

Mr. MacWilliams moved that the rules be waived and Senate Concurrent Resolution No. 17 be now taken up and considered.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 17 was read a second time.

Mr. MacWilliams moved the adoption of the resolution.

Which was agreed to.

Mr. Palmer moved to adjourn until 3 o'clock this afternoon.

Mr. Harris moved that the Senate adjourn until 11 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until 11 o'clock a. m. tomorrow, April 22, 1903.

WEDNESDAY, APRIL 22, 1903.

The Senate met pursuant to adjournment.

The President in the chair.

The roll being called, 32 Senators answered to their names, showing a quorum present.

Prayer by the Rev. W. L. Mahon of the Baptist Church.

The reading of the Journal was dispensed with.

The Journal as corrected was approved.

The following report, in accordance with the order of the Senate, is inserted in the Journal:

REPORT OF HON. FRED L. ROBERTSON ON REAL PROPERTY OF STATE AND DEEDS THEREFOR.

Tallahassee, Fla., February 25, 1902.

Hon. W. S. Jennings, Governor:

SIR—In obedience to your instructions I have made diligent search as to the real property of the State, and the deeds therefor, and beg leave to submit my report showing, whenever possible, the entry, date, book, page of record, kind of instrument, with either the original deeds or record copies in full, when obtainable, with abstracts, plats or reference to the acts of Congress by which the State holds possession.

In making this report I deem it not inappropriate to enter somewhat into the early history of the State, and

the incidents that preceded, as well as the permanent location of the State Capitol.

The first session of the Legislative Council of the Territory of Florida assembled at Pensacola, June 10, 1822, but owing to a storm and the great distance from the homes of some of the delegates, there were but five present, and the Council did not organize for business until July 19th. Soon after its organization yellow fever broke out, and Dr. J. C. Bronaugh, President, and John Coppinger Connor, the Clerk of the Council, died. The Council moved to Don Emanuel's place, fifteen miles north of Pensacola, where it continued its sessions until September 18, 1822. This Council divided the Territory into four counties. Escambia embraced all the territory west of the Chattahoochee River; Jackson, all between the Chattahoochee (or Apalachicola) and Suwannee Rivers; Duval, all north of a line drawn from the mouth of the Suwannee to the mouth of the St. Johns River, and St. Johns county, embracing all the remainder of the peninsular.

The second session of the Council convened, under call of Governor Duval, at St. Augustine, in May, 1823. The Governor, in his correspondence, complains of the difficulties and dangers encountered in transporting the territorial records from Pensacola by wagons to St. Augustine and the great expense and inconvenience of such migrations.

As the result of his message, the Territorial Council passed the following Act, which was approved June 24th, 1823. (Statutes of Florida 1823 to 1825, pp. 33 and 34).

An Act for the establishment of the seat of government in the Territory of Florida:

Section 1. Be it enacted by the Governor and Legislative Council of the Territory of Florida, that with a view to the permanent location of the seat of government for the Territory aforesaid (Florida), there shall be appointed by the Governor two Commissioners, one from that part of the Territory known as East Florida, and one from that known as West Florida; that the Commissioners thus appointed shall meet at St. Marks, on the Gulf of Mexico, on the 1st day of October next (1823), and thence proceed carefully to explore and examine all that section of country embraced between Ockolockoney River on the west and the Suwannee River on the east, and between the

northern boundary line of said Territory and the Gulf of Mexico.

Section. B. Be it further enacted, That the said Commissioners shall be and they are hereby authorized and empowered, after making the examination aforesaid, to select the most eligible and convenient situation for the seat of government for the Territory of Florida.

Section 3. Be it further enacted, That the said Commissioners shall keep a journal and take notes on the topography of the country examined by virtue of this Act, particularly describing the quality of the soil, its local situation and the streams by which it is watered; that on or before the first day of January next the said Commissioners shall submit to the Governor of the Territory a report in writing of all their proceedings by virtue of this Act, accompanied with their journals and topographical notes on the country by them examined.

Section 4. Be it further enacted, That if the said Commissioners should disagree with regard to the situation on which the seat of government should be located, then and in that case, the journals and topographical notes of the said Commissioners, together with the subject of their disagreement, shall be submitted to the Governor of the Territory, who shall be and he is hereby authorized, from all the information adduced, to decide in favor of the situation selected by either Commissioner.

Section 5. Be it further enacted, That the situation thus selected shall henceforth constitute the seat of government for the Territory of Florida.

Section 6. Be it further enacted, That the next session of the Legislative Council of said Territory shall be held at the situation selected by said Commissioners or by the Governor, and either of them, in case of the disagreement of the Commissioners, if in the opinion of the Governor the Legislative Council can be accommodated, otherwise, the Governor is empowered by proclamation to direct the assembly of the Council at St. Augustine.

Dr. W. H. Simmons, of St. Augustine, and Mr. John Lee Williams, of Pensacola, were appointed Commissioners under the above Act.

Dr. Simmons left St. Augustine September 26th, 1823, traveling on horseback, and, from his journal, much of the time in the rain. As he thought a tent would be too cumbersome to carry on a pack horse, he was without shelter at night after leaving the St. Johns River, except when

he was fortunate enough to find an old Indian camp and bark shelter. The Doctor crossed the St. Johns somewhere near the place now known as Buffalo Bluff, and traveled westward, crossing the southeast end of Payne's Prairie and striking the Suwannee on the morning of the 3rd of October, at a point just below where the Santafee empties into the Suwannee. After crossing the river he traveled up the river for some distance. While he seems to have kept a general northwesterly course, he appears to have wound around a good deal, as he did not reach St. Marks until the evening of October 10th, just fifteen days, full of hardships after leaving St. Augustine.

Accompanied by Dr. Charles T. Foster, a boatman and a boy, Mr. Williams left Pensacola September 30th, 1823, in the afternoon, in a small sail boat. They encountered head winds and storms, missed their way, exhausted their supply of provisions, lay out in the rain and were reduced to living on the fish and crabs they could catch and the oysters they gathered on the bars. Near their journey's end they were delighted over the capture of a coon.

The party arrived at St. Marks on the evening of October 24, after twenty-four days of sailing, rowing walking and wading. Mr. Williams says: "October 25 we found it necessary to rest this day, some of us, among whom was myself, being so exhausted by fatigue and hunger that we were unable to walk without great difficulty."

After effecting a juncture, the Commissioners devoted thirteen days to a thorough examination of the country around Tallahassee and six days to the examination of the coast south from St. Marks, and from the description of the river and bay, reached Dead Man's Bay and went up the Steenhatchie River to the rapids; from that point they turned back to St. Marks, and on November 12th started for their homes.

Upon the report of the Commissioners Governor Duval issued the following proclamation. (See page 67 manuscript Journal, correspondence, 1822—1844, office Secretary of State).

PROCLAMATION.

Whereas, In pursuance of an Act of the Legislative Council of the Territory of Florida, approved the 27th of June, 1823, Commissioners were appointed to select the most eligible and convenient situation for the seat of

government of the Territory of Florida, and the said Commissioners have reported to me that they have selected a site in the county of Gadsden, situated about a mile southwest from the deserted fields of Tallahassee, about a half mile south of the Ocke-lock-o-ny and Tallahassee trails, at a point where the old Spanish road is intersected by a small trail running southwestwardly. In the exercise of the discretion in me vested by the said Act, and for the information of the good people of this Territory, I have thought proper to issue this my proclamation, requiring the members of the Legislative Council of the Territory of Florida to assemble at the site above described on the day appointed by law for the next session thereof. Given under my hand and the seal of the said Territory, at Pensacola, this 4th day of March, in the Year of Our Lord one thousand, eight hundred and twenty-four, and the Independence of the United States of America the fifty-eighth.

By the Governor

WILLIAM P. DUVAL.

GEORGE WALTON, Secretary of Florida.

The first Monday in November was appointed by Congress for the Council to begin its session for 1824. President Monroe appointed the following members: John De La Rue, Benjamin D. Wright, Joseph Noriega, Richard J. Compton, James Bright, Thomas Russ, James Gadsden, Jonathan Robinson, Abraham Bellamy, John L. Doggett, William R. Reynolds, Peter Mitchell and Joseph M. Hernandez—13. All the members were present except James Gadsden. The Council elected Joseph M. Hernandez President. The session began November 18th, 1824, and ended January 2d, 1825. The first Legislative Council to assemble at the new seat of government held their sessions in a small log house on the southeast corner of the present Capitol Square.

The location of the permanent seat of government for the Territory having been determined, Congress, by Act, approved May 24, 1824 (being Chapter 137, Volume 4, U. S. Statutes at Large, Page 30) made the location permanent by the following:

An Act providing for a grant of land for the seat of government in the Territory of Florida:

Be it enacted, by the Senate and House of Representatives of the United States:

Section 1. That there shall be, and hereby is, granted to the Territory of Florida, one entire quarter-section of land, or fractional section, not exceeding in quantity one-quarter-section, for the seat of government in that Territory, to be located previously to the sale of the adjacent lands, under the authority of the Governor thereof, at the point selected for the permanent seat of government of said Territory.

Section 2. And be it further enacted, That the Governor and the Legislative Council of the Territory aforesaid, or a majority of them, be, and they are hereby authorized to adopt such measures as to them may seem expedient for the sale of said tract of land, or any part thereof, for the purpose of raising a fund for the erection of public buildings at said seat of government.

Section 3. Be it further enacted, That there shall be, and hereby are reserved from sale three entire quarter sections of land of the United States, lying contiguous to and adjoining the quarter section granted by the first section of this Act, to be located by the Governor of said Territory.

Chapter 9, Volume 4, United States Statutes at Large, Page 202. Act approved February 8, 1827.

Section 14. And be it further enacted, That it shall be lawful for the Governor and Legislative Council (of Florida) to sell one of the reserved quarter sections of land near Tallahassee and apply the proceeds to the erection of public buildings, and it shall be lawful for them to reserve such portions of the quarter section to the town of Tallahassee contiguous to the creek and waterfall as may, in their opinion, contribute to the health and convenience of the inhabitants, and they shall have power to pass laws for the preservation, and expulsion from, the other two reserved quarter sections, all intruders, and to abate all nuisances etc.

Chapter 39, Vol. 4, U. S. Statutes at Large, Page 202, Acts of Congress. Approved March 2, 1829.

Section 2. And be it further enacted, That the following quarter sections of land, which have heretofore been reserved from sale, to-wit: The (NE. $\frac{1}{4}$) northeast quarter and the northwest quarter of Section 36, Township 1, north of Range 1 west; the southwest quarter of Section 1, Township 1 south of Rangel west, and the

southwest quarter of Section 6, Township 1 south, Range 1 east, Congress by Act authorizes the location of the seat of government. The Legislative Council, by Act, empowered the Governor to appoint Commissioners to select the site. The Commissioners were appointed, and performed the duties assigned them. The Governor issued his proclamation designating the place selected. The Act of Congress grants a quarter section of land and certain other quarter sections "contiguous to the town of Tallahassee," but nowhere is the SE $\frac{1}{4}$ of Section 36, Township 1, Range 1, N and W, mentioned in the Acts of Congress as reserved for the seat of government, nor is it so designated on the maps. The copies of correspondence with the Department at Washington hereto attached, bearing dates of February 16th, 1825; September 26th, 1879, and October 15th, 1901, sets at rest all question of the title and right of the State to hold the trust of land now occupied by the State for Capitol purposes, viz.: SE $\frac{1}{4}$ Sec. 36, T. 1 N, R. 1 W.

The authorities at Washington hold that the grant being absolute in its character, and the State in undisputed possession, there is no necessity for a patent. I beg to submit herewith the proclamation of Acting Governor Walton designating the lands south of Tallahassee, granted by Act of May 24, 1824, "An Act providing for a grant of land for a seat of government in the Territory of Florida and for other purposes"; together with correspondence of Mr. Cerley and myself with the Department of the Interior; also a letter from Mr. Dell, U. S. Land Office at Gainesville, with reference to the same matter—all going to show that while the land occupied by the Capitol and by the City of Tallahassee, is not specifically described in any of the Acts relating to the Capitol, the State's title to the southeast quarter of Section One (1), Township One (1) north, Range One (1) west, is indisputable.

In addition to the above-mentioned papers, I submit the original Act passed by the Legislative Council, Wednesday, June 18, 1823, creating a Commission to locate the seat of government. I also attach a letter addressed to the Council by Governor Robert Raymond Reec, dated January 30, 1840, relative to the location of the Capitol Building.

