9,934.24	
School lands sold in 1898.....	4,147.66	
	<hr/>	
Total sold in 1897 and 1898.....	14,081.90	
School lands on hand January 1st, 1899 (Ap- proximated).....		341,893.20
	Acres.	Acres.
Seminary lands sold in 1897.....	217.32	
Seminary lands sold in 1898.....	120.28	
	<hr/>	
Total sold in 1897 and 1898.....	337.60	
Seminary lands on hand January 1st, 1899.....		30,418.34

The swamp and overflowed lands deeded to railroads and canals, and matters appertaining to all land grants, etc., will be found in the report.

The agricultural statistics will necessarily claim the attention of all who feel an interest in the material development of the State. Those statistics embrace field crops, live stock, poultry, dairy and numerous other products, and the exports of the State.

The report of the Commissioner covers such a large and varied field that it is impossible to condense the contents sufficient to embrace the material information and recommendations in the limits of a message. It will, of course, receive careful consideration by the Legislature.

#### STATE CHEMIST.

The States east of the Mississippi, also Missouri, Arkansas and Louisiana, twenty-nine in number, are designated by the United States Department of Agriculture as the fertilizer consuming region of the country, as the remaining States use but small quantities.

The frequent imposition upon the agricultural classes by the fraudulent character of fertilizers offered for sale, necessitated legislation in all these States. The legislation is of the same general character, differing only in minor details. The State Chemist, after a careful comparison, considers the law of Florida, in all essential points, the very best that has been enacted.

The United States Department of Agriculture says, that the effect of this legislation in the fertilizer consuming region has been to generally "eliminate fraud in the business, and insure the farmer that he is buying what is represented, and that his chief concern is to secure such fertilizer as is chemically adapted to the requirements of his soil and crop."

The Department of the State Chemist is self-sustaining, and of no cost to the tax payers, as the salaries of Chemist, Assistant Chemist, and the expenses of the laboratory are all paid out of the receipts from the inspection of fertilizers.

For detailed information regarding this department, I respectfully refer you to the report of the State Chemist.

#### STATE REFORM SCHOOL.

Under Chapter 4565, Laws of Florida, certain State officers were authorized and required to secure an eligible site for a Reformatory School, to be "located with regard to cost of living as well as adaptibility to agricultural development and fertility."

After a careful investigation, and looking to the instructions of the law, an admirable location was selected in Jackson county, near the town of Marianna, the county seat of the county.

The citizens of that county have given 1,200 acres of land and \$1,400 in cash.

The law requires the Board to erect two buildings, one for white and the other for colored juvenile offenders, "not nearer than one-half mile to each other." It was deemed advisable to erect the buildings of brick, as wooden structures were not considered desirable for the purposes intended.

After securing plans and specifications, advertisements were given out for the erection of the buildings. In April, 1898, the contract was awarded to the S. S. Leonard Company, of Jacksonville, for the sum of \$13,000 for the two buildings. It was found impracticable to secure two such buildings as were necessary for the \$10,000 appropriated. The donations, however, made by the county, will be sufficient when the land is sold, to make up the deficiency.

The contractors, for reasons not definitely known to the members of the Board, have been embarrassed in their operations, and delays have resulted. Those delays were extremely annoying to the Board, and every reasonable effort has been made to have the work expedited. The State, having a good and sufficient bond, no pecuniary injury was anticipated, but the work was unpleasantly delayed. Arrangements, however, were finally perfected for the completion of the contract, and it is expected the buildings will be ready for acceptance in a few weeks.

In order that the State's obligations may be promptly met, I respectfully request that an additional sum of four thousand dollars be appropriated out of the hire of convicts, for outhouses, cisterns, the erection of proper enclosures, and any balance that may be due on buildings; and that the proceeds of the lands, when sold, be paid into the Treasury.

#### STATE CONVICTS.

The Commissioner's report also gives full details regarding the convicts sentenced by judicial authority to confinement and labor in the State prison. The present contracts under which the prisoners are worked were entered into by the advice and direction of the Legislature of 1897. Those contracts are for four years, commencing January 1st, 1898, and obligate the contractors to pay twenty-one thousand dollars annually for the hire of said convicts.

The Commissioner reports 717 convicts on hand December 31st, 1898.

Time but emphasizes the following recommendation, made in my former message, and it is again submitted for your consideration: "The State should have an agent appointed by the Commissioner of Agriculture, whose duty should be to visit each camp at least six times every year; and not only have the power to prepare and bring meritorious cases before the Pardoning Board, but look carefully to the management and treatment of the convicts, and see that the contracts with the lessees are fully complied with."

"It is respectfully recommended that the scope of the present law (Chapter 4390, Acts of 1895,) be so enlarged as to meet these requirements, and that the compensation of the Agent be proportionately increased, to be paid out of the fund arising from the hire of convicts."

#### INSANE ASYLUM.

The capacity of the Asylum has been more than doubled in the last three or four years, and many important improvements have been perfected since my former message.

The Institution has had added a satisfactory electric plant; also an elevated steel stand pipe for water, capable of supplying sufficient water, with pressure for any portion of the premises.

Including the Foreman Homestead, there are four additional cottages properly furnished for the use of employees. The farm has been greatly enlarged, and a satisfactory dairy plant established.

A large and superior cooking plant has been erected, and the water supply guaranteed by the completion of an additional emergency water works plant sufficient for every contingency.

Hospital departments have been constructed, and a nursery establishment supplied.

The recommendations of the Superintendent as to further improvements, will, of course, receive your thoughtful consideration.

While similar institutions in wealthier States may be surrounded with more glittering paraphernalia, it is not believed that any furnish more substantial comforts to the inmates than Florida's Assylum for the Indigent Insane.

There were 230 persons admitted to the Asylum during the past year. Evidently many of them were not entitled, under the law, to become inmates of the Institution. In addi-

tion to the large number of epileptics, idiocy, senility when accompanied by poverty, imbecility, morphine degenerates and acute acholism, are all represented. As the Superintendent will say:

"These classes of our people are often objects of pity, and should be subjects of individual and community, if not the public charity. But the indiscriminate use of this Asylum for their benefit is, in effect, a perversion of the Institution and its funds from the higher and more sacred purpose of their creation."

In addition, the Institution has been compelled to accept criminals of sound minds, who assume the plea of insanity merely to deceive the jury and avoid the punishment so justly due. It is respectfully submitted that the law should authorize the temporary confinement of criminals (when there is a doubt of their sanity), in the county jails, where proper tests could be made, and the criminal verdict enforced if the plea of insanity proved untrue. In this connection attention is respectfully called to the views of the Superintendent that "the actually criminal insane should not be confined in the Asylum with patients whose lives have no taint of crime."

The suggestion of Dr. Blocker regarding the propriety of autopsies in the pathological work of the Institution, is worthy of your careful consideration. The medical profession consider autopsies one of the chief methods of advancing the science of medicine; and under proper restrictions, a resort to it, as Dr. Blocker states in his report, would "accumulate valuable information that would promote advancement and possible discoveries, to better the condition of others."

The Asylum had at the close of the year 491 inmates under treatment. Of this number, there were white males, 147; white females, 138; colored males, 106; colored females, 100.

It affords me pleasure to express my appreciation of the Superintendent, and the Physician of the Institution, and to ask for their recommendations the most careful consideration.

### RAILROAD COMMISSION.

The Legislature in May, 1897, passed an act creating a Railroad Commission, and the Commissioners organized under said act, on July 1st, of the same year.

To formulate and put into operation the many delicate and

responsible duties devolving upon the Commissioners under the law, necessarily required deliberation, and careful consideration. Before obliterating existing conditions, which had been interwoven with the growth and management of great enterprises in the State, justice and public policy demanded that all interests be heard, and the formulation of new conditions be accompanied with such an adherence to business principles, as to render practical and permanent whatever action was taken.