With the foregoing I beg to hand you the deeds and abstracts to the property of the Florida Agricultural College; the deeds to the Reform School, Jackson County; the Blind, Deaf and Dumb Institute, St. Augustine; the State Normal and Industrial College for Colored Students, Tallahassee; the deeds to a portion of the property of the State Normal School for White Teachers at DeFuniak Springs; the deeds and Abstract of Title to the South Florida Military and Educational Institute, Bartow; deeds and abstract to a portion of the property of the Florida Hospital for the Insane at Chattahoochee; also a copy of Special Order No. 57, instructing the Commissioner of Refugees, Freedmen and Abandoned Lands to turn over the Chattahoochee Arsenal to the Governor of Florida, dated October 9, 1868, with the Act of Congress, December 15, 1870, donating same to the State, and a plat of the land in question, together with correspondence on the subject; abstract and record copies of titles to property of the East Florida Seminary, Gainesville; and deed from Mrs. M. A. C. Blount to 40 acres of land in Polk County, together with a letter from Mr. Boyde, Tax Collector of that county, showing a break in the title to the S $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 14, T. 29 S., R. 24 E.

There has been great delay in correspondence, and in several instances I have found considerable difficulty in getting the required information. For more definite information I beg to refer you to the reports on the several tracts hereto attached.

In the case of the Seminary west of the Suwannee River, now the Florida State College, I could find no record except the following:

Extract from the proceedings of the County Court of Leon County, Tallahassee:

"At a session of the County Court of Leon County, March 2nd, 1828, ordered, that the proposition of the Commissioner of the City of Tallahassee to give to the County of Leon, the fourth square north of Tallahassee, lying between the streets of Monroe and Adams, for a Court House and other public buildings, in the section of land laid off in lots agreeable to a law of the Legislative Council, in exchange for the same number of feet of

land in the County Quarter, to be laid off in lots in conformity to the plan of the City of Tallahassee, and also to reserve ten acres of land from the County Quarter for the site of the University of Florida, by the Judge of the Court in conjunction with said Commissioner, until the Legislative Council makes such declamatory act or acts on the subject of the site of the said University of Florida. Failing in this, the land to revert to the county.

*(N. B.—From the description it is evident the County Court designated the present Capitol Square as "Tallahassee." The lot or block described is now occupied by the Leon Hotel and private residences.)

The County Quarter was selected by a Commission appointed by the County Court of Leon County (See records, office of County Judge, 1825-27, p. 3.) under authority of U. S. Statutes, Chap. 137: Pursuant to the order of the Court the Commissioners selected the SW $\frac{1}{4}$, Sec. 36, T. 1 N, R. 1 W.

Extract Proceedings County Court, Leon County, April 12th, 1825: "County Court convened. Present: Cary Nichols and Ambrose Crum, judges; Ede Van Ewar, J. P. Action of the Board of Commissioners to select land ratified, and possession ordered taken of the same in the name and for the use of the County of Leon. It being the quarter next and adjoining and due west from the town of Tallahassee, viz.: The SW $\frac{1}{4}$ of Sec. 36, T. 1 N, of R. 1 W. County Surveyor ordered to run out and mark lines by conspicuous blazes and file plat in Clerk's office, pages 75-76. On March 5, 1826, the United States conveyed the SW $\frac{1}{4}$ of Sec. 36, T. 1 N, R. 1 W, to George E. Tingle for the County of Leon. The above appears to be about all the title the State has to property of the Florida State College, consisting of about 20 acres now embraced in the tract, on which there has been erected a commodious two-story college building of brick and wooden dormitories, male and female, the latter built last year.

The foregoing, with accompanying documents, covers the property of the State now in use for public purposes.

If you will permit me, I will suggest that the necessary steps be taken to establish the State's title to Lots 28, 29, 30 and 56, in DeFuniak Springs, and to perfect the title to the property of the East Florida Seminary, and that the Trustees of the East Florida Seminary and the

authorities of the City of Gainesville be solicited to make the State full titles to the property in question.

In justice to the people, the State should have absolute control of all institutions maintained by taxes levied on the people of the State.

Trusting that the foregoing, together with attached report and accompanying deeds and documents, will cover

the work assigned to me by your instructions dated September 7, 1901 I am, Sir,

Yours, very respectfully,

FRED. L. ROBERTSON.

The Florida Agricultural College was established by legislative enactment in 1870 (Chapter 1766, Laws of Florida, approved February 18th, 1870) and was first located at Eau Gullie, in Brevard county, a place that at that time and for twenty-five years after was so inaccessible as to make the college utterly valueless to the State. A subsequent legislature determined to remove the college and the act of May 7th, 1877, Chapter 3045, gave the needed authority. A commission was appointed to select a central and desirable location, and after careful consideration selected Lake City, and the Florida Agricultural and Mechanical College was located at that place. In 1883 the first purchases of land were made and the permanent location of the college established.

The land occupied lies in Section 32, Township 3, S. Range 17 E., and Section 5, Township 4, S., Range 17 E. The west half of the southwest quarter, of which the college land is a part, was patented by the United States to Joseph J. Knight March 1, 1847. Knight died in 1853 insolvent, and the titles held are derived from a sheriff's deed and undisputed possession, all the records having been destroyed by fire. The accompanying memorandum abstracts explain the connection.

The State holds the following deeds to the property in question, which are reported here in their order of record as it appears in the clerk's office at Lake City.

United States to Joseph Jackson Knight—Entry March 1, 1847; patent issued April 13, 1896; filed September 2, 1896; recorded Book O, page 535.

The entry was suspended and held in abeyance until April 13, 1896, when the suspension was removed and the patent issued pursuant to the original entry.

Joseph F. Boyd to (copy of deed) Trustees Florida Agricultural College, viz. E. K. Foster, Superintendent Public Schools; H. A. L'Engle, State Treasurer; J. Wofford Tucker, D. L. Walker, J. M. Baker, C. H. Smith, W. D. Barnes and T. F. King—Warranty deed, May 24, 1883; recorded in Deed Book "F," pages 100, 101, 102, October 9, 1894; Lake City, Fla.

Samuel R. Carter to (copy of deed) Trustees Florida Agricultural College—Warranty deed; May 24, 1883; recorded, Deed Book "F," pages 406, 407 and 408; October 10, 1894. N. B.—No relinquishment of dower; no evidence that S. R. Curtis was unmarried at the time of making deed.

S. B. Thompson and A. B. Hart to (copy of deed) Trustees Florida Agricultural College—Warranty deed; May 24, 1883; recorded, Deed Book "T," pages 408, 409, 410; October 10, 1894. Mrs. Laura D. M. Thompson, wife of S. B. Thompson, joins in execution of this deed.

Atalie Niblick to (copy of deed) Trustees Florida Agricultural College—Warranty deed; May 24, 1883; recorded Deed Book "F," pages 411, 412; October 10, 1894. N. B.—spinster, married or a widow.

Nothing to indicate whether party of first part was a

Caroline Tompkins to (copy of deed) Trustees Florida Agricultural College; Warranty deed; May 24, 1883; recorded in Deed Book "F," pages 413, 414; October 10, 1894. N. B.—In this deed the sex of the party of the first part is considerably mixed, and there is nothing to indicate whether she is married or single.

Florida V. Nelson, (feme sole,) to Trustees Agricultural College, to-wit: Walter Guyson, W. D. Chipley, C. F. A. Bailby, S. J. Turnbull, A. B. Hagan and F. E. Harris—Quit claim deed; August 15, 1894; recorded, Deed Book "M," pages 368, 369, August 20, 1894.

William B. Knight and wife to Trustees Florida Agricultural College—Quit claim deed; August 22, 1894. Recorded Deed Book "M," pages 381, 382, 383, August 29, 1894.

W. R. Chalker and wife and T. S. Chalker and wife to Trustees Florida Agricultural College, to-wit: E. K. Foster, E. F. Harris, George W. Wilson, C. A. Carson, L. Harrison, J. D. Calloway and E. D. Beggs—Warranty deed; August 15, 1899; recorded in Deed Book "Q," pages 84 and 85; Sept. 2d, 1899.

Jacob C. Miller to Trustees Florida Agricultural College, to-wit: A. J. Russell, D. S. Walker, W. D. Barnes, J. M. Baker, C. H. Smith, C. L. Mitchell, J. E. Young, L. B. Wombwell, H. W. Long and F. J. Pons.—Warranty deed; Sept. 9, 1890; recorded in Deed Book "L," page 26, August 7, 1891.

J. F. Baya and wife to Trustees Florida Agricultural College—Warranty deed; August 5, 1891; recorded, Deed Book "L," page 84; Sept. 14, 1891.

M. E. Williams, Theo. Williams, M. M. Knight, S. J. Knight, Julia C. Herring, W. W. Herring, Frankie Rivers, Caleb Rivers, Ada Sapp, Jasper Sapp, Irene Padgett, James Padgett and Willie Buchannan (unmarried, to Trustees of Florida Agricultural College, to-wit: George W. Wilson, F. E. Harris, C. A. Carson, J. R. Parrott, E. D. Beggs, J. D. Calloway and L. Harrison—Quit claim deed; March 28, 1901; recorded in Deed Book "S," pages 33 to 37; April 11, 1901.

REFORM SCHOOL.

By an act of the Legislature, approved June 4, 1879, being Chapter 4565, Laws of Florida, the State Reform School was established, and was located in Jackson county, near Marianna, when the State purchased and acquired 1,290 acres, as shown by the following deeds:

Theop. West and wife to Wm. D. Bloxham, Governor; Wm. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; southeast quarter of the northwest quarter of section 10, township 4, range 40 a. Warranty deed, Dec. 21st, 1897, recorded book (S. S.) page 81. March 8th 1900.

Jefferson D. Smith and wife to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and Lucius B. Wombwell, Commissioner of Agriculture; northwest quarter of southwest quarter and north half of northwest quarter of section 8, and southwest quarter of southwest quarter, section 5, township 4, s., range 10—Warranty deed; December 30, 1897; recorded, Book "E E," page 193; April 8, 1898.

Louisville and Nashville Railroad Company, by M. H. Smith, President, and J. H. Ringold, Trustee under mortgage by the Pensacola and Atlantic Railroad Company, to Wm. D. Bloxham, Governor; W. B. Lamar, Attorney-

General, and L. B. Wombwell, Commissioner of Agriculture; north half of northeast quarter, southeast quarter of northeast quarter and northeast quarter of northwest quarter, section 17, township 4 N. of range 10 W.—Warranty deed; January 6, 1898; recorded, Book "L L," page 86; March 8, 1900.

W. J. Watson to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; southwest quarter of northeast quarter and southeast quarter of northwest quarter of section 16, township 4 n., range 9 w.—Warranty deed; January 12, 1898; recorded, Deed Book "L L," page 74; March 8, 1900.

R. D. Daffin and wife to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; north half of northwest quarter, section 16, township 4, range 10w.—Warranty deed; January 13, 1898; recorded, Deed Book "L L," page 75; March 8, 1900.

James L. Gardner to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; north half of northwest quarter of southwest quarter, section 7, township 4, N. range 10 W. 20 A.—Warranty deed; January 12, 1898; recorded in Deed Book "L L," page 77; March 8, 1900.

Alexander Merritt, Louie Merritt, Maggie L. Smith, Clifton E. Merritt, Fannie Merritt, heirs of Mary T. Merritt, to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; southeast quarter of northwest quarter, the southwest quarter of northeast quarter and northwest quarter of southeast quarter, section 8, township 4 n., range 10w.—Warranty deed; February 11, 1898; recorded in Deed Book "EE," page 187, April 8th, 1898.

Mary E. Davis to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; southeast quarter of southeast quarter, section 16, township 4 n., range 10 w.—Warranty deed; January 12, 1898; recorded Deed Book "L L," page 80; March 8, 1900.

Alexander Merritt and Louie Merritt, Maggie L. Smith, Clifton E. Merritt and Fannie Merritt, heirs of Mary T. Merritt, to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General and L. B. Wombwell, Commis-

sioner of Agriculture, E $\frac{1}{2}$ of S. W. $\frac{1}{2}$ Section 8, T. 4, N. R. 10 W.—Warranty deed, February 11th, 1898—Recorded Deed Book "EE," page 189, April 8, 189.

Jefferson D. Smith and wife to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; southwest quarter of northwest quarter, section 8, township 4 N. range 10 W.—Warranty deed Feb. 25th, 1898, recorded Deed Book "E E," page 192, April 8th, 1898.

W. J. Daniel and wife to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; northwest quarter of southeast quarter, section 16, township 4 n., range 10 w, and southeast quarter of northeast quarter and northwest quarter of southeast quarter, section 16, township 4 n., range 9.—Warranty deed, March 10th, 1898, recorded Deed Book, "S S," page 72, March 8th, 1900.

W. H. Milton, Jr., and wife of W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; east half of east half of section 18, township 4 n., range 9 w; the north half of northwest section 36 and northeast quarter of northeast quarter, section 35, township 5, range 11, and northwest quarter of northeast quarter, section 35, township 5n., range 11 w.—Warranty deed; March 10, 1898; recorded, Deed Book "L L," page 78; March 8, 1900.

W. R. Sneed and wife to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; the southwest quarter of southeast quarter, less 10 acres off east end, section 21, township 4 n., range 7 w.—Warranty deed; March 17, 1898; recorded in Deed Book "L L," page 83; March 8, 1900.