These embarrassments necessarily surround the first years of any commission upon which is devolved such intricate and important work. As the work progresses, and laws are amended and judicially interpreted, the various interests are gradually adjusted to meet proper requirements, and the full fruition of intelligent and considerate action secured.

The official life of the Commission being less than two years, must therefore be taken into consideration when estimating results; especially when no session of the Legislature has intervened to correct any defects in the law.

The report of the Commissioners is divided under five general heads: Amendments recommended to the Railroad Commission Law; regulations of freight rates in and out of the State; jurisdiction or control of charges by Express Companies in and beyond the limits of the State; passenger rates, and Department of Claims.

The recommendations that claim your direct attention are those that ask amendments to the law. The Commissioners consider that certain benefits which the people should receive are in a great many cases destroyed by the law's requiring sixty days as the minimum time in which any change in rates can be made effective.

They ask that the law should more fully define the powers of the Commission in requiring railroads to build depots for the accommodation of the public.

Operators or managers of steamboats, deny the powers of the Commissioners over their lines, and as the law is not considered clear, the Commissioners deem it advisable, before litigation ensues, to leave no doubts as to their powers to make rates and schedules governing freight and passenger traffic on and over such lines.

The Commissioners also ask for an addition to the law as follows:

"The law should be so amended as to require all railroads and express companies doing business in the State to establish and maintain general offices in the State. This provis-

tion is absolutely essential in order that the Commission may make such examinations as the law contemplates. The general officers of a number of the companies are without the State, and beyond our jurisdiction."

The work of the Commission with the railroad and express companies in connection with the regulation of freight rates in and beyond the limits of the State, the questions of passenger rates, and claims for overcharges, etc., etc., are fully set forth in the annual reports and need not be discussed here. This being the first session of the legislature since the adoption of the law, the report of the Commissioners will necessarily receive your careful and intelligent consideration.

They express the belief "that the Commission, as ripens in experience, will ultimately become of great benefit to the interests affected."

#### SEMINOLE INDIANS.

The great value of the partially submerged lands in the Everglades, the practicability of their drainage, and the steady march of improvement looking to the utilization of those lands, bring forcibly to the front the necessity of some action by both the General and State Governments, if homes are to be secured for the Seminole Indians remaining in this State. The Department of the Interior estimates that there are "from 400 to 500 Seminole Indians or descendants of Seminoles in Florida."

No weight can be given to the claim sometimes put forth by overzealous friends of the Indian, that the State takes her title to the swamp and overflowed lands under the act of Congress of September 28th, 1850, "subject to the right of occupancy by the Indians."

Whatever may be said derogatory to the treaty of 1832 made by the General Government with the Seminole Indians, it must be recognized that said treaty cannot at this day be questioned. Under this treaty, proclaimed April 12th, 1834 (7 Stat., 368), the Seminole Indians relinquished to the United States "all claims to the lands they at present occupy in the Territory of Florida," and agreed to emigrate to the territory given to the Creeks west of the Mississippi.

The Act of Congress of September 28th, 1850, granted to the several States the "whole of the swamp and overflowed lands" which remained unsold at the date of the Act; and said grant has been construed in the various decisions of the Supreme Court of the United States, and of the Interior Department, as a grant in presenti, passing to the State the title to such swamp and overflowed lands.

While such is the case, yet every principle of humanity should prompt both the General and State Governments to see that the Seminoles left in Florida should not be without lands for homes and cultivation. Their natural support, coming from the results of the chase, is rapidly disappearing, and they should not be left homeless and helpless. Their condition appeals strongly to the noblest sentiments of our nature.

Since 1894 Congress has annually appropriated \$6,000 for the benefit of the Indians in Florida; one-half of said amount to be used in securing them permanent homes. Under this appropriation, there has been purchased near the Everglades 8,960 acres.