Robert J. Boone, Commissioner, to Wm. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; east half of southwest quarter, the northwest half of southeast quarter, the southwest quarter of northeast quarter and the southeast quarter of northwest quarter, section 8, township 4 n., range 10 w.—Commissioner's deed; March 18, 1898; recorded, Deed Book "E E," page 195.; April 8, 1898.

Robert J. Boone, Commissioner, to Wm. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; east half of

southwest quarter, the northwest quarter of southeast quarter, the southwest quarter of northeast quarter and southeast quarter of northwest quarter, section 8, township 4 n., range 10 n.—Commissioner's deed; March 19, 1898; recorded, Deed Book "E E," page 197; April 8, 1898;.

E. L. Bevis to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; southwest quarter of southeast quarter, section 4, township 4 n., range 7 w.—Warranty deed; March

30, 1898; recorded, Deed Book "L L," page 84; March 8, 1900.

J. P. Hamilton to W. D. Bloxham, Governor; W. B. Lamar, Attorney-General, and L. B. Wombwell, Commissioner of Agriculture; all the right, title, interest or demand whatsoever which I have in and to the east half of southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the northeast quarter of the northeast quarter, and southeast quarter of the northwest quarter, all in section 8, township 4, range 10 nw., in Jackson county, Florida; whatever interest I may have therein being devised by me, as heir at law of my deceased wife, Bessie Merrill, who was heir at law of her deceased mother, Mary F. Merritt.—Quit claim; April 6, 1898; recorded, Deed Book "E E," page 207; April 11, 1898.

BLIND, DEAF AND DUMB INSTITUTE, ST. AUGUSTINE, FLA.

Was established by Act of the Legislature, Chapter 450, page 67, Laws of Florida, approved March 5th, 1883.

Under the authority of the above Act, the Board of Trustees acquired by purchase the property as set forth in the deeds herewith submitted and described as follows:

Solomon Myrick, bachelor, to W. D. Bloxham, Governor; A. J. Russell, J. L. Crawford and George P. Raney, Trustees—Warranty deed; dated April 16, 1884; consideration, \$1,000. recorded in Deed Book, pages 48 and 50, January, 1885.

Solomon Myrick, bachelor, to W. D. Bloxham, Governor, et al. Trustees—Warranty deed; dated January 3, 1885; to cure defect in former title, which defect is fully set forth in deed; no consideration; no evidence of record.

John K. Raney and wife, to W. D. Bloxham, Governor, et al. Trustees—Warranty deed; dated August 18, 1897; consideration, \$200.00; Recorded in Deed Book "XX," pages 604, etc., September 22, 1897; record verified.

THE STATE NORMAL AND INDUSTRIAL COLLEGE FOR COLORED STUDENTS.

The land owned and occupied by the State and used for Colored Normal and Industrial College purposes, lies in

the northwest and southwest quarters of Section 1, Township 1 South, Range 1 West. The part of the northwest quarter in which the State is interested was certified by the United States to J. G. Searcy and R. D. Harris, March 1st, 1826. The southwest quarter was granted to the Territory of Florida by Act of Congress March 2, 1829, being Chapter 39, Volume 4, U. S. Statutes at Large, pages 357-8. Section 2 of which reads as follows:

"And be it further enacted, That the following quarter sections of land, which have heretofore been reserved from sale, to-wit: the northeast and northwest quarters of Section 36, Township 1 North, Range 1 West; the northeast quarter and southwest quarter and southeast quarter of Section 1, Township 1 South, Range 1 West, and the southwest quarter of Section 6, Township 1 South, Range 1 East.

"Section 3. Be it further enacted, That the Governor and Legislative Council of Florida, or a majority of them, be and are hereby authorized to select any two of the aforesaid quarter sections of land, to be reserved for and vested in the State, should the Territory of Florida ever be enacted into one, in conformity with the provisions of Section 14, Act February 8, 1827 etc."

The abstract accompanying this report shows the several transfers of the E. $\frac{1}{4}$ of Lot 1, and all of Lot 10, in the E. $\frac{1}{4}$ of NW. $\frac{1}{4}$ Sec. 1. T. 1 S., R. 1 W.; also Lot No. 1 and E. $\frac{1}{4}$ of lot 2 in E. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ Sec. 1, T. 1 S., R. 1 W.

The following instruments conveying the property of the State and now used by the Colored Normal and Industrial College also accompany the report:

Alfred A. Fisher, Sheriff, to H. F. Carnochan and R. K. Call, Trustees of Mary D. Walker—Interest of W.P.

Duval, Record Book "E E", page 199, March 2nd, 1846.

W. P. Duval to Harriett T. Carnochan and Richard K. Call, trustees of Mary D. Walker,—Transfers interest in land under bond for title, June 5, 1846; recorded in Book H, page 280.

Charlotte P. P. Searcy, administratrix of I. G. Searcy, to H. F. Carnochan and R. K. Call, Trustees of Mary D. Walker—Quit claim deed; July 9, 1846; recorded in Book "I," page 202; conveys remaining interest of estate I. G. Searcy.

James F. Lockie and wife to Wm.A. Rawles—Mortgage; Feb. 19, 1890, recorded in Book "K K" page 11, March 8th, 1890.

Note—The transfers between that of C. P. P. Searcy to the Trustees of M. D. Walker and Leckie to Rawles are shown in abstract.

J. S. Leckie to Francis P. Fleming et al., Board of Education—Lease; April 15, 1891; Highwood Manor and 20 acres of land; recorded in Book "DD," page 192, May 25, 1891.

J. S. Leckie to Francis P. Fleming et al., State Board of Education—Lease of 57 acres, farm south of Highwood; December 16, 1891; recorded in Book "DD," page 441, February 2nd, 1892.

W. A. Rawles to J. S. Leckie—Release of Mortgage; December 15, 1892; recorded in Mortgage Lien Satisfaction Book, page 10, December 22, 1892.

Jesse S. Kenedy to State Board of Education of Florida—Quit claim deed to Highwood Manor and land, 20 acres; December 7, 1892; recorded in Book "EE," page 116, December 15, 1892.

J. S. Leckie and wife to the State Board of Education of Florida—Warranty deed to Highwood Manor and 20 acres land; December 7, 1892; recorded in Book "EE," page 115, December 15, 1892.

J. S. Kenedy, Mary Leckie and J. L. Leckie to W. D. Bloxham, Governor, et al., the Board of Education of Florida—Warranty deed to 57 acres of land south of Highwood; August 7, 1897; recorded in Book "GG," page 396, September 18, 1897.

Also a plat showing trust as conveyed by deed of

August 7, 1898; recorded in Deed Book "GG," page 398, September 18, 1897.

Aaron Van Scey and wife to D. W. Gwynn—Warranty deed; April 20th, 1877; recorded in Book "AA," pages 562-563, April 23, 1887.

Andrew J. Stowell and wife to D. W. Gwynn—Warranty deed; February 26, 1887; recorded in Book "AA," pages 516-517, February 26, 1887.

D. W. Gwynn to Frederick Williams—Warranty deed; April 18th, 1887; recorded in Book "BB," pages 187, 188, February 2, 1888.

Frederick Williams and wife to D. W. Gwynn—Warranty deed; March 10th, 1891; recorded in Book "DD," pages 129-130, March 30, 1891.

J. S. Leckie and wife to D. W. Gwynn—Warranty deed; November 23rd, 1891; recorded in Book "DD," page 374, November 23, 1891.

D. W. Gwynn to J. Henry Perkins—Warranty deed; April 29, 1887; recorded in Book "AA," pages 579 and 580, May 7, 1887.

John H. Perkins and wife to Geo. H. Gwynn, Clifton B. Gwynn and Walter N. Gwynn—Warranty deed; March 7, 1896; recorded in Book "FF," March 30, 1896, page 501.

Geo. H. Gwynn et al. to the State Board of Education of Florida—Warranty deed; July 8th, 1899; recorded in Book "HH," page 544, January 25, 1900.

E. T. and J. W. Nash to F. P. Fleming, Governor, et al., the State Board of Education—Warranty deed; August 20, 1892; recorded in Book "EE," page 214, May 18, 1893.

Caraway Bell and wife to F. P. Fleming, Governor, et al., the State Board of Education—Warranty deed; December 20th, 1892; recorded in Book "EE," page 212, May 18, 1893.

The deed from Caraway Bell and wife is defective in the description, which reads as follows: "A point in said Section 1, south of the southeast corner of Boulevard Sheet and forty feet south of the said (F. C. & P.) railroad track, and running west with the line of said railroad twenty-three (23) feet, thence *south* one hundred feet, thence east twenty-three (23) feet, thence *south* to the

place of beginning. The word south in the last line should be north.

October 3rd, 1901.

Hon. Fred L. Robertson, Tallahassee, Fla.:

DEAR SIR—In reply to yours of the 1st, will say that I have examined records and find deed from L. W. Plank to State for Lots Nos. 68 and 69, and two deeds from Allen B. Jones for a tract 388 x 550 feet. Do not find any deed from Jones to the State for 28, 29, 30 and 56, upon which lots the boy's dormitory is located. I enclose a rough plat showing the grounds.

Yours very truly,

JAMES A. McLEAN,

Clerk.

STATE NORMAL SCHOOL, DeFuniak Springs,
WALTON COUNTY.

Allen R. Jones and S. S. Jones, his wife, to the State of Florida—Warranty deed to tract of land in SW. corner of NW $\frac{1}{4}$ of Sec. 36, T. 3 N., R. 19 W., used for the purpose of a normal college for the training of white teachers.

Allen R. Jones and S. S. Jones, his wife, to the State of Florida—Warranty deed to tract of land in SW. corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 33, T. 3 N., R. 19 W., used for the purpose of a normal college for the training of white teachers.

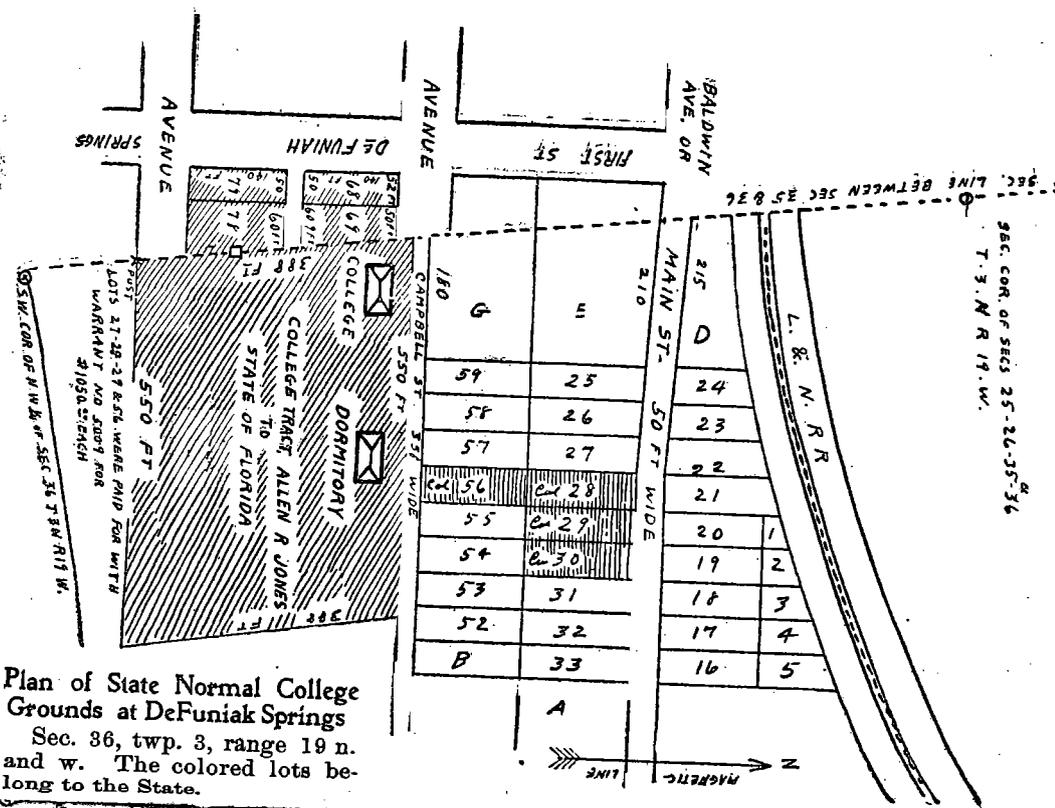
L. W. Plank (widower) to the State of Florida—Warranty deed to Lots 68 and 69, according to a map of DeFuniak Springs, drawn by W. J. Van Kirk in 1885.

Abstract of title and warranty deed from McCormick Brashear to State Board of Education for Lots 78 and 79, according to map of DeFuniak Springs drawn by W. J. Van Kirk.

Map of the land for which the State holds title, also showing location of Lots 28, 29, 30 and 56.

On the 24th of April, 1890, in accordance with a proposition submitted by A. R. Jones, the State Board of Edu-

cation agreed to purchase, for \$1,050, Lots 28, 29, 30 and 56, according to the plat of Daniel Campbell (See page 215, minutes board). It appearing on November 19, 1890, that Mr. Jones had executed a warranty deed to the State of Florida for Lots 28, 29, 30 and 56, as proposed, the board ordered that a warrant for \$1,050.00 be drawn in payment for the same, and Warrant No. 5009 was drawn November 20, 1890, and paid to A. R. Jones, November 21, 1890. The deed to these lots cannot be found here, and the letter of James A. McLean, Clerk of the Circuit Court of Walton County, hereto attached, shows that such deed has never been recorded.



Plan of State Normal College Grounds at DeFuniak Springs Sec. 36, twp. 3, range 19 n. and w. The colored lots belong to the State.

**SOUTH FLORIDA MILITARY AND EDUCATIONAL
INSTITUTE, BARTOW, POLK COUNTY, FLA.**

Established by Legislative enactment, Chapter 4334, Laws of Florida, Acts 1895, approved May 29, 1895. The Trustees purchased and transferred to the State the property as shown by accompanying abstract and deeds as follows:

Section 8, Township 30 South, Range 25 East.

United States to Trustees Internal Improvement Fund—Selected by State under Act of Congress of September 4, 1841. Selection approved by General Land Commissioner, May 18, 1876.

Trustees Internal Improvement Fund to heirs Josiah Vam, deceased—Grant July, 1878; consideration, \$1.25 per acre; recorded in Book D, page 28, January 23, 1883. Polk County.

Josiah Vam died 1863, leaving as surviving heirs Victoria M. Vam, his widow; Annie Vam, a daughter, and W. R. Vam, son.

Annie Vam, spinster, to W. R. Vam—Deed of Partition; December 19, 1882; one-half interest in NW. $\frac{1}{4}$ of SW. $\frac{1}{4}$, Sec. 8, T. 30, R. 25; consideration, silent; recorded Book E, page 152, January 5, 1883. Polk County Fla.

N. B.—Annie Vam was unmarried at time of transfer.

W. R. Vam, bachelor, to Jesse Potter and Lewis F. Condict—Warranty deed; January 31, 1883; consideration, \$800.00; recorded Book E, page 383, April 7, 1883, Polk County, Fla.

W. R. Vam was unmarried at date of transfer.

Affidavit of W. R. Vam that he was married September 5, 1883, and that it was his first and only marriage—Affidavit; January 18, 1885; recorded Book 1 (MM), page 107, January 18, 1885. Polk County.

Jesse Potter and wife, Lydia, E. Potter and Lewis C. Condict, bachelor, to D. W. Stanley, C. C. Wilson and Warren Tyler, Trustees South Florida Military and Educational Institute—Warranty deed; June 18, 1901; consideration, \$1,350; recorded Book 58, page 349, June 24, 1901. Polk County.

Victoria M. Sherill (nee Victoria M. Vam), widow of Josiah Vam, and husband, Chas. C. Sherill to William S. Jennings Governor, et al., State Board of Education,

and their heirs and assigns—Quit claim deed; July 16, 1901; consideration, \$1.00; recorded Book 59, page 422, July 16, 1901. Polk County.

Affidavit of Mrs. Annie Vam Bivens that she is the daughter of Josiah Vam; that she and W. R. Vam, her brother, were the only children living at the time of the death of Josiah Vam, and that she remained unmarried until April 9 1890—Affidavit; July 15 1901; recorded Book 59 page 428, July 16, 1901. Polk county.

The South Florida Military and Educational Institute (by D. W. Stanley, Warren Tyler and C. C. Wilson, Trustees) to W. S. Jennings, Governor; John L. Crawford, Secretary of State; James B. Whitfield, State Treasurer; William B. Lamar, Attorney-General, and W. N. Sheats, State Superintendent of Public Instruction (and their successors in office)—Warranty deed; June 17, 1901; consideration, \$6,000.00; recorded Book 59, page 396, June 24 1901. Polk County, Fla.

FLORIDA HOSPITAL.

The land now held and occupied by the State, and formerly known as the Chattahoochee Arsenal, later as the Insane Asylum, but now known as the Florida State Hospital, came into possession of the State in 1868 by virtue of Special Order No. 57, issued from the War Department Bureau of Refugees, Freedmen and Abandoned Lands, dated St. Augustine, Florida, October 9, 1868, and signed by F. D. Sewell, Acting Assistant Adjutant-General, addressed to Colonel John T. Sprague, and an appended order of Colonel John T. Sprague, addressed to Brevet Major Allen H. Jackson, U. S. A., Disbursing Officer B. R. F. and A. L., a copy of which orders are attached hereto, together with a letter from the Assistant Secretary of War, bearing date of November 18, 1901.

Subsequently Congress passed the following: *Chapter 3, U. S. Statutes at Large, Volume 16, page 396* An Act donating Chattahoochee Arsenal to the State of Florida for educational purposes, approved December 15, 1870.

Section 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public property, with the grounds, buildings and appurtenances thereto belonging,

situated in Gadsden County, in the State of Florida, and known as the "Chattahoochee Arsenal," and at present occupied by said State as a penitentiary, be, and the same are (is), hereby granted and donated to the State of Florida for educational purposes.

Section 2. And be it further enacted, That the Secretary of War is hereby authorized and directed to transfer said property to the Board of Internal Improvement of the State of Florida, to be held by them in trust for the use, benefit and execution of the purposes of the grant, or for such other public purposes as said board may deem proper.

Ordinance Office, War Department.
Washington, October 25, 1877.

The Attorney-General of the State of Florida,
Tallahassee, Fla.:

SIR—The Judge Advocate-General of the Army, to whom has been referred your communications of August 28th and September 15th, has expressed to the Secretary of War an opinion that the State authorities of Florida, having been in actual occupation of the lands and buildings of the Apalachicola (or Chattahoochee) Arsenal at the date of the Act of Congress of December 15th, 1870, donating them to the State for educational purposes, the United States could not thereafter sell the same as their own property. He also holds, upon the strength of 11 opinions of the Attorney-General, page 49, that no formal deeds are necessary to be given to the State of Florida under said Act.

The Secretary of War has therefore decided that no action seems to be necessary in the case, but to take a receipt for the property, which has been lawfully turned over. The "lands" of the Apalachicola Arsenal were reserved by the President of the United States from the public domain under dates of November 3rd, 1832, and October 30th, 1833, and will be found fully described in the records of the "Land District of the West Territory of Florida" for these years.

The "buildings" located on these lands on December 15, 1870, necessarily go with the lands into the ownership of the State. The "appurtenances" of the lands are embraced in a deed of J. W. King, attorney for Daniel Sig 18 S

Mitchell, dated February 17, 1834, and recorded in Book B, page 37, in the Clerk's office of Gadsden County Court.

In pursuance of the decision of the Secretary of War, I have therefore to request that the proper authorities, constituting the Board of Internal Improvement of the State of Florida, will file in this office a suitable acknowledgment of receipt of the foregoing property, which has been turned over to them.

Respectfully, your obedient servant,
 (Signed) : L. V. BENET, Brigadier-General,
 Chief of Ordnance.

FLORIDA HOSPITAL.

(File 2366.)

War Department,
 Washington,
 November 18, 1901.

DEAR SIR—I have the honor to acknowledge the receipt of your letter of September 20th last, in which you ask to be informed as to how the State of Florida came into possession of the land and buildings located in Gadsden county, that State, and formerly known as the Chattahoochee Arsenal, prior to the Act of Congress approved December 15, 1870, donating the same to the State for educational purposes.

Replying thereto, I beg to invite attention to the accompanying copy of Special Orders No. 57, Headquarters District of Florida, Bureau Refugees Freedmen and Abandoned Lands, dated Oct. 9, 1868, relative to the transfer of the custody of this property to the Governor of Florida.

The date on which the transfer was made has not been found of record in the War Department, nor anything further as to the circumstances and conditions under which the State of Florida came into possession, prior to the act above referred to.

Very respectfully,
 WILLIAM GUY SINGER,
 Assistant Secretary of War.
 Mr. Fred L. Robinson, P. O. Box 96, Tallahassee, Fla.
 (Inclosure 2366-2.)

Gainesville, Fla., Nov. 25, 1901.

Replying to your letter, I have to state that the tract books in this office show that only sections 34 and 35, township 4 north, range 6 west, were reserved for the Ar-

senal. The township map of township 4 north range 6 west shows that sections 26, 27, 28, 29 34 and 35 were included in the reservation for the Arsenal.

The General Land Office, Washington, D. C., where the original records are on file, can inform you of the correct boundaries. I can find no letter or record of information about this reservation.

W. G. ROBINSON,
Register.

FLORIDA HOSPITAL.

No. 667,283.

Date October 28, 1901

Official Copy.

Furnished to the Honorable the Secretary of War.

*Head Quarters District of Florida,
Bureau R. F. and A. Lands,*

St. Augustine, Fla., Oct. 9, 1868.

Special Orders No. 57.

The following communication from the War Department, Bureau R. F. & A. Lands, is published for the information of the Governor of the State of Florida.

War Department, Bu. R. F. & A. Lands,
Washington, Sept. 24, 1868.

*Colonel John T. Sprague,
Assistant Commissioner,
St. Augustine, Florida.*

Colonel:—

I am directed by the Commissioner to instruct you to transfer the custody of the Chattahoochee Arsenal, now in temporary possession of his Bureau, to the Governor of Florida, to be used for educational purposes.

This property was turned over to this Bureau for temporary use by the Ordnance Department, until Congress should provide for its final disposition. You will transfer it with the same limitation, to such Agent as the Executive of the State shall designate to take charge of it.

Very respectfully Your Obedient Servant,

F. D. SEWALL,

Acting Asst. Adjutant General.

Bvt. Major Allan H. Jackson, U. S. A., Disbursing Officer, B. R. F. & A. L. is charged with carrying out the instructions contained in the above communication. He will transfer the buildings and grounds of the U. S. Arsenal at Chattahoochee, for the purpose above specified, to such agent as the Governor of the State of Florida may

appoint to receive them, giving invoices and taking receipts therefor.

By order of COLONEL JNO. T. SPRAGUE,
Assistant Commissioner,
[Not Signed.]

Lieut. 7th Infy. Bvt. Maj. U. S. A.,

A. A. A. G.

....
Abstract of title to $5\frac{1}{2}$ acres of land in the northwest quarter of northeast quarter of Section 33, Township 4 north, Range 6 west:

H. O. McLean, Tax Assessor and Collector, to John Wooten—Tax deed; April 20, 1850.

Wm. L. and L. A. Jones to Bristow Sweet—Warrantee deed; November 20, 1878.

Bristow Sweet to W. B. Foreman—Warrantee deed; June 8, 1881.

Abstract fails to show transfer from Wooten to Jones but a letter that accompanies the abstract explains that the land came into the possession of Mr. Jones by inheritance through W. M. Jones, one of the heirs of the Wooten estate. Deeds from Bristow Sweet and Vandalice Sweet, his wife, to Wm. B. Foreman—Warrantee. One for the $5\frac{1}{2}$ acres described in the abstract; also for (5.49) five-forty-ninths of an acre.

Deed of Flora Foreman and her husband, William B. Foreman to W. D. Bloxham, Governor, and President of the Board of Commissioners of State Institutions—Warranty for (5 2-3) five and two-thirds acres and for (5-49) five-forty-ninths of an acre. Deed of Bristow Sweet and Vandalice Sweet, his wife, to W. D. Bloxham, Governor of Florida, as President of the Board of Commissioners of State Institutions—Warranty for (9-10) nine-tenths of an acre. All the above selection in the nw. quarter of ne. quarter of section 33, township 4 north, range 6 west.

Accompanying the abstract and deeds is a plat showing the tract granted to the State by Act of Congress, approved Dec. 15, 1870.

The East Florida Seminary, Gainesville, Fla., North $\frac{1}{2}$ of Block 4, Range 8 and all of Block 5, Range 8 town of Gainesville, Section 5, Township 10, S., Range 20 E.

I submit herewith abstract of title to the above described property together with certified copies from the records of Alachua county of the following deeds num-

bered 1 to 4 inclusive and one original deed numbered 5 on the margin.

No. 1. Andrew Bobb, Judge of Probate of Alachua county to James B. Bailey et al., Trustees—Warranty deed to Block 5, Range 8, Town of Gainesville, dated December 7, 1857, recorded Book C., P. 103 Dec. 7, 1857.

No. 2. J. H. Roper to Board of Education of the Seminary East of the Suwannee River. Deed to Block 5, Range 8, Town of Gainesville. Title reverts to Roper or his heirs in the event the Seminary is not sustained by the State Executor March 1, 1866, recorded in Book E., P. 683, May 1, 1866, does not show her record pass.

No. 3. J. H. Roper to town of Gainesville, conveys reversionary interest of J. H. Roper in title and to Block 5, Range 8, to the town of Gainesville in the event the State fails to sustain the Seminary, executed February 10, 1883, recorded Book O, P 200, Feb. 28, 1883.

No. 4. Town of Gainesville to Trustees of East Florida Seminary, quit claim deed to the north $\frac{1}{2}$ of Block 4, Range 8, town of Gainesville, August 10, 1883, recorded Book Z, P. 78.