In 1891 the State of Florida donated 5,000 acres for the benefit of the Seminoles; and in the recent drainage contract made by the I. I. Board, the trustees, learning that there were some settlements of Indians around Pine Island and Seven Prophets, reserved, subject to Legislative action, 10,000 acres in that vicinity for the same purposes.

The Hon. Secretary of the Interior, in his last report, states that certain lands in this State, the title to which is still in the United States, can be assigned to these people. In view of efforts in that direction, if the General Government will undertake to provide a reasonable reservation for their occupancy and support, and induce the Indians to locate on the same, it is respectfully recommended that the trustees of the Internal Improvement Fund be authorized to reserve, for the Government, with a view of exchange or otherwise, all lands held by said trustees in the proposed territory.

#### RECLAMATION AND DRAINAGE.

On the 29th of June, 1898, the Trustees of the Internal Improvement Fund entered into a contract with certain parties who became incorporated under the laws of the State, as the "Florida East Coast Drainage and Sugar Company," for the reclamation, drainage and purchase of some eight hundred thousand acres of land granted to the State of Florida by the Act of Congress of September 28th, 1850, in the extreme southeastern portion of the State, embracing a large portion of what is known as the Everglade region.

This elevated basin, from its eastern border to the Atlantic, has a total fall of some twenty feet, rendering its bottom practically above tide water, and the magnificent territory of rich lands capable of successful reclamation.

The value of the lands in what is known as the "Everglades of Florida" has been scientifically and practically tested, and there is no room to doubt their great fertility. The deep black mold soils of South Florida have been analyzed by prominent chemists in this country and in Europe, and a comparison of results shows a remarkable uniformity in the components of these rich soils. Prof. Aiken, of the Royal Agricultural Society of Scotland, in an analytical report on these soils, says: "I have never seen a sample of a soil so attractive or containing in it, to such a degree, those characteristics of a soil that indicate fertility." Prof. Wiley, while Chief Chemist of the United States Agricultural Department, stated that "These lands are new to agriculture and superior to any other soil in their capability for heavy crops."

Prof. Wiley made a personal visit to portions of the great unreclaimed region of Florida's inundated lands, and gave his opinion of the soil in the following statement:

"There is practically no other body of land in the world which presents such remarkable possibilities of development as these muck lands," and adds:

"They afford promises of development which reach beyond the limits of prophecy."

These soils have also received practical tests not only in the successful cultivation of sugar cane, but in general field crops, semi-tropical and tropical fruits, and early vegetables.

Claus Spreckles, the great sugar authority of the Hawaiian Islands, and grower of beet sugar in California, after inspecting similar soils just north of those embraced in the contract, said:

"The soil is as rich as any I have ever seen, and with proper cultivation, the yield should be equal to that of any other country on the face of the globe."

The capital stock of the company is two million of dollars; and with all the natural advantages and unsurpassed fertility possessed by the territory to be reclaimed, there should be no doubt that it will result profitably to the capital invested and develop a magnificent territory, to the incalculable benefit of the entire State.

#### BOND OF COUNTY OFFICIALS.

Chapter 4413, Laws of Florida, directs the County Commissioners of the various counties, twice annually, to examine as to the efficiency of the bonds of the county officers of their respective counties, "and if by reason of death, assignment or insolvency of any of the sureties on said bonds, the Commis-

sioners believe that the sufficiency of any bond has become impaired, they shall report the same to the Governor, who shall require the officer to execute a new bond for the same amount and under the same conditions as his former bond."

Upon the Comptroller devolves the duty of making similar reports to the Governor as to the sufficiency of the bonds of State officials.