Also original deed of—

No. 5. Board of County Commissioners of Alachua county to Trustees of East Florida Seminary. Warranty deed to the N. $\frac{1}{2}$ of Block 4, Range 8, town of Gainesville executed November 5, 1901. Recorded in Book 54 P. 299-300, November 11, 1901. Deed made to perfect the title of the Board of Trustees, and to eliminate restricted clause in deed of Andrew Robb Judge of Probate to C. Rains et al., Trustees, executed December 7, 1857, recorded in Book C., P. 155.

The abstract does not show a perfect claim from the Crown of Spain to the present holder, the State of Florida, and the title granted by J. H. Roper is reversionary. It would be but an act of simple justice to the State and to the people that the title to the State should be made perfect and that this objection rest upon the city of Gainesville. The State has for a series of years made large appropriations to erect buildings and to support the seminary and it will be called upon to make still other and greater appropriations in the future to accommodate the growing demands of the school and it is not sound policy or jus-

tice to the people to erect permanent and handsome improvements on property, the title to which is not clear or that, under certain contingencies shall pass from the control of the State and the improvement lost.

Bartow, Fla., Dec. 6, 1901.

Hon. Fred. L. Robertson,

Tallahassee, Fla.,

Dear Sir—In response to yours 26th ult., requesting information as to status and value of the S $\frac{1}{2}$ of S. W. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ Sec. 14, T. 29 S., R. 24 E. and N. $\frac{1}{2}$ of S. W. $\frac{1}{4}$ of S. E $\frac{1}{4}$ Sec. 21, T 27, R. 25 E. conveyed by Mrs. M. A. C. Blount to the "Board of Commissioners of the State Institutions, Tavares, Fla.

The records shows the land conveyed by above to be clear of taxes. All tax sales affecting it having been heretofore cancelled.

The abstract records show complete chain of title except in the first described tract there is a break between James F. Mallory (the original purchaser for State Board of Education) and Rufus P. Jordan and wife Julia, Julia Jordan is a daughter or near relative of Mallory and the probabilities are that if the deed was made it was never recorded.

Rufus P. Jordan's postoffice is Gardiner, Fla. I don't know the value of the land, but judge it between one and three dollars per acre.

Yours respectfully,

J. W. BOYD,

M. A. C. Blount (widow) to the Board of Commissioners of State Institutions—Warranty deed, June 19, 1895; recorded Feb. 10, 1900, Book 55, page 299. Bartow, Polk county.

See letter of J. W. Boyd, Tax Collector Polk county, attached.

A message was received from the House of Representatives.

The following communication was read:

From Oak, Fla., April 21st, 1903.

Hon. Frank Adams, President of the Senate, Tallahassee, Florida:

SIR:—Accompanied herewith, I hand you copy of petition from the Sheriffs of this State, requesting some very urgent and desirable enactments.

I wish to call your attention particularly to the status of gaming in this State, and ask that the Legislature now in session aid us (the executive officers of the State) in suppressing this evil by enacting very stringent laws against it.

This evil has grown to such proportions, that nearly one half our colored population have abandoned farms and drifted to the towns, and tie and turpentine camps and gamble nearly all of their time.

This state of affairs has in some sections demoralized labor to such an extent that farmer, mill men and turpentine operators are unable to procure the necessary help to carry on the business. In some parts of this (Suwannee) county the negroes attend church for the purpose of gambling, and while part of the congregation are engaged in divine worship, the balance are off in adjacent woods gambling, we feel that this is to be one of the growing evils of the race and should be promptly checked and which we are unable to properly do under the present laws of this State.

The majority of the justices of the peace in this State make a farce of the law many times after convictions are secured, they fail to execute the law in passing the proper fines upon them, which only tends to encourage them to go on at their gambling, if the law can not be better executed than it has been in the past, it might as well be abolished; you remember that two years ago, the Legislature passed a very stringent pistol law and it has had the proper effect and has saved many lives in this State. We have another evil going on throughout the State and there should be some law enacted against it and it is what is known as festivals among the colored people, a lot of evil result out of this class of gatherings.

Now I hope that your honorable body will take some steps against these evils which will bring about a better state of affairs at once.

Obediently yours,

J. W. HAWKINS,

Sheriff Suwannee county, Fla.

(Copy.)

PETITION.

We, the undersigned Executive officers of the State of Florida, most respectfully petition the present Senate and House of Representatives of the State of Florida, to

pass and make the following changes in the criminal law of this State, for the protection to life and property and to the interest of the public at large, viz.:

1st. That the punishment for gambling be made a State prison offense or the punishment be increased; also, the playing of cards or any game for pleasure on Sunday be made a misdemeanor.

2d. That the punishment for petit larceny be increased from three months to twelve months, as we find that in many cases the State is put to an extra expense to prosecute the same party two or three times a year.

3rd. We further recommend that a more stringent vagrant law be passed whereby your petitioners may put a stop to so much idleness.

4th. We recommend that a more stringent law be passed in reference to living in open state of adultery; also, lewd and lascivious behavior, as we find this class of criminals increasing all over our State, and can not secure convictions under the present law.

5th. We recommend that there be a Prosecuting Attorney appointed in each and every county in this State where there is no Criminal Court of Record or County Court, to protect the interest of the State.

6th. We further recommend that a more stringent law be passed in reference to obtaining money, goods and other chattels under false pretense.

7th. We would most respectfully recommend that all county prisoners be worked on the public roads of our State, whereby the public roads could be put in better condition.

In conclusion, we believe that if the above laws were passed and a line of evidence laid down for conviction whereby the law could be enforced, it would at once put a stop to so much idleness and petit thievery, which is going on throughout the entire State, and would be the means of securing labor for agricultural, milling, phosphate and turpentine purposes and other work, that we believe this is the true cause of the existing circumstances now in our State.

Respectfully submitted,

J. W. HAWKINS,

Sheriff Suwannee County.

T. B. JOHNS,

Sheriff Hamilton County.

- J. W. CAMPBELL,
Sheriff Walton County.
- J. A. McKETHAN,
Sheriff Washington County.
- FRANK B. TIPPENS,
Sheriff Lee County.
- U. C. HERNDON,
Sheriff Baker County.
- A. T. PRIEST,
Sheriff Citrus County.
- W. H. NEEL,
Sheriff Franklin County.
- C. F. PREVATT,
Sheriff Osceola County.
- J. A. FINLAYSON,
Sheriff Jackson County.
- R. F. HICKS,
Sheriff Monroe County.
- A. J. McCLELAN,
Sheriff Calhoun County.
- W. S. McCALL,
Sheriff Gadsden County.
- D. J. PAUL,
Sheriff Holmes County.
- J. D. TILLIS,
Sheriff Polk County.
- E. WALKER,
Sheriff Levy County.
- JOHN PRICE,
Sheriff Duval County (not in favor of later clause, Sec. 1)
- T. H. STRIPLING,
Sheriff Taylor County.
- R. B. BRASWELL,
Sheriff Wakulla County.
- C. H. LAND,
Sheriff Lafayette County.
- J. L. FOREHAND,
Sheriff Liberty County.
- W. F. PEELER,
Sheriff Clay County (not in favor of section 6).
- The communications were ordered spread on the Journal and referred to the Judiciary Committee.
- On motion the courtesies of the hall was extended to Ex-Chief Justice B. S. Lidden and Hon. A. E. Lewis of Mariana, Fla.

Messrs. J. Maxey Dell, Perry M. Colson, of Gainesville, Col. T. E. Bridges, of Ocala, and Hon. J. W. Mahoffy and Mr. Thompson, of Quincy.

INTRODUCTION OF RESOLUTIONS.

Mr. MacWilliams offered the following:

Senate Concurrent Resolution No. 18:

Be it resolved by the Senate, the House of Representatives concurring, that the Legislature of the State of Florida do adjourn June 5th, 1903, at 12 o'clock, noon.

Which was read the first time.

Mr. MacWilliams moved that the rules be waived, and Senate Concurrent Resolution No. 18 be taken up and considered.

Which was agreed to by a two-thirds vote.

The resolution was read a second time.

Mr. MacWilliams moved the adoption of the resolution.

Which was agreed to.

The President stated that he had appointed Mr. Gillen in place of Mr. Faulkner as the committee on the part of the Senate to visit the Industrial School at St. Petersburg, and the South Florida Military and Educational Institute at Bartow, provided for by Senate Concurrent Resolution No. 8.

INTRODUCTION OF BILLS.

By Mr. Stockton:

Senate Bill No. 151:

A bill to be entitled an act to authorize the city and town authorities in this State to contract with individuals, companies or corporations for the gathering and disposal of garbage, etc.

Which was read the first time by its title and referred to the Committee on City and County Organization.

By Mr. Raney:

Senate Bill No. 152:

A bill to be entitled an act authorizing the city of Tallahassee to issue bonds for making, constructing and putting in operation a system of sewerage, and for enlarging and extending the electric light plant now in operation in said city, and for grading, paving and otherwise improving the streets of said city, or for any one

or more of such purposes, and to provide for the payment of the principal and interest of said bonds, and the application of the proceeds of any such bonds to the purposes for which the same may be issued, and providing for the enlargement and extension of such plant, and the establishing of such sewerage system, and the management and operation of such plant and system.

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

By Mr. Raney:

Senate Bill No. 153:

A bill to be entitled an act to amend section 2259 of the Revised Statutes of Florida, relating to the incorporation of religious, debating, literary, benevolent, charitable, scientific and other associations not for profit.

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

By Mr. Peacock:

Senate Bill No. 154:

A bill to be entitled an act to prescribe the criminal jurisdiction of county judges of the several counties of this State, and to repeal section 2847, Revised Statutes of Florida.

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

By Mr. Blount:

Senate Bill No. 155:

A bill to be entitled an act to establish a State Board of Medical Examiners and to prescribe their duties and terms of office; to provide for a uniform system of medical examinations and certificates, to protect the public from ignorant and incompetent practitioners of medicine, and to fix penalties for the violation of this act.

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

CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 15:

Be it resolved by the Senate of the State of Florida, the House of Representatives concurring, That a committee of five composed of two on the part of the Senate and three on part of the House be appointed to visit and in-

spect the Florida State College and the Colored Normal and Industrial School, located at Tallahassee, Fla., and report their findings.

Was taken up and read a second time in full.

Mr. Neel moved the adoption of the resolution.

Which was agreed to.

House Concurrent Resolution No. 14:

Be it resolved, the Senate concurring, that the Joint Committee of the Senate and House of Representatives appointed to visit and report upon the Institute for the Deaf, Dumb and Blind, located at St. Augustine, be instructed to also visit the negro industrial school recently established in the immediate vicinity of St. Augustine, and report upon the same.

Was taken up and read a second time in full.

Mr. Carson moved that House Concurrent Resolution No. 14, be indefinitely postponed.

Which was agreed to.

Mr. Bitch moved that the rules be waived, and the reading of House messages be dispensed with, and the bills contained therein be read first time by their title and appropriately referred, and messages on other matters be spread on the Journal.

Which was agreed to by a two-thirds vote,

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

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

Senate Concurrent Resolution No. 11.

Relatives to the appointment of a joint committee to visit the Hospital for the Insane Asylum at Chattahoochee.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

The President appointed Messrs. Scott and Dimick, as the committee on part of the Senate under Senate Concurrent Resolution No. 11, contained in above message.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has appointed the following committees:

To Visit State Insane Asylum at Chattahoochee, Fla.:

Messrs. Watson, Drane, Johnson of Pasco.

To Visit State Reform School at Marianna, Fla.:

Messrs. Finlayson, Feagle, Jones.

To Visit State Normal School at DeFuniak Springs, Fla.:

Messrs. Wilson of Hernando, and Parrish.

To Investigate the Florida East Coast Line and Transportation Co.:

Messrs. Floyd, and Roberts of Monroe.

To Visit and Investigate the Asylum for Deaf and Blind, at St. Augustine, Fla.:

Messrs. Bullock, Knowles, Smith of Hamilton.

To Visit the Industrial School at St. Petersburg and the Florida Military Institute at Bartow, Fla.:

Messrs. Strozier and Loftin.

To Visit the Agricultural College at Lake City, Fla.:

Messrs. Tison and Carlton.

To Visit the East Florida Seminary, at Gainesville, Fla.:

Messrs. Wall and West.

Very respectfully,

WM. FORSYTH BYNUM,
Chief Clerk House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—I am directed by the House of Representatives to

inform the Senate that the House of Representatives has passed by a three-fifths vote—

House Joint Resolution No. 2:

Proposing an amendment to Section six of Article eight of the Constitution of the State of Florida, relative to county officers.

And respectfully asks the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Joint Resolution No. 2 contained in the above message was read the first time by its title and referred to the Committee on Constitutional Amendments.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by a three-fifths vote—

House Joint Resolution No. 74:

A joint resolution proposing an amendment to Section 8, Article 12 of the Constitution of the State of Florida.

And respectfully asks the concurrence of the Senate therein.