The law works an unusual hardship upon officials who are required to give bonds. To illustrate: A tax collector or county treasurer may be required by law to give a bond for \$30,000.00. If one or two sureties on said bond for \$1,000.00 each assign or become insolvent, the matter is reported to this office and the Governor is required to call for a new bond. It is a source of great inconvenience to the officer to be forced to give an entirely new bond because his original bond is impaired to the amount of one-twentieth or one-tenth of its original value. The law should be so changed as to require the officer to give an additional or strengthening bond for the amount that his original bond has become impaired.

In this connection, and in view of the adoption of the amendment to Section 13 of Article XVI of the State Constitution at the election held November last, your attention is respectfully called to the report of the Comptroller, suggesting that suitable legislation be enacted "defining the conditions under which a guarantee or surety company should be considered 'responsible,' and authorizing any such guarantee or surety company to become the sole surety on an official bond requiring two or more sureties, together with such other provisions as the Legislature might, in its wisdom, deem necessary to protect the interests of the State, Counties and Municipalities."

#### STATE CIRCUIT JUDGE.

In my message to the last Legislature, recommendation was made that "Our Constitution should be so amended as to have a Circuit Judge appointed for the State, who could be directed to hold court in any county where a necessity existed, whether that necessity was produced by unusual crime or by disability of the Judge of the circuit."

Further consideration and experience but confirms the correctness of the recommendation, and it is again submitted for investigation.

#### UNIFORMITY OF LEGISLATION.

Messrs. R. W. Williams, J. C. Avery and Louis C Massey, the three Commissioners appointed for Florida for the promo-

tion of Uniformity of Legislation in the United States, have submitted their report. There have been two conferences, since their last report, of the Commissioners from all the States—one at Cleveland, Ohio, in 1897, and one at Saratoga, New York, in 1898. Florida was represented at both.

The Negotiable Instrument Law agreed upon by the conference, is now the law in New York, Massachusetts, Connecticut, Maryland, Virginia, Colorado and Florida. No State has rejected it, and it is believed that it will be adopted by all. It was also passed by the Congress of the United States at its recent session, and becomes operative, in all territories and the District of Columbia.

Several important laws bearing upon divorce, sales, transfer of stock, etc., etc., are being considered by the conference with a view of securing uniformity throughout the country. An eminent author has said that these efforts are "the most important juristic work undertaken in the United States since the adoption of the Federal Constitution."

#### DISREGARDING STATE LAWS.

On the night of August 6th, 1898, a portion of the Ninth United States Cavalry (colored), when leaving Tampa, by force of arms, entered the Hillsborough County jail, broke down its doors and took from legal custody a prisoner charged with the violation of our State laws.

After they had taken the prisoner from the jail, they marched to a populous portion of the city of Tampa, and, in the presence and hearing of their officers, and without any protest from them, terrorized our people by discharging large numbers of fire arms.

They took the prisoner aboard the train of which their officers were in charge, and carried him beyond the limits of the State. It was a most flagrant overriding and violation of our State and Municipal laws by a portion of the United States Army.

The Sheriff of the County furnished me affidavits bearing upon this outrage, and I made a formal demand, accompanied by copies of the evidence, upon the Secretary of War, for the return of the prisoner and the punishment of those engaged in this dastardly crime.

The papers in the case were forwarded to Hon. S. M. Sparkman, at Washington, and he presented them at the War Department. Up to this time, no satisfactory answer has been received as to what will be done in the premises.

## CONVENTIONS.

Two important National Conventions have assembled in our State since the meeting of the last Legislature. The largest and most interesting Fishery Convention that ever convened in any country was held in Tampa in January, 1898, under a call issued from this office. Twenty-four States and several foreign countries were represented by a large number of delegates prominently connected with fisheries, fish cultural work, scientific research and general economic pursuits appertaining to the business. The papers submitted were of the highest order, and were considered so valuable that the United States Commission of Fish and Fisheries had them printed at the expense of the General Government.

The demand was so great, both in this country and in Europe, that the edition was soon exhausted, and the last Congress authorized the publication of another edition to supply the necessary demand.

On February 8th of the present year, a Military Convention met in the same city, and twenty-five States, the Dominion of Canada and the Republic of Mexico were represented by delegates. Dr. McCrackin, Chancellor of the University of New York, delivered an able and instructive address upon "The Relation of the Public Schools to Military Drill," and the City of Toronto furnished from her public schools a company of well-drilled Canadian Cadets, in illustration of the operations of the practice in that Dominion.

As a result of this Convention, it is hoped that a bill will be submitted to the next Congress, which will not only add to the efficiency of the various bodies of State troops, but make them a strong, reliable and healthy reserve for the General Government.

To bring the National Guard or State troops up to approximate the efficiency of our Regular Army, and thus give the States an ample guarantee for the supremacy of law and order, and the General Government a military reserve equal to the world's best soldiery, was the dominating thought of the Convention.

To Col. T. T. Wright is due the credit for the suggestion of these conventions, and largely their success. They necessarily gave prominence to the State, and their influence will be felt throughout the entire country.

## OMAHA AND PARIS.

An official communication from the Governor of Nebraska requests that the attention of the progressive people of Flor-

ida be called to the "Greater American Exposition," which will be held in Omaha from July 1st to November 1st of the present year.

Extraordinary efforts are being put forth to secure exhibits from all the States of the Union, and the Islands of the Atlantic and Pacific, where detachments of the United States Army are now stationed.

The grounds and buildings of the Omaha Exposition of 1898 will be remodelled and greatly beautified, and many attractive features added.

All exhibitors will be accorded space free of charge, and a royal welcome given to all visitors.

The aroused attention of the world to the progress of the United States in all the elements that constitute a great country, will necessarily attract attention to her exhibits at the great International Exposition to be held in Paris in 1900.

A full exhibit of the agricultural and mineral resources of this country, and the growth and products of her manufactures; her triumphs in the general diffusion of education, and attainments in science and inventions in all their ramifications, will evidence the progress and welfare of our people.

These expositions will be noted events in the history of the times, and Florida's resources would necessarily attract attention if represented by proper exhibits.

#### ITALIAN CENTENARY.

The proud and ancient city of Florence, the Modern Athens, held in April, 1898, Centenary festivities in memory of two of her most distinguished sons. Amerigo Vespucci, the brilliant navigator, whose name has been given to the two continents of the Western Hemisphere, and Paolo Toscanelli, the greatest Astronomer and Mathematician of his age, (considered by many as the true discoverer of America for having suggested to Columbus and Vespucci to reach India by the western passage), are names honored not only in Italy, but throughout the civilized world.

The authorities invited the Government of the United States and all the Republics of Central and South America, and each of the States of our Union to send representatives. Such was the magnificence and splendor of these Italo-American festivities, lasting many days and attended by the King and Queen of Italy, the Court and Cabinet, all the Diplomatic representatives of the two Americas, and by numbers of scientific and literary men from all parts of Europe, that they assumed the importance of an international event.

The invitation to Florida was responded to by the appointment of Hon. Wallace S. Jones, of Jefferson County, Florida, as her representative. Mr. Jones had served long and honorably abroad, and was Consul-General at Rome during Mr. Cleveland's administration. He reports the highest consideration extended to him, and many assurances of satisfaction at Florida's being represented. Mr. Jones was also authorized to represent General Draper, the United States Ambassador to Italy, during his enforced absence.

#### FLORIDA FISHERIES.

The Legislature has never made any appropriations for the expenses of the Commissioners of Fisheries provided for under Section 457 of the Revised Statutes, and consequently it has been impossible to accomplish the objects for which the law was enacted.

Mr. John Y. Detwiler, of Volusia county, and Mr. John G. Ruge, of Franklin, generously consented to accept appointments as two of the Commissioners, and I respectfully call your attention to the report submitted by these gentlemen.