Very respectfully,

WM. FORSYTH BYNUM,

Chief Clerk House of Representatives.

And House Joint Resolution No. 74, contained in the above message was read the first time by its title and referred to the Committee on Constitutional Amendments.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

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. 189 :

A bill to be entitled an act to amend an act entitled an act to amend section 37 and 57 of chapter 4869, being an act entitled an act to abolish the present municipal government of the city of Lakeland, in the county of Polk and State of Florida, and to establish, organize and constitute a municipality to be known and designated as Lakeland, and to define its territorial boundary and to provide for its jurisdiction, powers and privileges, the same being chapter 5098 of the Laws of Florida.

And respectfully asks the concurrence of the Senate therein.

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

And House Bill No. 189 contained in the above message was read the first time by its title.

Mr. Wilson of 7th moved that the rules be waived and House Bill No. 189 be read a second time by its title only. Which was agreed to by a two-thirds vote.

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

Mr. Wilson of 7th moved that the rules be further waived, and that House Bill No. 189 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

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

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Bailey, Blitch, Blount, Brown, Butler, Carson, Crews, Dimick, Faulkner, Gillen, Harris, Kirk, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Peacock, Raney, Rouse, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of 7th, Wilson of 4th.—30.

Nays—None.

So the bill passed, title as stated.

Mr. Wilson of 7th moved that the rules be waived and that House Bill No. 189 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And House Bill No. 189 was so certified.

Pending consideration of House Messages—

Mr. Butler moved that the rules be waived and "Orders of the Day," be taken up and considered.
Which was agreed to by a two-thirds vote.
And the

ORDER OF THE DAY.

Senate Bill No. 2:

A bill to be entitled an act to amend section 625 of the Revised Statutes of Florida, relating to canvass and result of election.

Was taken up and read a second time in full.

Mr. Blount offered the following amendment to Senate Bill No. 2:

Amend the title by adding at the end thereof the words "upon the question of changing county sites."

Mr. Blount moved the adoption of the amendment.
Which was agreed to.

Mr. Butler moved the following amendment to Senate Bill No. 2:

Before "That," in fifth line, insert the word and figure "Section 1," and in 21st line, before the word "all", insert the word and figure "Section 2."

Mr. Butler moved the adoption of the amendment.
Which was agreed to.

Mr. Carson moved that Senate Bill No. 2 as amended be indefinitely postponed.

Which was agreed to.

Mr. Butler moved that the vote by which Senate Bill No. 2 was indefinitely postponed be reconsidered.

Mr. MacWilliams moved to lay that motion on the table.

Which was agreed to.

The Senate resumed consideration of—

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank, Adams,

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. 18:

A bill to be entitled an act to fix and establish a rule for the measure of damages in suits against common carriers in certain cases.

And respectfully asks the concurrence of the Senate therein.

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

And House Bill No. 18, contained in the above message, was read the first time by its title and referred to the Committee on Railroads.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

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. 57:

A bill to be entitled an act to prohibit the obstruction of county, and settlement roads and prescribing penalty therefor.

And respectfully asks the concurrence of the Senate therein.

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

And House Bill No. 57, contained in the above message was read the first time by its title and referred to the Committee on Public Roads and Highways.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

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. 79:

To be entitled an act providing that any person disclosing or making known any message, communication or fact coming to their attention or notice by reason of their position with a telephone company, or an individual owning or operating a telephone business, shall be guilty of a misdemeanor, and prescribing a penalty therefor.

And respectfully asks the concurrence of the Senate therein.

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

And House Bill No. 79 contained in the above message was read the first time by its title and referred to the Committee on Judiciary.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

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 Memorial No. 16:

A Memorial to Congress of the United States asking that the lands belonging to the United States in the State of Florida be granted to the State for school purposes.

And respectfully asks the concurrence of the Senate therein.

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

And Senate Memorial No. 16, contained in the above message, was read the first time by its title and referred to the Committee on Education.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

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 Memorial No. 17:

A Memorial to Congress relating to the issuance of United States license for the sale of alcoholic liquors in counties and districts, where the same is prohibited by State law.

And respectfully request the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM.

Chief Clerk House of Representatives.

And Senate Memorial No. 17, contained in the above message, was read the first time by its title and referred to the Committee on Temperance.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

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. 37:

A bill to be entitled an act declaring the town of Sarasota, in Manatee county, Florida, to be a legally incorporated town, and the officers thereof legally elected and qualified.

And respectfully asks the concurrence of the Senate therein.

Very respectfully,
WM. FORSYTH BYNUM.

Chief Clerk House of Representatives.

And House Bill No. 37, contained in the above message, was read the first time by its title and referred to the Committee on City and County Organization.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

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. 97:

A Bill to be entitled An Act to amend clause third of section 4 of an act entitled an act for the assessment and collection of revenue, approved June 1st, 1895, the same being chapter 4322, Laws of Florida.

And respectfully asks the concurrence of the Senate therein.

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

And House Bill No. 97, contained in the above message, was read the first time by its title and referred to the Committee on Finance and Taxation.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

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. 45:

A bill to be entitled an act to amend Sections 1, 2, 3, 4 and 6 of Chapter 4635, of the Laws of Florida, entitled "An act to provide for the municipal officers of the city of Key West, a municipal corporation existing in the county of Monroe, Florida, to prescribe their terms of office, provide for their election and appointment and regulate their compensation, and to repeal sections 2 and 3 of Chapter 3966, Laws of Florida, and amendments thereto."

And respectfully asks the concurrence of the Senate therein.

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

And House Bill No. 45, contained in the above message, was read the first time by its title and referred to the Committee on City and County Organization.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

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

Senate Concurrent Resolution No. 7, relative to the appointment of a Joint Committee on Indian War Claims.

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

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

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

House Concurrent Resolution No. 18:

Relative to the appointment of an additional member of the Joint Committee to visit the convict camps.

And respectfully request the concurrence of the Senate therein.

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

House Concurrent Resolution No. 18 contained in above message was read the first time and laid over under the rules.

REPORTS OF COMMITTEES.

Mr. Butler, Chairman of the Committee on Corporations, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Corporations to whom was

referred—

Senate Bill No. 122:

A bill to be entitled an act establishing and amending the charter of the Dade County Security Company, of Miami, Florida.

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

Very respectfully,

P. W. BUTLER,
Chairman of Committee.

And Senate Bill No. 122, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Butler, Chairman of the Committee on Corporations, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Corporations to whom was referred—

Senate Bill No. 15:

A bill to be entitled an act to confirm, enlarge and extend the powers, life and franchise of the East Florida Ice Manufacturing Company.

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

Very respectfully,

P. W. BUTLER,
Chairman of Committee.

And Senate Bill No. 15, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Butler, Chairman of the Committee on Corporations, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Corporations to whom was referred—

Senate Bill No. 129:

A bill to be entitled an act requiring water companies to clean tanks and flush mains.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
P. W. BUTLER,
Chairman of Committee.

And Senate Bil No. 129, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Butler, Chairman of the Committee on Corporations, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

SIR—Your Committee on Corporations to whom was referred—

Senate Bill No. 117:

A bill to be entitled an act enabling any corporation not for profit heretofore or hereafter formed to subject itself to indebtedness or liability, according to an amount or limit indicated in the original charter or amendment.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
P. W. BUTLER,
Chairman of Committee.

And Senate Bill No. 117, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Wilson of the 4th, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

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

An act to authorize the County of Monroe to bond itself in the sum of ten thousand dollars for the purpose of constructing a public highway within said county.

Have examined the same and find it correctly enrolled.

Very respectfully,
C. L. WILSON,
Chairman of Committee.

And the act contained in the above report was re-

ferred to the Joint Committee on Enrolled Bills.

Mr. Williams, Chairman of the Committee on Railroads, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Railroads, to whom was referred—

Senate Bill No. 96.

A bill to be entitled an act to amend Section 9 of Chapter 4706, Laws of Florida, entitled "An act to require railroad companies in the State of Florida to fence their tracks; to provide the time and manner in which fence shall be constructed, and to provide a penalty for failure so to do; and to provide the measure of damages for cattle killed or injured by trains or engines on railroads not fenced, and providing for the payment of attorney's fees and double damages for the killing or injury of domestic live stock under certain conditions by the companies refusing or neglecting to fence their roads as required;" as amended by Chapter 5020, Laws of Florida, approved May 27th, 1901.

Have had said bill under consideration and recommend that same do pass with the following amendments:

Insert after the title and before section 1 the words, "Be it enacted by the Legislature of the State of Florida"

Strike out the words "without attorney's fees" on line 18, Sec. 1, and insert in lieu thereof the following: "And attorney's fees to be fixed as hereinafter provided."

Very respectfully,
ARTHUR T. WILLIAMS,
Chairman of Committee.

And Senate Bill No. 96, contained in the above report, together with the amendments thereto, was placed on the Calendar of bills on second reading.

Mr. Wadsworth, Chairman of the Committee on Agriculture, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Agriculture, to whom was referred—

Senate Bill No. 14:

A bill to be entitled an act to amend section 875 of the Revised Statutes of the State of Florida, relative to fences.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

B. D. WADSWORTH,
Chairman of Committee.

And Senate Bill No. 14, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Harris, Chairman of the Committee on Pensions, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,
President of the Senate.

SIR—Your Committee on Pensions, to whom was referred—

Senate Bill No. 140:

A bill to be entitled an act to pension Generals J. J. Finley and Wm. Miller for distinguished services during the Civil War.

Beg leave to report that it has carefully examined the same and respectfully recommend that the said bill be passed by the Senate.

Very respectfully,
W. HUNT HARRIS,
Chairman of Committee.

And Senate Bill No. 140, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Wilson of the 4th, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank, Adams,
President of the Senate:

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

An act to authorize the County of Monroe to bond itself in the sum of ten thousand dollars for the purpose of constructing a public highway within said county.

Have examined the same and find it correctly enrolled.

Very respectfully,

C. L. WILSON,
Chairman of Committee.

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

Mr. Gillen, Chairman of the Committee on City and County Organization, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 147:

A bill to be entitled an act to authorize the town of Eustis, in Lake county, Florida, to levy a special tax for the support of a free public library, and to authorize said town to enter into an obligation for the support thereof.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

GUY GILLEN,
Chairman of Committee.

And Senate Bill No. 147, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Gillen, Chairman of the Committee on City and County Organization, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 139:

A bill to be entitled an act to legalize the election held on the 11th day of November, A. D. 1902, in the city of Bartow, Florida, to determine by a vote of a

majority of the qualified voters of said city, actually voting, whether or not the bonds proposed by an ordinance entitled "an ordinance to provide for the issuing of bonds of the city of Bartow, Polk county, Florida, for the purpose of improving the streets, and establishing an electric light system, and to establish a sewerage system in the said city," passed the ninth day of September, A. D. 1902, and approved the same date, should be authorized and issued, and to declare and render valid said election and notice thereof, and the result as shown by the returns thereof, and to declare and render valid said ordinance, and to authorize the issue of bonds as provided by said ordinance.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
 GUY GILLEN,
 Chairman of Committee.

And Senate Bill No. 139, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Blitch, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

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

Senate Bill No. 48.

A bill to be entitled an act for the regulation of the sales of stocks of goods in bulk, and prescribing a penalty for certain violations thereof.

Also,

Senate Bill No. 74:

A bill to be entitled an act to prescribe the method of indexing all instruments relative to real estate, filed for record with the clerks of circuit court, and to prescribe the clerk's compensation therefor, and to repeal Chapter 4140, Laws of 1893, approved June 5, 1893.

Have carefully examined the same and find them to be correctly engrossed.

Very respectfully,
 N. A. BLITCH,
 Chairman of Committee.

And Senate Bills No. 48 and 74, contained in the above report, were placed on the Calendar of bills on third reading.

Mr. Wadsworth, Chairman of the Committee on Agriculture, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Agriculture, to whom was referred

Senate Bill No. 108:

A bill to be entitled an act to amend section 350 of

the Revised Statutes, relating to agricultural statistics.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

B. D. WADSWORTH,
Chairman of Committee.

And Senate Bill No. 108, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Neel, Chairman of the Committee on State Affairs, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on State Affairs, to whom was referred—

Senate Bill No. 58:

A Bill to be entitled an Act to provide for the purchase of a site, and for the erection thereon of a residence for the use of the Governor of the State, and for an appropriation for that purpose.

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

Very respectfully,

JOHN NEEL,
Chairman of Committee.

And Senate Bill No. 58, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Neel, Chairman of the Committee on State Affairs, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on State Affairs to whom was referred—

Senate Committee substitute for senate bills No. 58 and 76, the same being:

A bill to be entitled an act to provide for the purchase of a site and for the erection of a residence for the use of the Governor of the State, and for an appropriation for that purpose.

Have had same under consideration and report it without recommendation.

Very respectfully,
JOHN NEEL,
Chairman of Committee.