The water resources within the borders and along the shores of the State will always be the chief reliance of a large portion of our population, and whatever tends to the value and permanency of those resources should receive your careful consideration. Owing to the extent of our coast line, laws may have to be made to conform to the different conditions surrounding different localities and the varied habits of our food fish.

#### PROTECTING FRUIT GROWERS.

Prof. H. A. Gossard, the entomologist of the State Agricultural College, addressed me a letter a few days since, noting the existence of the Cottony Cushion scale on a few acres of shrubbery at Clear Water Harbor.

In the opinion of Prof. Gossard, this imported insect is a serious and threatening danger to the citrus growth of the State, and proper Legislative action should be at once taken, giving the entomologist of the Florida Agricultural Experiment Station powers of inspection and quarantine wherever necessary to check the danger.

Florida is vitally interested in the protection of her fruit industry, and whatever legislation is taken should be broad enough to cover the San Jose scale and all insect and fungous growth that jeopardize the interests of the fruit grower.

This subject was called to the attention of the last Legislature, and it is hoped will receive careful consideration at your hands, as a delay of two or more years may be fraught with danger.

The fruit industries of our State are destined to be one of her greatest monetary resources, and the growers who are daily investing large amounts of money, labor and skill in the rebuilding and propagation of these valued interests, should be protected and informed as to the use of the best-known means and remedies against fungous and insect pests.

### GUBERNATORIAL SUCCESSION.

The Constitution provides that in case of a vacancy in the office of Governor, the President of the Senate shall assume the duties and powers of the office; and that in the event of there being a vacancy in the office of President of the Senate, the powers and duties of the office shall devolve upon the Speaker of the House of Representatives.

Owing to the death of Hon. Chas. J. Perrenot, late President of the Senate, and the expiration of the term of Hon. D. H. Mays, Speaker of the last House of Representatives, there would have been no officer authorized by the Constitution to assume the powers and duties of Governor, should there have been a "vacancy by death, resignation or inability to discharge the official duties," since the general election on the 8th of November last.

It is for the Legislature to consider if a remedy is necessary for such a contingency as might transpire under our organic law.

### EXECUTIVE AND LEGAL DEPARTMENT.

The report of the Secretary of State covers all the official acts of the Executive Department as to appointments and commissions, giving the names and postoffice addresses of all State and County officers, members of Educational Boards, and Commissioners of Deeds in other States, lists of corporations organized under our general laws, statistical information as to State and Congressional elections, and other useful information.

The Attorney-General, in his report, furnishes valuable information as to the status of the various suits in which the State is or has been engaged, and upon the general work of his Department.

These reports, and all others from the various Departments should receive your careful examination, as they treat

upon many important questions, and give a variety of information that it is impossible as well as unnecessary to embrace in a message. With them, is transmitted a report of all cases of fines or forfeitures remitted, and reprieves, pardons or commutations granted.

It is a source of great pleasure for me to bear evidence to the intelligent and efficient work of the heads of the various administrative departments of the State Government, and their assistants. It is equally gratifying to record the harmony and pleasant relations that have always existed between the Executive and all Administrative officers.

### FLORIDA'S FUTURE.

The connecting of the waters of the world's two greatest oceans through Central America will crown the first years of the Twentieth century with its noblest triumph, and mark a grand era in the commercial and financial progress of America. Such an inter-oceanic canal will stand at the gateway of the commerce of the Western Hemisphere, as Suez does in the East, to collect toll from more than half of the world's commerce.

Its importance as a leading factor in the development of our entire country to a still higher and more commanding position, cannot be overestimated. Owing to Florida's geographical position, she must necessarily be the recipient of the highest benefit. Her great trunk lines of transportation, reaching out to the waters of the Gulf and Carribbean Sea, bear huge motive powers throbbing with life, ready to transport the growing trade of the West Indies, and impatiently waiting to interchange the rich commerce of the Orient with every section of our Union. She will no longer occupy the position of a terminal State. The great bands of steel that bind her various sections will be kept bright by the friction of traffic flowing through her borders to and from the West Indies. Central and South America and the great Eastern Hemisphere.