And Senate Committee Substitute for Senate Bills No. 58 and 76, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Neel, Chairman of the Committee on State Affairs, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on State Affairs to whom was referred—

Senate Bill No. 76:

A bill to be entitled an act for the erection, building and furnishing of a mansion for the Governor of the State of Florida, to purchase a site for same, and making an appropriation for such purpose.

Have had same under consideration and recommend that it do pass with the following amendment:

In section 4, line 1, strike out the words, "twenty-five thousand," and insert in lieu thereof the words, "forty thousand."

Very respectfully,
JOHN NEEL,
Chairman of Committee.

And Senate Bill No. 76, contained in the above report, together with the amendment thereto, was placed on the Calendar of bills on second reading.

Mr. Neel, Chairman of the Committee on State Affairs, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on State Affairs to whom was referred—

Senate Bill No. 124:

A bill to be entitled an act to provide for insuring the property of the State of Florida and of the Educational and other boards of the State against loss by fire.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
JOHN NEEB,
Chairman of Committee.

And Senate Bill No. 124, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Harris moved that the rules be waived and the Senate recur to the consideration of resolutions.

Which was agreed to by a two-thirds vote.

And the following resolution on table subject to call:

Resolved that the petition of S. I. Wailes and the estate of W. K. Beard for payment for services rendered to the State of Florida in relation to the Indian War Claim be referred to the Judiciary Committee; that said committee be and they are hereby ordered and empowered to make a thorough investigation of the facts in the case and report their findings. That if it be found that the State of Florida is indebted to the petitioners that said committee present to this Senate a Bill providing for an appropriation to pay for the same.

The said Judiciary Committee be and they are hereby empowered to send for persons and papers, and employ such clerical aid as may be found to be necessary.

Was taken up and read a second time in full.

Mr. Harris moved the adoption of the resolution.

Pending which—

A committee from the House of Representatives announced that the House was ready to receive the Senate

in joint session to consolidate the vote cast for United States Senator in each body yesterday, and to proceed to the election of a United States Senator in joint session, if none had been elected.

The hour of 12 o'clock having arrived—

The President announced that the Senate would now proceed in a body to the hall of the House of Representatives for the purpose of going into a joint session for the purpose of electing a United States Senator.

JOINT SESSION, APRIL 22, 1903.

At 12 o'clock the Senate entered the hall of the House of Representatives, and was received by the House.

President Adams in the Chair.

The President ordered the Secretary of the Senate to call the roll of the Senate.

On call of the roll, the following Senators answered to their names:

Mr. President. Senators Bailey, Blich, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Faulkner, Gillen, Harris, Kirk, Law, McCaskill, McCreary, MacWilliams, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th, Wilson of the 4th—32.

A quorum of the Senate present.

By request of the President the Speaker of the House ordered the roll of the House called.

Upon call of the roll, the following members answered to their names:

Mr Speaker. Messrs. Baker, Blanton of Madison, Blanton of Taylor, Bullock, Campbell, Carlton, Clopton, Crawford, Dorman, Drane, Edwards, Feagle, Einlayson, Gilchrist, Girardeau, Gornto, Harvell, Hendry, Hodge, Hopkins, Horne, Jackson, Jewell, Johnson of Liberty, Johnson of Pasco, Jones, King of Hamilton, King of Dade, Knowles, Koonce, Loftin, Long, Love, McNamee, Mason, Mote, Ogilvie, Oven, Parrish, Reddick, Rivers, Roberts of Columbia, Roberts of Monroe, Robinson, Scott, Simmons, Smith of Hamilton, Smith of Volusia, Sparkman, Sprague, St. Clair-Abrams, Strozier, Tison, Trammell of Gadsden, Trammell of Polk, Ware, Wilson of Hernando, Yon—65.

The Journal of the House in relation to the ballot for A quorum of the House present.

The Journal of the Senate in relation to the ballot taken for United States Senator yesterday was read.

The Journal of the House in relation to the ballot for United States Senator was read.

The Secretary of the Senate announced that the total number of votes cast for United States Senator in each house of the Legislature yesterday was as follows:

In the Senate the vote was: For Stephen R. Mallory, 32 votes.

In the House the vote was: For Stephen R. Mallory, 64 votes. For J. N. Coombs, 1 vote.

Total—Stephen R. Mallory, 96 votes; J. N. Coombs, 1 vote.

The President announced that Stephen R. Mallory, having received a majority of the votes cast in each House voting separately yesterday, and consolidated in joint assembly today, was elected a Senator from the State of Florida to the United States Senate, for the term of six years, beginning March 4th, 1903.

Mr. Wilson of 4th moved that the President appoint a committee of three to wait upon the Governor and inform him of the election of Stephen R. Mallory as United States Senator.

Which was agreed to.

The President appointed the following committee: Messrs. Wilson of 4th, Butler and Bullock.

Which committee retired to perform that duty.

After a short absence the committee returned and reported that they had notified the Governor, who had expressed pleasure at the rapidity with which the work of electing a United States Senator had been performed, and expressed satisfaction at the selection made.

The committee was discharged.

Mr. McNamee moved that the President appoint a committee of three to wait upon the Hon. Stephen R. Mallory, notify him of his election, and request that he appear before the joint assembly.

Which was agreed to.

The President appointed as such committee: Messrs. McNamee, Williams and Campbell.

Who retired and after a short absence returned accompanied by Mr. Mallory, who returned thanks for the great honor conferred upon him, and pledged his best efforts to accomplish all that the people might reasonably expect of him.

The committee was discharged.

The Journal of the Joint Assembly was then read by the Secretary of the Senate and approved.

Mr. Williams moved that the Joint Assembly, having accomplished the purpose for which it met, now adjourn, *Sine die*.

Which was agreed to.

Thereupon the Joint Assembly stood adjourned without day.

At 1:20 o'clock p. m. the Senate returned to its chamber.

The President in the chair.

The roll being called 26 Senators answered to their names, showing a quorum present—Messrs. Crill, Dimick, Gillen, MacWilliams, Peacock and Whidden being absent.

Mr. Scott moved that the Senate adjourn until 4 o'clock this afternoon.

Mr. Brown moved to adjourn until 11 o'clock tomorrow which was not agreed to.

The motion to adjourn until 4 o'clock this afternoon was agreed to.

Thereupon the Senate stood adjourned until 4 o'clock this afternoon.

AFTERNOON SESSION.

4 o'clock.

Senate met pursuant to adjournment.

The President in the chair.

The roll being called, 29 Senators answered to their names, showing a quorum present, Senators Law, MacWilliams and Miller being absent.

Mr. Wilson of 7th moved that Mr. Law be excused from attendance this afternoon.

Mr. Law was excused.

The following resolution—

Resolved that the petition of S. I. Wailes and the estate of W. K. Beard for payment for services rendered to the State of Florida in relation to the Indian War Claim be referred to the Judiciary Committee; that said committee be and they are hereby ordered and em-

powered to make a thorough investigation of the facts in the case and report their findings. That if it be found that the State of Florida is indebted to the petitioners that said committee present to this Senate a bill providing for an appropriation to pay for the same.

The said Judiciary Committee be and they are hereby empowered to send for persons and papers, and employ such clerical aid as may be found necessary.

Pending at adjournment, and the motion of Mr. Harris to adopt.

Was taken up.

Mr. Blount offered the following amendment:

Amend by inserting on line 3 after the words "Indian War Claim," the words, "and all other claims against the Indian War Claim Fund or arising out of the Indian Wars."

Mr. Blount moved the adoption of the amendment.

Which was agreed to.

Mr. Harris moved the adoption of the resolution as amended.

Which was agreed to.

And the petition and resolution was referred to the Committee on Judiciary.

Permission was granted to make the following committee reports:

REPORT OF COMMITTEES.

Mr. Raney, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 20, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—

Senate Bill No. 72:

A bill to be entitled an act to incorporate the Most Worshipful Union Grand Lodge of the Most Ancient and Honorable Fraternity of Free and Accepted Masons, colored, of Florida.

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

Very respectfully,
 GEO. P. RANEY,
 Chairman of Committee.

And Senate Bill No. 72, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Raney, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., April 20, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—

Senate Bill No. 59:

A bill to be entitled an act relating to the publication of libels in newspapers, magazines and other periodicals in this State.

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

Very respectfully,
 GEO. P. RANEY,
 Chairman of Committee.

And Senate Bill No. 59, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Raney, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., April 20, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—

Senate Bill No. 119:

A bill to be entitled an act to amend sections two (2) and three (3) of Chapter 4022, Laws of Florida, entitled "An act defining usurious contracts and prescribing penalties and forfeitures on same," approved June 5th, 1891.

Beg leave to report that they have carefully considered the same, and recommend the adoption of the following amendments:

In section 2, line 3, strike out the date "1901," and

insert in lieu thereof the date "1891." And in line 2 of the first proviso clause of section 2, strike out the word "or" after the word "contract" and before the word "loan," and insert in lieu thereof the word "of."

And as amended, that the same do pass.

Very respectfully,

GEO. P. RANEY,
Chairman of Committee.

And Senate Bill No. 119, contained in the above report, together with amendment thereto, was placed on the Calendar of bills on second reading.

Mr. Raney, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—

Senate Bill No. 132:

A bill to be entitled an act to punish the delivery and transmission of false and libelous statements.

Beg leave to report that they have carefully considered the same, and recommend the adoption of the following amendment:

Strike out the word "states" in the second line of section 1, and insert in lieu thereof the word "makes."

And as thus amended, that the bill do pass.

Very respectfully,

GEO. P. RANEY,
Chairman of Committee.

And Senate Bill No. 132, contained in the above report, together with its amendments thereto, was placed on the Calendar of bills on second reading.

Mr. Raney, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was referred—

Senate Bill No. 133:

A bill to be entitled an act to authorize the board of county commissioners in and for any county of the State whenever the State Board deems it advisable, to have abstracted any and all of writing recorded or to be recorded, affecting the real estate situated in said county; and to provide for the fees of the same.

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

Very respectfully,

GEO. P. RANEY,

Chairman of Committee.

And Senate Bill No. 133, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Raney, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

Sir—Your Committee on Judiciary, to whom was referred—

Senate Bill No. 144:

A bill to be entitled an act to authorize the service of process emanating from the county judges court to be executed by a constable.

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

Very respectfully,

GEO. P. RANEY,

Chairman of Committee.

And Senate Bill No. 144, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Raney, Chairman of the Committee on Judiciary, submitted the following report:

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Judiciary, to whom was re-

ferred—

Senate Bill No. 146:

A bill to be entitled an act to amend section 1001 of the Revised Statutes of the State of Florida, relating to the locality of suits against corporations.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

GEO. P. RANEY,
Chairman of Committee.

And Senate Bill No. 146, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

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

House Joint Resolution No. 74:

Proposing an amendment to section 8 of article 12 of the Constitution of the State of Florida.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

THOMAS PALMER,
Chairman of Committee.

And House Joint Resolution No. 74, contained in the above report, was placed on the Calendar of bills on second reading.

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

Senate Chamber,
Tallahassee, April 22d, 1903.

Hon. Frank Adams,

President of the Senate:

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

House Joint Resolution No. 2:

Proposing an amendment to section six of article eight of the Constitution of the State of Florida.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
 THOMAS PALMER,
 Chairman of Committee.

And House Joint Resolution No. 2, contained in the above report, was placed on the Calendar of bills on second reading.

Mr. Kirk, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Claims, to whom was referred—

Senate Bill No. 61:

A bill to be entitled an act for the relief of R. J. Chillingworth.

Have had the same under consideration and recommend that it do pass.

Very respectfully,
 B. F. KIRK,
 Chairman of Committee.

And Senate Bill No. 61, contained in the above report, was placed on the calendar of bills on second reading.

Mr. Kirk, Chairman of the Committee on Claims, submitted the following report:

Senate Chamber,
 Tallahassee, Fla., April 21, 1903.

Hon. Frank Adams,

President of the Senate:

SIR—Your Committee on Claims, to whom was referred—

Senate Bill No. 109:

A bill to be entitled an act for the relief of U. M. Bennett.

Also,

Senate Bill No. 118:

A bill to be entitled an act for the relief of Sara F. Van Wagenen, as trustee for herself, Annabelle Robertson, Fanny E. Lanier, Electra Fallagant, Kate F. Kruson, Harry S. Dreese, John W. Burrows and Georgia Cleland.

Also,

Senate Bill No. 134:

A bill to be entitled an act for the relief of W. H. Smith, G. W. Smith, I. N. Smith and H. W. Smith, heirs of William Smith, deceased.

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

Very respectfully,

B. F. KIRK,

Chairman of Committee.

And Senate Bills Nos. 109, 118 and 134, contained in the above report, were placed on the Calendar of bills on second reading.

BILLS ON SECOND READING.

Senate Bill No. 77:

A bill to be entitled an act establishing a Geological Survey for the State of Florida, to provide for the appointment of a State Geologist, and to define his duties; also, to provide for the maintenance of the survey.

Was taken up and read a second time in full.

Mr. Crill moved that the rules be waived and Senate Bill No. 77 be placed on the Calendar of bills on third reading without being engrossed.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 77 was placed on Calendar of bills on third reading.