The position of our State will also make her the necessary basis for the defense of an inter-oceanic canal, and the commerce of the Gulf and Carribbean Sea. Every port within our limits and every transportation line will necessarily receive the invigorating influences of our strategic position.

Our varied and fertile soils admit a range of production without a rival in our great sisterhood of States. Florida is capable, with small reclamation and intelligent cultivation,

of furnishing the million and a quarter tons of sugar that are annually brought into this country. It was one of her leading and profitable products previous to the war between the States.

She has demonstrated her capacity to supply tobacco the equal of any imported. Her rich valleys respond in maximum production of rice. Cereals, cottons, esculent and leguminous plants, and other crops usual in agricultural States, are profitably grown, and become a source of wealth when touched by the hand of the progressive farmer, under the influence of advanced agricultural thought.

Here opportunities are offered for extending the culture of her valuable citrus and other tropical and semi-tropical fruits, vine culture, and early vegetables, to satisfy the growing demands of over-crowded centers of population.

Our forests are studded with natural contributions to the commercial and manufacturing wealth of the world, and if superintended by an intelligence that will enforce protection and induce the renewing of the younger growth, will necessarily be a wealth-producing element running through generations.

Vast herds of cattle roam over productive savannas, feeding upon Nature's generous bounty.

We have thousands of miles of waterways, where myriads of food-producing fish cut with golden oar the silvery stream, and "water farms" of oysters and sponge await the progressive hand of scientific and thoughtful culture.

Florida holds under her soil great store houses filled with phosphatic deposits, showing chemical constituents that render them more valuable than all the gold of the Continent, to restore the world's worn lands, and thus enrich the earth, that the labor of the intelligent agriculturist may be suitably rewarded.

Florida's health record is unsurpassed in the entire Union, and the climatic conditions afforded by her geographical position will always attract the tourist, and furnish the most inviting fields for sanitariums, for the business-worn and afflicted.

Her people are law-abiding and honor-loving, her educational advancement leads her Southern sisters, and the high order of her public press bears conclusive evidence of the intelligence of her reading public.

To immigration we are already largely indebted for our growth and intelligent citizenship; and to capital, for

splendid lines of transportation, unequalled palatial hosteleries, and employment to large numbers of our people.

Immigration and Capital—those two great and unrivalled motive powers of development—have given Florida marvelous progress, and should be welcomed as necessary factors to invigorate the further growth of the State.

The harvest is growing; let our people be ready to reap!

#### THE PRESIDENT'S VISIT.

Hon. William McKinley, President of the United States, with a party of distinguished friends, accepted an invitation and visited the Capital of our State on March 24th of the present year.

It was the first time that a President has ever visited our Capital, and he was given a most enthusiastic reception—one worthy of his pure personal life, and exalted station.

No sectional lines mar the patriotic promptings of Floridians, and their welcome to the official head of seventy-five millions of people emphasized their devotion to American institutions, and their loyalty to their Government.

Gentlemen of the Senate and House of Representatives: You are warmly welcomed to the Capitol of your State, and shall have my hearty co-operation in all measures tending to her progress and development. You have been honored by your fellow citizens and selected to perform, as their Representatives, important and responsible public trusts. While each one has been chosen by a particular constituency, yet your duties under our Constitution are limited by no circumscribed lines, but are commensurate with the area of the entire State. Your work here may tell for years to come, and furnish material for the historian of future generations. Let us hope that your action will be such, under the guidance of an All-Wise Providence, as will tend to the further development and prosperity of the Commonwealth, and be worthy of her honored past and future hopes.

Very respectfully,

**W. D. BLOXHAM.**

Mr. Palmer, of the 14th, moved that the Senate adjourn until tomorrow morning at 10 A. M.

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock A. M. tomorrow.