BILLS ON THIRD READING.

Senate Bill No. 16:

A bill to be entitled an act making adultery the only cause or ground for which divorces may be granted in this State.

Was taken up and read the third time in full.

Mr. Wilson of the 7th moved that Senate Bill No. 16 be indefinitely postponed.

The yeas and nays were demanded.

Upon call of the roll on the motion to indefinitely postpone the vote was:

Yeas—Senators Blount, Butler, Crill, Dimick, Gillen, Harris, Palmer, Raney, Sams, Whidden, Wilson of the 7th, Wilson of the 4th—12.

Nays—Mr. President, Senators Bailey, Blitch, Brown, Carson, Faulkner, Kirk, McCaskill, McCreary, Neel, Peacock, Rouse, Scott, Stockton, Wadsworth, Williams—16.

So the motion to indefinitely postpone was not agreed to.

Mr. Kirk moved that further consideration of Senate Bill No. 16 be deferred until 12 o'clock tomorrow.

Which was not agreed to.

The question recurred on the passage of the bill.

Upon call of the roll on Senate Bill No. 16 the vote was:

Yeas—Mr. President, Senators Bailey, Blitch, Brown, Carson, Crews, Faulkner, McCaskill, McCreary, Neel, Rouse, Scott, Stockton, Wadsworth, Williams—15.

Nays—Blount, Butler, Crill, Dimick, Gillen, Harris, Kirk, Law, Miller, Palmer, Peacock, Raney, Sams, Whidden, Wilson of the 7th, Wilson of the 4th—16.

So the bill failed to pass.

In explanation of his vote, Mr. Peacock said:

The present statutes making grounds for divorce are entirely too many and too lax. But this is a sweeping bill, and allows of but one ground. In my opinion there are other just grounds for divorce than adultery, one of which is desertion; another when impotency existed before the time of marriage and the plaintiff was ignorant of the fact. I am opposed to the law making insanity grounds for divorce, and would like to vote for its repeal, but in order to repeal this, I am called upon to wipe it all out. I cannot do it, and hence vote no.

Senate Memorial No. 57:

A Memorial to Congress of the United States asking the passage of what is known as the "Brownlow Bill," or such other similar measure having for its purpose the aiding in the building and construction of Hard Sur-
faced Roads in the several States and Territories.

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

Upon call of the roll on Senate Memorial No. 57, the vote was:

Yeas—Senators Bailey, Blitch, Blount, Brown, Butler, Carson, Crews, Dimick, Faulkner, Gillen Law, McCaskill, McCreary, Miller, Neel, Palmer, Peacock, Scott, Stockton, Wadsworth, Whidden, Wilson of the 4th—22.

Nays—Mr. President, Senators Crill, Kirk, Raney, Rouse, Sams, Williams, Wilson of the 7th—8.

So the Memorial passed, title as stated.

Senate Bill No. 25:

A bill to be entitled an act to enforce and legalize married women's contracts.

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

Upon call of the roll on Senate Bill No. 25, the vote was:

z

Yeas—Mr. President, Senators Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Gillen, Harris, Kirk, Law, McCaskill, McCreary, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th, Wilson of the 4th—29.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 26:

A bill to be entitled an act to provide for the approval of bonds in criminal cases before the courts of county judges and justices of the peace.

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

Upon call of the roll on Senate Bill No. 26 the vote was:

Yeas—Mr. President, Senators Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Gillen, Harris, Kirk, Law, McCaskill, McCreary, Miller, Neel, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th, Wilson of the 4th—28.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 27:

A bill to be entitled an act authorizing the filing of creditors' bills before the creditors' claims shall have been reduced to judgment.

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

Upon call of the roll on Senate Bill No. 27, the vote was:

Yeas—Mr. President, Senators Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, Miller, Neel, Palmer, Pea-

cock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th, Wilson of the —29.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 42:

A bill to be entitled an act giving to counties certain rights of eminent domain.

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

Upon call of the roll on Senate Bill No. 42, the vote was:

Yeas—Mr. President, Senators Bailey, Blitch, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th, Wilson of the 4th—30.

Nays—None.

So the Bill passed title as stated.

Senate Bill No. 88:

A bill to be entitled an act to amend an act entitled an act to amend Section 2598 of the Revised Statutes of Florida, the same being entitled, "Carnal Intercourse with Unmarried Female Under the Age of Sixteen Years," approved May 31st, 1901, being Chapter 4965, Laws of Florida.

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

Upon call of the roll on Senate Bill No. 88, the vote was:

Yeas—Mr. President, Senators, Bailey, Blitch, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th, Wilson of the 4th—30.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 67:

A bill to be entitled an act to amend an act entitled "an act to amend Section 2347 of the Revised Statutes of the State of Florida, relating to the disposition of proceeds of life insurance," approved June 4th, 1897, being Chapter 4555, Laws of Florida.

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

Upon call of the roll on Senate Bill No. 67, the vote was:

Yeas—Mr. President, Senators Bailey, Blicht, Blount, Brown, Carson, Crews, Dimick, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of the 7th, Wilson of the 4th—29.

Nays—None

So the bill passed, title as stated.

Senate Bill No. 94:

A bill to be entitled an act to define the powers of corporations relative to borrowing of money, or incurring indebtedness by them, and authorizing on the part of such corporations the power to execute mortgages or trust deeds to secure their indebtedness, and defining the rights of the purchasers or their assigns, of the property of said corporation under such trust deeds or foreclosure of such mortgages.

Was taken up.

Pending reading of same—

Mr. Harris moved that Senate Bill No. 94 be recommitted to the Committee on Engrossed Bills.

Which was agreed to.

Senate Bill No. 126:

A bill to be entitled an act to incorporate and establish a municipal government for the town of Tarpon Springs, in Hillsboro county, Florida, provide for its government, prescribe its jurisdiction and powers and to abolish the present corporation of said town.

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

Upon call of the roll on Senate Bill No. 126 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Dimick, Faulkner, Harris, Law, McCaskill, McCreary, Miller, Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of 7th, Wilson of 4th.—28.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 41.

A bill to be entitled an act to punish obtaining credit, goods, money or other property by any false statement in writing made to any merchant, dealer or bank with the fraudulent intent to obtain credit, whereby any one relying upon the said statement is defrauded.

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

Upon call of the roll on Senate Bill No. 41 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Carson, Crews, Crill, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, Miller, Neel, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of 7th.—27.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 17:

A bill to be entitled an act to extend the time for the commencement and completion of the Alafia, Manatee and Gulf Coast Railway.

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

Upon call of the roll on Senate Bill No. 17 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Carson, Crews, Crill, Faulkner, Gillen, Law, McCaskill, McCreary, Miller Neel, Palmer, Peacock, Raney, Rouse, Sams, Scott, Wadsworth, Whidden, Wilson of 7th.—24.

Nays—Messrs. Harris, Stockton, Williams.—3.

So the bill passed, title as stated.

Senate Bill No. 80:

A bill to be entitled an act to amend Chapter 5040, Laws of Florida, being an act to prescribe what shall be deemed a lawful fence in part of townships 43 and 44, ranges 26 and 28, in Lee county, Florida, and to exempt said territory from the provisions of Sections 875, 876 and 878, of the Revised Statutes of Florida

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

Upon call of the roll on Senate Bill No. 80 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, Miller, Neel, Palmer, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of 7th.—26.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 107.

A bill to be entitled an act to legalize the incorporation of the town of Wauchula, in the county of DeSoto, and to declare the incorporation of said town to be valid and of full force.

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

Upon call of the roll on Senate Bill No. 107 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blitch, Blount, Brown, Carson, Crews, Crill, Faulkner, Gillen, Harris, Law, McCaskill, McCreary, Miller, Palmer, Peacock, Raney, Rouse, Sams, Scott, Stockton, Wadsworth, Williams, Wilson of 7th, Wilson of 4th.—26.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 66:

A bill to be entitled an act to amend Section 1310 Revised Statutes, so as to prescribe regulations for calling circuit judges into the Supreme Court to hear and determine matters pending before the court, in the place of justices thereof, who shall be disqualified or disabled from interest, sickness or other cause; and to define the cases wherein circuit judges shall or may be called into the Supreme Court to hear and determine matters there in pending.

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

Upon call of the roll on Senate Bill No. 66 the vote was:

Yeas—Mr. President, Messrs. Bailey, Blitch, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Harris, Law, McCaskill, McCreary, Miller, Neel, Palmer, Peacock, Raney, Sams, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of 7th.—26.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 127:

A bill to be entitled an act to amend the city charter of the city of Tampa, and to provide for its government, jurisdiction, powers and duties.

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

Upon call of the roll on Senate Bill No. 127, the vote was

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Carson, Crews, Crill, Faulkner, Gillen, McCaskill, McCreary, Neel, Palmer, Peacock, Raney, Rouse, Scott, Stockton, Wadsworth, Whidden, Williams, Wilson of 7th.—24.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 100.

A bill to be entitled an act to amend Section 1989 of the Revised Statutes of Florida relating to the foreclosure of mortgages upon lands lying in different counties.

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

Upon call of the roll on Senate Bill No. 100, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blicht, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Gillen, McCaskill, McCreary, Neel, Palmer, Peacock, Raney, Rouse, Scott, Wadsworth, Whidden, Williams.—22.

Nays—None.

So the bill passed, title as stated.

Senate Joint Resolution No. 4:

A joint resolution proposing an amendment to Section 8, Article XII of the Constitution of the State of Florida, such article relating to education.

Mr. Palmer moved that Senate Joint Resolution No. 4 be laid on table subject to call.

Which was agreed to.

Mr. Palmer moved that the rules be waived, and House Joint Resolution No. 74, now on its second reading, be taken up out of its order and considered.

Which was agreed to by a two-thirds vote.

Mr. Palmer moved that the rules be waived and House Joint Resolution No. 74 be read a second time by its title only.

Which was agreed to by a two-thirds vote,

And,

House Joint Resolution No. 74:

A joint resolution proposing amendment to section 8 and article 12 of the Constitution of the State of Florida. Was taken up.

Mr. Palmer moved that the rules be waived and that House Joint Resolution No. 74 be read a second time by its title only.

Which was agreed to by a two-thirds vote,

And House Joint Resolution No. 74 was read a second time by its title only.

Mr. Palmer moved that the rules be further waived, and that House Joint Resolution No. 74 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 74 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Messrs. Blount, Butler, Carson, Crews, Harris, McCaskill, McCreary, Neel, Palmer, Wadsworth, Whidden.—12.

Nays—Messrs. Bailey, Brown, Crill, Faulkner, Gillen, Peacock, Raney, Rouse, Sams, Scott, Stockton, Williams, Wilson of 7th.—13.

So House Joint Resolution having failed to receive the constitutional majority of three-fifths of all the members elected to the Senate, failed to pass.

Mr. Wilson of 7th gave notice that on tomorrow he would move to reconsider the vote by which House Joint Resolution No. 74 failed to pass.

Senate Bill No. 78:

A bill to be entitled an act to amend Section 2 of Chapter 4147 of the Laws of Florida, entitled, "An act to regulate the carrying of fire arms, approved June the 2nd, 1893.

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

Upon call of the roll on Senate Bill No. 78 the vote was:

Yeas—Mr. President, Senators Bailey, Blount, Brown, Carson, Crews, Crill, Faulkner, Harris, McCaskill, McCreary, Neel, Peacock, Raney, Rouse, Sams, Stockton,

Wadsworth, Whidden, Williams, Wilson of the 4th—21.
Nays—None.

So the bill passed, title as stated.

Senate Bill No. 31:

A bill to be entitled an act to prescribe the compensation to be paid to jurors and witnesses on behalf of the State in courts of county judges and justices of the peace, and to jurors in coroners' inquests.

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

Upon call of the roll on Senate Bill No. 31, the vote was:

Yeas—Mr. President, Messrs. Bailey, Blount, Brown, Butler, Carson, Crews, Crill, Faulkner, Harris, McCaskill, McCreary, Neel, Palmer Peacock, Rouse, Sams, Scott, Stockton, Wadsworth, Whidden, Wilson of 7th, Wilson of 4th.—22.

Nays—Messrs. Raney, Williams.—2.

Mr. Gillen moved to adjourn until 10 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock a. m. tomorrow, April 23, 1903.

THURSDAY, APRIL 23, 1903.

The Senate met pursuant to adjournment.

The President pro tem. in the chair.

The roll being called, 29 Senators answered to their names, showing a quorum present, Mr. President, Mr. MacWilliams and Mr. Palmer being absent.

Prayer by the chaplain.

The reading of the Journal was dispensed with.

The Journal as corrected was approved.

Mr. Crill asked that Mr. Palmer be excused from attending today, on account of sickness.

Mr. Palmer was excused.

The following communication was read:

Daughters of the Confederacy, Florida Division.

Tallahassee, Fla., April 23, 1903.

To the Hon. Frank Adams, President of the Senate:

Dear Sir—Anna Jackson Chapter, United Daughters of the Confederacy, most cordially invites the members of

21 S.